or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence, and accepts employment the salary or wages for which are paid from any appropriation or fund contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That in cases of emergency, caused by fire, flood, storm, act of God, or sabotage, persons may be employed for periods of not more than thirty days and be paid salaries and wages without the necessity of inquiring into their membership in any organization.

Affidavit.

Penalty.

Emergency employment.

Short title.

SEC. 202. This Act may be cited as "The Interior Department Appropriation Act, 1950".

Approved October 12, 1949.

[CHAPTER 681]

October 12, 1949
[H. R. 5007]
[Public Law 351]

AN ACT

To provide pay, allowances, and physical disability retirement for members of the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, the reserve components thereof, the National Guard, and the Air National Guard, and for other purposes.

Career Compensation Act of 1949.

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 "Career Compensation Act of 1949".

TITLE I—TABLE OF CONTENTS AND DEFINITIONS

SEC. 101. This Act is divided into titles and sections according to the following table of contents:

TABLE OF CONTENTS

TITLE I—TABLE OF CONTENTS AND DEFINITIONS

Sec. 101. Table of contents.
Sec. 102. Definitions.

Post, p. 805.

TITLE II—PROVISIONS RELATING TO BASIC PAY AND SPECIAL PAYS

Sec. 201. Basic pay.
Sec. 202. Service creditable in computation of basic pay.
Sec. 203. Special pay—Physicians and dentists.
Sec. 204. Incentive pay—Hazardous duty.
Sec. 205. Special pay—Diving duty.

Sec. 206. Special pay—Sea and foreign duty.
Sec. 207. Special pay—Reenlistment bonus.

TITLE III—PROVISIONS RELATING TO ALLOWANCES Post, p. 812.

Sec. 301. Basic allowance for subsistence.
Sec. 302. Basic allowance for quarters.
Sec. 303. Travel and transportation allowances.
Sec. 304. Personal money allowance.

TITLE IV—PROVISIONS RELATING TO RETIREMENT, RETIREMENT PAY, SEPARATION AND SEVERANCE PAY FOR PHYSICAL DISABILITY Post, p. 816.

Sec. 401. Establishment of a temporary disability retired list.
Sec. 402. Temporary disability retirement, physical disability retirement, and disability retirement pay.
Sec. 403. Separation and severance pay for physical disability.
Sec. 404. Periodic physical examinations.
Sec. 405. Recovery from physical disability.
Sec. 406. Termination of temporary disability retirement pay.
Sec. 407. Reappointment to the active list of officers placed on the temporary disability retired list.
Sec. 408. Physical disability resulting from intentional misconduct or willful neglect.
Sec. 409. Rank or grade in which retired.
Sec. 410. Cessation of benefits upon separation.
Sec. 411. Members or former members heretofore retired for physical disability.
Sec. 412. Definition of active service.
Sec. 413. Regulations.
Sec. 414. Powers, duties, and functions.

TITLE V—MISCELLANEOUS PROVISIONS Post, p. 825.

Sec. 501. Training duty with or without pay of Reserve and National Guard personnel.
Sec. 502. Active service credit in Coast and Geodetic Survey.
Sec. 503. Payments based on purported marriages.
Sec. 504. Contract surgeons.
Sec. 505. Enlisted persons—Clothing allowance.
Sec. 506. Allowance—Shore patrol duty.
Sec. 507. Pay and allowances—Enlisted men—Philippine Scouts—Insular Force of the Navy.
Sec. 508. Pay and allowances—Cadets and midshipmen.
Sec. 509. Assimilation to pay and allowances of commissioned officers.
Sec. 510. Daily rate of pay and allowances.
Sec. 511. Retired and retainer pay of members on retired lists or receiving retainer pay.
Sec. 512. Retired pay of members and former members of reserve components.
Sec. 513. Retired pay grade of certain warrant officers and enlisted persons.
Sec. 514. Retired members and former members serving on active duty.
Sec. 515. Provision to retain present compensation and to limit the application of the Servicemen's Dependents Allowance Act of 1942, as amended.
Sec. 516. Provisions relating to increase of retired pay by active duty.
Sec. 517. Saving provision and amendments relating to members of the Marine Band.
Sec. 518. Saving provision relating to former Lighthouse Service and former Bureau of Marine Inspection personnel.
Sec. 519. Saving provision relating to members and former members receiving retirement pay on date of enactment of this act.
Sec. 520. Saving provision relating to laws providing for pay repealed by this act.
Sec. 521. Provisions of the Public Health Service Act amended and repealed.
Sec. 522. Provision relating to retirement of officers specially commended for performance of duty in combat.

Sec. 523. Amendments of the act of June 3, 1916 (39 Stat. 190; 41 Stat. 776).
Sec. 524. Amendment of the act of February 18, 1946 (60 Stat. 20).
Sec. 525. Amendments of the act of June 5, 1942 (56 Stat. 315).
Sec. 526. Amendment of the act of May 27, 1908 (35 Stat. 418).
Sec. 527. Amendment of section 4 of the Naval Aviation Cadet Act of 1942 (56 Stat. 737).
Sec. 528. Amendment of section 4 of the Army Aviation Cadet Act (55 Stat. 240).
Sec. 529. Amendment of the act of June 30, 1941 (55 Stat. 394).
Sec. 530. Amendment to the National Defense Act.
Sec. 531. Acts and parts of acts repealed.
Sec. 532. Authorization for appropriations.
Sec. 533. Effective date.

DEFINITIONS

SEC. 102. For the purposes of this Act—

"Uniformed services."

(a) The term "uniformed services", unless otherwise qualified, shall be interpreted to mean and include the Army of the United States, Navy, Air Force of the United States, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, and all Regular and Reserve components thereof.

"Member."

(b) The term "member", unless otherwise qualified, means a commissioned officer, commissioned warrant officer, warrant officer, flight officer, and enlisted person, including a retired person, of the uniformed services. As used in this subsection the words "retired person" shall include members of the Fleet Reserve and Fleet Marine Corps Reserve who are in receipt of retainer pay.

"Retired person."

"Officer."

(c) The term "officer", unless otherwise qualified, means a commissioned officer, commissioned warrant officer, warrant officer, and flight officer, either permanent or temporary, of the uniformed services. As used in this subsection the word "temporary" shall include temporary officers whose permanent status is that of an enlisted person.

"Temporary."

"Commissioned officer."

(d) The term "commissioned officer" means a member of the uniformed services having rank or grade of second lieutenant, ensign, or junior assistant grade, or above, either permanent or temporary, in any of the uniformed services, except that for purposes of section 203 of this Act such term shall be limited to the definition prescribed in subsection (a) of said section.

Post, p. 809.

"Warrant officer."

(e) The term "warrant officer" means a commissioned warrant officer, warrant officer, or flight officer, including a master, chief engineer, first mate, second mate, assistant engineer, or second assistant engineer of the Army Mine Planter Service.

"Secretary."

(f) The term "Secretary", unless otherwise qualified, shall be construed to mean the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Secretary of the Treasury, the Secretary of Commerce, or the Federal Security Administrator, as the case may be.

"Dependent."

(g) The term "dependent" shall include at all times and in all places the lawful wife and unmarried legitimate children, under twenty-one years of age, of any member of the uniformed services, except as hereinafter limited in this subsection. Such term shall include the father or mother of such member, provided he or she is in fact dependent on such member for over half of his or her support and actually resides in the household of said member. It shall also include unmarried legitimate children, over twenty-one years of age, of such member who are incapable of self-support because of being mentally defective or physically incapacitated, and who are in fact dependent on such member for over half of his or her support: *Provided*, That the term "children" shall be held to include stepchildren and adopted children when such stepchildren or adopted children are in fact dependent upon such member: *Provided further*, That in the

"Children."

Husband as dependent.

case of female members of the uniformed services, the term "dependent" shall include a husband in addition to those persons otherwise defined as dependents in this subsection, but only when such husband, or children, as defined above, are in fact dependent upon said female member for over half of his or her support.

"Father" or "mother."

The term "father" or "mother", as used in this subsection, shall include a stepparent, or parent by adoption, and any person, including a former stepparent, who has stood in loco parentis to the person concerned at any time for a continuous period of not less than five years during the minority of such member: *Provided*, That a stepparent-stepchild relationship shall be deemed to be terminated by the stepparent's divorce from the blood parent: *Provided further*, That no member claiming a dependent as defined in this subsection may be paid increased allowances on account of such dependent for any period during which such dependent is entitled to receive basic pay for the performance of duty as defined in section 201 (e) of this Act.

Relationship terminated by divorce.

Restriction.

Post, p. 807.

"Basic allowance."

(h) The term "basic allowance" shall be interpreted to mean only the "basic allowance for quarters" and the "basic allowance for subsistence".

"Inactive duty training."

(i) The term "inactive duty training" shall be interpreted to mean any of the training, instruction, duty, appropriate duties, or equivalent training, instruction, duty, appropriate duties, or hazardous duty performed with or without compensation by members of the reserve components of the uniformed services as may be prescribed by the Secretary concerned pursuant to section 501 of this Act or any other provision of law, and in addition thereto shall include the performance of special additional duties, as may be authorized by competent authority, by such members on a volunteer basis in connection with the prescribed training or maintenance activities of the unit to which the members are assigned: *Provided*, That the term "inactive duty training" shall not include work or study performed by such members in connection with correspondence courses of the uniformed services: *Provided further*, That any inactive duty training performed by members of the National Guard of the United States or of the Air National Guard of the United States, while in their status as members of the National Guard, or the Air National Guard, of the several States, Territories, and the District of Columbia pursuant to section 92 of the National Defense Act, as amended, or pursuant to any other provision of law, shall be deemed to be inactive duty training in the service of the United States.

Post, p. 825.

Exclusions.

Members of National Guard, etc.

39 Stat. 206.
32 U. S. C., Supp. II, § 62.

"He"; "his"; "him".

(j) The terms "he", "his", and "him" include the terms "she" and "her".

"Reserve component"; "reserve components".

(k) With respect to the Army and the Air Force, the term "reserve component" or the term "reserve components", unless otherwise qualified, shall include but not be limited to those members, officers, or enlisted persons who are not appointed, enlisted or inducted in a regular or reserve component of the Army of the United States or of the Air Force of the United States but are appointed, enlisted or inducted in the Army of the United States or the Air Force of the United States without specification as to any component thereof pursuant to any provision of law.

TITLE II—PROVISIONS RELATING TO BASIC PAY AND SPECIAL PAYS

BASIC PAY

SEC. 201 (a) For the purpose of computing the basic pay of members of the uniformed services, pay grades are prescribed and monthly basic

pay for such members is established within each pay grade according to cumulative years of service, as follows:

COMMISSIONED OFFICERS

Pay grade	Cumulative years of service						
	Under 2	Over 2	Over 4	Over 6	Over 8	Over 10	Over 12
O-8	$926.25	$926.25	$926.25	$926.25	$926.25	$926.25	$926.25
O-7	769.50	769.50	769.50	769.50	769.50	769.50	769.50
O-6	570.00	570.00	570.00	570.00	570.00	570.00	570.00
O-5	456.00	456.00	456.00	456.00	456.00	456.00	470.25
O-4	384.75	384.75	384.75	384.75	399.00	413.25	427.50
O-3	313.50	313.50	327.75	342.00	356.25	370.50	384.75
O-2	249.38	263.63	277.88	292.13	306.38	320.63	334.88
O-1	213.75	228.00	242.25	256.50	270.75	285.00	299.25

WARRANT OFFICERS

W-4	$320.10	$320.10	$320.10	$334.65	$349.20	$363.75	$378.30
W-3	291.00	291.00	291.00	298.28	305.55	312.83	320.10
W-2	254.63	254.63	254.63	254.63	261.90	269.18	276.45
W-1	210.98	210.98	210.98	218.25	225.53	232.80	240.08

ENLISTED PERSONS

E-7	$198.45	$198.45	$205.80	$213.15	$220.50	$227.85	$235.20
E-6	169.05	169.05	176.40	183.75	191.10	198.45	205.80
E-5	139.65	147.00	154.35	161.70	169.05	176.40	183.75
E-4	117.60	124.95	132.30	139.65	147.00	154.35	161.70
E-3	95.55	102.90	110.25	117.60	124.95	132.30	139.65
E-2	82.50	90.00	97.50	105.00	112.50	120.00	120.00
E-1 (over 4 months)	80.00	87.50	95.00	95.00	95.00	95.00	95.00
E-1 (under 4 months)	75.00						

COMMISSIONED OFFICERS

Pay grade	Cumulative years of service					
	Over 14	Over 16	Over 18	Over 22	Over 26	Over 30
O-8	$926.25	$926.25	$926.25	$926.25	$926.25	$954.75
O-7	769.50	769.50	769.50	769.50	798.00	826.50
O-6	570.00	584.25	612.75	641.25	669.75	698.25
O-5	484.50	498.75	527.25	555.75	584.25	584.25
O-4	441.75	456.00	484.50	498.75	513.00	513.00
O-3	399.00	413.25	427.50	441.75	441.75	441.75
O-2	349.13	349.13	349.13	349.13	349.13	349.13
O-1	313.50	313.50	313.50	313.50	313.50	313.50

WARRANT OFFICERS

W-4	$392.85	$407.40	$421.95	$436.50	$451.05	$465.60
W-3	327.38	334.65	349.20	363.75	378.30	392.85
W-2	283.73	291.00	305.55	320.10	334.65	349.20
W-1	247.35	254.63	269.18	283.73	298.28	298.28

ENLISTED PERSONS

E-7	$242.55	$249.90	$264.60	$279.30	$294.00	$294.00
E-6	213.15	220.50	235.20	249.90	249.90	249.90
E-5	191.10	198.45	213.15	227.85	227.85	227.85
E-4	169.05	176.40	191.10	191.10	191.10	191.10
E-3	147.00	147.00	147.00	147.00	147.00	147.00
E-2	120.00	120.00	120.00	120.00	120.00	120.00
E-1 (over 4 months)	95.00	95.00	95.00	95.00	95.00	95.00
E-1 (under 4 months)						

Commissioned officers.

(b) For basic pay purposes, commissioned officers are hereby assigned by the rank or grade in which serving, whether under temporary or permanent appointment, to the various pay grades prescribed for commissioned officers by subsection (a) of this section, as follows:

Pay grade	Army, Air Force, and Marine Corps	Navy, Coast Guard, and Coast and Geodetic Survey	Public Health Service
O-8	General, lieutenant general, and major general.	Admiral, vice admiral, and rear admiral (upper half).	Surgeon general, deputy surgeon general, and assistant surgeon general having rank of major general.
O-7	Brigadier general	Rear admiral (lower half) and commodore.	Assistant surgeon general having rank of brigadier general.
O-6	Colonel	Captain	Director grade.
O-5	Lieutenant colonel	Commander	Senior grade.
O-4	Major	Lieutenant commander	Full grade.
O-3	Captain	Lieutenant	Senior assistant grade.
O-2	First lieutenant	Lieutenant (junior grade)	Assistant grade.
O-1	Second lieutenant	Ensign	Junior assistant grade.

(c) For basic pay purposes, warrant officers (including warrant officers heretofore retired) shall be distributed by the Secretary concerned in the various pay grades prescribed for warrant officers in subsection (a) of this section.

Warrant officers.

Ante, p. 805.

(d) For basic pay purposes, enlisted persons shall be distributed by the Secretary concerned in the various pay grades prescribed for enlisted persons in subsection (a) of this section.

Enlisted persons.

Ante, p. 805.

