

[CHAPTER 390]

JOINT RESOLUTION

September 26, 1945
[S. J. Res. 78]
[Public Law 189]

To provide for designation of the Veterans' Administration Hospital at Crugers-on-Hudson, near Peekskill, New York, as "Franklin Delano Roosevelt Hospital".

Franklin Delano
Roosevelt Hospital.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proposed Veterans' Administration hospital at Crugers-on-Hudson, near Peekskill, New York, shall be known and designated on the public records as the "Franklin Delano Roosevelt Hospital".

Approved September 26, 1945.

[CHAPTER 393]

AN ACT

October 6, 1945
[H. R. 3951]
[Public Law 190]

To stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States.

Armed Forces Vol-
untary Recruitment
Act of 1945.
Recruiting cam-
paigns.

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 "Armed Forces Voluntary Recruitment Act of 1945".

SEC. 2. The Secretary of War and the Secretary of the Navy are authorized and directed to initiate and carry forward intensive recruiting campaigns to obtain volunteer enlistments and reenlistments in the Regular Military and Naval Establishments.

Ante, p. 230.

SEC. 3. (a) The Act entitled "An Act to provide for enlistments in the Regular Army during the period of the war, and for other purposes", approved June 1, 1945 (Public Law 72, Seventy-ninth Congress), is hereby amended to read as follows:

Enlistments and re-
enlistments in Regu-
lar Army.
Optional periods.

"That notwithstanding the limitations contained in any other provision of law, the Secretary of War is authorized and directed to accept original enlistments and reenlistments in the Regular Army for periods of eighteen months or two or three years, at the option of the person so enlisted, from among qualified male persons not less than seventeen years of age, including persons in active service in the Army of the United States or any component thereof: *Provided*, That upon the presentation of satisfactory evidence as to his age and upon written application for discharge by his parent or guardian presented to the Secretary of War within six months after the date of his enlistment, any man enlisted under the provisions of this Act who is under twenty-one years of age and who has enlisted without the written consent of his parent or guardian, if any, shall be discharged from that portion of his contract of enlistment as extends beyond the duration of the present wars and six months thereafter: *Provided further*, That such person, when discharged from the service, shall receive the form of discharge and the travel and other allowances to which his service after enlistment shall entitle him: *Provided further*, That no person under the age of eighteen years shall be enlisted without the written consent of his parents or guardians, and the Secretary of War shall, upon the application of the parents or guardians of any such person enlisted without their written consent, discharge such person from the military service with pay and with the form of discharge certificate to which the service of such person, after enlistment, shall entitle him. Nothing contained in this Act shall be construed to deprive any person of any right to reenlistment in the Regular Army under any other provision of law. Any qualified and acceptable member of the Army of the United States, or of any component thereof, who has performed active service therein for a period of not less than six months, shall, upon his application, be accepted for an enlistment period of one

Persons under 21.

Persons under 18.

Eligibility of mem-
bers of Army of U. S.

year plus the period of any furlough granted at the beginning of such enlistment. No person who is serving under an enlistment contracted on or after June 1, 1945, shall be entitled, before the expiration of the period of such enlistment, to enlist for an enlistment period which will expire before the expiration of the enlistment period for which he is so serving.

"SEC. 2. The Secretary of War is authorized to promulgate such regulations as may be necessary to effectuate the purposes of this Act.

"SEC. 3. The Secretary of War shall report to the Congress quarterly, the first such report to be made as of December 31, 1945, the number of enlisted men on active duty in the Regular Army who have been enlisted or reenlisted on or after June 1, 1945. The authority conferred by section 1 to accept original enlistments and reenlistments in the Regular Army shall terminate on June 30, 1947.

"SEC. 4. Any person who enlists or reenlists in the Regular Military Establishment on or after June 1, 1945, in the seventh grade, upon the completion of six months' active service, shall unless sooner promoted, be promoted to the sixth grade, providing he meets such qualifications as may be prescribed in regulations promulgated by the Secretary of War."

(b) The amendment made by this section shall be effective as if it had been part of such Act of June 1, 1945, when such Act was originally enacted.

