

INDUCTING CERTAIN MEDICAL, DENTAL, AND ALLIED SPECIALISTS

AUGUST 29, 1950.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. VINSON, from the Committee on Armed Services, submitted the following

REPORT

[To accompany H. R. 9554]

The Committee on Armed Services, to whom was referred the bill (H. R. 9554) to amend the Selective Service Act of 1948, as amended, so as to provide for special registration, classification, and induction of certain medical, dental, and allied specialist categories, and for other purposes, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendments are as follows:

On page 2, line 11, strike out “, on August 16, 1950,”.

On page 2, line 13, after the word “for”, add the words “registration or”.

On page 4, line 18, strike out the word “greater” and substitute in lieu thereof the word “lesser”.

On page 5, line 8, add a comma after the word “premedical” and insert the following: “preosteopathic, preveterinary”.

On page 5, line 9, strike out the word “average”.

On page 5, line 10, after the word “premedical” add a comma and insert the following: “preosteopathic, preveterinary”.

On page 5, line 11, strike out the word “during” and substitute the word “at”.

On page 5, line 12, strike out the words and figures “years 1945 to 1950” and substitute in lieu thereof the words “present level”.

On page 5, strike out all of line 25, and on page 6, strike out lines 1 through 9, inclusive, and substitute in lieu thereof the following:

SEC. 2. Notwithstanding the provisions of section 203 of Public Law 351, Eighty-first Congress, commissioned officers of the Reserve components called or ordered to active duty with or without their consent, shall, if otherwise qualified, be entitled to the benefits of section 203 of Public Law 351, Eighty-first Congress.

On page 6, line 10, strike out "SEC. 2" and substitute in lieu thereof "SEC. 3".

On page 7, following line 17, add the following new sections:

SEC. 4. Notwithstanding any other provision of law, where any person who served on active duty as a doctor or dentist in the United States Army, Navy, or Air Force Medical Corps during World War II, thereafter has been, or shall be, recalled to active duty as a doctor or dentist in the Armed Forces of the United States, such person may, under regulations prescribed by the President, be promoted to such grade or rank as may be commensurate with his medical or dental education, experience, and ability.

SEC. 5. No person inducted under the provisions of this Act shall be entitled to the benefits of the provisions of section 203 of Public Law 351, Eighty-first Congress.

SEC. 6. For the purposes of this Act, the term "allied specialist categories", shall include but not be limited to veterinarians, bacteriologists, biochemists, radiation chemists, organic chemists, parasitologists, pathologists, pharmacologists, biophysicists, radiation physicists, optometrists, pharmacists, occupational therapists, chiropractors, osteopaths, physiologists, radiobiologists, serologists, virologists, sanitary engineers, industrial hygienists, medical statisticians, industrial engineers, dietitians, psychologists, entomologists, psychiatric social workers, nutritionists, laboratory officers.

SEC. 7. This Act, except for section 2, shall terminate on July 9, 1951.

PURPOSE OF THE BILL

The purpose of the bill is to provide the necessary authorizations through which the Armed Forces can meet the demands being made for additional personnel in the medical, dental, and allied categories to support the expanding forces without requiring the large-scale call to active duty without their consent of Reserve officers who have had substantial periods of service in World War II.

EXPLANATION OF THE BILL

This Nation is now engaged in a large expansion of its Armed Forces. As a result of this growth, there is an increased need to provide additional professional, technical, scientific, and specialist services in the medical, dental, and allied fields. Volunteer entry of individuals with the required qualifications and training to meet these needs has been small, especially of physicians and dentists. There are two categories of persons suitably qualified and trained whose services can be utilized to fill the needs of the Armed Forces: members of the Reserve components and individuals who have had little or no military service. Most of those in the first category, namely reservists, have already rendered substantial service in World War II. There are approximately 29,000 physicians and dentists, who, subsequent to their long service in World War II, consented to have their names placed on the list of Reserves, could be called in case of need. As members of the Reserve components, although in an inactive status, they are subject to call without their consent. On the other hand, those in the second category have rendered little or no military service. Included in this latter group are a number of physicians and dentists who received a portion of their medical and dental education at the expense of the Government under what was known as the Army Specialized Training Program, or the Navy V-12 program. Many of these saw no active service in the Armed Forces. Others were deferred from service to pursue their education, and likewise have never served on active duty other than in a training capac-

ity. Most of them are not members of a Reserve component of the Armed Forces and are not, therefore, subject to call under present law unless within the age limits of the Selective Service Act. Few, if any, are within the age limits established due to the numbers of years required to complete their education and training.