(e) All members of the uniformed services when on the active list, when on active duty, or when participating in full-time training, training duty with pay or other full-time duty (provided for or authorized in the National Defense Act, as amended, or in the Naval Reserve Act of 1938, as amended, or in other provisions of law, including participation in exercises or performance of the duties provided for by sections 5, 81, 94, 97, and 99 of the National Defense Act, as amended), and in addition thereto, all members of the National Guard and the Air National Guard when they are entitled by law to receive from the Federal Government the same pay as that authorized for members of the Regular components of the uniformed services of corresponding grade or rank, shall be entitled to receive the basic pay of the pay grade to which assigned, or in which distributed, pursuant to subsection (b), (c), or (d) of this section, in accordance with cumulative years of service: *Provided*, That in accordance with regulations prescribed by the President, in the case of members of the uniformed services called or ordered to extended active duty in excess of thirty days, active duty shall include the time required to perform travel from home to first duty station and from last duty station to home by the mode of transportation authorized in orders for such members: *Provided further*, That any full-time training, training duty with pay, or other full-time duty performed by members of the National Guard of the United States or the Air National Guard of the United States, pursuant to this section, while in their status as members of the National Guard or the Air National Guard of the several States, Territories, and the District of Columbia and which entitles them to receive basic pay, shall be deemed to be active duty in the service of the United States.

Members entitled to basic pay.

39 Stat. 166.
10 U. S. C. § 2 *et seq.*; Supp. II, § 2 *et seq.*; 32 U. S. C. § 1 *et seq.*; Supp. II, § 1 *et seq.*
Post, pp. 836, 837, 840.
52 Stat. 1175.
34 U. S. C. § 853j; Supp. II, § 853b *et seq.*
39 Stat. 167, 203, 206, 207.
10 U. S. C. §§ 4, 22–25, 32–36, 38; 32 U. S. C. §§ 63–66, 144–146, 171–176.

Ante, p. 806; *supra*.

Inclusion of travel time.

SERVICE CREDITABLE IN COMPUTATION OF BASIC PAY

SEC. 202. (a) Subject to the provisions of subsections (b), (c), and (d) of this section, in computing the cumulative years of service to be counted by members of the uniformed services for determining the amount of basic pay they are entitled to receive upon completion of such years of service, such members shall be credited with—

Post, p. 808.

(1) full time for all periods of active service as a commissioned officer, commissioned warrant officer, warrant officer, Army field clerk, flight officer, and enlisted person in any Regular or Reserve component of any of the uniformed services; and

(2) full time for all periods during which they were enlisted or held appointments as commissioned officers, commissioned warrant officers, warrant officers, Army field clerks, or flight officers, in any of the Regular components of the uniformed services, or in the Regular Army Reserve, or in the Organized Militia prior to July 1, 1916, or in the National Guard, or in the National Guard Reserve, or in the National Guard of the United States, or in the Organized Reserve Corps, or in the Officers' Reserve Corps, or in the Enlisted Reserve Corps, or in the Medical Reserve Corps, or in the Medical Reserve Corps of the Navy, or in the Dental Reserve Corps of the Navy, or in the Naval Militia, or in the National Naval Volunteers, or in the Naval Reserve Force, or in the Naval Reserve, or in the Air National Guard, or in the Air National Guard of the United States, or in the Air Force Reserve, or in the officers' section of the Air Force Reserve, or in the enlisted section of the Air Force Reserve, or in the Air Corps Reserve, or in the Army of the United States without specification of any component thereof, or in the Air Force of the United States without specification of any component thereof, or in the Marine Corps Reserve Force, or in the Marine Corps Reserve, or in the Coast Guard Reserve, or in the Reserve Corps of the Public Health Service, or in the Philippine Scouts, or in the Philippine Constabulary; and

(3) for commissioned officers in service on June 30, 1922, all service which was then counted in computing longevity pay, and service as a contract surgeon serving full time; and

Nurses.

(4) full time for all periods during which they held appointments as nurses, reserve nurses, or commissioned officers in the Army Nurse Corps, the Navy Nurse Corps, the Nurse Corps of the Public Health Service, or the reserve components thereof; and

Officers in Coast and Geodetic Survey.

(5) full time for all periods during which they were deck officers or junior engineers in the Coast and Geodetic Survey; and

(6) all service which, under any provision of law in effect on the effective date of this section is authorized to be credited for the purpose of computing longevity pay.

Additional service credit.

(b) Members of the uniformed services shall accrue additional service credit for basic pay purposes, for periods while on a temporary disability retired list, honorary retired list, or a retired list of any of the uniformed services, or while authorized to receive retired pay, retirement pay, or retainer pay as a member of the Fleet Reserve or Fleet Marine Corps Reserve, from any of the uniformed services or from the Veterans' Administration, or while a member of the Honorary Reserve of the Officers' Reserve Corps or Organized Reserve Corps: *Provided*, That, except for active service as prescribed in section 202 (a) (1), the service credit authorized in this section shall not be included to increase retired pay, disability retirement pay, retirement pay, or retainer pay while on a retired list, on a temporary disability retired list, in a retired status, or in the Fleet Reserve or Fleet Marine Corps Reserve, except as provided in title IV of this Act.

Restriction.

Ante, p. 807.

Post, p. 816.

Service prior to age 18.

(c) The periods of time hereinabove authorized to be counted in the computation of basic pay shall, under such regulations as the Secretary concerned may prescribe, include all service heretofore or hereafter performed by members of the uniformed services prior to their attainment of eighteen years of age.

Service credit restrictions.

(d) The period of time to be counted in the computation of basic pay shall be the total of all periods authorized to be counted for such purpose in any of the uniformed services, but the same period of time shall not, for any reason, be counted more than once: *Provided*, That retired enlisted men heretofore or hereafter retired with credit for thirty years' service in the Army, Navy, or Marine Corps, and who

Overseas service between 1898-1912.

served beyond the continental limits of the United States between 1898–1912, such service having been computed under previous laws as double time toward retirement, shall be entitled to receive the maximum retired pay now or hereafter provided for the grade in which retired.

SPECIAL PAY—PHYSICIANS AND DENTISTS

"Commissioned officers."

SEC. 203. (a) The term "commissioned officers", as used in this section, shall be interpreted to mean only (1) those commissioned officers in the Medical and Dental Corps of the Regular Army, Navy, and Air Force and commissioned medical and dental officers of the Regular Corps of the Public Health Service who were on active duty on September 1, 1947; (2) those officers who, heretofore but subsequent to September 1, 1947, have been or who, prior to September 1, 1952, may be commissioned in the Medical and Dental Corps of the Regular Army, Navy, and Air Force or as medical and dental officers of the Regular Corps of the Public Health Service; (3) such officers who on September 1, 1947, were or who thereafter have been or may be commissioned in the Medical and Dental Corps of the Officers' Reserve Corps, the United States Air Force Reserve, the Naval Reserve, the National Guard, the National Guard of the United States, the Air National Guard, the Air National Guard of the United States, the Army of the United States, the Air Force of the United States, or as medical and dental officers of the Reserve Corps of the Public Health Service and who heretofore, but subsequent to September 1, 1947, have volunteered and been accepted for extended active duty of one year or longer, or who may, prior to September 1, 1952, volunteer and be accepted for extended active duty of one year or longer; (4) general officers appointed from the Medical and Dental Corps of the Regular Army, the Officers' Reserve Corps, the National Guard, the National Guard of the United States, the Army of the United States, the Regular Air Force, the United States Air Force Reserve, the Air National Guard, the Air National Guard of the United States, and the Air Force of the United States who were on active duty on September 1, 1947; and (5) general officers who, subsequent to September 1, 1947, have been or who may be appointed from those officers of the Medical and Dental Corps of the Regular Army, the Officers' Reserve Corps, the National Guard, the National Guard of the United States, the Army of the United States, the Regular Air Force, the United States Air Force Reserve, the Air National Guard, the Air National Guard of the United States, and the Air Force of the United States who are included in parts (1), (2), or (3) of this subsection.

Rate of special pay.

(b) In addition to any pay, allowances, special or incentive pays that they are otherwise entitled to receive, commissioned officers as defined in subsection (a) of this section shall be entitled to receive special pay at the rate of $100 per month for each month of active service: *Provided*, That such sum shall not be included in computing the amount of increase in pay authorized by any other provision of this Act or in computing retired pay, disability retirement pay, or any severance pay: *Provided further*, That the commissioned officers described in subsection (a) (3) of this section shall be entitled to receive the pay provided by this subsection only during periods of volunteer service: *And provided further*, That no commissioned officer as described in subsection (a) of this section shall, while he is serving as a medical or dental intern, be entitled to receive the special pay of $100 per month as is provided in this subsection.

Restriction.

Volunteer service.

Interns.

INCENTIVE PAY—HAZARDOUS DUTY

SEC. 204. (a) Subject to such regulations as may be prescribed by the President, members of the uniformed services entitled to receive

basic pay shall, in addition thereto, be entitled to receive incentive pay for the performance of hazardous duty required by competent orders.

Hazardous duties.

The following duties shall constitute hazardous duties:

(1) duty as a crew member as determined by the Secretary concerned, involving frequent and regular participation in aerial flight;

(2) duty on board a submarine, including submarines under construction from the time builders' trials commence;

(3) duty involving frequent and regular participation in aerial flights not as a crew member pursuant to part (1) of this subsection;

(4) duty involving frequent and regular participation in glider flights;

(5) duty involving parachute jumping as an essential part of military duty;

(6) duty involving intimate contact with persons afflicted with leprosy;

(7) duty involving the demolition of explosives as a primary duty, including training for such duty;

(8) duty at a submarine escape training tank, when such duty involves participation in the training; and

(9) duty at the Navy Deep Sea Diving School or the Navy Experimental Diving Unit, when such duty involves participation in training.

Rates of pay.

(b) For the performance of hazardous duty as prescribed in part (1) or (2) of subsection (a) of this section, members of the uniformed services qualifying for the incentive pay authorized pursuant to said subsection shall be entitled to be paid at the following monthly rates according to the pay grade to which assigned or in which distributed for basic pay purposes:

Pay grade	Monthly rate	Pay grade	Monthly rate
O-8	$150.00	W-2	$100.00
O-7	150.00	W-1	100.00
O-6	210.00	E-7	75.00
O-5	180.00	E-6	67.50
O-4	150.00	E-5	60.00
O-3	120.00	E-4	52.50
O-2	110.00	E-3	45.00
O-1	100.00	E-2	37.50
W-4	100.00	E-1	30.00
W-3	100.00		

(c) For the performance of any hazardous duty as prescribed in parts (3) to (9), inclusive, of subsection (a) of this section by officers and enlisted persons qualifying for the incentive pay authorized pursuant to said subsection, officers shall be entitled to be paid at the rate of $100 per month, and enlisted persons shall be entitled to be paid at the rate of $50 per month.

Suspension of payment.

(d) The President may, in time of war, suspend the payment of incentive pay for the performance of any or all hazardous duty.

Aviation cadet.

(e) No aviation cadet shall be entitled to receive any incentive pay authorized pursuant to this section.

Restriction.

(f) No member of the uniformed services shall be entitled to receive more than one payment of any incentive pay authorized pursuant to this section for the same period of time during which he may qualify for more than one payment of such incentive pay.

SPECIAL PAY—DIVING DUTY

Rate of pay.

SEC. 205. (a) An enlisted person of the uniformed services entitled to receive basic pay and assigned to the duty of diving shall,

in addition to basic pay, be entitled to receive special pay, under such regulations as may be prescribed by the Secretary concerned, at the rate of not less than $5 per month and not exceeding $30 per month.

Divers in salvage or repair operations.

(b) Members of the uniformed services entitled to receive basic pay and employed as divers in actual salvage or repair operations in depths of over ninety feet, or in depths of less than ninety feet, when the officer in charge of the salvage or repair operation shall find, in accordance with regulations prescribed by the Secretary concerned, that extraordinary hazardous conditions exist, shall, in addition to basic pay, be entitled to receive the sum of $5 per hour for each hour or fraction thereof while so employed. The amounts authorized to be paid pursuant to this subsection shall, in the case of enlisted persons, be in addition to the amounts authorized pursuant to subsection (a) of this section.

Restriction.

(c) No member of the uniformed services shall be entitled to receive the special pay authorized pursuant to this section in addition to incentive pay authorized pursuant to section 204 of this Act.

Ante, p. 809.

Suspension of payment.

(d) The President may, in time of war, suspend the payment of diving-duty pay.

SPECIAL PAY—SEA AND FOREIGN DUTY

SEC. 206. Under such regulations as the President may prescribe, enlisted persons of the uniformed services entitled to receive basic pay shall, in addition thereto, while on sea duty or while on duty in any place beyond the continental limits of the United States or in Alaska, be entitled to receive pay at the following monthly rates:

Pay grades	Monthly rates	Pay grades	Monthly rates
E-7	$22.50	E-3	$9.00
E-6	20.00	E-2	8.00
E-5	16.00	E-1	8.00
E-4	13.00		

SPECIAL PAY—REENLISTMENT BONUS

SEC. 207. (a) Members of the uniformed services who enlist under the conditions set forth in subsection (b) of this section within three months from the date of their discharge or separation, or within such lesser period of time as the Secretary concerned may determine from time to time, shall be paid a lump sum reenlistment bonus of $40, $90, $160, $250, or $360 upon enlistment for a period of two, three, four, five, or six years, respectively; and, upon enlistment for an unspecified period of time amounting to more than six years a lump sum reenlistment bonus of $360 shall be paid, and, upon the completion of six years' enlisted service in such enlistment, for each year thereafter a lump sum payment of $60 shall be made, subject to the limitation that the total amount paid shall not exceed $1,440. No reenlistment bonus shall be paid for more than four enlistments entered into after the effective date of this section: *Provided*, That the bonus to be paid in the case of a person reenlisting for a period which would extend the length of his active Federal service beyond thirty years shall be computed as if said reenlistment were for the minimum number of years necessary to permit such person to complete thirty years' active Federal service.

Limitation.

Service beyond 30 years.

Qualifications for bonus.

(b) For the purpose of payment of the reenlistment bonus authorized by subsection (a) of this section, enlistment in one of the Regular services following (1) compulsory or voluntary active duty in such service, or (2) extended active duty of one year or more in a Reserve component of such service, shall be considered a reenlistment.

Extension of enlistment.

(c) Enlisted persons of the uniformed services, who, prior to expiration of the period for which they have reenlisted, extend their reenlistment to any one of the longer enlistment periods mentioned in subsection (a) of this section, shall be paid the sum of $20 for each year of such extension subject to the limitations contained in subsection (a) of this section.

Ante, p. 811.

Option for certain reenlistees.

Ante, p. 811.

(d) Notwithstanding the provisions of subsection (a) of this section, a member of the uniformed services who reenlists within three months after being discharged from the enlistment entered into prior to the date of enactment of this Act, or who reenlists within three months after being relieved from active service as a commissioned officer or warrant officer under appointment made prior to the date of enactment of this Act if such commissioned or warrant service immediately followed enlisted service, shall be entitled to receive either (1) enlistment allowances in the amount and under the provisions of law in effect immediately prior to the date of enactment of this Act, or (2) reenlistment bonus in the amount and under the provisions of this section, whichever is the greater amount: *Provided*, That the enlistment allowance payable under (1) hereunder shall in no event exceed $300.

Limitation.

Regulations.

(e) The Secretary concerned shall prescribe regulations for the administration of this section in his department.

TITLE III—PROVISIONS RELATING TO ALLOWANCES

BASIC ALLOWANCE FOR SUBSISTENCE

SEC. 301. (a) Except as otherwise provided in this section or by any other provision of law, each member of the uniformed services entitled to receive basic pay shall be entitled to receive a basic allowance for subsistence in such amount and under such circumstances as are provided in this section. For enlisted persons such allowance shall be one of three types: (1) When rations in kind are not available; (2) when permission to mess separately is granted; or (3) when assigned to duty under emergency conditions where no Government messing facilities are available. Officers shall, at all times, be entitled to receive a basic allowance for subsistence on a monthly basis. Enlisted persons shall be entitled to the appropriate allowance on a daily basis.

