

from the other House a resolution with respect to the same plan, then—

(a) If no resolution of the first House with respect to such plan has been referred to committee, no other resolution with respect to the same plan may be reported or (despite the provisions of section 204 (a)) be made the subject of a motion to discharge.

(b) If a resolution of the first House with respect to such plan has been referred to committee—

(1) the procedure with respect to that or other resolutions of such House with respect to such plan which have been referred to committee shall be the same as if no resolution from the other House with respect to such plan had been received; but

(2) on any vote on final passage of a resolution of the first House with respect to such plan the resolution from the other House with respect to such plan shall be automatically substituted for the resolution of the first House.

Approved December 20, 1945.

[CHAPTER 583]

AN ACT

To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization.

December 20, 1945
[S. 1580]
[Public Law 264]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Participation Act of 1945".

Short title.

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States at the seat of the United Nations who shall have the rank and status of envoy extraordinary and ambassador plenipotentiary, shall receive annual compensation of \$20,000, and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

U. S. representative
at seat of United
Nations.

Duties.

(b) The President, by and with the advice and consent of the Senate, shall appoint a deputy representative of the United States to the Security Council who shall have the rank and status of envoy extraordinary and minister plenipotentiary, shall receive annual compensation of \$12,000, and shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of the representative.

Deputy representa-
tive to Security Coun-
cil.

(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at the rate of \$12,000 per annum for such period as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is designated under this subsection as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Assembly shall be entitled to receive such compensation.

Representatives and
alternates for sessions
of General Assembly.

Other appoint-
ments.

Economic and Social
Council and Trustee-
ship Council.

Commission with
respect to atomic
energy, etc.

Representation of
U. S. by President or
Secretary of State.

Acts of representa-
tives to accord with
President's instruc-
tions.

Reports to Congress.

Application of en-
forcement measures.

Penal provisions.

(d) The President may also appoint from time to time such other persons as he may deem necessary to represent the United States in the organs and agencies of the United Nations at such salaries, not to exceed \$12,000 each per annum, as he shall determine, but the representative of the United States in the Economic and Social Council and in the Trusteeship Council of the United Nations shall be appointed only by and with the advice and consent of the Senate, except that the President may, without the advice and consent of the Senate, designate any officer of the United States to act, without additional compensation, as the representative of the United States in either such Council (A) at any specified meeting thereof in the absence or disability of the regular representative, or (B) in connection with a specified subject matter at any specified meeting of either such Council in lieu of the regular representative. The advice and consent of the Senate shall also be required for the appointment by the President of the representative of the United States in any commission that may be formed by the United Nations with respect to atomic energy or in any other commission of the United Nations to which the United States is entitled to appoint a representative.

(e) Nothing contained in this section shall preclude the President or the Secretary of State, at the direction of the President, from representing the United States at any meeting or session of any organ or agency of the United Nations.

SEC. 3. The representatives provided for in section 2 hereof, when representing the United States in the respective organs and agencies of the United Nations, shall, at all times, act in accordance with the instructions of the President transmitted by the Secretary of State unless other means of transmission is directed by the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Charter of the United Nations.

SEC. 4. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress of the activities of the United Nations and of the participation of the United States therein. He shall make special current reports on decisions of the Security Council to take enforcement measures under the provisions of the Charter of the United Nations, and on the participation therein under his instructions, of the representative of the United States.

SEC. 5. (a) Notwithstanding the provisions of any other law, whenever the United States is called upon by the Security Council to apply measures which said Council has decided, pursuant to article 41 of said Charter, are to be employed to give effect to its decisions under said Charter, the President may, to the extent necessary to apply such measures, through any agency which he may designate, and under such orders, rules, and regulations as may be prescribed by him, investigate, regulate, or prohibit, in whole or in part, economic relations or rail, sea, air, postal, telegraphic, radio, and other means of communication between any foreign country or any national thereof or any person therein and the United States or any person subject to the jurisdiction thereof, or involving any property subject to the jurisdiction of the United States.

(b) Any person who willfully violates or evades or attempts to violate or evade any order, rule, or regulation issued by the President pursuant to paragraph (a) of this section shall, upon conviction, be fined not more than \$10,000 or, if a natural person, be imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation or evasion shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents,

or any vessel, together with her tackle, apparel, furniture, and equipment, or vehicle, concerned in such violation shall be forfeited to the United States.

SEC. 6. The President is authorized to negotiate a special agreement or agreements with the Security Council which shall be subject to the approval of the Congress by appropriate Act or joint resolution, providing for the numbers and types of armed forces, their degree of readiness and general location, and the nature of facilities and assistance, including rights of passage, to be made available to the Security Council on its call for the purpose of maintaining international peace and security in accordance with article 43 of said Charter. The President shall not be deemed to require the authorization of the Congress to make available to the Security Council on its call in order to take action under article 42 of said Charter and pursuant to such special agreement or agreements the armed forces, facilities, or assistance provided for therein: *Provided*, That nothing herein contained shall be construed as an authorization to the President by the Congress to make available to the Security Council for such purpose armed forces, facilities, or assistance in addition to the forces, facilities, and assistance provided for in such special agreement or agreements.