An analysis of those who participated in the ASTP and V-12 programs follows:

ARMY SPECIALIZED TRAINING PROGRAM

MEDICAL

Number who graduated under program:	
Number appointed in Army-----	¹ 12, 500
Discharged upon graduation for physical or other reasons-----	1, 000
	<u>13, 500</u>
Number who participated but did not graduate under program:	
Number dropped for academic or other reasons----	2, 000
Number dropped at end of program-----	² 4, 500
	<u>6, 500</u>
Total number of participants-----	20, 000

DENTAL

Number who graduated under program:	
Number appointed in Army-----	1, 914
Number appointed in Navy-----	70
Discharged upon graduation for physical or other reasons-----	474
	<u>2, 458</u>
Number who participated but did not graduate under program:	
Discharged and continued training as civilians-----	³ 4, 651
Academic failures-----	472
Physically disqualified-----	101
Refused to continue training after discharge-----	52
	<u>5, 276</u>
Total number of participants-----	7, 734

VETERINARY

Number who graduated under program:	
Number appointed in Army-----	143
Number discharged upon graduation-----	445
	<u>588</u>
Number who participated but did not graduate under program--	
	⁴ 1, 088
Total number of participants-----	1, 676
Grand total of medical department trainees-----	29, 410

¹ Approximately 1,000 provided to Veterans' Administration and 400 provided to U. S. Public Health Service.

² Due to attritional factors (i. e. failure to graduate, physical disability, subsequent military service, etc.), it is estimated that out of this number 3,000 remain, who after graduation have not served on extended active duty. Those 3,000 are in the group which will be potentially affected by priorities 1 and 2 of the proposed bill.

³ Due to attritional factors (i. e. failure to graduate, physical disability, subsequent military service, etc.), it is estimated that out of this number 2,500 remain, who after graduation have not served on extended active duty. Those 2,500 are in the group which will be potentially affected by priorities 1 and 2 of the proposed bill.

⁴ Due to attritional factors (i. e. failure to graduate, physical disability, subsequent military service, etc.), it is estimated that out of this number 650 remain, who after graduation have not served on extended active duty. Those 650 are in the group which will be potentially affected by priorities 1 and 2 of the proposed bill.

A total of 11,176 students participated in the V-12 medical program, of which number 5,872 served on active duty, leaving 5,304 who have

not served. Of this number who have not served, 1,429 are in the Naval Reserve and subject to call to active duty. This leaves 3,875 who were separated in one or more ways, but of this number 1,262 were separated for physical or academic reasons. Thus, the maximum number of V-12 physicians who would be subject to this bill would be 2,613.

In the V-12 dental program, 3,185 participated, of whom 2,164 served on active duty, leaving 1,021 who have not served. Of that number, 122 are now in the Dental Corps Reserve and subject to call to duty. Of the remainder of 899 who were separated without service, 397 were separated for academic, physical, or other reasons, leaving a maximum of 502 who would be subject to induction under the proposed bill.

In considering this bill, the committee has taken cognizance of the foregoing situation and the fact that all able-bodied citizens have a responsibility to render military service when needed. It feels, however, that the recall in large numbers of medical reservists would be an inequitable discrimination against the patriotic physicians and dentists whose loyal response to the colors in the past war was responsible for the high standards of health maintained in the Armed Forces throughout the war. Accordingly, the committee has decided that of the two groups mentioned, individuals who have rendered no military service, or whose service was confined to training duty, should be subject to call at this time before reservists who have previously served are called in large numbers without their consent. The committee further feels that of the group having no military service, or who have served only in a training status, those who have received education at Government expense have an additional moral obligation to render service as a result of previous deferment from actual service to obtain their education and training. For that reason, there has been included in the bill four categories of priority of call which are intended to establish as equitable a distribution of the responsibility for service among all the affected individuals as is possible under the circumstances.

The bill was amended in several respects. As amended, the bill will not require the registration of persons who are members of the Reserve components, and this will include those who hereafter joined the Reserves.

A technical amendment was corrected by misprint so as to provide that in the fourth priority of induction those persons who have served the least number of months will be inducted before those who have served a greater number of months.

A bill was further amended by providing authority for the President to defer from training and service under the proposed legislation pre-osteopathic and preveterinary students, so as to maintain the present level of attendance at these schools.

