

8 U. S. C., Supp. V,  
 §§ 392b-392d.  
 8 U. S. C., Supp. V,  
 §§ 392e-392g.  
 8 U. S. C., Supp. V,  
 §§ 382-382a.  
 8 U. S. C., Supp. V,  
 § 9a.  
 8 U. S. C., Supp. V,  
 § 388.  
 8 U. S. C., Supp. V,  
 §§ 5d, 5e.  
 8 U. S. C., Supp. V,  
 § 5a-1.  
 8 U. S. C., Supp. V,  
 § 382.  
 8 U. S. C., Supp. V,  
 §§ 373, 379, 381.  
 8 U. S. C., Supp. V,  
 §§ 382b, 382c.  
 Prior nationality  
 status.

Act of June 24, 1935, chapter 288 (49 Stat. 395) ;  
 Act of June 24, 1935, chapter 290 (49 Stat. 397) ;  
 Act of June 25, 1936, chapter 811 (49 Stat. 1925-1926) ;  
 Act of June 25, 1936, chapter 801 (49 Stat. 1917) ;  
 Section 3, Act of July 30, 1937 (50 Stat. 548) ;  
 Act of August 4, 1937, chapter 563 (50 Stat. 558) ;  
 Act of May 16, 1938, chapter 225 (52 Stat. 377) ;  
 Joint resolution of June 29, 1938 (52 Stat. 1247) ;  
 Act of June 20, 1939, chapter 224 (53 Stat. 843-844) ;  
 Act of August 9, 1939, chapter 610 (53 Stat. 1273) ;  
 And any other Acts or parts of Acts in conflict with the provisions of  
 this Act, except for the purposes of section 346 of this Act.

The repeal herein provided shall not terminate nationality heretofore  
 lawfully acquired, nor restore nationality heretofore lost under any law  
 of the United States or any treaty to which the United States may have  
 been a party.

Separability clause.

SEC. 505. If any provision of this Act shall for any reason be declared  
 by any court of competent jurisdiction to be invalid, such declaration  
 shall not invalidate the remainder of this Act.

## TITLE II

Effective date.

SEC. 601. This Act shall take effect from and after ninety days from  
 the date of its approval.

Approved, October 14, 1940.

### [CHAPTER 877]

#### AN ACT

To amend the Act of June 23, 1938 (52 Stat. 944).

*Be it enacted by the Senate and House of Representatives of the  
 United States of America in Congress assembled,* That the Act of  
 June 23, 1938 (52 Stat. 944), is hereby amended as follows:

Section 5, strike out subsection (a) and substitute the following:

“(a) The board for the recommendation of line officers for promo-  
 tion to the grades of rear admiral and captain shall consist of nine  
 rear admirals on the active list of the line of the Navy, not restricted  
 by law to the performance of shore duty only. The board for the  
 recommendation of line officers for promotion to the grade of com-  
 mander shall consist of three rear admirals and six captains on the  
 active list of the line of the Navy, not restricted by law to the  
 performance of shore duty only. These boards shall be appointed  
 by the Secretary of the Navy and convened at least once each year  
 and at such times as the Secretary of the Navy may direct.”

Section 7, in subsections (a) and (b), strike out “or who is not  
 physically qualified”.

Section 8, in subsection (a), strike out “other than medical”.

Section 9, strike out subsection (f) and substitute the following:

“(f) All reports or recommendations of a line selection board  
 under any provision of law shall require the concurrence of at least  
 two-thirds of the members.”

Section 11, in subsection (b), at the end of the second proviso insert  
 “with retired pay computed as provided in section 12 (b) of this  
 Act”.

Section 12, subsection (f), in line 5 change “from” to “to”, and  
 in line 6, after “promoted”, insert “computed as provided in subsec-  
 tion (b) of this section”.

October 14, 1940  
 [H. R. 10295]  
 [Public, No. 854]

Navy.  
 Promotion, etc., of  
 officers.

34 U. S. C., Supp.  
 V, § 292 (a).  
 Selection boards.  
 Appointment, meet-  
 ings, composition, etc.

34 U. S. C., Supp.  
 V, §§ 295, 313.

34 U. S. C., Supp.  
 V, § 294 (a).  
 34 U. S. C., Supp.  
 V, § 297 (e).  
 Recommendations of  
 line selection board.

34 U. S. C., Supp.  
 V, § 300 (b).

34 U. S. C., Supp.  
 V, § 404 (f).

Section 12, strike out subsection (k) and substitute the following: “(k) Lieutenant commanders and lieutenants with date of rank as such prior to June 23, 1938, and lieutenants (junior grade) who on that date were carried as additional numbers in grade by reason of not having been recommended for promotion, shall, at their own request, in lieu of honorable discharge as provided in subsection (c) of this section, be retired on June 30 of the fiscal year in which they fail of selection as best fitted the second time or on June 30 of the fiscal year in which they complete the period of service designated in the Act of March 3, 1931, as amended (U. S. C., title 34, Supp. III, secs. 286a and 286i), whichever date shall be later with retired pay computed as provided in subsection (b) of this section: *Provided*, That any officer retained on the active list pursuant to this subsection shall be ineligible for consideration for promotion by subsequent selection boards: *Provided further*, That lieutenants who served in the Navy or Naval Reserve Force prior to November 12, 1918, and who shall have completed not less than twenty-one years of service, and who subsequent to June 23, 1938, have been or shall hereafter be retired under any provision of law, shall be advanced to the grade of lieutenant commander on the retired list effective from date of retirement with the retired pay of that grade.”

Section 14, in line 9 of subsection (a), after “grade” insert “with probationary appointments”.

Approved, October 14, 1940.

34 U. S. C., Supp. V, § 404 (k).  
Retirement of designated officers.

46 Stat. 1483.

*Provisos.*  
Ineligibility for promotion.

Advancement of lieutenants with specified service.

34 U. S. C., Supp. V, § 405.

[CHAPTER 878]

AN ACT

To empower and authorize special agents and such other employees of the Division of Investigations, Department of the Interior, as are designated by the Secretary of the Interior for that purpose, to administer oaths in the performance of their official duties.

October 14, 1940

[S. 2627]

[Public, No. 855]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That special agents and such other employees of the Division of Investigations, Department of the Interior of the United States, as are designated by the Secretary of the Interior for that purpose, are authorized and empowered to administer to or take from any person an oath, affirmation, affidavit, or deposition whenever necessary in the performance of their official duties. Any such oath, affirmation, affidavit, or deposition administered or taken by or before a special agent or such other employee of the Division of Investigations, Department of the Interior, designated by the Secretary of the Interior, when certified under his hand, shall have like force and effect as if administered or taken before an officer having a seal.

Division of Investigations, Department of Interior.  
Special agents empowered to administer oaths, etc.

Validity.

Approved, October 14, 1940.

[CHAPTER 879]

AN ACT

Authorizing special arrangements in the transportation of mail within the Territory of Alaska.

October 14, 1940

[H. R. 9851]

[Public, No. 856]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever required by the Postmaster General, any air carrier authorized by the Civil Aeronautics Authority under title IV of the Civil Aeronautics Act of 1938 to engage in the transportation of mail in the Territory of Alaska shall, within the limits of such authorization, transport, in

Alaska.  
Transportation of mail by aircraft.

52 Stat. 987-1005.  
40 U. S. C., Supp. V, §§ 481-496.