

Security Act approved August 14, 1935, as amended; and (2) grants to States for unemployment compensation administration: *Provided*, That the obligations incurred and expenditures made for each of such purposes under the authority of this joint resolution shall be charged to any appropriations therefor in the Labor-Federal Security Appropriation Act, 1945.

Approved June 22, 1944

Post, pp. 561, 562.

[CHAPTER 271]

AN ACT

Providing for the suspension of certain requirements relating to work on tunnel sites.

June 22, 1944
[S. 1479]

[Public Law 349]

Tunnel sites.
Suspension of certain work requirements.

30 U. S. C. § 27.

Filing of notice.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That during the period beginning on the date of enactment of this Act and ending six months after the cessation of hostilities in the present wars as determined by proclamation of the President or concurrent resolution of the Congress, no location on the line of a tunnel run for the development of a vein or lode or for the discovery of mines, or veins or lodes not appearing on the surface, made by parties other than the owners of such tunnel, shall be considered valid because of the failure of such owners to prosecute work thereon with reasonable diligence as required by section 2323 of the Revised Statutes of the United States; and no right to undiscovered veins on the line of any such tunnel shall be considered to have been abandoned because of any failure to prosecute work thereon during such period: *Provided*, That every claimant of any such tunnel site, in order to obtain the benefits of this Act, shall file or cause to be filed in the office where the location notice or certificate is recorded, within six months from the date of this Act, a notice of his desire to hold the tunnel site claim under this Act.

Approved June 22, 1944.

[CHAPTER 272]

AN ACT

To authorize temporary appointment as officers in the Army of the United States of members of the Army Nurse Corps, female persons having the necessary qualifications for appointment in such corps, female dietetic and physical-therapy personnel of the Medical Department of the Army (exclusive of students and apprentices), and female persons having the necessary qualifications for appointment in such department as female dietetic or physical-therapy personnel, and for other purposes.

June 22, 1944
[S. 1808]

[Public Law 350]

Army nurses and female dietetic or physical-therapy personnel.
Temporary appointment as officers.

10 U. S. C., Supp. III, §§ 81 note, 164; 37 U. S. C., Supp. III, § 113 note.

10 U. S. C., Supp. III, § 494 note.
57 Stat. 380.

Authority.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, members of the Army Nurse Corps, female persons having the necessary qualifications for appointment in such corps, female dietetic and physical-therapy personnel of the Medical Department of the Army (exclusive of students and apprentices) appointed under the provisions of the Act of December 22, 1942 (56 Stat. 1072), and female persons having the necessary qualifications for appointments in such department as female dietetic or physical-therapy personnel under the provisions of the Act of December 22, 1942 (56 Stat. 1072), may be appointed as officers in the Army of the United States under the provisions of the joint resolution of September 22, 1941 (55 Stat. 728), as amended by the Act of July 7, 1943 (Public Law 114, Seventy-eighth Congress), in the grades therein prescribed, and assigned, respectively, to the Army Nurse Corps and Medical Department of the Army. All persons so

appointed and assigned shall have authority in and about military hospitals as regards medical and sanitary matters and all other work within the scope of their professional duties next after other officers of the Medical Department and, except as above provided, shall exercise command only over those members of the Army of the United States specifically placed under their command. Members of the Army Nurse Corps so appointed and assigned shall not by acceptance of their appointments vacate their appointments in the Army Nurse Corps.

SEC. 2. All persons appointed and assigned as officers in the Army of the United States under the provisions of section 1 of this Act and their dependents and beneficiaries shall have all the rights, privileges, and benefits accorded in like cases to other persons appointed under the joint resolution of September 22, 1941 (55 Stat. 728), as amended, except where otherwise expressly provided in this or any subsequent Act.

SEC. 3. In addition to members of the Army Nurse Corps, any person appointed and assigned as an officer in the Army of the United States under the provisions of section 1 of this Act shall be eligible to be retired under any law providing for the retirement of members of the Army Nurse Corps, and any such person, including members of the Army Nurse Corps, who, while serving under such appointment and assignment, is so retired for disability shall receive retired pay at the rate of 75 per centum of the active duty base and longevity pay received by her while serving in the highest grade in which she served under any such appointment and assignment, and, notwithstanding any other provision of law, shall be placed upon the Army Nurse Corps retired list in such highest grade. Any member of the Army Nurse Corps retired between December 7, 1941, and the date of enactment of this Act for disability and any female dietitian or physical-therapy aide so retired between January 12, 1943, and the date of enactment of this Act shall receive, effective on the first day of the first month next following the date of enactment of this Act, retired pay at the rate of 75 per centum of the highest active duty base and longevity pay received by her while serving in the Army Nurse Corps or Medical Department of the Army, as the case may be, during the above-cited applicable period: *Provided*, That nothing contained in this section shall operate to reduce the retired pay presently received by any nurse, female dietitian, or physical-therapy aide.