SEC. 4. Whenever any enlisted man of the Regular Army shall have completed not less than twenty or more than twenty-nine years of active service, he may upon his own request be transferred to the Enlisted Reserve Corps (to remain a member thereof until his active service plus the period of his membership in such Corps equals thirty years) and at the same time be retired from the Regular Army. An enlisted man so transferred and retired shall receive, except with respect to periods of active duty he may be required to perform, until his death, annual pay equal to 2½ per centum of the average annual enlisted pay (including longevity pay) he was receiving for the six months immediately preceding his retirement multiplied by a sum equal to the sum of the number of years of his active service performed not in excess of twenty-nine years. The number of years of service to be credited in computing the right to retirement and retirement pay authorized by this section, or any other provision of law providing for the retirement of an enlisted man of the Regular Army, shall include all active Federal military service performed in the Army of the United States, the Navy, the Marine Corps or the Coast Guard, or any component thereof, any fractional part of a year amounting to six months or more to be counted as a complete year.

SEC. 5. Notwithstanding any other provisions of law, persons enlisted or reenlisted in the Regular Military or Naval Establishment shall be enlisted or reenlisted in such grades or ratings as may be prescribed by the Secretary of War and the Secretary of the Navy, respectively: *Provided*, That any person enlisted or reenlisted prior to February 1, 1946, in the Regular Military or Naval Establishment within twenty days after discharge from such establishment shall be enlisted or reenlisted in a grade or rating at least as high as the highest grade or rating, permanent or temporary, held by him at the time of such discharge.

SEC. 6. Every person discharged or released from the military or naval forces on or after June 1, 1945, who enlists or reenlists in the Regular Military or Naval Establishment (irrespective of the service from which discharged or released), and who is granted a reenlistment furlough or leave, shall be paid in advance at his option, at

Enlistment while serving under unexpired contract.

Regulations.

Quarterly reports to Congress.

Termination of authority to accept enlistments.

Promotions.

Retirement of Regular Army enlisted men.

Grades or ratings.

Furlough travel allowance.

the time such furlough or leave becomes effective, a furlough travel allowance at the rate of 5 cents a mile for the distance between his home or such other place as, subject to regulations prescribed by the Secretary of the Department concerned, he may select, and the place at which he is stationed when the furlough or leave becomes effective, and for the distance between his home, or other place so selected, and the place at which he is ordered to report for duty at the termination of the furlough or leave. If, in order to reach his home, or other place so selected, or to reach the place at which he is ordered to report for duty at the termination of the furlough or leave, sea travel is necessary, he shall be furnished for such sea travel transportation in kind and subsistence en route, and the distance thereof shall be excluded in computing the monetary allowance under the preceding sentence. No monetary allowance shall be paid under this section if travel allowance at least as great has been paid under section 126 of the National Defense Act upon the discharge or release immediately preceding the enlistment or reenlistment, and if travel allowance in a lesser amount has been so paid under section 126 of the National Defense Act, the monetary allowance provided for in this section shall be reduced by that so paid under such section 126. Any appropriated funds available to the Department of War or the Navy to defray the cost of travel of military or naval personnel shall be available to defray expenses incurred in carrying out the provisions of this section.

Sea travel.

Disallowance.

39 Stat. 217.
10 U. S. C. § 752;
Supp. IV, § 752.

Funds available.

58 Stat. 9.
38 U. S. C., Supp.
IV, § 691b (b).

Mustering-out payments.

SEC. 7. (a) Section 2 (b) of the Mustering-Out Payment Act of 1944 is amended to read as follows:

“(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment; and the remaining amount of such payment shall be paid in two equal installments—one month and two months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment; and the remaining amount of such payment shall be paid one month from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (3) shall receive the stipulated amount at the time of such discharge or relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment. A person entitled to receive the first installment of the mustering-out payment at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment shall, at his election, receive the whole of such payment in one lump sum, rather than in installments.”

38 U. S. C., Supp.
IV, § 691c.
Optional payment.

(b) Section 3 of such Act is amended by inserting before the period at the end thereof the following: “, or, at the option of such member, for the purpose of enlistment, reenlistment, or appointment in the Regular Military or Naval Establishment”.

Applicability of amendments.

(c) The amendments made by this section shall be applicable, in the case of the Naval Establishment, with respect to enlistments, reenlistments, and appointments on or after February 1, 1945, and

in the case of the Military Establishment, with respect to enlistments, reenlistments, and appointments on or after June 1, 1945.

