

and egress, and such additional area as may be necessary for a substation.

SEC. 2. This reservation is subject to the consent of the individual allottees and the tribal council, to the approval of a map of definite location by the Secretary of the Interior, and to the payment of such compensation as he may determine. Should any allottee refuse to give his consent, condemnation under the provisions of the Act of August 1, 1888 (25 Stat. 357), is hereby authorized. The right is reserved to the Indians to cultivate or otherwise utilize the right-of-way in such manner as will not be inconsistent with the use thereof for transmission-line purposes.

Approved, August 5, 1939.

[CHAPTER 441]

AN ACT

To amend the Act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (o) of section 26, of the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931, as amended, is amended to read as follows:

"(o) For the purposes of this Act the period of service shall be computed from the date of original oath of office as diplomatic secretary, consul general, consul, vice consul, deputy consul, consular assistant, consular agent, commercial agent, interpreter, or student interpreter, and shall include periods of service at different times as either a diplomatic or consular officer, or while on assignment to the Department of State, or on special duty or service in another department or establishment of the Government, but all periods of separation from the service and so much of any period of leave of absence without pay as may exceed six months shall be excluded: *Provided,* That service prior to appointment as a Foreign Service officer as a classified or an unclassified employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States may be included in the period of service, in which case the officer shall pay into the Foreign Service retirement and disability fund a special contribution equal to 5 per centum of his annual salary for each year of such employment subsequent to July 1, 1924, with interest thereon to date of payment compounded annually at 4 per centum and all such officers within the purview of this provision may elect to make such deposits in installments during the continuance of their service in such amounts and under such conditions as may be determined in each instance by the Secretary of State; but in the case of a Foreign Service officer who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided."

Approved, August 5, 1939.

Approval provisions.

Condemnation proceedings.

25 Stat. 357.
40 U. S. C. §§ 257, 258.

Right of cultivation, etc.

August 5, 1939

[S. 2788]

[Public, No. 277]

Foreign Service. Retirement and disability system.

46 Stat. 1213; *ante*, p. 588.

22 U. S. C. § 21 (o).

Computation of period of service.

Periods excluded.

Proviso. Service prior to appointment as Foreign Service officer.

Special contribution to fund.

Installment payments.

Exclusion of military, etc., service if officer receives pension, etc.

40 Stat. 398.
38 U. S. C. § 357, ch. 10; Supp. IV, ch. 10.

Right to pension, etc., not affected.