

BULLETIN }  
No. 10 }WAR DEPARTMENT  
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**I. EXECUTIVE ORDER.**—The following Executive Order (No. 9865) is published for the information and guidance of all concerned:

**EXECUTIVE ORDER 9865**

**PROVIDING FOR THE PROTECTION ABROAD OF INVENTIONS RESULTING FROM RESEARCH FINANCED BY THE GOVERNMENT**

WHEREAS the Government of the United States now has and will hereafter acquire title to, or the right to file foreign patent applications for, numerous inventions arising out of scientific and technical research carried on by or for the Government; and

WHEREAS it is in the interest of the United States to acquire patent protection abroad on certain inventions resulting from government-financed research; and

WHEREAS it is in the interest of the Government to foster, promote, and develop the foreign commerce of the United States:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and statutes, and as Commander in Chief of the Army and Navy, and in the interest of the foreign affairs functions of the United States and the internal management of the Government, it is hereby ordered as follows:

1. All Government departments and agencies shall, whenever practicable, acquire the right to file foreign patent applications on inventions resulting from research conducted or financed by the Government.

2. All Government departments and agencies which have or may hereafter acquire title to inventions or the right to file patent applications abroad thereon, shall fully and continuously inform the Department of Commerce concerning such inventions, except as provided in section 6 hereof, and shall make recommendations to the Department of Commerce as to which of such inventions should receive patent protection by the United States abroad and the foreign jurisdictions in which such patent protection should be sought. The recommendations of such departments and agencies shall indicate the immediate or future industrial, commercial or other value of the invention concerned, including its value to public health.

3. The Department of Commerce shall determine whether, and in what foreign jurisdictions, the United States should seek patents for such inventions and, to the extent of appropriations available therefor, shall procure patent protection for such inventions, taking all action, consistent with existing law, necessary to acquire and maintain patent rights abroad. Such determinations of the said Department shall be made after full consultation with United States industry and commerce, with the Department of State, and with other Government agencies familiar with the technical, scientific, industrial, commercial or other economic or social factors affecting the invention involved, and after con-

sideration of the availability of valid patent protection in the countries determined to be immediate or potential markets for, or producers of, products, processes, or services covered by or relating to the invention.

4. The Department of Commerce shall administer foreign patents acquired by the United States under the terms of this order and shall issue licenses thereunder in accordance with law under such rules and regulations as the Secretary of Commerce shall prescribe. Nationals of the United States shall be granted licenses on a nonexclusive royalty free basis except in such cases as the Secretary shall determine and proclaim it to be inconsistent with the public interest to issue such licenses on a nonexclusive royalty free basis.

5. The Department of State, in consultation with the Department of Commerce, shall negotiate arrangements among governments under which each government and its nationals shall have access to the foreign patents of the other participating governments. Patents relating to matters of public health may be licensed by the Secretary of Commerce, with the approval of the Secretary of State, to any country or its nationals upon such terms and conditions as are in accordance with law and as the Secretary of Commerce determines to be appropriate, regardless of whether such country is a party to the arrangements provided for in this section.

6. There shall be exempted from the provisions of this order (a) all inventions within the jurisdiction of the Atomic Energy Commission except in such cases as the said Commission specifically authorizes the inclusion of an invention under the terms of this order; and (b) all other inventions officially classified as secret or confidential for reasons of the national security. Nothing in this order shall supersede the declassification policies and procedures established by Executive Orders Nos. 9568 of June 8, 1945; 9604 of August 25, 1945, and 9809 of December 12, 1946.

THE WHITE HOUSE,  
June 14, 1947.