The original proposed subsection (k) to the Selective Service Act was stricken from the proposed bill, and in lieu thereof the committee adopted a new section which will permit the incentive pay paid to doctors and dentists to apply to National Guard men and reservists ordered to active duty without their consent.

A new section 4 permits the President, under such regulations as he may prescribe, to promote Reserve doctors and dentists ordered to active duty to be promoted to such grade or rank as the President

deems commensurate with such person's education, experience, and ability. This will permit officers in the Reserve Corps to be promoted who may be recalled to active duty in grades held during World War II, which recall to active duty would not take into consideration any additional experience that such person may have gained since World War II.

The new section 5 as proposed by the committee would prevent the extra pay provided for doctors and dentists to be applicable to those persons who are inducted under the provisions of this bill.

Section 6 defines the term "allied specialist categories" and is not intended as a limiting definition.

Section 7 of the act provides termination date identical with the date the present Selective Service Act will expire, except that the provisions of section 2 with respect to Reserve doctors and dentists ordered to active duty without their consent will be continued in effect so far as incentive pay is concerned.

The Department of Defense recommends the enactment of this bill, and the Bureau of the Budget interposes no objection. A letter from the Secretary of Defense to the chairman of the House Armed Services Committee is made a part of this record.

THE SECRETARY OF DEFENSE,
Washington, August 23, 1950.

HON. CARL VINSON,
Chairman, Committee on Armed Services,
House of Representatives.

MY DEAR MR. CHAIRMAN: This will acknowledge receipt of your request as chairman of the Committee on Armed Services for a report on the bills H. R. 9294, H. R. 9311, H. R. 9327, and H. R. 9358, all of which proposed to amend the Selective Service Act of 1948 so as to authorize the draft of individuals in certain professional, technical, and scientific categories.

The purpose of all the bills appears to be to provide the necessary authorizations through which the Department of Defense can meet the demands being made for additional medical aid to support our forces in the Far East and the expanding military forces at home without requiring the large-scale call to active duty without their consent of Reserve officers of the medical services who have had substantial periods of service in World War II.

So far volunteer entry of physicians and dentists into the military services has been small, and it can be expected that, within a few months, provided no means is available by which to require individuals with small amounts of prior service to enter the military service, it will be necessary to make substantial calls from the pool of 29,000 physicians and dentists, who, subsequent to their long service in World War II, consented to have their names placed on the list of Reserves who could be called in case of need.

As drafted, the bills provide for priorities in which order these individuals would be called to the service, and proposes those priorities in such an order as to assure that the first individuals called will be those who participated as medical trainees at the expense of the Government during the past war, and who have had no military service. The priorities which would follow those individuals into the services would be those whose service during the past few years has been the least.

Because of the numerous technical changes which are considered necessary to perfect the proposals before you, there is enclosed herewith a redraft of the bills in a form more acceptable to the Department of Defense, and I suggest that the enclosed language be substituted for that in the bills before your committee. As drafted, the enclosed proposal is in keeping with the fundamental American concept of fair play, in that it attempts to establish as equitable a distribution of the responsibility for service among all the affected individuals as is possible under the circumstances.

Provided the Congress feels that the recall in large numbers of medical reservists would be an inequitable discrimination against the patriotic physicians and dentists whose loyal response to the colors in the past war was responsible for the high standards of health maintained throughout the war, it may wish to enact this legislation before the fall recess. If it is not enacted, quite probably substantial numbers of reserve officers in all grades in the medical and dental services will be called to active duty without their consent prior to the commencing of the Eighty-second Congress.

The Bureau of the Budget has advised me that, in its redrafted form as submitted herewith, the legislation is in accord with the program of the President.

With kindest personal regards, I am,

Sincerely yours,

LOUIS JOHNSON.

CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, there is herewith printed in parallel columns the text of provisions of existing laws which would be amended by the various provisions of the bill.

