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Jackson's Hole, Wyoming, elk refuge, consisting of one and four hundred and seventy-eight one-thousandths acres, more or less, described by metes and bounds as follows: Beginning at a point which is north eighty-nine degrees fifty-eight minutes east forty feet from a point on the west line of section 27, township 41 north, range 116 west, of the sixth principal meridian Wyoming, which is north no degrees two minutes west one thousand eight hundred and two feet from the southwest corner of said section 27; thence north no degrees two minutes west three hundred and eight feet along a line parallel with and forty feet distant, when measured at right angles, from the west line of said section 27; thence north eighty-nine degrees fifty-eight minutes east two hundred and nine feet; thence south no degrees two minutes east three hundred and eight feet; thence south eighty-nine degrees fifty-eight minutes west two hundred and nine feet to the point of beginning.

Description.

Approved, June 6, 1940.

[CHAPTER 249]

AN ACT

To amend an Act entitled "An Act to increase the efficiency of the Coast Guard", approved January 12, 1938.

June 6, 1940
[H. R. 8423]
[Public, No. 556]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to increase the efficiency of the Coast Guard", approved January 12, 1938 (52 Stat. 4), is hereby amended to read as follows:

Coast Guard.

14 U. S. C., Supp. V, § 175b.

"SEC. 2. The Secretary of the Treasury, at the direction of the President, shall assemble annually a Coast Guard Personnel Board (hereinafter referred to as the Board), to be composed of not less than five commissioned officers of the rank of captain or above on the active list of the Coast Guard. It shall be the duty of the Board (a) to recommend for retirement such commissioned officers of the Coast Guard who have thirty or more years of service, as the Board determines, in its discretion, should be retired from active service, (b) to recommend for retirement such commissioned officers of the Coast Guard who have been placed out of line of promotion and who have ten years or more of commissioned service, as the Board determines, in its discretion, should be retired from active service, and (c) to recommend for placing out of line of promotion such lieutenant commanders on the active list, as the Board determines, in its discretion, should be placed out of line of promotion. The proceedings, findings, and recommendations of the Board shall be transmitted to the Commandant of the Coast Guard for review. If the Commandant shall approve the recommendations of the Board, notification thereof shall be given by him in writing to each officer concerned, who, for the first time under this Act, is recommended for retirement or for placing out of line of promotion; and any such officer 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 or placed out of line of promotion under this Act unless a subsequent annual Board, none of the members of which were members of the previous Board which recommended such officer's retirement or placing out of line of promotion, determines, in its discretion, that such officer should be retired or placed out of line of promotion, and so recommends, in which case such officer may, upon approval by the President, be retired from active service with retired pay as prescribed by section 3 hereof, or be placed out of line of promotion, as the case may be, as

Personnel Board, annual meeting.

Composition.

Recommendations for retirement, etc.

Review of Board's proceedings, etc.

Notification to officers concerned.

Protest; reconsideration by subsequent annual Board.

Retirement, etc., upon approval by the President.

When no protest filed, procedure.

hereinafter provided. At the expiration of thirty days after receipt by an officer of notice aforesaid, in the event that no such protest is filed by him, such officer may upon approval by the President, be retired from active service with retired pay as prescribed by section 3 hereof, or be placed out of line of promotion, as the case may be, as hereinafter provided. If the Commandant shall disapprove any recommendation of the Board, the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered by such Board. Except as hereinbefore provided, each recommendation of the Board which is finally approved by the Commandant, together with the proceedings and findings of the Board, shall be transmitted to the Secretary of the Treasury for further review, and if the Secretary shall disapprove any recommendation of the Board, the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered by such Board. Each recommendation of the Board which is not disapproved by the Secretary shall be laid before the President by the Secretary with his recommendation in the case. The President may, in any calendar year, pursuant to recommendations so laid before him:

Disapproval by Commandant of recommendation; effect.

Transmittal of approved recommendations to Secretary of the Treasury.

Recommendations to be laid before the President.

Powers of the President.

"(a) Place out of line of promotion such number of lieutenant commanders on the active list as will not exceed the whole number nearest to 2 per centum of the officers in that grade as of January 1 of such year; except that such limitation shall not be construed to limit the number of lieutenant commanders who may be placed out of line of promotion, in accordance with regulations prescribed by the Secretary of the Treasury, for failing to establish their mental, moral, and professional fitness for promotion.

Lieutenant commanders, placement of limited number out of line of promotion; exception.

"(b) Place upon the retired list such number of commissioned officers who have thirty or more years of service as will not exceed the whole number nearest to 5 per centum of the number of officers falling within that classification on January 1 of such year.

Officers with 30 years' service, retirement of limited number.

"(c) Place upon the retired list any officer who has been placed out of line of promotion and who has ten years or more of commissioned service."

Officers out of line of promotion with 10 years' service, retirement.

Approved, June 6, 1940.

[CHAPTER 250]

AN ACT

June 6, 1940
[H. R. 8537]
[Public, No. 557]

To provide for the enlargement of the Coast Guard depot at Seattle, Washington, and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tennessee.

Coast Guard. Depot, Seattle, Wash., acquisition of land for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to acquire, at a cost not to exceed $8,500, by purchase, condemnation, or otherwise such additional land adjacent to the present Coast Guard depot at the foot of Twenty-seventh Avenue West, Seattle, Washington, and to make such improvements thereon as may be necessary for the development of the depot to best meet the needs of the Coast Guard.

Servicing base, Chattanooga, Tenn., acquisition of land for.

SEC. 2. The Secretary of the Treasury is authorized to acquire, at a cost not to exceed $5,000, by purchase, condemnation, or otherwise such land and to make such improvements thereon as may be necessary for the establishment of a Coast Guard servicing base in such locality as the Commandant of the Coast Guard may recommend at or in the vicinity of Chattanooga, Tennessee.

Approved, June 6, 1940.