HARRY S. TRUMAN

**II. EXECUTIVE ORDER.**—The following Executive Order (No. 9867) is published for the information and guidance of all concerned:

**EXECUTIVE ORDER 9867**

AMENDING EXECUTIVE ORDER NO. 9492, AS AMENDED, PRESCRIBING REGULATIONS GOVERNING NON-MILITARY AND NON-NAVAL TRANSPORTATION ON ARMY AND NAVY AIR TRANSPORTS

By virtue of the authority vested in me by the Constitution and laws of the United States and as President of the United States and Commander in Chief of the Army and Navy of the United States, it is ordered that Executive Order No. 9492 of October 24, 1944, as amended by Executive Orders No. 9629 of September 25, 1945, No. 9714 of April 20, 1946, No. 9792 of October 23, 1946, and No. 9840 of April 22, 1947, prescribing regulations governing non-military and non-naval transportation on Army and Navy air transports, be, and it is hereby, further amended by substituting the words "two years and ten months" for the words "two years and eight months," occurring in paragraph 2 (c) thereof, as amended.

THE WHITE HOUSE,  
June 23, 1947.

HARRY S. TRUMAN

**III. EXECUTIVE ORDER.**—The following Executive Order (No. 9868) is published for the information and guidance of all concerned:

**EXECUTIVE ORDER 9868**

APPOINTMENT OF MEMBERS OF A MILITARY TRIBUNAL ESTABLISHED FOR THE TRIAL AND PUNISHMENT OF MAJOR WAR CRIMINALS IN GERMANY

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States and Commander in Chief of the Army and Navy of the United States, it is ordered as follows:

1. I hereby designate Edward Francis Carter, Associate Justice of the Supreme Court of the State of Nebraska, and Curtis Grover Shake, former Judge of the Supreme Court of the State of Indiana, as members of one of the several military tribunals established by the Military Governor for the United States Zone of Occupation within Germany pursuant to the quadripartite agreement of the Control Council for Germany, enacted December 20, 1945, as Control Council Law No. 10, and pursuant to Articles 10 and 11 of the Charter of the International Military Tribunal, which tribunal was established by the Government of the United States of America, the Provisional Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the Union of Soviet Socialist Republics, for the trial and punishment of major war criminals of the European Axis. Such members may, at the direction of the Military Governor of the United States Zone of Occupation, serve on any of the several military tribunals above mentioned, which tribunals are a component part of the military occupational forces of the United States, and upon which the members designated herein shall perform active service during the period of their designation.

2. The members herein designated shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes.

3. The Secretary of State, the Secretary of War, the Attorney General, and the Secretary of the Navy are authorized to provide appropriate assistance to the members herein designated in the performance of their duties and may assign or detail such personnel under their respective jurisdictions, including members of the armed forces, as may be requested for the purpose. Personnel so assigned or detailed shall receive such compensation and allowances for expenses as may be determined by the Secretary of War and as may be payable from appropriations or funds available to the War Department for such purposes, except that personnel assigned or detailed from the Navy Department shall receive such compensation and allowances for expenses to which they may be entitled by reason of their military grade and service and as may be payable from appropriations or funds available to the Navy Department for such purposes.

THE WHITE HOUSE,  
June 24, 1947.

HARRY S. TRUMAN

**IV. EXECUTIVE ORDER.**—The following Executive Order (No. 9871) is published for the information and guidance of all concerned:

**EXECUTIVE ORDER 9871**

REGULATIONS GOVERNING THE GRANTING OF ALLOWANCES FOR QUARTERS AND SUBSISTENCE TO ENLISTED MEN OF THE ARMY, NAVY, MARINE CORPS, AND COAST GUARD, AND PER DIEM ALLOWANCES TO MEMBERS OF SUCH SERVICES AND COAST AND GEODETIC SURVEY AND PUBLIC HEALTH SERVICE ON DUTY OUTSIDE THE CONTINENTAL UNITED STATES OR IN ALASKA