SEC. 8. Section 10 of the Pay Readjustment Act of 1942, as amended, is amended by inserting before the last paragraph thereof a new paragraph reading as follows:

"The amount of the enlistment allowance payable to persons enlisted or reenlisted in the Regular Military Establishment on or after June 1, 1945, or in the Regular Naval Establishment on or after February 1, 1945, shall be computed at the rate prescribed for enlisted men of the first three grades. For the purpose of determining the eligibility of any person enlisted or reenlisted in the Regular Military Establishment on or after June 1, 1945, or in the Regular Naval Establishment on or after February 1, 1945, to receive the enlistment allowance, and in computing the amount thereof, all continuous active Federal service in the Army of the United States, or any component thereof (if enlisted or reenlisted in the Regular Military Establishment), or in the Navy, Marine Corps, or Coast Guard, or any reserve component thereof (if enlisted or reenlisted in the Regular Naval Establishment), whether in enlisted grades or in commissioned, commissioned warrant, or warrant officer grades, shall, if honorably performed subsequent to the payment of the last previous enlistment allowance, be credited as a period of active enlisted service. In determining whether active Federal service is continuous, any interruptions, of not more than ninety days each, between periods of such service shall be disregarded."

SEC. 9. (a) Section 101 of the Servicemen's Dependents Allowance Act of 1942, as amended, is amended to read as follows:

"SEC. 101. The dependent or dependents of any enlisted man in the Army of the United States, the United States Navy, the Marine Corps, or the Coast Guard, including any and all retired and reserve components of such services, shall be entitled to receive a monthly family allowance for any period during which such enlisted man is in the active military or naval service of the United States on or after June 1, 1942, (1) during the existence of any war declared by Congress and the six months immediately following the termination of any such war or (2) during a period of enlistment or reenlistment contracted by such enlisted man prior to July 1, 1946."

(b) Section 108 (b) of the Servicemen's Dependents Allowance Act of 1942, as amended, is amended to read as follows:

"(b) Monetary allowance in lieu of quarters for dependents authorized by section 10 of the Pay Readjustment Act of 1942, as amended, shall not be payable for any period with respect to which family allowances to dependents of enlisted men of the first, second, or third grades are being paid. An enlisted man of the first, second, or third grade may at his option receive either the monetary allowance in lieu of quarters for dependents or have his dependents become entitled to receive family allowance, except that payment of the monetary allowance shall be made only for such periods, from the effective date of this Act, as the enlisted man has in effect an allotment of pay, in an amount not less than the amount of such monetary allowance, for the support of the dependents on whose account the allowance is claimed. No dependents of any enlisted man shall be entitled to family allowance for any period for which such monetary allowance is paid to the enlisted man. The Secretary of the Department concerned is authorized to exercise the option on behalf of the enlisted man in any case in which he deems it desirable and finds it impracticable for the enlisted man to exercise his option, subject to termination at a later date upon specific request of the

56 Stat. 363.
37 U. S. C., Supp.
IV, § 110.

Enlistment allow-
ance, computation.

56 Stat. 381.
37 U. S. C., Supp.
IV, § 201.
Monthly family al-
lowance.

57 Stat. 579.
37 U. S. C., Supp.
IV, § 208 (b).

Allowance in lieu of
quarters for depend-
ents.
Supra.

Option of enlisted
man.

Exercise of option
on behalf of enlisted
man.

Charge against enlisted man's pay.

Time limitation.
56 Stat. 381.
37 U. S. C., Supp.
IV, § 201 *et seq.*
Ante, p. 541.

Free mailing privilege.

58 Stat. 287, 290.
38 U. S. C., Supp.
IV, note foll. § 735.

58 Stat. 291.
38 U. S. C., Supp.
IV, § 694.
Post, p. 626.

58 Stat. 295.
38 U. S. C., Supp.
IV, § 696.

56 Stat. 360.
37 U. S. C., Supp.
IV, § 102.

Coast Guard.

enlisted man. Whenever any option under this subsection is exercised, payments pursuant thereto shall begin at a date to be prescribed by the Secretary of the Department concerned. The monthly pay of any enlisted man of the first, second, or third grade who is provided with public quarters for his dependents and any of whose dependents is receiving a family allowance shall be reduced by, or charged with, 90 cents per day."

(c) The exercise of an option under the amendment made by this section to receive the family allowance shall in no event have the effect of entitling the enlisted man to continue to have such family allowance beyond the period during which family allowance payments are authorized to be made under the Servicemen's Dependents Allowance Act of 1942.