Enlisted persons.

Officers.

Allowances during sickness or absence.

Restriction.

(b) Enlisted persons shall be entitled to receive the appropriate basic allowance for subsistence while on an authorized leave of absence or while sick in hospital: *Provided*, That any such allowance shall not accrue when such persons are, in fact, being subsisted at Government expense.

Advance payment.

(c) Payment of the basic allowance for subsistence, when authorized, may be made to enlisted persons in advance for a period of not exceeding three months.

Regulations.

(d) The President may prescribe regulations for the administration of this section.

Rate of allowance.

(e) Members of the uniformed services entitled to receive a basic allowance for subsistence pursuant to this section shall be entitled to receive the following amounts:

Officers	$42.00 per month.
Enlisted persons when rations in kind are not available	2.25 per day.
Enlisted persons when permission to mess separately is granted.	1.05 per day.
Enlisted persons when assigned to duty under emergency conditions where no Government messing facilities are available.	Not to exceed $3.00 per day.

BASIC ALLOWANCE FOR QUARTERS

SEC. 302. (a) Except as otherwise provided in this section or by any other provision of law, members of the uniformed services entitled

to receive basic pay shall be entitled to receive a basic allowance for quarters in such amount and under such circumstances as are provided in this section: *Provided*, That an enlisted member in pay grade E–4 (less than seven years' service), E–3, E–2, and E–1, shall be considered at all times as a member without dependents for the purposes of this section.

Member without dependents.

(b) Except as otherwise provided by law, no basic allowance for quarters shall accrue to members of the uniformed services assigned to Government quarters or housing facilities under the jurisdiction of the uniformed services, appropriate to their rank, grade, or rating and adequate for themselves and dependents, if with dependents.

Limitation.

(c) No basic allowance for quarters shall accrue to any member of the uniformed services without dependents while on field duty, unless his commanding officer certifies that he was necessarily required to procure quarters at his own expense, or while on sea duty: *Provided*, That field duty or sea duty for temporary periods of less than three months shall not be considered as field duty or sea duty for purposes of this subsection.

Field and sea duty.

Restriction.

(d) No member of the uniformed services assigned to Government quarters or housing facilities under the jurisdiction of the uniformed services shall be denied his basic allowance for quarters if, by reason of orders of competent authority, his dependents are prevented from occupying such quarters.

Dependents excluded from quarters.

(e) The President may prescribe regulations for the administration of this section, and such regulations shall include, but not be limited to, definitions of the terms "field duty" and "sea duty".

Regulations.

(f) Members of the uniformed services entitled to receive a basic allowance for quarters pursuant to this section shall be entitled to receive a basic allowance for quarters at the following monthly rates according to the pay grade to which assigned or in which distributed for basic pay purposes:

Monthly rates of allowance.

Pay grade	With dependents	Without dependents
O–8	$150.00	$120.00
O–7	150.00	120.00
O–6	120.00	105.00
O–5	120.00	90.00
O–4	105.00	82.50
O–3	90.00	75.00
O–2	82.50	67.50
O–1	75.00	60.00
W–4	105.00	82.50
W–3	90.00	75.00
W–2	82.50	67.50
W–1	75.00	60.00
E–7	67.50	45.00
E–6	67.50	45.00
E–5	67.50	45.00
E–4 (7 or more years' service)[1]	67.50	45.00
E–4 (less than 7 years' service)[1 2]	45.00	45.00
E–3[2]	45.00	45.00
E–2[2]	45.00	45.00
E–1[2]	45.00	45.00

[1] Service authorized to be credited in computation of basic pay pursuant to sec. 202 of this Act. *Ante*, p. 807.
[2] Considered at all times as without dependents pursuant to subsection (a) of this section. *Ante*, p. 812.

TRAVEL AND TRANSPORTATION ALLOWANCES

SEC. 303. (a) Under regulations prescribed by the Secretaries concerned, members of the uniformed services shall be entitled to receive travel and transportation allowances for travel performed or to be performed under competent orders (1) upon a change of permanent station, or otherwise, or when away from their designated posts of duty regardless of the length of time away from such designated posts of duty, (2) upon appointment, call to active duty, enlistment, or induction, from home or from the place from which ordered to active

duty to first station, and (3) upon separation from the service, placement upon the temporary disability retired list, release from active duty, or retirement, from last duty station to home or to the place from which ordered to active duty, regardless of the fact that such member may not be a member of the uniformed services at the time his travel is performed or is to be performed. Allowances above authorized may be paid without regard to the comparative costs of the various modes of transportation. The respective Secretaries concerned may prescribe (1) the conditions under which travel and transportation allowances shall be authorized, including advance payments thereof, and (2) the allowances for types of travel not to exceed amounts herein authorized. The travel and transportation allowances which shall be authorized for each type of travel shall be limited to one of the following: (1) Transportation in kind, reimbursement therefor, or a monetary allowance in lieu of cost of transportation at a rate not in excess of 7 cents per mile based on distances established or to be established over the shortest usually traveled routes, in accordance with mileage tables prepared by the Chief of Finance of the Department of the Army under the direction of the Secretary of the Army, (2) transportation in kind, reimbursement therefor, or a monetary allowance as provided in (1) of this sentence, plus a per diem in lieu of subsistence not to exceed $9 per day, or (3) for travel within the continental limits of the United States a mileage allowance of not exceeding 10 cents per mile based on distances established or to be established pursuant to existing law: *Provided*, That the travel and transportation allowances under conditions authorized herein for such members may be paid on separation from the service, or release from active duty, regardless of whether or not such member performs the travel involved.

Authority of Secretaries.

Limitations.

Separation from service.

(b) Without regard to the monetary limitations in this Act, the Secretaries of the uniformed services may authorize the payment to members of the uniformed services on duty outside the continental United States or in Alaska, whether or not in a travel status, of a per diem considering all elements of cost of living to members and their dependents, including the cost of quarters, subsistence, and other necessary incidental expenses: *Provided*, That dependents shall not be considered in determining per diem allowances for members in a travel status.

Per diem for duty outside continental U. S.

(c) In addition to the allowances authorized above, under such conditions and limitations and for such ranks, grades, or ratings and to and from such locations as may be prescribed by the Secretaries concerned, members of the uniformed services when ordered to make a change of permanent station shall be entitled to transportation in kind for dependents or to reimbursement therefor, or to a monetary allowance in lieu of such transportation in kind at a rate to be prescribed not in excess of the rate authorized in subsection (a) of this section, and in connection with a change of station (whether temporary or permanent), to transportation (including packing, crating, drayage, temporary storage, and unpacking) of baggage and household effects, or reimbursement therefor, to and from such locations and within such weight allowances as may be prescribed by the Secretaries, without regard to the comparative costs of the various modes of transportation. When orders directing a change of permanent station for the member concerned have not been issued, or when such orders have been issued but are of such a nature that they cannot be used as authority for transportation of dependents and baggage and household effects, the Secretaries concerned may, nevertheless, authorize the movement of the dependents and baggage and household effects and prescribe transportation in kind, reimbursement therefor, or a monetary allowance in lieu thereof as authorized in this subsection,

Transportation of dependents and household effects.

Ante, p. 813.

Transportation under emergency conditions.

as the case may be, only under unusual or emergency circumstances, including but not limited to, (1) circumstances when duty is being performed by such member at places designated by the Secretary concerned as within zones from which dependents should be evacuated, (2) circumstances when orders which direct temporary duty travel of such member do not provide for return to the permanent station or do not specify or imply any limit to the period of absence from the permanent station, or (3) circumstances when such members are serving on permanent duty at stations outside the continental United States or in Alaska, or on sea duty. The Secretary concerned shall define the term "permanent station", which definition shall include, but not be limited to, a shore station or the home yard or home port of the vessel to which a member of the uniformed services entitled to receive basic pay may be ordered; and a duly authorized change in home yard or home port of such vessel shall be deemed a change of permanent station. Under regulations prescribed by the Secretary concerned, transportation for dependents and baggage and household effects are authorized upon the death of a member of the uniformed services while entitled to receive basic pay pursuant to section 201 (e) of this Act.

"Permanent station."

Death of member.

Ante, p. 807.

(d) A member of the uniformed services on duty with or under training for the Military Air Transport Service, Marine Corps Transport Squadrons, or Fleet Logistics Support Unit and away from his permanent station, may be paid a per diem in lieu of subsistence in an amount not to exceed the amount to which he would be entitled if performing temporary duty travel, without in either case the issuance of orders for specific travel.

Per diem in lieu of subsistence.

(e) Cadets of the United States Military Academy, midshipmen of the United States Naval Academy, cadets of the United States Coast Guard Academy, applicants for enlistment, rejected applicants, general prisoners, discharged prisoners, insane patients transferred from military hospitals to other hospitals or their home, and persons discharged from Saint Elizabeths Hospital after transfer from one of the uniformed services, shall be entitled to receive such travel and transportation allowances as are provided in subsection (a) of this section, as may be prescribed by the Secretaries concerned, due consideration being given to the rights of the Government as well as those of the individual in the promulgation of regulations prescribing said allowances.

Cadets, midshipmen, etc., travel allowances, etc.

(f) The Secretaries concerned in establishing the rates and types of allowances authorized by this section shall consider in prescribing (1) monetary allowance in lieu of transportation—average cost of first-class transportation including sleeping accommodations, (2) per diem rates—the current economic data on cost of subsistence (including lodging and other necessary incidental expenses related thereto), and (3) mileage rates—average cost of first-class transportation including sleeping accommodations and current economic data on cost of subsistence (including lodging and other necessary incidental expenses related thereto).

Basis for rates and types of allowances.

(g) The Secretaries concerned shall determine what shall constitute a travel status.

(h) Regulations shall be promulgated by the Secretaries of the uniformed services, as provided herein, and such regulations shall be uniform for all services insofar as practicable: *Provided*, That no provisions of this section shall become effective until such regulations have been issued: *Provided further*, That nothing contained in this Act shall preclude the payment of travel and transportation allowances under provisions of law in effect on the day prior to the effective date of this Act, until such regulations are issued pursuant to this subsection.

Regulations.

PERSONAL MONEY ALLOWANCE

Lieutenant general, vice admiral.

SEC. 304. (a) Officers entitled to receive basic pay shall, while serving in the grade of lieutenant general, vice admiral, or in an equivalent grade or rank, in addition to any other pay or allowance authorized by this Act, be entitled to receive a personal money allowance of $500 per annum.

General, admiral.

(b) Officers entitled to receive basic pay shall, while serving in the grade of general, admiral, or in an equivalent grade or rank, in addition to any other pay or allowance authorized by this Act, be entitled to receive a personal money allowance of $2,200 per annum.

Chief of Staff of Army, etc.

(c) Officers entitled to receive basic pay shall, while serving as the Chief of Staff of the Army, as the Chief of Naval Operations, as the Chief of Staff of the Air Force, as the Commandant of the Marine Corps, or as the Commandant of the Coast Guard, in lieu of any other personal money allowance authorized by this section, but in addition to any other pay or allowance authorized by this Act, be entitled to receive a personal money allowance of $4,000 per annum.

TITLE IV—PROVISIONS RELATING TO RETIREMENT, RETIREMENT PAY, SEPARATION, AND SEVERANCE PAY FOR PHYSICAL DISABILITY

ESTABLISHMENT OF A TEMPORARY DISABILITY RETIRED LIST

SEC. 401. (a) Any member of the uniformed services found to be unfit to perform the duties of his office, rank, grade, or rating by reason of physical disability and who otherwise qualifies as hereinafter provided may be retired or separated subject to the provisions of this title.

(b) The Secretary concerned shall establish for his uniformed service a temporary disability retired list, upon which shall be placed the names of all members of his service entitled to such placement pursuant to the provisions of this title. Such list shall be published annually in the official register or other official publication of the service concerned.

TEMPORARY DISABILITY RETIREMENT, PHYSICAL DISABILITY RETIREMENT, AND DISABILITY RETIREMENT PAY

Temporary disability retired list.

SEC. 402. (a) Upon a determination by the Secretary concerned (1) that a member of a Regular component of the uniformed services entitled to receive basic pay, or a member of a Reserve component of the uniformed services entitled to receive basic pay who has been called or ordered to extended active duty for a period in excess of thirty days, is unfit to perform the duties of his office, rank, grade, or rating, by reason of physical disability incurred while entitled to receive basic pay; (2) that such disability is not due to the intentional misconduct or willful neglect of such member and that such disability was not incurred during a period of unauthorized absence of such member; (3) that such disability is 30 per centum or more in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration; (4) that such disability was the proximate result of the performance of active duty; and (5) that accepted medical principles indicate that such disability may be of a permanent nature, the name of such member shall be placed upon the temporary disability retired list of his service by the Secretary concerned and such member shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided*, That if condition (5) above is met by a finding that such disability is of a permanent nature, such

Post, p. 818.

Permanent disability.

member may be retired by the Secretary concerned and, upon retirement, shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided further*, That if condition (3) above is not met because the disability is determined to be less than 30 per centum, the member concerned shall not be eligible for any disability retirement provided in this section, but may be separated for physical disability from the service concerned and upon separation shall be entitled to receive disability severance pay as prescribed in section 403 of this title: *Provided further*, That any disability shown to have been incurred in line of duty during a period of active service in time of war or national emergency shall be considered to be the proximate result of the performance of active duty.

Post, p. 818.
Disability severance pay.

Post, p. 820.
Disability incurred during war or national emergency.

(b) Upon a determination by the Secretary concerned (1) that a member of a Regular component of the uniformed services entitled to receive basic pay, or a member of a Reserve component of the uniformed services entitled to receive basic pay who has been called or ordered to extended active duty for a period in excess of thirty days, is unfit to perform the duties of his office, rank, grade, or rating, by reason of physical disability incurred while entitled to receive basic pay; (2) that such disability is not due to the intentional misconduct or willful neglect of such member and that such disability was not incurred during a period of unauthorized absence of such member; (3) that such disability is 30 per centum or more in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration; (4) that such member has completed at least eight years of active service as defined in section 412 of this title; and (5) that accepted medical principles indicate that such disability may be of a permanent nature, the name of such member shall be placed upon the temporary disability retired list of his service by the Secretary concerned and such members shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided*, That if condition (5) above is met by a finding that such disability is of a permanent nature, such member may be retired by the Secretary concerned and, upon retirement, shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided further*, That if condition (3) above is not met because the disability is determined to be less than 30 per centum, the member concerned shall not be eligible for any disability retirement provided in this section, but may be separated for physical disability from the service concerned and upon separation shall be entitled to receive disability severance pay as prescribed in section 403 of this title: *And provided further*, That regardless of the percentage of disability determined to have been incurred, if condition (4) above is not met because the member concerned has completed less than eight years of active service as defined in section 412 of this title at the time he would otherwise have been retired pursuant to this subsection, the member concerned shall not be eligible for any disability retirement provided in this section, but may be separated for physical disability from the service concerned and upon separation shall be entitled to receive disability severance pay as prescribed in section 403 of this title.

Disability with 8 years' service.

Post, p. 824.

Post, p. 818.
Permanent disability.

Disability severance pay.

Post, p. 820.

Post, p. 824.

Post, p. 820.