EXISTING LAW

SECTION 4, TITLE I OF THE SELECTIVE SERVICE ACT OF 1948 (62 STAT. 605) AS AMENDED

TRAINING AND SERVICE

SEC. 4. (a) Except as otherwise provided in this title, every male citizen of the United States, and every other male person residing in the United States, who is between the ages of nineteen and twenty-six, at the time fixed for his registration, or who attains the age of nineteen after having been required to register pursuant to section 3 of this title, shall be liable for training and service in the armed forces of the United States. Any citizen of a foreign country, who is not deferrable or exempt from training and service under the provisions of this title (other than this subsection), shall be relieved from liability for training and service under this title if, prior to his induction into the armed forces, he has made application to be relieved from such liability in the manner prescribed by and in accordance with rules and regulations prescribed by the President; but any person who makes such application shall thereafter be debarred from becoming a citizen of the United States. The President is authorized from time to time, whether or not a state of war exists, to select and induct into the armed forces of the United States for training and service in the manner provided in this title such number of persons as may be required to provide and maintain the personnel strengths (other than one-year enlistee personnel strengths) of the respective armed forces authorized by section 2 of this title.

No person shall be inducted for training and service under this title unless

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Selective Service Act of 1948, as amended, is hereby amended by adding at the end thereof the following subsections:

"(i) (1) Notwithstanding any other provision of this title, except subsections 6 (j) and 6 (o), the President is authorized to require special registration of and, on the basis of requisitions submitted by the Department of Defense and approved by him, to make special calls for male persons qualified in needed—

"(A) medical and allied specialist categories who have not yet reached the age of forty-five at the time of registration, and

"(B) dental and allied specialist categories who have not yet reached the age of forty-five at the time of registration.

Persons called hereunder shall be liable for induction for not to exceed twenty-one months of service in the Armed Forces. No such person who, on August 16, 1950, is a member of a Reserve component of the Armed Forces shall, so long as he remains a member thereof, be liable for induction under this subsection, but nothing in this subsection shall be construed to affect the authority of the President under any other provision of law to call to active duty members and units of the Reserve components. No person in the medical, dental, and allied specialist categories shall be inducted under the provisions of this subsection after he has attained the forty-sixth anniversary of the date of his birth.

"(2) In registering and inducting persons pursuant to paragraph (1) of this subsection, the President shall, to the

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and until he is acceptable to the armed forces for such training and service and his physical and mental fitness for such training and service has been satisfactorily determined under standards prescribed by the Secretary of Defense.

No persons shall be inducted for such training and service until adequate provision shall have been made for such shelter, sanitary facilities, water supplies, heating and lighting arrangements, medical care, and hospital accommodations, for such persons, as may be determined by the Secretary of Defense to be essential to public and personal health.

The persons inducted into the armed forces for training and service under this title shall be assigned to stations or units of such forces. Persons inducted into the land forces of the United States pursuant to this title shall be deemed to be members of the Army of the United States; persons inducted into the naval forces of the United States pursuant to this title shall be deemed to be members of the United States Navy or the United States Marine Corps, as appropriate; and persons inducted into the air forces of the United States pursuant to this title shall be deemed to be members of the Air Force of the United States.

No person, without his consent, shall be inducted for training and service under this title, except as otherwise provided herein, after he has attained the twenty-sixth anniversary of the day of his birth.

(b) Each person inducted under the provisions of subsection (a) shall serve in the armed forces for a period of twenty-one consecutive months, unless sooner discharged in accordance with standards and procedures prescribed by the Secretary of Defense.

(c) (1) Under the provisions of applicable laws and regulations any person between the ages of nineteen and twenty-six shall be offered an opportunity to enlist in the Regular Army for a period of service equal to that prescribed in subsection (b) of this section.

(2) Any enlisted member of any reserve component of the Armed Forces may, during the effective period of this Act, apply for a period of service equal to that prescribed in subsection (b) of this section and his application shall be accepted: *Provided*, That his services can be effectively utilized and that his physical and mental fitness for such service meet the standards prescribed by the head of department concerned: *And provided further*, That active service performed pursuant to this section shall not prejudice his status as such member of such reserve component.

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extent that he considers practicable and desirable, register and induct in the following order of priority:

"First. Those persons who participated as students in Army specialized training program or similar programs administered by the Navy, and those persons who were deferred from service during World War II for the purpose of pursuing a course of instruction leading to education in one of the categories, referred to in classes A and B of paragraph 1 of this subsection who have had less than ninety days of active duty in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service subsequent to the completion of or release from the program or course of instruction (exclusive of the time spent in post-graduate training).

"Second. Those persons who participated as students in the Army specialized training program or similar programs administered by the Navy, and those persons who were deferred from service during World War II for the purpose of pursuing a course of instruction leading to education in one of the categories referred to in classes A and B of paragraph 1 of this subsection who have had ninety days or more but less than twenty-one months of active duty in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service subsequent to the completion of or release from the program or course of instruction (exclusive of the time spent in post-graduate training).