By virtue of and pursuant to the authority vested in me by sections 10 and 12 of the Pay Readjustment Act of 1942, as amended (56 Stat. 363, 364, 60 Stat. 853, 858; 37 U. S. C. Sup. 110, 112), I hereby prescribe the following regulations governing the granting of (1) allowances for quarters and subsistence to enlisted men in active service in the Army, Navy, Marine Corps, and Coast Guard who are not furnished quarters or rations in kind; (2) per diem allowances in lieu of actual and necessary expenses to members of the above-mentioned services and members of the Coast and Geodetic Survey and Public Health Service on duty outside the continental United States or in Alaska, whether or not in a travel status; and (3) allowances for quarters to enlisted men of the first, second, and third grades in active service in the Army, Navy, Marine Corps or Coast Guard having dependents as defined in section 4 of the said act, for periods during which public quarters are not provided and available for such dependents:

## PART I

A. Enlisted men on duty where quarters or rations in kind are not furnished shall be granted daily allowances as follows:

	No Government Messing facilities furnished	Government Messing facilities furnished
1. General—If not otherwise provided for under authority of Parts I A 2 or II hereof, including those absent from their ships on temporary duty not involving travel:		
(a) Subsistence.....	\$2.25	\$1.20
(b) Quarters.....	1.25	1.25
2. Special—Enlisted men assigned to duty where emergency conditions justify such allowances, including those absent from their ships at such places on temporary duty not involving travel, payable at the discretion and upon the determination of the head of the department concerned in lieu of allowances at rates otherwise specified in paragraph 1.		
(a) Subsistence—at not to exceed.....	3.00	3.00
(b) Quarters—at not to exceed.....	2.00	2.00

B. Upon arrival at or departure from a station where allowances for subsistence are paid, such allowances shall be computed as follows, the day to begin at midnight: For 18 hours or more at the station, one whole day; for 12 hours or more but less than 18 hours at the station, two-thirds of one day; for 6 hours or more but less than 12 hours at the station one-third of one day. No allowance for subsistence shall be paid for the day on which a man arrives at a station after 6 o'clock P. M.

C. In determining station allowance for quarters, a fractional part of a day shall be computed as a whole day; payment for station allowance shall accrue from midnight; and station allowance shall be paid for the day of arrival at, but not for the day of departure from, a permanent station.

D. Men traveling on duty, including detentions not exceeding thirty-one days at any one place, when not furnished sleeping-car or stateroom accommodations or other quarters and rations in kind, shall be granted a daily allowance of \$5.00: Provided, that when quarters in kind are furnished they shall be entitled only to an allowance for subsistence at the rate of \$1.00 per meal, and when subsistence is furnished they shall be entitled only to an allowance for quarters at the rate of \$2.00 per day; except that where travel is performed by rail or water, the allowance for subsistence shall be \$1.25 for each meal required to be taken in a dining car on a train or in a dining room on a steamer, and if quarters are not provided for the day of such travel, the allowance for quarters shall be \$1.75 when an allowance for subsistence is so furnished for one meal, \$1.50 when an allowance for subsistence is so furnished for two meals, or \$1.25 when an allowance for subsistence is so furnished for three meals.

E. For the purposes of this section, quarters in kind shall be considered as furnished for the day of arrival at a permanent station. Men absent under orders from their station upon duty which involves travel and also temporary detentions during the journey shall be deemed to be traveling under orders during the entire period of such absence including the day of departure therefrom and return thereto. For periods of detention in excess of thirty-one days at any one place, the allowances prescribed in Part I, A, above shall be applicable.

F. Payments of allowances for quarters and subsistence may be made to enlisted men not more than one month in advance, except that as to men proceeding to or from a station beyond the continental limits of the United States or in Alaska, such payments may be made not more than three months in advance. The heads of the departments concerned may prescribe such additional regulations as may be necessary to carry out the provisions of this paragraph.

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## PART II

Without regard to monetary limitations contained in the Pay Readjustment Act of 1942 as amended, the heads of the departments concerned may authorize the payment to members of their respective services on duty outside continental United States or in Alaska, whether or not in a travel status, or per diem allowances in lieu of actual and necessary expenses, considering all elements of cost of living, including cost of quarters, subsistence, and other necessary incidental expenses. Such per diem allowances shall be uniform for all services. The heads of the departments concerned may prescribe such additional regulations as may be necessary to carry out the provisions of this Part, such regulations to be uniform to the fullest extent practicable.