(c) Upon a determination by the Secretary concerned (1) that a member of the uniformed services, other than those members covered in subsections (a) and (b) of this section, is unfit to perform the duties of his office, rank, grade, or rating by reason of physical disability resulting from an injury; (2) that such injury was not the result of the intentional misconduct or willful neglect of such member; (3) that such disability is 30 per centum or more in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration; (4) that such injury was the proximate result

Part-time service members.

of the performance of active duty, full-time training duty, other full-time duty, or inactive duty training, as the case may be; and (5) that accepted medical principles indicate that such disability may be of a permanent nature, the name of such member shall be placed upon the temporary disability retired list of his service by the Secretary concerned and such member shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided*, That if condition (5) above is met by a finding that such disability is of a permanent nature, such member may be retired by the Secretary concerned and, upon retirement, shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided further*, That if condition (3) above is not met because the disability is determined to be less than 30 per centum, the member concerned shall not be eligible for any disability retirement provided in this section, but may be separated for physical disability from the service concerned and upon separation shall be entitled to receive disability severance pay as prescribed in section 403 of this title.

Disability retirement pay.

Disability severance pay.

Post, p. 820.

Temporary disability retired list.

(d) A member of the uniformed services whose name is placed upon the temporary disability retired list of his service pursuant to subsections (a), (b), or (c) of this section, for the period during which his name is carried on such temporary disability retired list, but in no event to exceed a period of five years, or a member of the uniformed services who is retired pursuant to the provisions of this title, shall be entitled to receive disability retirement pay computed, at his election, by multiplying an amount equal to the monthly basic pay of the rank, grade, or rating held by him at the time of the placement of his name on the temporary disability retired list or at the time of his retirement, whichever is earlier, by (1) a number equal to the number of years of active service to which such member is entitled under the provisions of section 412 of this title, multiplied by 2½ per centum, or (2) the percentage of his physical disability as of the time his name was placed on the temporary disability retired list or at the time of retirement, whichever is earlier: *Provided*, That for the purpose of the computation of (1) above, fractions of one-half year or more of active service shall be counted as a whole year: *Provided further*, That the disability retirement pay of any such member who shall have held a temporary rank, grade, or rating higher than the rank, grade, or rating held by him at the time of placement of his name upon the temporary disability retired list or at the time of his retirement, whichever is earlier, and who shall have served satisfactorily in such higher rank, grade, or rating as determined by the Secretary concerned, shall be computed on the basis of the monthly basic pay of such higher rank, grade, or rating to which he would have been entitled had he been serving on active duty in such higher rank, grade, or rating at the time of placement of his name on the temporary disability retired list or at the time of retirement, whichever is earlier: *Provided further*, That in no case shall such disability retirement pay exceed 75 per centum of the basic pay upon which the computation is based: *Provided further*, That the disability retirement pay of any member whose name is carried on the temporary disability retired list shall, for so long as his name is carried on such list, be not less than 50 per centum of the basic pay upon which the computation is based: *Provided further*, That if the physical disability entitling such member to disability retirement pay is found to exist as a result of a physical examination given in connection with effecting a permanent promotion or a temporary promotion where eligibility for such temporary promotion was required to have been based upon cumulative years of service or years of service in rank, grade, or rating, the disability retirement pay of such member shall be based upon the basic pay of the rank, grade, or rating to which such member would have

Limitation.

Computation of pay.

Post, p. 824.

Fractional year.

Temporary rank, etc.

Limitations.

Credit for promotion.

been promoted but for such disability, if such rank, grade, or rating is higher than any other rank, grade, or rating upon which such pay is herein authorized to be computed and which such member would have been entitled to receive if serving on active duty in such rank, grade, or rating: *And provided further*, That for any member who, for any reason, has been or hereafter may be retired or whose name is carried on a temporary disability retired list and who, while in such status, serves on active duty, and while so serving, incurs a physical disability of 30 per centum or more in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration or incurs a physical disability in addition to or an aggravation of the physical disability for which he was retired or for which his name was placed on the temporary disability retired list, shall, if qualified therefor pursuant to this title, be entitled, on his return to a retired status or to the temporary disability retired list, to receive either (1) disability retirement pay as provided in this section, using as multipliers the highest percentages and basic pay which he attained while serving on such active duty, or (2) retirement pay or retired pay, as the case may be, as provided by any law in effect at the time of his retirement; and, in addition thereto, if such member is, during such period of active duty, promoted to a rank, grade, or rating higher than that rank, grade, or rating on which his retired pay, retirement pay, or disability retirement pay was based, and has served satisfactorily in such higher rank, grade, or rating as determined by the Secretary concerned, be entitled, on his return to a retired status or to the temporary disability retired list, to receive such retirement pay, disability retirement pay, or retired pay computed on the basis of the higher rank, grade, or rating and which such member would be entitled to receive if serving on active duty in such higher rank, grade, or rating.

Disability occurring on recall to active duty.

(e) A member of the uniformed services whose name has been placed upon the temporary disability retired list of his service shall be given periodic physical examinations, not less frequent than every eighteen months to determine whether the disability for which such member was temporarily retired has changed. If as a result of any such examinations, or upon the termination of a period of five years from the date of temporary disability retirement, it is determined (1) that the physical disability of such member is of permanent character and such disability is 30 per centum or more in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration, the name of such member shall be removed from the temporary disability retired list of his service and such member shall be permanently retired for physical disability and he shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided*, That for the purpose of computing such pay the percentage of his physical disability shall be determined as of the time of his permanent retirement; (2) that the physical disability of such member is less than 30 per centum in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration, the name of such member shall be removed from the temporary disability retired list of the service concerned, and such member may be separated from the service concerned for physical disability and upon separation shall be entitled to receive disability severance pay as prescribed in section 403 of this title: *Provided further*, That at the end of a five-year period during which the name of a member is carried on a temporary disability retired list, the Secretary concerned shall make a final determination of such member's case and shall cause such member to be retired, separated, or treated as provided in section 405 of this title.

Physical examinations.

Permanent retirement.

Determination of percentage disability.

Disability severance pay.

Post, p. 820.

Final determination.

Post, p. 821.

Disability with 20 years' service.

Post, p. 824.

(f) Notwithstanding the foregoing provisions of this section, any member of the uniformed services who shall have completed at least twenty years of active service as defined in section 412 of this title, and who is otherwise qualified to be retired for physical disability except that his disability is less than 30 per centum in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration, shall be retired and shall be entitled to receive disability retirement pay as prescribed in subsection (d) of this section: *Provided*, That the provisions of this section shall not be interpreted to limit the application of any provisions of law relating to voluntary or involuntary retirement.

Ante, p. 818.

Transfer to inactive status.

(g) Notwithstanding the foregoing provisions of this section, any member of the Army of the United States, Navy, Air Force of the United States, Marine Corps, or the Coast Guard, and all Regular and Reserve components thereof, who shall have completed at least twenty years of satisfactory Federal service in the uniformed services as defined in sections 302 and 306 of the Act of July 29, 1948 (62 Stat. 1087, 1089; 10 U. S. C. 1036a, 1036e), and who is otherwise qualified to be retired for physical disability except that his disability is less than 30 per centum in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration may elect, in lieu of being separated and receiving disability severance pay pursuant to title IV of this Act, to be transferred to the inactive status list of the uniformed service concerned pursuant to section 308 of the Act of June 29, 1948 (62 Stat. 1090; 10 U. S. C. 1036g), and be granted retired pay upon attaining the age of sixty years if eligible in all other respects to be granted retired pay as provided in title III of that Act.

10 U. S. C., Supp. II, §§ 1036a, 1036e; 34 U. S. C., Supp. II, §§ 440i, 440m.
Ante, p. 693.

Ante, p. 816.

10 U. S. C., Supp. II, § 1036g; 34 U. S. C., Supp. II, § 440o.
62 Stat. 1087.
10 U. S. C., Supp. II, §§ 1036-1036i; 34 U. S. C., Supp. II, §§ 440h-440q.
Ante, p. 693.

(h) That part of the disability retirement pay computed on the basis of years of active service which is in excess of the disability retirement pay that a member would receive if such disability pay were computed on the basis of percentage of disability shall not be deemed to be a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed service in the armed forces of any country within the meaning of section 22 (b) (5) of the Internal Revenue Code, as amended.

53 Stat. 10.
26 U. S. C. § 22(b)(5).

Reserve components.

(i) All members of the reserve components heretofore or hereafter retired or granted retirement pay because of physical disability shall be entitled to the same pay, rights, benefits, and privileges provided by law or regulation for retired members of the regular services.

SEPARATION AND SEVERANCE PAY FOR PHYSICAL DISABILITY

Computation of pay.
Ante, p. 816.

SEC. 403. A member of the uniformed services separated for physical disability pursuant to the provisions of section 402 of this title shall be entitled to receive disability severance pay computed as follows: An amount equal to two months' basic pay of the rank, grade, or rating held by such member at the time of the placement of his name on the temporary disability retired list or at the time of his separation, whichever is earlier, and which such member would be entitled to receive at the time of separation if serving on active duty in such rank, grade, or rating, multiplied by a number equal to the number of years of active service to which such member is entitled under the provisions of section 412 of this title but not to exceed a total of two years' basic pay: *Provided*, That for the purpose of this computation, fractions of one-half year or more of active service shall be counted as a whole year: *Provided further*, That the disability severance pay of any such member who shall have held a temporary rank, grade, or rating higher than the rank, grade, or rating held by him at the time of the placement of his name on the temporary disability

Post, p. 824.

Fractional year.

Temporary rank, etc.

retired list or at the time of his separation, whichever is earlier, and who shall have served satisfactorily in such higher rank, grade, or rating as determined by the Secretary concerned, shall be computed on the basis of the monthly basic pay of such higher rank, grade, or rating to which he would have been entitled had he been serving on active duty in such higher rank, grade, or rating at the time of placement of his name on the temporary disability retired list or at the time of separation, whichever is earlier: *Provided further*, That if the physical disability entitling such member to disability severance pay is found to exist as a result of a physical examination given in connection with effecting a permanent promotion or a temporary promotion where eligibility for such temporary promotion was required to have been based upon cumulative years of service or years of service in rank, grade, or rating, the disability severance pay of such member shall be based upon the rank, grade, or rating to which such member would have been promoted but for such disability, if such rank, grade, or rating is higher than any other rank, grade, or rating upon which such severance pay is herein authorized to be computed and which such member would be entitled to receive at the time of placement of his name on the temporary disability retired list or at the time of separation, whichever is earlier, if serving on active duty in the higher grade: *And provided further*, That in the case of a former member of the uniformed services who has received disability severance pay as provided in this section, the amount of such disability severance pay shall be deducted from any compensation for himself or his dependents to which he or they becomes entitled thereafter under laws administered by the Veterans' Administration for the same disability, but no such deductions shall be made from any death compensation to which his dependents may become entitled subsequent to his death.

Credit for promotion.

Deduction from disability compensation.

PERIODIC PHYSICAL EXAMINATIONS

SEC. 404. (a) A member of the uniformed services whose name is hereafter placed upon the temporary disability retired list may be required to submit to periodic physical examinations during the period in which his name is carried on such list.

(b) A member of the uniformed services whose name is placed upon the temporary disability retired list and who is required to submit to a periodic physical examination shall, for travel performed, be entitled to receive the travel and transportation allowance authorized for the rank, grade, or rating in which retired for temporary duty travel performed while on active duty. Failure of any such member to report for any periodic physical examination after receipt of proper notification may be considered cause for terminating his disability retirement pay, except that such payments shall be reinstated at a later date if just cause existed for such failure to report, in which case payments may be retroactive for a period of not to exceed one year.

Travel allowance.

Failure to report for examination.

RECOVERY FROM PHYSICAL DISABILITY

SEC. 405. (a) If, as a result of a periodic physical examination, a member of a Regular component of the uniformed services whose name has been placed on the temporary disability retired list is found to be physically fit to perform the duties of his office, rank, grade, or rating, he shall, subject to his consent, if an officer, be called to active duty and, as soon thereafter as practicable, be reappointed, subject to the provisions of section 407 of this title, to the active list of his Regular component, or, if an enlisted person, be reenlisted in his Regular component.

Post, p. 822.

(b) If, as a result of a periodic physical examination, a member of a Reserve component of the uniformed services whose name has

Reserve members.

been placed on the temporary disability retired list is found to be physically fit to perform the duties of his office, rank, grade, or rating, he shall, subject to his consent, be reappointed or reenlisted, as the case may be, in his Reserve component: *Provided*, That if the name of such member was placed on the temporary disability retired list for physical disability incurred while serving in the National Guard of the United States, or in the Air National Guard of the United States, he shall, subject to his consent, if not reappointed or reenlisted, as the case may be, in the component from which removed, be appointed, reappointed, enlisted, or reenlisted, as the case may be, in the Organized Reserve Corps or the Air Force Reserve.

Replacement on active list.

(c) Any appointment, reappointment, enlistment, or reenlistment authorized pursuant to subsection (a) or subsection (b) of this section shall be in a rank, grade, or rating not lower than the rank, grade, or rating permanently held at the time of placement of the name of the member concerned upon the temporary disability retired list, and may be in the rank, grade, or rating immediately above the rank, grade, or rating permanently held at the time of placement of the name of the member concerned upon the temporary disability retired list. When seniority in rank, grade, or rating or years of service is an applicable factor in qualifying a member of the uniformed services for future promotion, such member who is being reappointed or reenlisted pursuant to this section shall, for the purpose of placement on a lineal list, promotion list, or other similar list, be given such seniority in rank, grade, or rating or be credited with such years of service as may be authorized by the Secretary concerned. Action under this subsection shall be taken on a fair and equitable basis, and regard shall be given to the probable opportunities for advancement and promotion to which such member might reasonably have become entitled but for placement of his name upon the temporary disability retired list.

TERMINATION OF TEMPORARY DISABILITY RETIREMENT PAY

SEC. 406. (a) If, as a result of a periodic physical examination, a member of the uniformed services whose name appears on the temporary disabilty retired list is found to be physically fit to perform the duties of his office, rank, grade, or rating, he shall—

(1) if an officer of a Regular component, have his disability retirement pay terminated upon the date of his recall to active duty and his status on the temporary disability retired list terminated on the date of his reappointment to the active list;

(2) if an enlisted person of a Regular component, have both his status on such temporary disability retired list and his disability retirement pay terminated on the date of his reenlistment in the Regular component from which placed on the temporary disability retired list; or

(3) if a member of a Reserve component, have such status and his disability retirement pay terminated on the date of his reappointment or reenlistment in a Reserve component, as the case may be.

Ante, p. 821.

(b) If any such member does not consent to any action taken pursuant to either subsection (a) or subsection (b) of section 405 of this title, his status on the temporary disability retired list and his disability retirement pay shall be terminated as soon thereafter as practicable.

REAPPOINTMENT TO THE ACTIVE LIST OF OFFICERS PLACED ON THE TEMPORARY DISABILITY RETIRED LIST

SEC. 407. (a) The President, by and with the advice and consent of the Senate, is hereby authorized, in his discretion, to reappoint to the

active list of the appropriate Regular component of the uniformed services those commissioned officers of the Regular components of the uniformed services whose names have been placed on the temporary disability retired list and who are subsequently found to be physically fit to perform the duties of their office, rank, or grade on active duty. The President, or the Secretary concerned, as the case may be, is authorized to reappoint to the active list of the appropriate Regular component of the uniformed services those warrant officers of the Regular component of the uniformed services whose names have been placed on the temporary disability retired list and who are subsequently found to be physically fit to perform the duties of their office, rank, or grade.

(b) Irrespective of any vacancy in a grade, the authorized number of officers in such grade shall be temporarily increased, if necessary, to authorize appointments made pursuant to section 405 of this title.

Temporary increase of authorized number.

Ante, p. 821.

PHYSICAL DISABILITY RESULTING FROM INTENTIONAL MISCONDUCT OR WILLFUL NEGLECT

SEC. 408. When a member of the uniformed services incurs a physical disability which is determined to render him unfit to perform the duties of his office, rank, grade, or rating and which is determined to have resulted from his intentional misconduct or willful neglect, or was incurred during a period of unauthorized absence, such member shall be separated from his service without entitlement to any of the benefits of this title.