"Third. Those who did not have active service in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service subsequent to September 16, 1940.

"Fourth. Those not included in the first and second priority who have had active service in the Army, the Air Force, the Navy, the Marine Corps, the Coast Guard, or the Public Health Service subsequent to September 16, 1940. Inductions of persons in this priority shall be made in accordance with regulations prescribed by the President which may provide for the classification of such persons into groups according to the number of full months of such service which they have had and for the induction of the members of any such group after the induction of the members of any other such

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(3) The passing requirement for the General Classification Test shall be fixed at seventy points.

(d) (1) Each person who hereafter is inducted, enlisted, or appointed (except a person enlisted under subsection (g) of this section) and serves for a period of less than three years in one of the armed forces and meets the qualifications for enlistment or appointment in a reserve component of the armed force in which he serves, shall be transferred to a reserve component of such armed force, and until the expiration of a period of five years after such transfer, or until he is discharged from such reserve component, whichever occurs first, shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law for such reserve component: *Provided*, That any such person who completes at least twenty-one months of service in the armed forces and who thereafter serves satisfactorily (1) on active duty in the armed forces under a voluntary extension for a period of at least one year, which extension is hereby authorized, or (2) in an organized unit of any reserve component of any of the armed forces for a period of at least thirty-six consecutive months, shall, except in time of war or national emergency declared by the Congress, be relieved from any further liability under this subsection to serve in any reserve component of the armed forces of the United States, but nothing in this subsection shall be construed to prevent any such person, while in a reserve component of such forces, from being ordered or called to active duty in such forces.

(2) Each person who hereafter is enlisted under the provisions of subsection (g) of this section and who meets the qualifications for enlistment or appointment in a reserve component of the armed forces shall, upon discharge from such enlistment under honorable conditions, be transferred to a reserve component of the armed forces of the United States and shall serve therein for a period of six years or until sooner discharged. Each such person shall, so long as he is a member of such reserve component, be liable to be ordered to active duty, but except in time of war or national emergency declared by the Congress no such person shall be ordered to active duty, without his consent and except as hereinafter provided, for more than one month in any year. In case the Secretary of the Army, the Secre-

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group having a greater number of full months of such service.

In the selection of individuals from among the categories established by subsection (i) for induction, the President is authorized, under such rules and regulations as he may prescribe, to provide for the deferment of any individual whose deferment is found to be equitable and in the national interest, taking into consideration the length of his previous service in the Armed Forces (including the Coast Guard and the Public Health Service) of the United States, the extent of his participation in the Army specialized training program or similar program administered by the Navy, reasons of hardship or dependency, and the maintenance of the national health, safety, or interest.

"(3) It is the sense of the Congress that the President shall provide for the annual deferment from training and service under this title of numbers of premedical and predental students at least equal to the average numbers of male premedical and predental students in attendance at colleges and universities in the United States during the years 1945 to 1950 as determined by the Director.

"(j) The President shall establish a National Advisory Committee which shall advise the Selective Service System, and shall coordinate the work of such State and local volunteer advisory committees as may be established to cooperate with the National Advisory Committee, with respect to the selection of needed medical and dental and allied specialist categories of persons as referred to in subsection (i). The members of the National Advisory Committee shall be selected from among individuals who are outstanding in medicine, dentistry, and the sciences allied thereto, but it shall not be mandatory that all such fields of endeavor be represented on the committee.

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persons inducted into the armed forces of the United States for training and service under this title, or to members of reserve components of such forces now or hereafter on any type of active duty, who, prior to their induction or order to active duty, were receiving compensation from such person, firm, or corporation.

(g) Subject to the authorized one-year enlistee active duty personnel strengths established by section 2 of this title for the respective armed forces, the Secretaries of the Army, the Navy, and the Air Force are authorized and directed to accept enlistments for periods of one year in the Army of the United States, the United States Navy or the United States Marine Corps, and the Air Force of the United States, respectively, from among qualified male persons between the ages of eighteen and nineteen.

(h) No person who is enlisted in the Army of the United States under the provisions of subsection (g) shall be permanently assigned to duty at any place outside of the continental limits of the United States; and no person who is enlisted under the provisions of such subsection in the United States Navy, the United States Marine Corps, or the Air Force of the United States shall be assigned to duty at any naval or air force installation which is located on land outside of the continental limits of the United States.