## PART III

Each enlisted man of the first, second, or third grade in active service in the Army, Navy, Marine Corps or Coast Guard who is not entitled to a money allowance for quarters in a non-travel status under the provisions of sections 10 or 12 of the said Act of June 16, 1942, and who has a dependent as defined in section 4 of the said Act, shall be entitled to receive for any period during which public quarters are not provided and available for such dependent, the money allowance for quarters prescribed for enlisted men in a non-travel status by Parts I or II above. Any such enlisted man, although receiving an allowance for quarters in a non-travel status prescribed by Parts I or II above, shall be entitled to an additional money allowance for quarters if by reason of orders of competent authority his dependent is prevented from dwelling with him, such additional money allowance for quarters to be paid at the rate prescribed in Part I A 1 above: Provided, that notwithstanding any other provisions herein contained enlisted men on duty ashore, or on ships assigned home ports, outside the continental limits of the United States or in Alaska, who are otherwise entitled to a money allowance for quarters for dependents shall be paid such money allowance at the rate prescribed in Part I A 1 above when their dependents have not established a residence in the locality of their respective permanent station or home port as determined under regulations prescribed by the head of the department concerned.

This order shall supersede Executive Order No. 9336 of October 15, 1943, as amended by Executive Order No. 9561 of June 1, 1945; Executive Order No. 9744C of June 29, 1946; and Executive Order No. 9825 of January 30, 1947, and shall be effective from July 1, 1947 until June 30, 1948 unless sooner modified or revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 8, 1947.

**V. ESTABLISHMENT OF OFFICES, PHILIPPINES.**—The following Joint Resolution (Public Law 91—80th Cong.) is published for the information and guidance of all concerned:

Joint Resolution authorizing the Administrator of Veterans' Affairs to continue and establish offices in the territory of the Republic of the Philippines.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the authority in section 7 of the World War Veterans' Act, 1924 (43 Stat. 609; 38 U. S. C. 430), and section 101 of the Servicemen's Readjustment Act of 1944 (58 Stat. 284; 38 U. S. C. 693a) to establish regional offices, suboffices, contact units, or other subordinate offices may continue to be exercised by the Administrator of Veterans' Affairs with respect to territory of the Republic of the Philippines on and after the date of its independence if he deems such offices necessary, but in no event after June 30, 1948.

Approved June 14, 1947.

**VI. SERVICEMEN'S READJUSTMENT ACT, 1944.**—The following Act of Congress (Public Law 94—80th Cong.) is published for the information and guidance of all concerned:

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second paragraph of section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is hereby amended by deleting "June 30, 1947" and inserting in lieu thereof the following: "June 30, 1948".

Approved June 14, 1947.

**VII. ASSISTANCE TO GREECE AND TURKEY.**—The following Act of Congress (Public Law 75—80th Cong.) is published for the information and guidance of all concerned:

An Act to provide for assistance to Greece and Turkey.

Whereas the Governments of Greece and Turkey have sought from the Government of the United States immediate financial and other assistance which is necessary for the maintenance of their national integrity and their survival as free nations; and

Whereas the national integrity and survival of these nations are of importance to the security of the United States and of all freedom-loving peoples and depend upon the receipt at this time of assistance; and

Whereas the Security Council of the United Nations has recognized the seriousness of the unsettled conditions prevailing on the border between Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other, and, if the present emergency is met, may subsequently assume full responsibility for this phase of the problem as a result of the investigation which its commission is currently conducting; and

Whereas the Food and Agriculture Organization mission for Greece recognized the necessity that Greece receive financial and economic assistance and recommended that Greece request such assistance from the appropriate agencies of the United Nations and from the Governments of the United States and the United Kingdom; and

Whereas the United Nations is not now in a position to furnish to Greece and Turkey the financial and economic assistance which is immediately required; and

Whereas the furnishing of such assistance to Greece and Turkey by the United States will contribute to the freedom and independence of all members of the United Nations, in conformity with the principles and purposes of the Charter: Now, therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provisions of any other law, the President may from time to time when he deems it in the interest of the United States furnish assistance to Greece and Turkey, upon request of their governments, and upon terms and conditions determined by him—

(1) by rendering financial aid in the form of loans, credits, grants, or otherwise, to those countries;

(2) by detailing to assist those countries any persons in the employ of the Government of the United States; and the provisions of the Act of May 25, 1938 (52 Stat. 442), as amended, applicable to personnel detailed pursuant to such Act, as amended, shall be applicable to personnel detailed pursuant to this paragraph: *Provided, however,* That no civilian personnel shall be assigned to Greece or Turkey to administer the purposes of this Act until such personnel have been investigated by the Federal Bureau of Investigation;

(3) by detailing a limited number of members of the military services of the United States to assist those countries, in an advisory capacity only; and the provisions of the Act of May 19, 1926 (44 Stat. 565), as amended, applicable to personnel detailed pursuant to such Act, as amended, shall be applicable to personnel detailed pursuant to this paragraph;

(4) by providing for (A) the transfer to, and the procurement for by manufacture or otherwise and the transfer to, those countries of any arti-

cles, services, and information, and (B) the instruction and training of personnel of those countries; and

(5) by incurring and defraying necessary expenses, including administrative expenses and expenses for compensation of personnel, in connection with the carrying out of the provisions of this Act.

Sec. 2. (a) Sums from advances by the Reconstruction Finance Corporation under section 4 (a) and from the appropriations made under authority of section 4 (b) may be allocated for any of the purposes of this Act to any department, agency, or independent establishment of the Government. Any amount so allocated shall be available as advancement or reimbursement, and shall be credited, at the option of the department, agency, or independent establishment concerned, to appropriate appropriations, funds or accounts existing or established for the purpose.

(b) Whenever the President requires payment in advance by the Government of Greece or of Turkey for assistance to be furnished to such countries in accordance with this Act, such payments when made shall be credited to such countries in accounts established for the purpose. Sums from such accounts shall be allocated to the departments, agencies, or independent establishments of the Government which furnish the assistance for which payment is received, in the same manner, and shall be available and credited in the same manner, as allocations made under subsection (a) of this section. Any portion of such allocation not used as reimbursement shall remain available until expended.

(c) Whenever any portion of an allocation under subsection (a) or subsection (b) is used as reimbursement, the amount of reimbursement shall be available for entering into contracts and other uses during the fiscal year in which the reimbursement is received and the ensuing fiscal year. Where the head of any department, agency, or independent establishment of the Government determines that replacement of any article transferred pursuant to paragraph (4) (A) of section 1 is not necessary, any funds received in payment therefor shall be covered into the Treasury as miscellaneous receipts.

(d) (1) Payment in advance by the Government of Greece or of Turkey shall be required by the President for any articles or services furnished to such country under paragraph (4) (A) of section 1 if they are not paid for from funds advanced by the Reconstruction Finance Corporation under section 4 (a) or from funds appropriated under authority of section 4 (b).

(2) No department, agency, or independent establishment of the Government shall furnish any articles or services under paragraph (4) (A) of section 1 to either Greece or Turkey, unless it receives advancements or reimbursements therefor out of allocations under subsection (a) or (b) of this section.

Sec. 3. As a condition precedent to the receipt of any assistance pursuant to this Act, the government requesting such assistance shall agree (a) to permit free access of United States Government officials for the purpose of observing whether such assistance is utilized effectively and in accordance with the undertakings of the recipient government; (b) to permit representatives of the press and radio of the United States to observe freely and to report fully regarding the utilization of such assistance; (c) not to transfer, without the consent of the President of the United States, title to or possession of any article or information transferred pursuant to this Act nor to permit, without such consent, the use of any such article or the use or disclosure of any such information by or to anyone not an officer, employee, or agent of the recipient government; (d) to make such provisions as may be required by the President of the United States for the security of any article, service, or information received pursuant to this Act; (e) not to use any part of the proceeds of any loan, credit, grant, or other form of aid rendered pursuant to this Act for the making of any payment on account of the principal or interest on any loan made to such government by any other foreign government; and (f) to give full and continuous publicity within such country as to the purpose, source, character, scope, amounts, and progress of United States economic assistance carried on therein pursuant to this Act.