RANK OR GRADE IN WHICH RETIRED

SEC. 409. A member of the uniformed services who is retired pursuant to this title shall be retired in the rank, grade, or rating upon which his disability retirement pay is based or in such higher rank, grade, or rating as may be authorized by law at time of retirement.

CESSATION OF BENEFITS UPON SEPARATION

SEC. 410. Any former member who has been separated for physical disability from any of the uniformed services and paid disability severance pay pursuant to this title shall not thereafter, unless such former member again becomes a member of the uniformed services, be entitled to receive from the service from which such former member was separated any payment for any monetary obligation provided under any provision of law administered by any uniformed service or for such uniformed service by any other uniformed service on account of or arising out of such former member's service on or prior to such separation: *Provided*, That such separation shall not operate to bar the former member concerned from receiving or the service concerned from paying any moneys due and payable on the date of separation, or any moneys that become due as a result of a valid claim processed against the Government pursuant to any provisions of law.

Payment of moneys due.

MEMBERS OR FORMER MEMBERS HERETOFORE RETIRED FOR PHYSICAL DISABILITY

SEC. 411. Pursuant to such regulations as the President may prescribe, (1) any member or former member of the uniformed services heretofore retired by reason of physical disability and now receiving or entitled to receive retired or retirement pay; (2) any former member of the uniformed services heretofore granted or entitled to receive retirement pay for physical disability; (3) any member of the Army Nurse Corps or any person entitled to the rights, privileges, and benefits of members of the Army Nurse Corps, retired for disability under

10 U. S. C. § 937.

the Act of June 20, 1930 (46 Stat. 790), as amended; and (4) any member of the Navy Nurse Corps, or any person entitled to the rights, privileges, and benefits of members of the Navy Nurse Corps, retired for disability prior to December 23, 1942, under the Act of June 20, 1930 (46 Stat. 790), as amended, may elect within the five-year period following the effective date of this title, (A) to qualify for disability retirement pay under the provisions of this Act and, dependent on his qualification, shall be entitled to receive either the disability retirement pay or the disability severance pay prescribed in this title: *Provided*, That the determination of the percentage of disability as prescribed in sections 402 (a) (3), 402 (b) (3), or 402 (c) (3), as applicable, shall be based upon the disability of such member, former member, or person, as of the time he was last retired or as of the time he was granted retirement pay, as the case may be, and the percentage of such disability will be determined in accordance with the standard schedule of rating disabilities in current use by the Veterans' Administration; or (B) to receive retired pay or retirement pay computed by one of the two methods contained in section 511 of this Act: *Provided further*, That the retired or retirement pay of each person referred to in (3) and (4) above shall, unless a higher rank or grade is authorized by any provision of law, be based upon the commissioned officer rank or grade authorized for such persons by the Act of May 7, 1948 (Public Law 517, Eighteenth Congress).

34 U. S. C. § 436, Supp. II, § 436 note.

Determination of percentage of disability.
Ante, pp. 816, 817.

Post, p. 829.
Basis of retirement pay.

62 Stat. 211.
10 U. S. C., Supp. II, §§ 1033-1035; 34 U. S. C., Supp. II, §§ 43m-43o.

DEFINITION OF ACTIVE SERVICE

SEC. 412. For the purposes of this title, the term "active service" shall be interpreted to mean (1) for members of the Regular components of the uniformed services and for those members, former members, and persons referred to in section 411 (1), (3), and (4), all service as a member of the uniformed services, or as a nurse, or as a contract nurse prior to February 2, 1901, or as a reserve nurse subsequent to February 2, 1901, or as a contract surgeon, or as a contract dental surgeon, or as an acting dental surgeon, or as a veterinarian in the Quartermaster Department, Cavalry, or Field Artillery, or as an Army field clerk or as a field clerk, Army Quartermaster Corps, while on the active list or on active duty or while participating in full-time training or other full-time duty provided for or authorized in the National Defense Act, as amended, the Naval Reserve Act of 1938, as amended, or in other provisions of law, including participation in exercises or performances of the duties provided for by sections 5, 81, 92, 94, 97, and 99 of the National Defense Act, as amended, or all service which such member, former member, or person has or is deemed to have pursuant to law for the purpose of separation or mandatory elimination from the active list of his uniformed service; (2) for members of the reserve components of the uniformed services, other than commissioned officers of the Reserve Corps of the Public Health Service, and for former members referred to in section 411 (2) that service which is equal to the number of years which would be used by such members or former members as a multiplier in the computation of their retired pay pursuant to section 303 of the Act of June 29, 1948 (ch. 708, 62 Stat. 1088); and (3) for commissioned officers of the Public Health Service, heretofore retired for physical disability or hereafter retired or separated for physical disability pursuant to this Act, in addition to the service creditable as active service under (1) above, their service, other than commissioned service, with the Public Health Service.

Ante, p. 823; *supra*.

39 Stat. 166; 52 Stat. 1175.
10 U. S. C. § 2 *et seq.*; Supp. II, § 2 *et seq.*; 32 U. S. C. § 1 *et seq.*; Supp. II, § 1 *et seq.*; 34 U. S. C. § 853j; Supp. II, § 853b *et seq.*
Post, pp. 836, 837, 840.
39 Stat. 167, 203, 206, 207.
10 U. S. C. §§ 4, 22-25, 32-36, 38; 32 U. S. C. §§ 63-66, 144-146, 171-176; Supp. II, § 62.
Ante, p. 823.

10 U. S. C., Supp. II, § 1036b; 34 U. S. C., Supp. II, § 440j.
Ante, p. 693.

REGULATIONS

SEC. 413. The Secretary concerned shall prescribe regulations for the administration of this title within his department or agency,

including regulations which shall provide that no member of the uniformed services shall be separated or retired for physical disability without a full and fair hearing if such member shall demand it.

POWERS, DUTIES, AND FUNCTIONS

SEC. 414. (a) All duties, powers, and functions incident to the determination of fitness for active service, percentage of disability at the time of separation from active service, and suitability for reentry into active service and entitlement to and payment of disability severance pay shall be vested in the Secretary concerned.

(b) All duties, powers, and functions incident to payments of disability retirement pay, hospitalization, and reexaminations shall be vested in the Secretary concerned or in the Administrator of Veterans' Affairs under regulations promulgated by the President.

Retirement benefits under prior laws.

SEC. 415. Any member who, on the effective date of this Act, is a hospital patient and who within six months of the effective date of this Act is retired as a result of a physical disability growing out of the injury or disease for which he was hospitalized as of the date of enactment of this Act, may elect to receive retirement benefits computed under the laws in effect on the date preceding the date of enactment of this Act.

TITLE V—MISCELLANEOUS PROVISIONS

TRAINING DUTY WITH OR WITHOUT PAY OF RESERVE AND NATIONAL GUARD PERSONNEL

Duty two hours or over.

SEC. 501. (a) Under such regulations as the Secretary concerned may prescribe, and to the extent provided for by law and by appropriations, members of the National Guard, Air National Guard, National Guard of the United States, the Air National Guard of the United States, Organized Reserve Corps, Naval Reserve, Marine Corps Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service, shall be entitled to receive compensation at the rate of one-thirtieth of the basic pay authorized for such members of the uniformed services when entitled to receive basic pay, for each regular period of instruction, or period of appropriate duty, at which they shall have been engaged for not less than two hours, including those performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties as may be prescribed by the Secretary concerned: *Provided*, That for each of the several classes of organizations prescribed for the National Guard, Air National Guard, National Guard of the United States, the Air National Guard of the United States, the Organized Reserve Corps, Naval Reserve, Marine Corps Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service, the rules applicable to each of which services and classes within service may differ, the Secretary concerned—

Authority of Secretaries.

(1) shall prescribe minimum standards which must be met before an assembly for drill or other equivalent period of training, instruction, or duty or appropriate duties may be credited for pay purposes, which minimum standards may require the presence for duty of officers and enlisted personnel equal to or in excess of a minimum number or percentage of unit strength for a specified period of time with participation in a prescribed character of training;

(2) shall prescribe the maximum number of assemblies, or periods of other equivalent training, instruction, or duty or appropriate duties, which may be counted for pay purposes in each fiscal year;

(3) shall prescribe the maximum number of assemblies, or periods of other equivalent training, instruction, or duty or appropriate duties which can be counted for pay purposes in lesser periods of time; and

(4) shall prescribe the minimum number of assemblies or periods of other equivalent training, instruction, or duty or appropriate duties, which must be completed in stated periods of time before the personnel of organizations or units can qualify for pay.

Additional training without pay.

(b) Members of the National Guard, Air National Guard, National Guard of the United States, the Air National Guard of the United States, Organized Reserve Corps, Naval Reserve, Marine Corps Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service, may be given additional training or other duty as provided for by law, without pay, as may be authorized by the Secretary concerned, with their consent, and when such authorized training or other duty without pay is performed they may, in the discretion of the Secretary concerned, be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished with subsistence and quarters in kind or commutation thereof at a rate to be fixed from time to time by the Secretary concerned.

Officers with administrative functions.

(c) In addition to pay provided in subsection (a) of this section, officers of the National Guard, Air National Guard, National Guard of the United States, the Air National Guard of the United States, Organized Reserve Corps, Naval Reserve, Marine Corps Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service, commanding organizations having administrative functions connected therewith shall, whether or not such officers belong to such organizations, be entitled to receive not more than $240 a year for the faithful performance of such administrative functions under such regulations as the Secretary concerned may prescribe; and for the purpose of determining how much shall be paid to such officers so performing such functions, the Secretary concerned may, from time to time, divide them into classes and fix the amount payable to the officers in each class.

Incentive pay.

(d) Under such regulations as the President may prescribe and to the extent provided for by appropriations, members of the National Guard, Air National Guard, National Guard of the United States, the Air National Guard of the United States, Organized Reserve Corps, Naval Reserve, Marine Corps Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service entitled to receive compensation pursuant to subsection (a) of this section shall, when required by competent orders to perform any hazardous duty prescribed by or pursuant to section 204 of this Act for members of the uniformed services entitled to receive basic pay and when in consequence of such orders they do perform any hazardous duty so prescribed, be entitled to receive an increase in compensation equal to one-thirtieth of the monthly incentive pay authorized by section 204 of this Act for the performance of such hazardous duty by members of the uniformed services of corresponding grades entitled to receive basic pay, such increase to be paid to such members, as long as they are qualified to receive such increase, for each regular period of instruction, or period of appropriate duty, at which they shall have been engaged for not less than two hours, including those performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties as may be prescribed by the Secretary concerned pursuant to subsection (a) of this section.

Ante, p. 809.

(e) The provision of subsections (a), (b), (c), and (d) of this section shall not apply when such members are entitled to receive basic pay as provided for in title II of this Act.

Ante, p. 805.

(f) (1) Section 55a of the National Defense Act, as amended (10 U. S. C. 422), is hereby amended by striking out the words "subsection (c), section 14, Pay Readjustment Act of 1942, as amended", appearing in the third proviso thereof and inserting in lieu thereof the words "subsection (a) of section 501 of the Career Compensation Act of 1949".

41 Stat. 780.
10 U. S. C., Supp. II, § 422.
56 Stat. 367.
37 U. S. C., Supp. II, § 114 (c).
Post, p. 839.

(2) Sections 55a, 109, and 110 of the National Defense Act, as amended, are hereby amended by striking out the words "section 14 of the Pay Readjustment Act of 1942, as amended", wherever appearing therein, and inserting in lieu thereof the words "section 501 of the Career Compensation Act of 1949".

41 Stat. 780; 39 Stat. 209.
10 U. S. C., Supp. II, § 422; 32 U. S. C. §§ 156, 154; Supp. II, § 154.

(3) Section 501 of this Act and sections 55a, 109, and 110 of the National Defense Act, as amended, shall be applicable to the Department of the Air Force: *Provided*, That all references in section 501 of this Act and sections 55a, 109, and 110 of the National Defense Act, as amended, to the Secretary of the Army, the Department of the Army, the Regular Army, the National Guard, the National Guard of the United States, the Organized Reserve Corps, the Officers' Reserve Corps, the Enlisted Reserve Corps and the Organized Reserves, shall be construed for the purpose of interpreting section 501 of this Act and sections 55a, 109, and 110 of the National Defense Act, as amended, as likewise referring to the Secretary of the Air Force, the Department of the Air Force, the Regular Air Force, the Air National Guard, the Air National Guard of the United States, the Air Force Reserve, the officers' section of the Air Force Reserve, the enlisted section of the Air Force Reserve, and personnel of the Organized Reserves transferred to the Department of the Air Force, respectively.

Applicability to Air Force.
41 Stat. 780; 39 Stat. 209.
10 U. S. C., Supp. II, § 422; 32 U. S. C. §§ 156, 154; Supp. II, § 154.

ACTIVE SERVICE CREDIT IN COAST AND GEODETIC SURVEY

SEC. 502. Active service in the Coast and Geodetic Survey as deck officer or junior engineer and active service counted on June 30, 1922, for longevity pay, shall be credited to commissioned officers as active commissioned service for purposes of pay, allowances, retirement, and retirement pay.

PAYMENTS BASED ON PURPORTED MARRIAGES

SEC. 503. Payments of allowances based on a purported marriage and made prior to judicial annulment or termination of such marriage which have been or which hereafter may be made under the Pay Readjustment Act of 1942, as amended, or under this Act are valid: *Provided*, That it is adjudged or decreed by a court of competent jurisdiction that the marriage was entered into in good faith on the part of the spouse in the uniformed services or that, in the absence of such a judgment or decree, such finding of good faith is made by the Secretary concerned or by such person as he may designate for the purpose.

56 Stat. 359.
37 U. S. C. §§ 101-120; Supp. II, § 101b *et seq.*
Post, pp. 839, 840.

CONTRACT SURGEONS

SEC. 504. Contract surgeons who are serving full time with any of the uniformed services shall be entitled to be paid the minimum basic pay, the basic allowances, and such other allowances as are authorized by this Act to be paid to commissioned officers in pay grade O-2. Contract surgeons who are serving part time with any of the uniformed services shall be entitled to receive the allowances for travel and transportation prescribed pursuant to this Act under the same conditions and in the same amount as are applicable to commissioned officers.

ENLISTED PERSONS—CLOTHING ALLOWANCE

SEC. 505. The President may prescribe the quantity and kind of clothing which shall be furnished annually to enlisted men of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Naval Reserve, the Marine Corps Reserve, the National Guard, the Air National Guard, the National Guard of the United States, the Air National Guard of the United States, the Organized Reserve Corps, the Air Force Reserve, and the Coast Guard Reserve, and he may prescribe the amount of a cash allowance to be paid to such enlisted men in any case in which clothing is not so furnished to them.

ALLOWANCE—SHORE PATROL DUTY

SEC. 506. Officers, midshipmen, and cadets of the Navy, the Marine Corps, and the Coast Guard when absent from a vessel or designated post of duty while assigned to shore patrol duty may be paid their actual expenses.

PAY AND ALLOWANCES—ENLISTED MEN—PHILIPPINE SCOUTS—INSULAR FORCE OF THE NAVY

SEC. 507. (a) The pay and allowances of whatever nature and kind to be authorized for the enlisted men of the Philippine Scouts shall be fixed by the Secretary of the Army and shall not exceed or be of other classes than those now or which may hereafter be authorized by law for enlisted men of the Regular Army.

(b) The pay and allowances of whatever nature and kind to be authorized for the enlisted men of the insular force of the Navy shall be fixed by the Secretary of the Navy, and shall not exceed or be of other classes than those now, or which may hereafter be authorized by law for enlisted men of the Regular Navy.