SEC. 4. In computing years of service for all purposes of members of the Army Nurse Corps appointed and assigned under the provisions of section 1 of this Act there shall be credited active service in the Army Nurse Corps and in the Navy Nurse Corps, active service as a contract nurse prior to February 2, 1901, and service rendered pursuant to an appointment under this Act.

SEC. 5. In computing years of service for all purposes of female dietetic and physical-therapy personnel appointed and assigned under the provisions of section 1 of this Act there shall be credited all active full-time service (except as a student or apprentice) in the dietetic or physical-therapy categories rendered subsequent to April 6, 1917, as a civilian employee of the War Department, service rendered pursuant to an appointment as a female dietitian or physical-therapy aide under the provisions of the Act of December 22, 1942 (56 Stat. 1072), and service rendered pursuant to an appointment under this Act.

SEC. 6. Notwithstanding any other provision of law, no woman appointed and assigned under the provisions of section 1 of this Act who is a member of the Army Nurse Corps or who has previously held an appointment as a female dietitian or physical-therapy aide

Exercise of command.

Army Nurse Corps.

Rights, privileges, and benefits.

10 U. S. C., Supp. III, § 484 note.

Eligibility for retirement.

Disability rate.

Retroactive provision.

Retired pay presently received.

Service credits for Army Nurse Corps.

Service credits for dietetic and physical-therapy personnel.

10 U. S. C., Supp. III, § 81 note.

Uniform allowance.

10 U. S. C., Supp. III, § 81 note.

Issuance of uniforms, insignia, etc.

Appointments by blanket order.

Acceptance date.

Nonrenewal of oath.

5 U. S. C. § 16.

Mileage allowance.

10 U. S. C., Supp. III, § 81 note.

10 U. S. C., Supp. III, § 484 note.

under the provisions of the Act of December 22, 1942 (56 Stat. 1072), shall be entitled to any uniform allowance payable to officers of the Army of the United States. Any such woman who, either as a member of the Army Nurse Corps or a dietitian or physical-therapy aide, has not received a complete issue of uniforms, insignia, accessories, and equipment prescribed by regulations of the Secretary of War for persons in the respective categories may be issued the remainder of such prescribed articles, and any such woman who has heretofore or may hereafter receive such complete issue, or any part thereof, may retain such articles as her personal property.

SEC. 7. For the purpose of effectuating prompt and equitable appointments under section 1 of this Act of the personnel mentioned in the title of this Act who are on active duty on the date of enactment of this Act, the President is authorized to appoint, in commissioned grades corresponding to the relative rank held by such personnel on the effective date of the order of appointment, all or any part of such personnel by means of a blanket order without specifying the names of the personnel so appointed. Any person so appointed by such blanket order shall be deemed for all purposes to have accepted her appointment as an officer in the Army of the United States upon the effective date of such blanket order unless she shall expressly decline such appointment, and shall receive from such date the pay and allowances of the commissioned grade to which she was so appointed. No such person who, upon receiving an appointment in the Army of the United States, shall have subscribed to the oath of office required by section 1757, Revised Statutes, shall be required to renew such oath or to take a new oath upon her appointment as a commissioned officer, if her service in the Army of the United States after the taking of such oath shall have been continuous.

SEC. 8. Women appointed in the Army Nurse Corps, female dietitians and physical-therapy aides appointed in the Medical Department of the Army under the provisions of the Act of December 22, 1942 (56 Stat. 1072), and women appointed from civilian life under the provisions of section 1 of this Act shall receive for travel performed under competent orders from home to first-duty station the mileage allowance provided for persons appointed as officers under the joint resolution of September 22, 1941 (55 Stat. 728). This section shall be applicable with respect to travel performed on or after December 22, 1942.

Approved June 22, 1944.

[CHAPTER 274]

AN ACT

To amend further the Civil Service Retirement Act, approved May 29, 1930, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Civil Service Retirement Act, approved May 29, 1930, as amended is further amended by adding thereto a further paragraph reading as follows:

“Notwithstanding any other provision of this Act, there shall be no recovery of annuity payments from any annuitant under this Act who, in the judgment of the Civil Service Commission, is without fault and when, in the judgment of the Civil Service Commission, such recovery would be contrary to equity and good conscience.”

SEC. 2. Nothing contained in the second paragraph of section 2 of the Act entitled “An Act to extend the benefits of the Civil Service

June 26, 1944

[H. R. 1475]

[Public Law 351]

Civil Service Retirement Act, amendments.

46 Stat. 478.
5 U. S. C. §§ 709, 728, 730.

Recovery of annuity payments.

50 Stat. 512.

5 U. S. C. § 719a.