

Limitation. purposes of this Act; and with respect to projects within and without continental United States, the approximate partial cost for each project enumerated and authorized in section 1 of this Act may, in the discretion of the Secretary of the Army, be varied upward 10 per centum, but the total cost of the work on the projects authorized by this Act shall not exceed \$7,663,212. Any such appropriation shall be available under the direction of the Secretary of the Army for expenses incident to construction, including administration, overhead, planning, and surveys, and shall be available until expended: *Provided*, That any work undertaken under this authorization may be prosecuted by direct appropriations, or by both direct appropriations and continuing contracts subject to the availability of subsequent appropriations: *Provided further*, That construction of family quarters under this authorization shall be subject to the terms and conditions set forth in the last six provisos of section 3 of the Act of June 12, 1948 (Public Law 626; 62 Stat. 379-380).

Availability of appropriation. Prosecution of work. Family quarters. 5 U. S. C., Supp. II, § 626p; 10 U. S. C., Supp. II, § 1337b. Acquisition of lands, etc. 31 U. S. C. § 529.

SEC. 3. To accomplish the above-authorized construction the Secretary of the Army is authorized to acquire lands and rights pertaining thereto, or other interest therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended.

Approved October 27, 1949.

[CHAPTER 766]

AN ACT

October 27, 1949

[S. 1267]

[Public Law 415]

To promote the national defense by authorizing a unitary plan for construction of transsonic and supersonic wind-tunnel facilities and the establishment of an Air Engineering Development Center.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

Unitary Wind Tunnel Plan Act of 1949, and Air Engineering Development Center Act of 1949.

Unitary Wind Tunnel Plan Act of 1949.

SEC. 101. The National Advisory Committee for Aeronautics (hereinafter referred to as the "Committee") and the Secretary of Defense are hereby authorized and directed jointly to develop a unitary plan for the construction of transsonic and supersonic wind-tunnel facilities for the solution of research, development, and evaluation problems in aeronautics, including the construction of facilities at educational institutions within the continental limits of the United States for training and research in aeronautics, and to revise the uncompleted portions of the unitary plan from time to time to accord with changes in national defense requirements and scientific and technical advances. The Committee and the Secretaries of the Army, the Navy, and the Air Force are authorized to proceed with the construction and equipment of facilities in implementation of the unitary plan to the extent permitted by appropriations pursuant to existing authority and the authority contained in titles I and II of this Act. Any further implementation of the unitary plan shall be subject to such additional authorizations as may be approved by Congress.

Post, p. 937.

Construction and equipment authorized.

SEC. 102. The Committee is hereby authorized, in implementation of the unitary plan, to construct and equip transsonic or supersonic wind tunnels of a size, design and character adequate for the efficient conduct of experimental work in support of long-range fundamental research at educational institutions within the continental United States, to be selected by the Committee, or to enter into contracts with such institutions to provide for such construction and equipment, at a total cost not to exceed \$10,000,000: *Provided*, That the Committee may, in its discretion, after consultation with the

Cost limitation.

Title to facilities.

Committees on Armed Services of both Houses of the Congress, vest title to the facilities completed pursuant to this Section in such educational institutions under such terms and conditions as may be deemed in the best interests of the United States.

SEC. 103. (a) The Committee is hereby authorized to expand the facilities at its existing laboratories by the construction of additional supersonic wind tunnels, including buildings, equipment, and accessory construction, and by the acquisition of land and installation of utilities.

(b) There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not to exceed \$136,000,000.

(c) The facilities authorized by this section shall be operated and staffed by the Committee but shall be available primarily to industry for testing experimental models in connection with the development of aircraft and missiles. Such tests shall be scheduled and conducted in accordance with industry's requirements and allocation of laboratory time shall be made in accordance with the public interest, with proper emphasis upon the requirements of each military service and due consideration of civilian needs.

SEC. 104. The Secretary of the Navy is hereby authorized, in implementation of the unitary plan, to expand the naval facilities at the David W. Taylor Model Basin, Carderock, Maryland, by the construction of a wind tunnel, including buildings, equipment, utilities, and accessory construction, at a cost not to exceed \$6,600,000.

SEC. 105. The Committee shall submit semi-annual written reports to the Congress covering the selection of institutions and contracts entered into pursuant to section 102 of this title together with other pertinent information relative to the Committee's activities and accomplishments thereunder.

SEC. 106. This title may be cited as the "Unitary Wind Tunnel Plan Act of 1949".