PAY AND ALLOWANCES—CADETS AND MIDSHIPMEN

SEC. 508. Cadets at the United States Military Academy, midshipmen at the United States Naval Academy, and cadets at the Coast Guard Academy shall be entitled to receive pay at the rate of $936 per annum, and to receive allowances as now or hereafter provided by law for midshipmen in the Navy, and to transportation, including reimbursement of traveling expenses, while traveling under orders as a cadet or midshipman.

ASSIMILATION TO PAY AND ALLOWANCES OF COMMISSIONED OFFICERS

Ante, pp. 805, 812.

SEC. 509. The provisions of titles II and III of this Act shall apply equally to those persons serving, not as commissioned officers in any of the uniformed services, but whose pay or allowances, or both, under existing law are assimilated to the pay and allowances of a commissioned officer of any grade or rank of any of the uniformed services.

DAILY RATE OF PAY AND ALLOWANCES

SEC. 510. Members of the uniformed services who shall become entitled to receive any pay and allowances authorized by this Act for a continuous period of less than one month shall be entitled to receive such pay and allowances for each day of such period at the rate of one-thirtieth of the monthly amount of such pay and allowances, and the thirty-first day of a calendar month shall not be excluded from the computation.

RETIRED AND RETAINER PAY OF MEMBERS ON RETIRED LISTS OR RECEIVING RETAINER PAY

SEC. 511. On and after the effective date of this section (1) members of the uniformed services heretofore retired for reasons other than for physical disability, (2) members heretofore transferred to the Fleet Reserve or the Fleet Marine Corps Reserve, and (3) members of the Army Nurse Corps or the Navy Nurse Corps heretofore retired under the Act of May 13, 1926 (44 Stat. 513), shall be entitled to receive retired pay, retirement pay, retainer pay, or equivalent pay, in the amount whichever is the greater, computed by one of the following methods: (a) The monthly retired pay, retainer pay, or equivalent pay in the amount authorized for such members and former members by provisions of law in effect on the day immediately preceding the date of enactment of this Act, or (b) monthly retired pay, retirement pay, retainer pay, or equivalent pay equal to 2½ per centum of the monthly basic pay of the highest federally recognized rank, grade, or rating, whether under a permanent or temporary appointment, satisfactorily held, by such member or former member, as determined by the Secretary concerned, and which such member, former member, or person would be entitled to receive if serving on active duty in such rank, grade, or rating, multiplied by the number of years of active service creditable to him: *Provided*, That for the purpose of the computation of (b) above, fractions of one-half year or more of active service shall be counted as a whole year: *Provided further*, That in no case shall such retired pay, retainer pay, or equivalent pay exceed 75 per centum of the monthly basic pay upon which the computation is based: *Provided further*, That for the purposes of this section, the term "active service" as used herein shall mean all service as a member or as a former member of the uniformed services, or as a nurse, or as a contract nurse prior to February 2, 1901, or as a reserve nurse subsequent to February 2, 1901, or as a contract surgeon, or as a contract dental surgeon, or as an acting dental surgeon, or as a veterinarian in the Quartermaster Department, Cavalry, or Field Artillery, or as an Army field clerk or as a field clerk, Army Quartermaster Corps, while on the active list or on active duty or while participating in full-time training or other full-time duty provided for or authorized in the National Defense Act, as amended, the Naval Reserve Act of 1938, as amended, or in other provisions of law, including participation in exercises or performance of the duties provided for by sections 5, 81, 92, 94, 97, and 99 of the National Defense Act, as amended, and in the case of commissioned officers of the Public Health Service, that service which is creditable pursuant to part (3) of section 412 of this Act: *Provided further*, That the retired or retirement pay of each member referred to in (3) above shall, unless a higher rank or grade is authorized by any provision of law, be based upon the commissioned-officer grade authorized for such member by the Act of May 7, 1948 (Public Law 517, Eightieth Congress): *Provided further*, That (a) enlisted persons or former enlisted persons of the Regular Army or Regular Air Force who have been transferred prior to the effective date of this section to the Enlisted Reserve Corps or to the enlisted section of the Air Force Reserve and placed on the retired list of the Regular Army or the Regular Air Force, respectively, under the provisions of section 4 of the Act of October 6, 1945 (59 Stat. 539; 10 U. S. C. 948), as amended, and (b) enlisted persons or former enlisted persons of the Regular Navy or Regular Marine Corps who have been transferred prior to the effective date of this section to the Fleet Reserve or the Fleet Marine Corps Reserve under

44 Stat. 531.
10 U. S. C. §§ 1029–1032; 34 U. S. C. §§ 438–440a; Supp. II, §§ 436–440a note.
Computation of pay.

Fractional year.

Limitation.

"Active service."

39 Stat. 166; 52 Stat. 1175.
10 U. S. C. § 2 *et seq.*; Supp. II, § 2 *et seq.*; 32 U. S. C. § 1 *et seq.*; Supp. II, § 1 *et seq.*; 34 U. S. C. § 853j; Supp. II, § 853b *et seq.*
Post, pp. 836, 837, 840.
39 Stat. 167, 203, 206, 207.
10 U. S. C. §§ 4, 22–25, 30–36, 38; 32 U. S. C. §§ 63–66, 141–146, 171–176; Supp. II, § 62.
Post, p. 836.
Ante, p. 824.
62 Stat. 211.
10 U. S. C., Supp. II, §§ 1033–1035; 34 U. S. C., Supp. II, §§ 43m–43o.
30 years' service requirement.

52 Stat. 1178.
34 U. S. C. §§ 854-854g.

the provisions of title II of the Naval Reserve Act of 1938, as amended, shall not be entitled to have their retired pay or retainer pay computed on the basis of the highest officer or warrant-officer grade held by them as authorized by this section until they have completed thirty years of service, to include the sum of their active service and their service on the retired list or in the Fleet Reserve or in the Fleet Marine Corps Reserve, as required by existing law: *And provided further*, That enlisted persons and warrant officers of the uniformed services, heretofore or hereafter advanced on the retired list to a higher officer rank or grade pursuant to any provision of law shall, if application therefor is made to the Secretary concerned within one year from the effective date of this section or within one year after the date of advancement on the retired list, whichever is the later, and subject to the approval of the Secretary concerned, be restored to their former retired enlisted or warrant-officer status, as the case may be, and shall thereafter be deemed to be enlisted or warrant-officer personnel, as appropriate, for all purposes, including the computation of their retired pay based on such enlisted or warrant-officer rank, grade, or rating, as the case may be.

Restoration to former retired status.

RETIRED PAY OF MEMBERS AND FORMER MEMBERS OF RESERVE COMPONENTS

SEC. 512. On and after the effective date of this section, any person who heretofore has been granted retired pay or who hereafter is granted retired pay pursuant to title III of the Act of June 29, 1948 (ch. 708, 62 Stat. 1087), shall have his retired pay computed as authorized by the aforesaid title III on the basis of the pay provided for in this Act: *Provided*, That, notwithstanding the provisions of section 305 of the Act of June 29, 1948 (62 Stat. 1089), any member or former member of the Naval Reserve or Marine Corps Reserve heretofore placed on the Honorary Retired List of the Naval Reserve or Marine Corps Reserve with pay as provided in sections 309 and 310 of the Naval Reserve Act of 1938 (52 Stat. 1183; 34 U. S. C. 855h, i), as amended, shall be entitled to have such pay computed as provided in this section.

10 U. S. C., Supp. II, §§ 1036-1036i; 14 U. S. C., Supp. II, § 186 and note; 34 U. S. C., Supp. II, §§ 440h-440q.
Ante, pp. 693, 565.
10 U. S. C., Supp. II, § 1036d; 34 U. S. C., Supp. II, § 440l.
34 U. S. C., Supp. II, § 855h.

RETIRED PAY GRADE OF CERTAIN WARRANT OFFICERS AND ENLISTED PERSONS

SEC. 513. Any enlisted person or warrant officer of the uniformed services who served in World War I, heretofore or hereafter retired for any reason, shall (1) be advanced on the retired list of the service concerned to the highest federally recognized officer rank or grade satisfactorily held by such enlisted person or warrant officer under a permanent or temporary appointment for any period of service between April 6, 1917, and November 11, 1918, and (2) if not entitled to receive retired pay or disability retirement pay based on a higher officer rank or grade by some other provision of law, be entitled to receive retired pay or disability retirement pay computed on the basis of the officer rank or grade to which previously advanced on a retired list or computed on the basis of the officer grade or rank authorized by this section: *Provided*, That enlisted persons and warrant officers of the uniformed services, heretofore or hereafter advanced on the retired list to a higher officer rank or grade pursuant to any provision of law shall, if application therefor is made to the Secretary concerned within one year from the effective date of this section or within one year after the date of advancement on the retired list, whichever is the later, and subject to the approval of the Secretary concerned, be restored to their former retired enlisted or warrant-officer status, as the case may be, and shall thereafter be deemed to be enlisted or warrant-officer personnel, as appropriate, for all purposes, including

Restoration to former retired status.

the computation of their retired pay based on such enlisted or warrant-officer rank, grade, or rating, as the case may be.

RETIRED MEMBERS AND FORMER MEMBERS SERVING ON ACTIVE DUTY

SEC. 514. Retired members and former members of the uniformed services, including members of the Fleet Reserve and the Fleet Marine Corps Reserve, shall, when serving on active duty, be entitled to receive the pay and allowances to which entitled by the provisions of this Act for the grade or rank in which they are serving on such active duty, and shall, when on such active-duty status, have the same pay and allowance rights while on leave of absence or while sick as members of the uniformed services entitled to receive basic pay of similar grade or rank, and, if death occurs when on active-duty status, while on leave of absence, or while sick, their dependents shall not thereby be deprived of any of the benefits provided in the Act of December 17, 1919 (41 Stat. 367; 10 U. S. C. 903), as amended, and in the Act of June 4, 1920 (41 Stat. 824; 34 U. S. C. 943), as amended.

34 U. S. C., Supp. II, § 943 note.

PROVISION TO RETAIN PRESENT COMPENSATION AND TO LIMIT THE APPLICATION OF THE SERVICEMEN'S DEPENDENTS ALLOWANCE ACT OF 1942, AS AMENDED

SEC. 515. (a) No member serving on active duty on the effective date of this Act shall, prior to July 1, 1952, and while serving on continuous active duty, including for the purpose of such continuous active-duty service in a reenlistment entered into within three months from the date of last discharge, suffer any reduction by reason of this Act in the total compensation which he is entitled to receive under any provision of law in effect on the day immediately preceding such effective date: *Provided*, That (1) the provisions of this subsection shall cease to apply to such member whenever he shall become entitled to receive total compensation in excess of the amount to which he was entitled on the day preceding such effective date; and (2) the provisions of this subsection shall cease to apply to any part of such total compensation upon the failure of such member to qualify therefor: *Provided further*, That for the purposes of this subsection the computation of such total compensation shall not include contributions by the Government under the Servicemen's Dependents Allowance Act of 1942, as amended, travel and transportation allowances, per diem and station allowances, pay of court stenographers of the Army and Air Force, enlistment allowance, or reenlistment bonuses.

Post, p. 841.

Nonapplicability of provisions.

Exclusions from computation.

56 Stat. 381.
37 U. S. C. §§ 201-221; 50 U. S. C. app. §§ 305, 315.
Post, p. 841.

(b) Any member who, on the effective date of this Act, is serving in an enlistment contracted prior to the date of enactment of this Act, or any member whose enlistment terminated in the period between the date of enactment and the effective date of this Act, both dates inclusive, and who has entered into a new enlistment within one month of such termination shall not, prior to the expiration of the enlistment or reenlistment described above, or July 1, 1952, whichever is earlier, suffer any reduction by reason of this Act in the total compensation which he is entitled to receive under any provision of law in effect on the day immediately preceding the effective date of this Act: *Provided*, That for the purposes of this subsection, unless otherwise provided, the computation of such total compensation shall not include travel and transportation allowances, per diem and station allowances, pay of court stenographers of the Army and Air Force, enlistment allowance, or reenlistment bonuses, and following that date which is the last day of the sixth calendar month following the month in which this Act is enacted, shall not include the contribution by the Government under the provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, to monthly family allowance (1) for a father or

Exclusions from computation.

Monthly family allowance.
56 Stat. 381.
37 U. S. C. §§ 201-221; 50 U. S. C. app. §§ 305, 315.
Post, p. 841.

mother dependent for substantial support or (2) for a father or mother dependent for chief support when a monthly family allowance is authorized for a wife or child of such member or (3) for a brother or sister dependent for chief or substantial support, but shall include other contributions by the Government under the Servicemen's Dependents Allowance Act of 1942, as amended: *Provided further*, That, notwithstanding the provisions of the preceding proviso, in the case of any member who, on the effective date of this Act, is serving in an enlistment or reenlistment which was contracted prior to July 1, 1946, such member shall not, prior to the expiration of such enlistment or reenlistment or July 1, 1952, whichever is earlier, suffer any reduction by reason of this Act in the total compensation which he is entitled to receive under any provision of law in effect on the day immediately preceding the effective date of this Act, the computation of such total compensation, for the purpose of this proviso only, not to include travel and transportation allowances, per diem and station allowances, pay of court stenographers of the Army and Air Force, enlistment allowance, or reenlistment bonuses, but shall include all contributions by the Government under the Servicemen's Dependents Allowance Act of 1942, as amended: *Provided further*, That (1) the provisions of this subsection shall cease to apply to such member whenever he shall become entitled to receive total compensation under the provisions of this Act in excess of the amount of such total compensation to which he was entitled on the day preceding the effective date of this Act; and (2) the provisions of this subsection shall cease to apply to any part of such total compensation upon the failure of such member or his dependent or dependents to qualify therefor or to be entitled thereto: *Provided further*, That when a member is furnished Government quarters adequate for himself, if without dependents, or adequate for himself and dependents, if with dependents, the total sum saved for him by this subsection shall be reduced by the cash value of the basic allowance for quarters established under section 302 of this Act: *And provided further*, That in the case of any enlisted person on active duty on the effective date of this Act whose total compensation, not including travel and transportation allowances, per diem and station allowances, pay of court stenographers of the Army and Air Force, enlistment allowance, or reenlistment bonuses, but including the amount of the Government's contribution to such member's dependents under the Servicemen's Dependents Allowance Act of 1942, as amended, on the day immediately preceding the effective date of this Act, exceeds the amount of the total compensation to which he would become entitled under the provisions of this Act, not including any Government contributions to his dependents under the Servicemen's Dependents Allowance Act of 1942, as amended, he shall, if application is made within one year from the effective date of this Act, be discharged by the Secretary concerned.

56 Stat. 381. 37 U. S. C. §§ 201-221; 50 U. S. C. app. §§ 305, 315. *Post*, p. 841.

Nonapplicability of provisions.

Furnishing of quarters.

Ante, p. 812.

Discharge.

56 Stat. 381. 37 U. S. C. §§ 201-221; 50 U. S. C. app. §§ 305, 315. *Post*, p. 841.

(c) Notwithstanding any other provision of law, the provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, shall, on the date of enactment of this Act, become inoperative for the dependent or dependents of all members other than those prescribed in subsection (b) of this section.

Ante, p. 831.