SECTION 203, TITLE II OF THE CAREER
COMPENSATION ACT OF 1949 (PUBLIC
LAW 351, EIGHTY-FIRST CONGRESS)

SPECIAL PAY—PHYSICIANS AND DENTISTS

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

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"(k) (1) Clause (3) of subsection 203 (a) of the Career Compensation Act of 1949 (Public Law 351, Eighty-first Congress) is amended by striking out the words 'volunteered and' and 'volunteer and':

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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.

(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.

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"(2) Subsection 203 (b) of the Career Compensation Act of 1949 is amended by striking out '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.'"

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SECTION 202, TITLE II OF THE NATIONAL SECURITY ACT OF 1947 (61 STAT. 496) AS AMENDED

THE SECRETARY OF DEFENSE

SEC. 202. (a) There shall be a Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. *Provided*, That a person who has within ten years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Secretary of Defense.

(b) The Secretary of Defense shall be the principal assistant to the President in all matters relating to the Department of Defense. Under the direction of the President, and subject to the provisions of this Act, he shall have direction, authority, and control over the Department of Defense.

(c) (1) Notwithstanding any other provision of this Act, the combatant functions assigned to the military services by sections 205 (e), 206 (b), 206 (c), and 208 (f) hereof shall not be transferred, reassigned, abolished, or consolidated.

(2) Military personnel shall not be so detailed or assigned as to impair such combatant functions.

(3) The Secretary of Defense shall not direct the use and expenditure of funds of the Department of Defense in such manner as to effect the results prohibited by paragraphs (1) and (2) of this subsection.

(4) The Departments of the Army, Navy, and Air Force shall be separately administered by their respective Secretaries under the direction, authority, and control of the Secretary of Defense.

(5) Subject to the provisions of paragraph (1) of this subsection no function which has been or is hereafter authorized by law to be performed by the Department of Defense shall be substantially transferred, reassigned, abolished or consolidated until after a report in regard to all pertinent details shall have been made by the Secretary of Defense to the Committees on Armed Services of the Congress.

(6) No provision of this Act shall be so construed as to prevent a Secretary of a military department or a member of the Joint Chiefs of Staff from presenting to the Congress, on his own initiative, after first so informing the Secretary of Defense, any recommendation relating to the Department of Defense that he may deem proper.

SEC. 2. Section 202 of the National Security Act of 1947, as amended, is hereby amended by adding at the end thereof the following subsections:

"(g) Under such regulations as he shall prescribe, the Secretary of Defense with the approval of the President is authorized to transfer between the armed services, within the authorized commissioned strength of the respective services, officers holding commissions in the medical services or corps including the Reserve components thereof. No officer shall be so transferred without (1) his consent, (2) the consent of the service from which the transfer is to be made, and (3) the consent of the service to which the transfer is to be made.

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(d) The Secretary of Defense shall not less often than semiannually submit written reports to the President and the Congress covering expenditures, work, and accomplishments of the Department of Defense, accompanied by (1) such recommendations as he shall deem appropriate; (2) separate reports from the military departments covering their expenditures, work, and accomplishments; and (3) itemized statements showing the savings of public funds and the eliminations of unnecessary duplications and overlappings that have been accomplished pursuant to the provisions of this Act.

(e) The Secretary of Defense shall cause a seal of office to be made for the Department of Defense, of such design as the President shall approve, and judicial notice shall be taken thereof.

(f) The Secretary of Defense may, without being relieved of his responsibility therefor, and unless prohibited by some specific provision of this Act or other specific provision of law, perform any function vested in him through or with the aid of such officials or organizational entities of the Department of Defense as he may designate.

"(h) Officers transferred hereunder shall be appointed by the President alone to such commissioned grade, permanent and temporary, in the armed service to which transferred and be given such place on the applicable promotion list of such service as he shall determine. Federal service previously rendered by any such officer shall be credited for promotion, seniority, and retirement purposes as if served in the armed service to which transferred according to the provisions of law governing promotion, seniority, and retirement therein. No officer upon a transfer to any service from which previously transferred shall be given a higher grade, or place on the applicable promotion list, than that which he could have attained had he remained continuously in the service to which retransferred.

"(i) Any officer transferred hereunder shall be credited with the unused leave to which he was entitled at the time of transfer."