SEC. 10. Any first-class letter mail matter admissible to the mails as ordinary mail matter which is sent by a member of the military or naval forces of the United States (including the United States Coast Guard), while on active duty or in the active military or naval service of the United States, to any person in the United States, including the Territories and possessions thereof, shall be transmitted in the mails free of postage, subject to such rules and regulations as the Postmaster General shall prescribe. This section shall cease to be in effect after December 31, 1947.

SEC. 11. (a) Part VIII of Veterans Regulation Numbered 1 (a) (added thereto by title II of the Servicemen's Readjustment Act of 1944) is amended by inserting at the end thereof a new paragraph reading as follows:

"12. For the purposes of this part, the present war shall not be considered as terminating, in the case of any individual, before the termination of such individual's first period of enlistment or reenlistment contracted within one year after the date of the enactment of the Armed Forces Voluntary Recruitment Act of 1945."

(b) Section 500 of the Servicemen's Readjustment Act of 1944 is amended by inserting at the end thereof a new subsection reading as follows:

"(d) For the purposes of this title, the present war shall not be considered as terminating, in the case of any individual, before the termination of such individual's first period of enlistment or reenlistment contracted within one year after the date of the enactment of the Armed Forces Voluntary Recruitment Act of 1945."

(c) Section 700 of the Servicemen's Readjustment Act of 1944 is amended by inserting at the end thereof a new subsection reading as follows:

"(c) For the purposes of this title, neither the present war nor hostilities therein shall be considered as terminating, in the case of any individual, before the termination of such individual's first period of enlistment or reenlistment contracted within one year after the date of the enactment of the Armed Forces Voluntary Recruitment Act of 1945."

SEC. 12. Section 2 of the Pay Readjustment Act of 1942, as amended, is amended by striking out " : *Provided further*, That this section shall be effective from December 7, 1941, and shall cease to be in effect twelve months after the termination of the present war is proclaimed by the President".

SEC. 13. Wherever the terms "Navy" or "Naval Establishment" are used in this Act the term shall be deemed to include the Coast Guard, and wherever authority is given to the Secretary of the Navy similar authority shall be deemed given to the Secretary of the Treasury to be exercised with respect to the Coast Guard at such time or times as the Coast Guard shall be operating under the Treasury Department.

SEC. 14. The Secretary of War, with the approval of the Philippine Government, is hereby authorized to enlist in the Philippine Scouts, with pay and allowances authorized under existing law, fifty thousand men for service in the Philippine Islands, in the occupation of Japan and of lands now or formerly subject to Japan, and elsewhere in the Far East. Such enlistments shall be for three years unless sooner terminated and citizens of the Philippine Islands shall be eligible to volunteer for such service.

Approved October 6, 1945.

Philippine Scouts.

[CHAPTER 394]

JOINT RESOLUTION

Authorizing the President of the United States of America to proclaim October 11, 1945, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

October 11, 1945
[H. J. Res. 15]
[Public Law 191]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1945, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

General Pulaski's
Memorial Day.
10 F. R. 12339.
Post, p. 886.

Approved October 11, 1945.

[CHAPTER 409]

AN ACT

To authorize the exchange of certain lands in the vicinity of the War Department Pentagon Building in Arlington, Virginia.

October 11, 1945
[S. 888]
[Public Law 192]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized, under such terms and conditions as he may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land located within the boundaries of the War Department Pentagon grounds in Arlington, Virginia, aggregating four and three hundred and twenty-five one-thousandths acres, more or less; that the Federal Works Administrator be, and he is hereby authorized, under such terms and conditions as he may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land, aggregating one hundred and fifty-nine one-thousandths acre, more or less, immediately adjacent to the above described parcel of land, and that the Commissioners of the District of Columbia be, and they are hereby, authorized, under such terms and conditions as they may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land, aggregating seven hundred and ninety-four ten-thousandths acre, more or less, being a portion of the abandoned approach to the Highway Bridge, otherwise known as the Fourteenth Street Bridge (United States Highway Numbered 1), immediately adjacent to the next above described parcel of land, and that in exchange therefor, the United States of America accept all right, title, and interest of the Rosslyn Connecting Railroad Company in twelve and two hundred and twenty-five one thousandths acres of land, more or less, situate in the same vicinity.

Arlington, Va.
Exchange of lands
near Pentagon Building.

Approved October 11, 1945.