PROVISIONS RELATING TO INCREASE OF RETIRED PAY BY ACTIVE DUTY

SEC. 516. Members and former members of the uniformed services, including members of the Fleet Reserve and the Fleet Marine Corps Reserve, who have been, or may hereafter be, retired or transferred to the Fleet Reserve or Fleet Marine Corps Reserve and entitled to receive retired pay, retirement pay, retainer pay, or equivalent pay computed under the provisions of this or any other Act, shall be

entitled, subject to the provisions hereinafter listed, to receive increases in such retired pay, retirement pay, retainer pay, or equivalent pay for all active duty performed after retirement or transfer to the Fleet Reserve or the Fleet Marine Corps Reserve: *Provided*, That the retired pay, retirement pay, retainer pay, or equivalent pay to which such member or former member shall be entitled upon his release from active duty shall be computed by multiplying the years of service creditable to him for purposes of computing retired pay, retirement pay, retainer pay, or equivalent pay at the time of his retirement or transfer plus the number of years of subsequent active duty performed by him by 2½ per centum, and by multiplying the product thus obtained by the base and longevity pay or the basic pay, as the case may be, of the rank or grade in which he would be eligible, at the time of his release from active duty, to be retired or transferred except for the fact that he is already a retired person or a member of the Fleet Reserve or Fleet Marine Corps Reserve: *Provided*, That for the purpose of computing increases in retired pay, retirement pay, retainer pay, or equivalent pay of any member or former member, fractions of one-half year or more of active duty performed subsequent to retirement or transfer by such member or former member shall be counted as a whole year: *Provided further*, That in the case of an officer heretofore retired with pay computed at a rate of either 3 or 4 per centum as the multiplier for each year of service allowed in the computation of the retired pay, active duty performed subsequent to the effective date of this section shall not increase the retired or retirement pay for such officer upon his return to retired status unless such officer elects to have his retired or retirement pay computed by one of the two methods provided in section 511 of this Act, subject to the limitations imposed therein: *And provided further*, That in no event shall retired pay, retirement pay, retainer pay, or equivalent pay exceed 75 per centum of the active-duty pay or basic pay which such person would be entitled to receive if he were serving on active duty in the rank or grade which is the basis for the computation of his retired pay, retirement pay, retainer pay, or equivalent pay.

Computation of pay.

Fractional year.

Election of computation method.

Ante, p. 829.
Limitation.

SAVING PROVISION AND AMENDMENTS RELATING TO MEMBERS OF THE MARINE BAND

43 Stat. 1274.

SEC. 517. (a) Section 11 of the Act of March 4, 1925, as amended by section 1 (c) of the Act of June 29, 1946 (60 Stat. 343; 34 U. S. C. 701), is hereby further amended to read as follows:

"SEC. 11. The band of the United States Marine Corps shall consist of one leader, who shall be paid the basic pay, the basic allowances, and such other allowances as are authorized by the Career Compensation Act of 1949 to be paid to commissioned officers in pay grade O–3 and with the same number of cumulative years of service; one second leader, who shall be paid the basic pay, the basic allowances, and such other allowances as are authorized by the Career Compensation Act of 1949 to be paid to warrant officers in pay grade W–3 and with the same number of cumulative years of service, and such other personnel in such numbers and distributed in such grades and ranks as the Secretary of the Navy may determine necessary and appropriate: *Provided*, That hereafter during concert tours approved by the President, personnel of the Marine Band shall suffer no loss of allowances."

Concert tours.

(b) Personnel of the band of the United States Marine Corps serving under appointments authorized by law in effect on the date of enactment of this Act who may be appointed to appropriate grades or ranks in consequence of the amendment of such law by subsection (a) of this section shall not suffer by reason of such appointment any

reduction in the pay and allowances to which they would have been entitled either in their current enlistment or during any subsequent enlistment or after transfer to the Fleet Marine Corps Reserve or to the retired list. No former member of the band of the United States Marine Corps who has been heretofore retired or heretofore transferred to the Fleet Marine Corps Reserve shall suffer any reduction in retirement or retainer pay to which he would otherwise have been entitled but for enactment of this Act.

Restriction.

SAVING PROVISION RELATING TO FORMER LIGHTHOUSE SERVICE AND FORMER BUREAU OF MARINE INSPECTION PERSONNEL

SEC. 518. Nothing contained in this Act shall be construed to diminish any of the rights, benefits, and privileges authorized and conferred—

(1) by the Act of August 5, 1939 (53 Stat. 1216), as amended by the Act of June 24, 1948 (Public Law 761, Eightieth Congress), upon personnel of the former Lighthouse Service; and

(2) by the Act of July 23, 1947 (61 Stat. 411), for personnel of the categories described in sections 3 (6), 5 (7), and 6 (5) of said Act,

who were commissioned, appointed, or enlisted in the regular Coast Guard pursuant to said Acts of August 5, 1939, and July 23, 1947, respectively.

14 U. S. C. §§ 10f-10h, 20b, 20c, 50, 181; Supp. II, § 180.
Ante, p. 564.
62 Stat. 644.
14 U. S. C., Supp. II, § 180.
Ante, p. 565.
61 Stat. 410.
14 U. S. C., Supp. II, §§ 6c (6), 20a-1 (7), 20a-2 (5).
Ante, p. 565.

SAVING PROVISION RELATING TO MEMBERS AND FORMER MEMBERS RECEIVING RETIREMENT PAY ON DATE OF ENACTMENT OF THIS ACT

SEC. 519. Any member or former member of the uniformed services or any person entitled to the rights, benefits, and privileges of a member or former member of the uniformed services, including any person entitled to the benefits provided in the Act of May 7, 1948 (62 Stat. 211), who on the date of enactment of this Act, is receiving or is entitled to receive retired or retirement pay pursuant to any provision of law, shall, notwithstanding the provisions of this Act, be entitled to continue to receive or shall continue his entitlement to receive that retired or retirement pay which such member or former member is entitled to receive under any provision of law in effect on the day preceding date of enactment of this Act.

10 U. S. C., Supp. II, §§ 1033-1035; 34 U. S. C., Supp. II, §§ 43m-43o.

SAVING PROVISION RELATING TO LAWS PROVIDING FOR PAY REPEALED BY THIS ACT

SEC. 520. Any provision of law which, on the date of enactment of this Act, entitles any person to be retired, to receive pay, retired pay, retirement pay, or retainer pay, or other monetary benefit, and which is directly repealed, impliedly repealed, or amended by the provisions of this Act, shall, if the entitlement of such person to such retirement, pay, retired pay, retirement pay, retainer pay, or other monetary benefit is saved by the provisions of this Act, be continued in full force and effect for such entitlement and for such a time as such entitlement may exist.

PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT AMENDED AND REPEALED

SEC. 521. The following sections, subsections, and other provisions of the Act of July 1, 1944 (ch. 373, 58 Stat. 682), as amended, are amended or repealed as hereinafter in this section indicated:

(a) Wherever the words "pay and pay period" appear in subsection (d) of section 207, such words shall be deleted and the words "basic pay" shall be substituted in lieu thereof.

(b) Subsections (b) and (d) of section 208 are repealed. Subsections (c), (e), (f), (g), and (h) of said section are redesignated as

42 U. S. C. § 201 note; Supp. II, § 201 *et seq.*
62 Stat. 40.
42 U. S. C., Supp. II, § 209 (d).
58 Stat. 686.
42 U. S. C., Supp. II, § 210.

subsections (b), (c), (d), (e), and (f), respectively. Subsection (a) and the subsection herein redesignated as subsection (e) of said section are amended as follows:

"(a) Commissioned officers of the Regular and Reserve Corps shall be entitled to receive such pay and allowances as are now or may hereafter be authorized by law."

Duty with leprosy patients.

"(e) Whenever any noncommissioned officer or other employee of the Service is assigned for duty which the Surgeon General finds requires intimate contact with persons afflicted with leprosy, he may be entitled to receive, as provided by regulations of the President, in addition to any pay or compensation to which he may otherwise be entitled, not more than one-half of such pay or compensation."

62 Stat. 43.
42 U. S. C., Supp. II, § 211 (g).

(c) Subsection (g) of section 210 is amended by deleting therefrom the words "incurred in line of duty" wherever they appear.

58 Stat. 688; 62 Stat. 46.
42 U. S. C. § 212; Supp. II, § 212.

(d) Section 211 is amended by repealing subsection (a) thereof; by redesignating subsections (b), (c), (d), (e), (f), (g), and (h) thereof as subsections (a), (b), (c), (d), (e), (f), and (g), respectively; and by changing "subsection (c)" to "subsection (b)" in the subsection hereby redesignated as subsection (a). The subsections hereby redesignated as subsections (b), (c), and (g) of said section are amended to read:

Officers of Regular Corps over 45 when originally appointed.

"(b) (1) Any commissioned officer of the Regular Corps who at the time of his original appointment was more than forty-five years of age shall upon his retirement for age pursuant to subsection (a) of this section be entitled to retired pay at the rate of 4 per centum of his active pay at the time of such retirement for each twelve months of active commissioned service, including any such service in the Army, Navy, or Coast Guard, but in no case more than 75 per centum of such active pay.

"(2) The retired pay of an officer, who is retired pursuant to subsection (a) of this section or pursuant to paragraph (1) of this subsection and who has served four years or more as Surgeon General, Deputy Surgeon General, or Assistant Surgeon General, shall be based on the pay of the highest grade held by him as such Surgeon General, Deputy Surgeon General, or Assistant Surgeon General.

Recall to active duty.

"(c) In time of war, a commissioned officer who has been retired under the provisions of subsection (a) of this section may, in accordance with regulations of the President, be recalled to active duty.

Retirement for physical disability.

"(g) A commissioned officer shall be retired or separated from the Service for physical disability depending upon his eligibility for such retirement or separation under other provisions of law and be paid such retirement or such severance pay to which he may be entitled under such other provisions of law."

58 Stat. 690.
42 U. S. C. § 215 (d).

(e) Subsection (d) of section 214 is amended by deleting therefrom the words "longevity pay" and substituting in lieu thereof the words "the computation of basic pay".

58 Stat. 690.
42 U. S. C. § 216 (b).

(f) Subsection (b) of section 215 is amended by deleting therefrom the words "travel, transportation of household goods and effects, and".

58 Stat. 713; 60 Stat. 1049.
42 U. S. C., Supp. II, § 230.

(g) Section 706 is amended by deleting the words "subsection (c) (1)" and inserting in lieu thereof the words "subsection (b) (1)" and by deleting the words "subsection (b)" and inserting in lieu thereof the words "subsection (a)".

PROVISIONS RELATING TO RETIREMENT OF OFFICERS SPECIALLY COMMENDED FOR PERFORMANCE OF DUTY IN COMBAT

61 Stat. 874.
34 U. S. C., Supp. II, § 410n.

SEC. 522. (a) Section 412 (a) of the Officer Personnel Act of 1947 is hereby amended by deleting the words "and with three-fourths of the active-duty pay of the grade in which serving at the time of

retirement" as they appear in lines 8 and 9 of the said section on page 874, volume 61, Statutes at Large.

Ante, p. 560.

(b) The Act of June 6, 1942 (ch. 383, 56 Stat. 328; 14 U. S. C. 174a; 33 U. S. C. 864e), is hereby amended by striking out the words "and with three-fourths of the active-duty pay of the grade in which serving at the time of retirement." and by inserting in lieu thereof the words ": *Provided*, That the provisions of this Act shall not apply in the case of any officer who has been so commended if the act or service justifying the commendation was performed after December 31, 1946.".

61 Stat. 874.
34 U. S. C., Supp. II, § 410n.
Ante, p. 835.
14 U. S. C. 174a; 33 U. S. C. § 864e.
Ante, p. 560.

(c) Nothing contained in subsections (a) and (b) of this section shall be held to reduce the retired pay of any officer placed on a retired list prior to the effective date of this section, nor shall the provisions of section 412 (a) of the Officer Personnel Act of 1947, as amended by subsection (a) of this section, or the Act of June 6, 1942 (ch. 383, 56 Stat. 328), as amended by subsection (b) of this section, be construed as granting any increased retired pay to any person by virtue of the higher grade or rank to which such person is or may become entitled to pursuant to such provisions of law.

AMENDMENTS OF THE ACT OF JUNE 3, 1916 (39 STAT. 190; 41 STAT. 776)

SEC. 523. (a) Section 30 of the Act of June 3, 1916 (39 Stat. 187; 10 U. S. C. 658), as amended, is amended by deleting therefrom the third, the seventh, and the ninth sentences of the first paragraph.

41 Stat. 776.
10 U. S. C. § 364, 369; Supp. II, § 361.

(b) Section 37a of the National Defense Act of 1916, as amended, is amended by inserting a period after the words "and length of active service" and deleting the rest of said section.

48 Stat. 155.
32 U. S. C. § 142a.

(c) Section 38 of the National Defense Act of 1916, as amended, is amended by deleting the following words therefrom: "and mileage from his home to his first station and from his last station to his home".

AMENDMENT OF THE ACT OF FEBRUARY 18, 1946 (60 STAT. 20)

SEC. 524. That part of title III of the Act of February 18, 1946 (60 Stat. 20; 37 U. S. C. 112c), which authorizes transportation of dependents and household effects of civilian and naval personnel of the Naval Establishment stationed outside continental United States is amended by deleting therefrom all reference to Naval personnel.

AMENDMENTS OF THE ACT OF JUNE 5, 1942 (56 STAT. 315)

56 Stat. 315.

SEC. 525. (a) Subsection (e) of section 4 of the Act of June 5, 1942 (56 Stat. 314), as added by section 4 of the Act of February 12, 1946 (60 Stat. 5; 50 App. U. S. C. 764 (e)), as amended, is amended by deleting therefrom the reference to section 4 (a), 4 (b), and 4 (c).

(b) Section 5 of the Act of June 5, 1942 (56 Stat. 316; 50 App. U. S. C. 765), is amended by deleting therefrom all reference to military personnel.

AMENDMENT OF THE ACT OF MAY 27, 1908 (35 STAT. 418)

SEC. 526. Paragraph 23, heading "Office of the Fourth Assistant Postmaster General", of the Act of May 27, 1908 (35 Stat. 418; 39 U. S. C. 134), as amended, is amended by deleting the last sentence thereof.

AMENDMENT OF SECTION 4 OF THE NAVAL AVIATION CADET ACT OF 1942 (56 STAT. 737)

SEC. 527. Section 4 of the Naval Aviation Cadet Act of 1942 (56 Stat. 737; 34 U. S. C. 850c), is hereby amended to read as follows:

"SEC. 4. Aviation cadets, while on active duty, shall be entitled to be paid at the rate of $105 per month, which pay shall include extra pay for flying. They shall be entitled to receive, in addition, the same allowance for subsistence as is now or may hereafter be authorized for officers of the Navy, and shall, while on active duty, be furnished quarters, medical care, and hospitalization, and shall be issued uniforms, clothing, and equipment at Government expense. When traveling under orders, aviation cadets shall be entitled to receive transportation and other necessary expenses incident to such travel, or cash in lieu thereof, on the same basis and at the same rates as are now or may hereafter be prescribed for enlisted personnel of the Navy."

Active duty pay and allowances.

AMENDMENT OF SECTION 4 OF THE ARMY AVIATION CADET ACT (55 STAT. 240)

SEC. 528. The first five sentences of section 4 of the Army Aviation Cadet Act (55 Stat. 240; 10 U. S. C. 303, 304, 304b), as amended, are hereby further amended to read as follows:

"Aviation cadets, while on active duty, shall be entitled to be paid at the rate of $105 per month, which pay shall include extra pay for flying. They shall be entitled to receive, in addition, the same allowance for subsistence as is now or may hereafter be authorized for officers of the Army, and shall, while on active duty, be furnished quarters, medical care, and hospitalization, and shall be issued uniforms, clothing, and equipment at Government expense. When traveling under orders, aviation cadets shall be entitled to receive transportation and other necessary expenses incident to such travel, or cash in lieu thereof, on the same basis and at the same rates as are now or may hereafter be prescribed for enlisted personnel of the Army."

Active duty pay and allowances.

