

District Court for the Territory of Hawaii", approved May 31, 1938 (Public, Numbered 566, Seventy-fifth Congress), be, and the same is hereby, amended to read as follows:

"That every justice of the Supreme Court of the Territory of Hawaii, and every judge of the United States District Court for the Territory of Hawaii, the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone, may hereafter retire after attaining the age of seventy years. If such justice or judge retires after having served as a justice or judge of any of the aforementioned courts for a period or periods aggregating ten years or more, whether continuously or not, he shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such justice or judge at the date of such retirement as the total of his aggregate years of service bears to the period of sixteen years, the same to be paid by the United States in the same manner as the salaries of the aforesaid justices and judges: *Provided, however,* That in no event shall the sum received by any such justice or judge hereunder be in excess of the salary of such justice or judge at the date of such retirement.

"SEC. 2. In computing the years of service under this Act, service in any of the aforesaid courts shall be included whether such service be continuous or not and whether rendered before or after the enactment hereof. The terms 'retire' and 'retirement' as used in this Act shall mean and include retirement, resignation, failure of reappointment upon the expiration of the term of office of an incumbent, or removal by the President of the United States upon the sole ground of mental or physical disability."

SEC. 3. That the title of the Act entitled "An Act relating to the retirement of the justices of the Supreme Court of the Territory of Hawaii and judges of the United States District Court for the Territory of Hawaii", approved May 31, 1938 (52 Stat. 591; 48 U. S. C. 634b and 634c), be amended to read as follows: "An Act relating to the retirement of certain justices and judges in the various Territories and possessions."

Approved April 16, 1946.

[CHAPTER 140]

AN ACT

To establish an office of Under Secretary of Labor, and three offices of Assistant Secretary of Labor, and to abolish the existing office of Assistant Secretary of Labor and the existing office of Second Assistant Secretary of Labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Department of Labor the office of Under Secretary of Labor, which shall be filled by appointment by the President, by and with the advice and consent of the Senate. The Under Secretary shall receive compensation at the rate of \$10,000 a year and shall perform such duties as may be prescribed by the Secretary of Labor or required by law. The Under Secretary shall (1) in case of the death, resignation, or removal from office of the Secretary, perform the duties of the Secretary until a successor is appointed, and (2) in case of the absence or sickness of the Secretary, perform the duties of the Secretary until such absence or sickness shall terminate.

SEC. 2. There are hereby established in the Department of Labor three offices of Assistant Secretary of Labor, which shall be filled by appointment by the President, by and with the advice and consent

U. S. Territories, etc.
Retirement of justices and district court judges.

Retirement pay.

Limitation.

Computation of years of service.

"Retire" and "retirement."

Amendment of title.

April 17, 1946
[S. 1298]

[Public Law 348]

Department of Labor.
Under Secretary.

Compensation; duties.

Assistant Secretaries.

Compensation; duties.

of the Senate. Each of the Assistant Secretaries of Labor shall receive compensation at the rate of \$10,000 a year and shall perform such duties as may be prescribed by the Secretary of Labor or required by law.

37 Stat. 736.
5 U. S. C. § 612.

SEC. 3. The office of Assistant Secretary of Labor established by section 2 of the Act entitled "An Act to create a Department of Labor", approved March 4, 1913, is hereby abolished, and such section 2 is amended by striking out the first two sentences thereof. The office of Second Assistant Secretary of Labor established by the Act entitled "An Act creating the positions of Second Assistant Secretary and private secretary in the Department of Labor", approved June 30, 1922, is hereby abolished, and such Act of June 30, 1922, is repealed.

42 Stat. 766.
5 U. S. C. §§ 613, 614.

Approved April 17, 1946.

[CHAPTER 141]

AN ACT

April 18, 1946
[S. 1907]
[Public Law 347]

To increase the authorized enlisted strength of the active list of the Regular Navy and Marine Corps, to increase the authorized number of commissioned officers of the active list of the line of the Regular Navy, and to authorize permanent appointments in the Regular Navy and Marine Corps, and for other purposes.

Regular Navy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to remove any apprehension on the part of Naval Reserve officers regarding their opportunities for advancement in event of their transfer to the Regular Navy, it is hereby declared to be the policy of the Congress that in all matters relating to commissioned officers in the Regular Navy there shall be no discrimination whatsoever against officers because of the source from which they entered the Regular Navy, and that no preference shall be given officers by reason of the fact that they entered the Regular Navy from any particular source; and, among other things, that all commissioned officers in the Regular Navy, regardless of the source from which they entered the Regular Navy, shall receive the same treatment with respect to opportunities for (1) promotion or advancement to all grades in the Navy, (2) holding any positions or assignments in the Navy including proportionate representation on selection boards, and (3) attending the Naval War College, postgraduate schools, or other schools, or otherwise receiving advanced or technical training.

Declaration of policy of Congress.

Equality of opportunities for advancement, etc.

Regular Navy and Marine Corps.
Authorized enlisted strength.

SEC. 2. (a) The authorized enlisted strength of the active list of the Regular Navy shall hereafter be five hundred thousand.

(b) Hereafter the authorized enlisted strength of the active list of the Regular Marine Corps shall be 20 per centum of the authorized enlisted strength of the active list of the Regular Navy.

SEC. 3. The number of enlisted men of the Navy and Marine Corps provided for shall be construed to mean the daily average number of enlisted men in the naval service during the fiscal year.

Regular Navy.
Authorized number of commissioned officers.

SEC. 4. The authorized number of commissioned officers of the active list of the line of the Regular Navy, exclusive of commissioned warrant officers, shall hereafter be equal to 7 per centum of the authorized enlisted strength of the active list of the Regular Navy.

Regular Navy and Marine Corps.
Permanent appointments to warrant or commissioned grades.

SEC. 5. (a) The President may appoint male officers of the Naval Reserve and of the Marine Corps Reserve, officers of the Regular Navy and Marine Corps without permanent appointments therein, commissioned warrant and warrant officers of the Regular Navy and Marine Corps with temporary appointments in higher grades and ranks, and any person who served on active duty in any such capacity during World War II and shall have been separated from such officer status under honorable conditions, to permanent warrant grades or,