TITLE II

SEC. 201. The Secretary of the Air Force is hereby authorized to establish an Air Engineering Development Center, and to construct, install, and equip (1) temporary and permanent public works, including housing accommodations and community facilities for military and civilian personnel, buildings, facilities, appurtenances, and utilities; and (2) wind tunnels in implementation of the unitary plan referred to in title I of this Act; and to maintain and operate the public works and wind tunnels authorized by title II of this Act.

SEC. 202. To accomplish the purposes of this title, the Secretary of the Air Force is authorized to acquire lands and rights pertaining thereto, or other interest therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, and construction under this title may be prosecuted without regard to section 3648, Revised Statutes, as amended.

SEC. 203. The Secretary of the Air Force is authorized to employ such civilian personnel as may be necessary to carry out the purposes of this title without regard to the limitation on maximum number of employees imposed by section 14 (a) of the Federal Employees Pay Act of 1946 (5 U. S. C. 947 (g)).

SEC. 204. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to remain available until expended when so specified in the appropriation act concerned, (a) not to exceed \$100,000,000 for the establishment and for initial construction, installation, and equipment of the Air Engineering Development Center authorized in this title, including expenses for necessary surveys and acquisition of land, and (b) such

Expansion of facilities.

Appropriation authorized.
Post, p. 980.

Operation, etc., of facilities.

David W. Taylor Model Basin, Carderock, Md.

Reports to Congress.

Ante, p. 936.

Citation of title.

Air Engineering Development Center Act of 1949.
Construction, etc., authorized.

Acquisition of lands, etc.

31 U. S. C. § 529.

Civilian personnel.

60 Stat. 219.

Appropriation authorized.
Post, p. 980.

Citation of title.

sums as may be necessary to carry out the other purposes of this title.
 SEC. 205. This title may be cited as the "Air Engineering Development Center Act of 1949".

Approved October 27, 1949.

[CHAPTER 767]

AN ACT

October 27, 1949

[S. 1586]

[Public Law 416]

Concerning common-trust funds and to make uniform the law with reference thereto.

Uniform Common-Trust Fund Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

38 Stat. 262.
 12 U. S. C., Supp.
 II, § 248 note.

SECTION 1. ESTABLISHMENT OF COMMON-TRUST FUNDS.—Any bank or trust company qualified to act as fiduciary in the District of Columbia may, subject to such rules and regulations as may be promulgated from time to time by the Board of Governors of the Federal Reserve System under the provisions of section 11 (k) of the Federal Reserve Act, as amended (12 U. S. C. 248 (k)), pertaining to the collective investment of trust funds by national banks, establish common-trust funds for the purpose of furnishing investments to itself as fiduciary, or to itself and others as cofiduciaries; and may, as such fiduciary or cofiduciary, invest funds which it lawfully holds for investment in interests in such common-trust funds, if such investment is not prohibited by the instrument, judgment, decree, or order creating such fiduciary relationship, and if, in the case of cofiduciaries, the bank or trust company procures the written consent of its cofiduciaries to such investment.

61 Stat. 328.
 D. C. Code, Supp.
 VII, §§ 47-1551 to 47-1595; 40-201 to 40-204.
Ante, p. 129 *et seq.*

SEC. 2. TAXABILITY OF COMMON-TRUST FUNDS.—(a) A common trust fund, as herein defined, shall not be subject to any tax imposed by the District of Columbia Income and Franchise Tax Act of 1947, as amended, and for the purpose of said Act shall not be deemed to be a corporation.

(b) The net income of a common trust fund shall be computed in the same manner and on the same basis as in the case of an individual. Each participant in a common trust fund shall include, in computing its net income its proportionate share of the net income of such fund, whether or not distributed to it, and the amount so included in the net income of a participant shall be taxable to such participant, or its beneficiaries, in the manner and to the extent provided in title IX of the District of Columbia Income and Franchise Tax Act of 1947, as amended, as if any amount not distributed to the participant during its taxable year actually had been so distributed.

61 Stat. 346.
 D. C. Code, Supp.
 VII, § 47-1577 to 47-1577.
Ante, p. 132.

(c) No gain or loss shall be realized by a common trust fund upon the admission or withdrawal of a participant, or upon the admission or withdrawal of any interest of a participant. The withdrawal of any participating interest by a participant shall be treated as a sale or exchange of such interest by such participant.

(d) Every bank or trust company maintaining a common trust fund shall make a return under oath for the taxable year of such fund.

(e) If the taxable year of a common trust fund is different from that of a participant therein, the proportionate share of the net income of such fund to be included in computing the net income of such participant for its taxable year shall be based upon the net income of such fund for its taxable year ending within the taxable year of such participant.

SEC. 3. COURT ACCOUNTINGS.—Unless ordered by a court of competent jurisdiction the bank or trust company operating such common-trust funds is not required to render a court accounting with regard