SEC. 7. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the United Nations as apportioned by the General Assembly in accordance with article 17 of the Charter, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof, and of their appropriate staffs, including personal servites in the District of Columbia and elsewhere, without regard to the civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 10 of the Act of March 3, 1933, and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a); cost of living allowance under such rules and regulations as the Secretary of State may prescribe; communication services; stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); local transportation; equipment; transportation of things; rent of offices; printing and binding; official entertainment; stationery; purchase of newspapers, periodicals, books, and documents; and such other expenses as may be authorized by the Secretary of State.

Approved December 20, 1945.

[CHAPTER 584]

AN ACT

To amend further the Civil Service Retirement Act approved May 29, 1930, as amended.

Military agreements.

Availability of armed forces, etc.

Annual appropriations authorized.

Travel expenses.
44 Stat. 688.
5 U. S. C. § 821;
Supp. IV, § 823.
47 Stat. 1516.
5 U. S. C. § 73b.

46 Stat. 818.

December 21, 1945
[S. 405]
[Public Law 265]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 2 of section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, be, and the same is hereby, amended by striking out all of the said paragraph 2 thereof and inserting in lieu thereof the following:

"In computing length of service for the purposes of this Act, all periods of separation from the service, and so much of any leaves of

Civil Service Retirement Act, amendment.

46 Stat. 472.
5 U. S. C. § 707.
Amte. p. 577.

Computation of length of service.

absence as may exceed six months in the aggregate in any calendar year, shall be excluded, except leaves of absence granted employees while performing active military or naval service in the Army, Navy, Marine Corps, or Coast Guard of the United States or while receiving benefits under the United States Employees' Compensation Act, and in the case of substitutes in the Postal Service credit shall be given from date of original appointment as a substitute."

Approved December 21, 1945.

39 Stat. 742.
5 U. S. C. §§ 751-791,
793; Supp. IV, ch. 15.
Amte., p. 503.

[CHAPTER 585]

AN ACT

December 21, 1945
[S. 1366]
[Public Law 266]

To authorize the State of Tennessee to convey a railroad right-of-way through Montgomery Bell Park.

Montgomery Bell
Park, Dickson
County, Tenn.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Tennessee is hereby authorized and empowered to convey a right-of-way for railroad purposes, not in excess of one hundred feet in width, to The Nashville, Chattanooga and Saint Louis Railway over, through, and across the Montgomery Bell Park in Dickson County, Tennessee (previously known as the Montgomery Bell recreational demonstration area), notwithstanding the express condition contained in deed dated May 25, 1943, from the United States of America to the State of Tennessee, which deed was executed pursuant to the Act of June 6, 1942 (56 Stat. 326), entitled "An Act to authorize the disposition of recreational demonstration projects and for other purposes". Such conveyance by the State of Tennessee shall not be deemed a breach of the express condition that the State of Tennessee should use the said property exclusively for public park, recreational, and conservation purposes. The State of Tennessee is authorized to expend funds received as a consideration for such conveyance for the acquisition of additional land needed to round out the Montgomery Bell Park area.

Approved December 21, 1945.

16 U. S. C., Supp.
IV, §§ 450r-450t.

[CHAPTER 586]

AN ACT

December 21, 1945
[H. R. 608]
[Public Law 267]

To exclude certain lands in Deschutes County, Oregon, from the provisions of Revised Statutes 2319 to 2337, inclusive, relating to the promotion of the development of the mining resources of the United States.

Deschutes County,
Oreg.
Mineral deposits
within designated
lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within the following-described real property situated in Deschutes County, Oregon, namely, sections 13 to 16, inclusive, sections 21 to 28, inclusive, sections 33 to 36, inclusive, township 21 south, range 12 east, Willamette meridian; sections 16 to 21, inclusive, sections 28 to 33, inclusive, township 21 south, range 13 east, Willamette meridian; sections 1 to 4, inclusive, sections 9 to 12, inclusive, township 22 south, range 12 east, Willamette meridian; and sections 4 to 9, inclusive, township 22 south, range 13 east, Willamette meridian; deposits of all minerals are excluded from the operation of Revised Statutes 2319 to 2337, inclusive (relating to the promotion of the development of the mining resources of the United States): *Provided,* That nothing in this Act shall disturb any vested rights of any person or persons in or to said real property or any part thereof.

Approved December 21, 1945.

30 U. S. C. § 22 *et seq.*