AMENDMENT OF THE ACT OF JUNE 30, 1941 (55 STAT. 394)

SEC. 529. The Act of June 30, 1941 (55 Stat. 394; 10 U. S. C. 656, 939, 982a), as amended, is hereby amended by deleting therefrom sections 1, 2, and 3.

AMENDMENT TO THE NATIONAL DEFENSE ACT

SEC. 530. (a) Section 71 of the National Defense Act, as amended (32 U. S. C. 4b), is hereby amended by striking out the period at the end of the section, inserting a comma in lieu thereof, and adding the following: "and, in addition thereto, shall include any officer of the National Guard of any State, Territory, or of the District of Columbia who has been temporarily extended Federal recognition by the Secretary of the Army under such regulations as he may prescribe, and who shall have successfully passed the examination prescribed in section 75 of the National Defense Act, as amended, pending final determination of his eligibility for, and his appointment as, an officer of the National Guard of the United States in the grade concerned, and if and when so appointed the appointment shall be dated and shall be deemed to have been effective from the date of such recognition, however, such temporary extension of Federal recognition shall be granted only when such officer takes oath that during such recognition he will perform all Federal duties and obligations required of him the same as though he were appointed as an officer of the National Guard of the United States in such grade, and such temporary recognition may be withdrawn at any time and if not sooner withdrawn or replaced by permanent recognition as an officer of the National Guard of the United States in such grade it shall automatically terminate six months after its effective date."

48 Stat. 157.

Officers temporarily extended Federal recognition.

39 Stat. 202.
32 U. S. C. § 113.

Applicability to Air Force.
39 Stat. 166.
10 U. S. C., Supp. II, § 2.

(b) The foregoing amendment in subsection (a) of this section and section 1 of the National Defense Act, as amended, shall apply to the Department of the Air Force and to the Regular and Reserve components of the Air Force in the same manner that it would so apply had it been enacted prior to the enactment of the National Security Act of 1947 (Public Law 253, Eightieth Congress, approved July 26, 1947).

61 Stat. 495.
5 U. S. C., Supp. II, § 171 note.

ACTS AND PARTS OF ACTS REPEALED

SEC. 531. (a) All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed on the date such provisions of this Act become effective, and the provisions of this Act shall be in effect in lieu thereof, and such repeal shall include, but shall not be limited to, the Acts and parts of Acts repealed in subsection (b), (c), and (d) of this section.

(b) The following Acts and parts of Acts are hereby repealed:

(1) Section 1245 of the Revised Statutes (10 U. S. C. 931).

(2) Section 1251 of the Revised Statutes (10 U. S. C. 933).

(3) Section 1252 of the Revised Statutes (10 U. S. C. 934).

(4) Section 1253 of the Revised Statutes (10 U. S. C. 966).

(5) That part of section 1261 of the Revised Statutes (10 U. S. C. 692) which provides additional pay for aids to brigadier generals and major generals.

34 U. S. C., Supp. II, § 418.

(6) Section 1454 of the Revised Statutes (34 U. S. C. 418), as amended.

(7) Section 1588 of the Revised Statutes (34 U. S. C. 991) as amended.

(8) Section 1612 of the Revised Statutes (34 U. S. C. 971).

(9) Section 1613 of the Revised Statutes (34 U. S. C. 972).

(10) The third proviso of section 3 of the Act of October 1, 1890 (26 Stat. 562; 10 U. S. C. 932).

Ante, p. 562.

(11) Section 6 of the Act of April 12, 1902 (32 Stat. 101; 14 U. S. C. 169), as amended.

(12) That part of paragraph 3, heading "Marine Corps", of the Act of March 2, 1907 (34 Stat. 1200; 34 U. S. C. 973) which provides additional pay for privates of the Marine Corps regularly detailed and serving as cooks.

10 U. S. C., Supp. II, § 803 note.

(13) That part of paragraph 3, heading "Pay of enlisted men", of the Act of May 11, 1908 (35 Stat. 108; 10 U. S. C. 803), as amended, which authorizes additional pay to an officer of the Army below the grade of major required to be mounted who provides himself with suitable mounts at his own expense.

(14) That part of paragraph 2, heading "Pay of the Navy", of the Act of May 13, 1908 (35 Stat. 128; 34 U. S. C. 867), which provides additional pay for aids to rear admirals of the Navy.

(15) That part of paragraph 14, heading "Miscellaneous", of the Act of August 24, 1912 (37 Stat. 575; 10 U. S. C. 644), which authorizes additional pay for enlisted men of the Army detailed to serve as stenographic reporters.

(16) That part of section 1 of the Act of March 4, 1915 (38 Stat. 1063; 10 U. S. C. 750a), as amended, which relates to expenses of officers abroad as observers of foreign armies at war.

(17) That part of section 127a of the Act of June 3, 1916, as added by section 51 of the Act of June 4, 1920 (41 Stat. 785; 10 U. S. C. 301), which relates to additional pay for military aviators and junior military aviators.

(18) That part of section 127a of the Act of June 3, 1916, as added by section 51 of the Act of June 4, 1920 (41 Stat. 785; 37 U. S. C. 4b), which provides for longevity pay for service in the Regular, provisional, or temporary forces.

(19) That part of section 1 of the Act of August 29, 1916 (39 Stat. 629; 10 U. S. C. 935), as amended, which reads as follows:

"That the Secretary of the Army shall make a list of all officers of the Army who have been placed on the retired list for disability and shall cause such officers to be examined at intervals as may be advisable, and such officers as shall be found to have recovered from such disabilities or to be able to perform service of value to the Government sufficient to warrant such action shall be assigned to such duty as the Secretary of the Army may approve."

(20) Paragraph 4, heading "Medals of Honor, Distinguished Service Crosses, and Distinguished Service Medals", of the Act of July 9, 1918 (40 Stat. 871; 10 U. S. C. 696).

(21) That part of subchapter IX of the Act of July 9, 1918 (40 Stat. 882; 10 U. S. C. 276), which relates to pay and allowances of warrant officers of the Army Mine Planter Service.

(22) Section 4 of the Act of February 4, 1919 (40 Stat. 1056) as renumbered section 6 and amended by section 1 of the Act of August 7, 1942 (56 Stat. 744; 34 U. S. C. 357).

(23) Section 13 of the Act of July 2, 1926 (44 Stat. 789; 10 U. S. C. 1430; 34 U. S. C. 364b).

(24) The Act of April 9, 1928 (ch. 327, 45 Stat. 412; 34 U. S. C. 886), as amended.

(25) Section 10 of the Act of June 16, 1933 (48 Stat. 307; 37 U. S. C. 29a).

(26) The Act of August 25, 1937 (ch. 769, 50 Stat. 805; 10 U. S. C. 699).

(27) That part of the Act of October 15, 1940 (ch. 885, 54 Stat. 1177; 10 U. S. C. 276, 277), which relates to pay and allowances of warrant officers of the Army Mine Planter Service.

(28) That part of section 6 of the Act of July 24, 1941 (55 Stat. 604; 34 U. S. C. 350e), as amended, which relates to pay and allowances, and section 8 of such Act (55 Stat. 604; 34 U. S. C. 350g), as amended.

34 U. S. C., Supp. II, § 350g.

(29) Section 2 of the Act of August 18, 1941 (55 Stat. 629; 37 U. S. C. 16a), as amended.

37 U. S. C., Supp. II, § 16a note.

(30) That part of section 1 of the Act of August 21, 1941 (55 Stat. 651; 10 U. S. C. 593a) relating to base pay and allowances for warrant officers in the Army of the United States which precedes the proviso, and also all of said section 1 following the colon preceding the proviso.

(31) Section 7 of the Act of January 19, 1942 (56 Stat. 8; 33 U. S. C. 864d), as amended.

33 U. S. C., Supp. II, § 864d.

(32) So much of the second proviso of section 2 (b) of the Act of January 19, 1942 (56 Stat. 7; 33 U. S. C. 854a), as relates to pay, longevity pay, allowances, and retirement.

33 U. S. C., Supp. II, § 854a.

(33) Section 1 of the Act of May 4, 1942 (56 Stat. 266; 37 U. S. C. 18a).

(34) The Act of June 16, 1942 (56 Stat. 359), as amended, except section 12 of such Act, as amended, except that part of paragraph 1 of section 10 of such Act, as amended, which relates to enlisted personnel in a travel status, and except paragraph 4 of section 15 of such Act, as amended.

37 U. S. C. §§ 101-120; Supp. II, § 101b *et seq.*; 34 U. S. C. §§ 350b, 431; 10 U. S. C. §§ 980, 982a.
37 U. S. C. § 112. *Post*, p. 840.
37 U. S. C. § 110; Supp. II, § 110. *Post*, p. 840.
37 U. S. C. § 115.

(35) The Act of April 10, 1943 (ch. 47, 57 Stat. 62; 37 U. S. C. 118b) as amended.

(36) The Act of June 30, 1944 (ch. 335, 58 Stat. 648; 10 U. S. C. 1430a), as amended.

10 U. S. C., Supp. II, § 1430a note.

(37) The Act of July 6, 1945 (ch. 279, 59 Stat. 462; 10 U. S. C. 1430b), as amended.

(38) Section 5 of the Act of June 29, 1946 (60 Stat. 345; 37 U. S. C. 101a).

(39) The Act of March 6, 1946 (ch. 49, 60 Stat. 32; 37 U. S. C. 103b), as amended.

37 U. S. C., Supp. II, § 103b.

(40) Section 14 of the Act of August 2, 1946 (60 Stat. 854; 34 U. S. C. 889).

(41) Sections 14, 15, and 16 (b) of the Act of June 3, 1948 (ch. 390, 62 Stat. 299, 300).

33 U. S. C., Supp. II, §§ 853m, 853n, 853o (b).

(c) The following Acts and parts of Acts are hereby repealed:

(1) That part of section 1 of the Act of August 5, 1882 (22 Stat. 286; 34 U. S. C. 892), which relates to officers of the Navy traveling abroad under orders.

(2) That part of section 1 of the Act of March 3, 1883 (22 Stat. 456; 10 U. S. C. 747), which relates to computation of mileage and necessity for travel by officers of the Army.

(3) Paragraph 21, heading "Miscellaneous", of the Act of June 12, 1906 (34 Stat. 246; 10 U. S. C. 743, 748, 870), as amended.

(4) That part of paragraph 6, heading "Marine Corps", of the Act of March 3, 1909 (35 Stat. 774; 34 U. S. C. 977), which provides for settlement of traveling expense claims.

(5) That part of the Act of March 23, 1910 (36 Stat. 255; 10 U. S. C. 821), under the heading "Quartermaster's Department", subheading "Transportation of the Army and its Supplies", which relates to reimbursement of the Government for excess baggage carried.

Ante, p. 558.

(6) Section 126 of the Act of June 3, 1916 (39 Stat. 217; 10 U. S. C. 752; 14 U. S. C. 138; 34 U. S. C. 895), as amended.

(7) That part of section 1 of the Act of August 29, 1916 (39 Stat. 633; 10 U. S. C. 823), as amended, which relates to transportation of baggage of enlisted men discharged for disability in line of duty.

(8) That part of the Act of July 9, 1918 (40 Stat. 860; 10 U. S. C. 754), as amended, which relates to travel expenses of enlisted men incident to entry on or relief from active duty.

(9) The Act of September 29, 1919 (ch. 65, 41 Stat. 288; 10 U. S. C. 753).

(10) The first paragraph of section 5 of the Act of March 3, 1925 (43 Stat. 1190; 10 U. S. C. 306; 34 U. S. C. 893), as amended.

(11) Subsections (a), (b), (c), and (d) of section 4 of the Act of June 5, 1942 (56 Stat. 315; 50 App. U. S. C. 764 (a), (b), (c), and (d)), as amended.

(12) That part of paragraph 1 of section 10 of the Act of June 16, 1942 (56 Stat. 363; 37 U. S. C. 110), as amended, which relates to enlisted personnel in a travel status, and section 12 of such Act (56 Stat. 364; 37 U. S. C. 112), as amended.

37 U. S. C., Supp. II, § 110.
Ante, p. 839.
Ante, p. 839.

(13) The Act of October 14, 1942 (56 Stat. 786; 50 App. U. S. C. 831, 832, and 833), as amended.

50 U. S. C., Supp. II, app. §§ 831.

(14) The Act of October 29, 1942 (ch. 631, 56 Stat. 1011; 34 U. S. C. 899).

(15) So much of section 1 of the Acts of June 26, 1943 (ch. 147, 57 Stat. 204), June 22, 1944 (ch. 269, 58 Stat. 309), May 29, 1945 (ch. 130, 59 Stat. 209), and section 101 of the Act of July 8, 1946 (ch. 543, 60 Stat. 488; 37 U. S. C. 112b), as relates to per diem allowances for naval officers traveling between places in the same vicinity, naval personnel on special duty in foreign countries and naval personnel of the Naval Air Transport Service.

(16) The Act of November 28, 1943 (ch. 330, 57 Stat. 593; 50 App. U. S. C. 833, a, b, c, d, e, and f), as amended.

50 U. S. C. app. §§ 833a–833f; Supp. II, §§ 833a, 833b.

(17) Section 1 of the Act of June 27, 1944 (58 Stat. 392; 37 U. S. C. 117b).

(18) Section 6 of the Act of October 6, 1945 (ch. 393, 59 Stat. 539; 10 U. S. C. 751a; 34 U. S. C. 895a), as amended.

(19) The Act of April 27, 1946 (60 Stat. 126, 127; 37 U. S. C. 112d–112i), as amended.

(20) The Act of March 26, 1947 (61 Stat. 23; 10 U. S. C. 760).

(d) The Servicemen's Dependents Allowance Act of 1942, as amended, is hereby repealed.

10 U. S. C., Supp. II, § 760.
56 Stat. 381.
37 U. S. C., §§ 201-221; 50 U. S. C. app. §§ 305, 315.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 532. There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 533. (a) Except as provided in subsections (b) and (c) of this section, this Act shall become effective on October 1, 1949, and no pay, allowances, or benefits provided herein shall accrue to any person for any period prior thereto.

(b) Section 515 of this Act shall become effective on the date of enactment of this Act.

Ante, p. 831.

(c) Subsection (c) of section 531 of this Act shall become effective on January 1, 1950.

Ante, p. 840.

Approved October 12, 1949.

[CHAPTER 685]

AN ACT

To provide for the advance planning of non-Federal public works.

October 13, 1949
[S. 2116]
[Public Law 352]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order (a) to encourage States and other non-Federal public agencies to maintain a continuing and adequate reserve of fully planned public works (exclusive of housing) readily available for use so as to permit the immediate commencement of construction of such public works when the economic situation may make such action desirable, (b) to enable the United States, through reference to such reserve of fully planned public works as reflected by records maintained and reports issued by the Administrator of General Services to adapt, insofar as practical and desirable, the planning and construction of needed Federal public works to the particular public works objectives of individual States and other non-Federal public agencies, and (c) thereby to attain maximum economy and efficiency in the planning and construction of local, State, and Federal public works, the Administrator of General Services is hereby authorized, during the period of two years immediately following the date upon which this Act becomes effective, to make loans or advances, from funds appropriated for that purpose, to the States, their agencies, and political subdivisions (hereinafter referred to as "public agencies") to aid in financing the cost of architectural, engineering, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action preliminary to the construction of public works (exclusive of housing): *Provided*, That the making of loans or advances hereunder shall not in any way commit the Congress to appropriate funds to undertake the construction of any public works so planned.

Non-Federal public works.
Advance planning.

Loans, advances, etc.

SEC. 2. Funds appropriated for the making of loans or advances hereunder shall be allocated by the Administrator of General Services among the several States in the following proportion: Seventy-five per centum in the proportion which the population of each State bears to the total population of all the States, as shown by the latest

Allocation of funds.