Sec. 4. (a) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (b) of this section, to make advances, not to exceed in the aggregate \$100,000,000 to carry out the provisions of this Act, in such manner and in such amounts as the President shall determine.

(b) There is hereby authorized to be appropriated to the President not to exceed \$400,000,000 to carry out the provisions of this Act. From appropriations made under this authority there shall be repaid to the Reconstruction Finance Corporation the advances made by it under subsection (a) of this section.

SEC. 5. The President may from time to time prescribe such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred upon him pursuant to this Act through such department, agency, independent establishment, or officer of the Government as he shall direct.

The President is directed to withdraw any or all aid authorized herein under any of the following circumstances:

(1) If requested by the Government of Greece or Turkey, respectively, representing a majority of the people of either such nation;

(2) If the Security Council finds (with respect to which finding the United States waives the exercise of any veto) or the General Assembly finds that action taken or assistance furnished by the United Nations makes the continuance of such assistance unnecessary or undesirable;

(3) If the President finds that any purposes of the Act have been substantially accomplished by the action of any other intergovernmental organizations or finds that the purposes of the Act are incapable of satisfactory accomplishment; and

(4) If the President finds that any of the assurances given pursuant to section 3 are not being carried out.

SEC. 6. Assistance to any country under this Act may, unless sooner terminated by the President, be terminated by concurrent resolution by the two Houses of the Congress.

SEC. 7. The President shall submit to the Congress quarterly reports of expenditures and activities, which shall include uses of funds by the recipient governments, under authority of this Act.

SEC. 8. The chief of any mission to any country receiving assistance under this Act shall be appointed by the President, by and with the advice and consent of the Senate, and shall perform such functions relating to the administration of this Act as the President shall prescribe.

Approved May 22, 1947.

**VIII. PROCLAMATION OF THE PRESIDENT.**—The following proclamation of the President (No. 2737) is published for the information and guidance of all concerned:

**PROCLAMATION 2737**

**AIR FORCE DAY, 1947**

**BY THE PRESIDENT OF THE UNITED STATES OF AMERICA**  
**A PROCLAMATION**

WHEREAS the Army Air Forces contributed immeasurably to our victory over the enemy in Europe and Asia, and stands ever ready to defend our nation in time of danger; and

WHEREAS our appreciation of liberty is strengthened by our recollection of the achievements of the living and the sacrifices of the dead, which through four decades have nurtured the growth of American air power; and

WHEREAS August 1, 1947, marks the fortieth anniversary of the birth of the Army Air Forces:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in order that we may more justly honor the men and women of the Army Air Forces and more fully acknowledge the contributions of all those who have developed and maintained our nation's air strength, do hereby proclaim Friday, August 1, 1947, as Air Force Day, and invite the Governors of all the States to issue proclamations calling for the observance of that day; and I also direct that the flag of the United States be displayed on all public buildings on that day.

I remind all of our citizens that the air power of the nation is essential to the preservation of our liberty, and that the continued development of the science of air transportation is vital to the trade and commerce of a peaceful world.

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IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 10th day of July in the year nineteen hundred and forty-seven, and of the Independence of the United States [SEAL] of America the one hundred and seventy-second.

HARRY S. TRUMAN

By the President:  
G. C. MARSHALL,  
*Secretary of State.*

BY ORDER OF THE SECRETARY OF WAR:

OFFICIAL:  
EDWARD F. WITSELL  
*Major General*  
*The Adjutant General*

DWIGHT D. EISENHOWER  
*Chief of Staff*

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