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1936, and June 16, 1938, are hereby further extended two and four years, respectively, from June 12, 1938.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, May 24, 1939.

[CHAPTER 146]

AN ACT

May 24, 1939
[S. 595]
[Public, No. 87]

To increase further the efficiency of the Coast Guard by authorizing the retirement under certain conditions of enlisted personnel thereof with twenty or more years of service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commandant of the Coast Guard (hereinafter referred to as the "Commandant") shall assemble annually a Coast Guard Enlisted Personnel Board (hereinafter referred to as the "Board"), to be composed of not less than three commissioned officers on the active list of the Coast Guard. It shall be the duty of the Board to recommend for retirement such enlisted men of the Coast Guard, who have twenty or more years of service, whom the Board determines, in its discretion, should be retired from active service. The recommendations of the Board shall be transmitted to the Commandant for final action. If the Commandant shall approve the recommendations of the Board, the enlisted man concerned shall be notified thereof in writing, and any enlisted man who, within thirty days after receipt of such notification, files with the Commandant a written protest of the action taken by the Board in his case, shall not be retired involuntarily under this Act unless a subsequent annual Board again determines in its discretion, that such enlisted man should be retired and so recommends, in which case such enlisted man may, upon approval by the Commandant, be retired from active service with retired pay as prescribed by section 5 hereof. At the expiration of thirty days after receipt by an enlisted man of notice as aforesaid, in the event that no such protest is filed by him within the period prescribed, such enlisted man may, upon approval by the Commandant, be retired from active service with retired pay as prescribed by section 5 hereof. If the Commandant shall disapprove any recommendation of the Board, the enlisted man concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered.

Coast Guard.
Retirement of enlisted personnel with twenty or more years of service.
Coast Guard Enlisted Personnel Board, meetings, membership, etc.
Recommendations for retirements.
Protest; effect of.
Consideration and decision by subsequent annual Board.
Retirement, with pay, if no protest filed.
Status if Commandant disapproves Board's recommendation.

SEC. 2. An enlisted man of the Coast Guard who has twenty or more years of service may, upon suitable application to and approval by the Commandant, be retired from active service with retired pay as prescribed by section 5 hereof.

Voluntary retirement.

SEC. 3. The total number of enlisted men who may be retired in any one fiscal year under sections 1 and 2 of this Act shall not exceed the whole number nearest to 1 per centum of the total enlisted force of the Coast Guard on the active list as of January 1 of such year, to be divided in such proportion between retirements under sections 1 and 2 of this Act as may be determined by the Commandant.

Limitation on number in any one fiscal year.

SEC. 4. The Commandant is authorized to call any enlisted man who has been retired pursuant to this Act into active service for such duty as he may be able to perform. While so employed such enlisted man shall receive full pay, allowances, and benefits authorized by law, shall be eligible for promotion, and shall be entitled to the benefits of continuous service for such rank and for such length of time as he is or has been employed in active service, and

Recall to active service.
Pay, etc., while so employed.
Promotions; service credits.

Status when relieved of active duty.

when relieved of active service shall retain upon the retired list the rank and service held by him at the time of such relief, with pay and such increases as are prescribed in section 5 of this Act.

Annual rate of retirement pay.

SEC. 5. The annual rate of pay of any enlisted man retired under this Act shall be 2½ per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement, multiplied by the number of years of his service: *Provided*, That any enlisted man retired under this Act who has been cited for extraordinary heroism in line of duty, or whose average marks in conduct during his service in the Coast Guard shall be not less than 97½ per centum of the maximum, shall be entitled to have his retired pay increased by an amount equal to 10 per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement: *Provided further*, That the retired pay of any enlisted man retired under this Act shall not in any case exceed 75 per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement: *And provided further*, That the determination of the Secretary of the Treasury as to what constitutes extraordinary heroism for the purpose of this section shall be final and conclusive.

Provisos.
Citation for extraordinary heroism, etc.

Limitation on amount.

Determination of extraordinary heroism.

Application of Act.

SEC. 6. (a) The provisions of this Act shall be supplementary to, but shall not be construed to limit or supersede, existing laws relating to the retirement of enlisted personnel of the Coast Guard.

Regulations.

(b) The Commandant may prescribe such regulations which shall be subject to approval by the Secretary of the Treasury, as may be necessary to carry out the purposes of this Act.

Approved, May 24, 1939.

[CHAPTER 147]

AN ACT

May 24, 1939
[S. 965]
[Public, No. 88]

To amend the Act entitled "An Act authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin", approved June 30, 1938.

Saint Louis River.
Authorized bridge construction, Duluth, Minn., to Superior, Wis.; location modified.

52 Stat. 1256.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin", approved June 30, 1938, is amended by striking out "to the vicinity of the lower end of Banks Avenue extended to the shore line in Superior, Wisconsin", and inserting in lieu thereof "to such point in Superior, Wisconsin, as the Harbor Commission of Superior shall designate".

Approved, May 24, 1939.

[CHAPTER 148]

AN ACT

May 24, 1939
[S. 1876]
[Public, No. 89]

To readjust the commissioned personnel of the Coast Guard, and for other purposes.

Coast Guard.
Readjustment of commissioned personnel.
45 Stat. 1533.
14 U. S. C. § 10.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to readjust the commissioned personnel of the Coast Guard, and for other purposes", approved March 2, 1929 (45 Stat. 1533; U. S. C., title 14, sec. 10), is hereby amended by adding at the end thereof the following paragraph: