

[CHAPTER 522]

AN ACT

To extend the Selective Training and Service Act of 1940, as amended, and for other purposes.

June 29, 1946
 [H. R. 6064]
 [Public Law 473]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the provisions of the Selective Training and Service Act of 1940, as amended, are hereby expressly reenacted, except those provisions which are hereinafter amended or repealed.

SEC. 2. (a) So much of the first sentence of section 3 (a) of the Selective Training and Service Act of 1940, as amended, as precedes the first proviso is hereby amended to read as follows:

"SEC. 3. (a) Except as otherwise provided in this Act, 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 forty-five, at the time fixed for his registration, or who attains the age of nineteen after having been required to register pursuant to section 2 of this Act, shall be liable for training and service in the land or naval forces of the United States:"

(b) The fourth proviso of the second sentence of section 3 (a) of the Selective Training and Service Act of 1940, as amended, is amended to read as follows: "*Provided further*, That on July 1, 1946, the number of men in active training or service in the Army shall not exceed one million five hundred and fifty thousand, and that this number shall be reduced consistently month by month so that the Army's strength shall not exceed one million and seventy thousand on July 1, 1947: *And provided further*, That on July 1, 1947, the number of men in active training or service in the Navy shall not exceed five hundred and fifty-eight thousand and in the Marine Corps one hundred and eight thousand: *And provided further*, That the monthly requisitions on the President under this Act by the Secretary of War and the Secretary of the Navy shall not exceed the number of men required after consideration of the actual number of voluntary enlistments during the three months preceding that month in which the requisition is made. For the purposes of the fourth and fifth provisos of the preceding sentence, no man shall be deemed to be in active training or service or to be part of the strength of the Army, Navy, or Marine Corps, if—

"(1) he is on terminal leave;

"(2) he is a member of the detachment of patients who are to be discharged or relieved from active duty without being returned to an active duty status; or

"(3) he is being processed, following completion of his period of service, for discharge or relief from active duty."

SEC. 3. Section 3 (b) of such Act, as amended, is hereby amended to read as follows:

"(b) Each man inducted on and after October 1, 1946, under the provisions of subsection (a) shall serve for a period of training and service of eighteen consecutive months (excluding time served while pursuing a course of instruction in a university, college, or other similar institution of learning), unless sooner discharged. Each man inducted prior to October 1, 1946, under the provisions of subsection (a) who shall have completed a period of training and service under this Act of eighteen months or more (excluding time served while pursuing a course of instruction in a university, college, or other similar institution of learning) shall, upon his request, on and after such date, be relieved from his period of training and service

54 Stat. 885.
 50 U. S. C. app.
 §§ 301-318; Supp. V,
 § 302 *et seq.*
Ante, p. 181.
 54 Stat. 885.
 50 U. S. C., Supp.
 V, app. § 303 (a).
Ante, p. 181.

Persons liable for training and service.

54 Stat. 885.
 50 U. S. C., Supp. V,
 app. § 302.

Reduction of Army's strength.

Maximum number of men in Navy and Marine Corps.

Monthly requisitions.

54 Stat. 886.
 50 U. S. C. app.
 § 303(b).
 Period of training and service.

Supra.

under this Act. Notwithstanding the foregoing provisions, whenever, after January 1, 1946, the Congress declares that the national interest is imperiled, such periods of training and service may be extended by the President to such time as may be necessary in the interest of national defense."

Repeal.
54 Stat. 886.
50 U. S. C. app.
§ 303 (c).
54 Stat. 888.
50 U. S. C., Supp.
V, app. § 305 (e)(1).
Deferment.

Ante, p. 181.

Induction of persons
with dependent chil-
dren.

"Child."

Supra.

Release of persons
with dependent chil-
dren.
Ante, p. 341.

Induction of persons
with previous service.

57 Stat. 597.
50 U. S. C., Supp.
V, app. § 305 (m).
Manner of induc-
tion.

54 Stat. 897.
50 U. S. C., Supp.
V, app. § 316 (b).
Ante, p. 181.
54 Stat. 885, 890, 897.
50 U. S. C. app.
§§ 303(a)-(d), 308,
316(b); Supp. V, §§
303(a), (c), 308, 316(b).
Ante, pp. 181, 341.

SEC. 4. Section 3 (e) of such Act, as amended, is hereby repealed.

SEC. 5. (a) Section 5 (e) (1) of such Act, as amended, is hereby amended by inserting after the first sentence thereof the following new sentence: "No person shall be deferred for employment in industry except upon the basis of his then status in an industry essential to the national health, safety, or interest."

(b) Section 5 (e) (3) of such Act, as amended, is hereby amended to read as follows:

"(3) After May 14, 1946, no individual who has a child or children dependent upon him for support, or with whom he maintains a bona fide family relationship in their home, shall be inducted without his consent for training and service under this Act. As used in this paragraph, the term 'child' includes a child legally adopted, a step-child, a foster child, and a person who is supported in good faith by the individual in a relationship similar to that of a parent and child but such term does not include any person eighteen years of age or over unless such person is physically or mentally handicapped."

(c) Section 5 (e) of such Act, as amended, is hereby amended by adding at the end thereof the following new paragraphs:

"(4) Any man inducted under the provisions of section 3 (a) of this Act who has a child or children, as hereinabove defined, dependent upon him for support, or with whom he maintains a bona fide family relationship in their home, shall, upon his request after August 1, 1946, be relieved from his period of training and service under this Act.

"(5) No individual shall be inducted without his consent for training and service under this Act, if he has served on active duty in the land or naval forces of the United States outside the continental limits of the United States or in Alaska; or if he has served on active duty in the land or naval forces of the United States for a period of at least six months after September 16, 1940 (excluding the time that any such individual so served while pursuing a course of instruction in a university, college, or other similar institution of learning). The provisions of this paragraph shall cease to be effective during any period after January 1, 1946, when the Congress or the President shall declare that the national interest is imperiled."

SEC. 6. Section 5 (m) of such Act, as amended, is amended to read as follows:

"(m) No individuals shall be called for induction, ordered to report to induction stations, or be inducted because of their occupations, or by occupational groups, or by groups in any plant or institutions, except pursuant to a requisition by the land or naval forces for persons in needed medical professional and specialists categories."

SEC. 7. Section 16 (b) of such Act, as amended, is amended to read as follows:

"(b) The provisions of the third sentence of section 3 (a) of this Act shall become inoperative and cease to apply at 12 o'clock post-meridian on July 1, 1947. All of the other provisions of this Act, except the provisions of sections 3 (b), 3 (c), 3 (d), 8, and 16 (b), and the fourth and fifth provisos of the second sentence of section 3 (a), shall become inoperative and cease to apply at 12 o'clock post-meridian on March 31, 1947, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose, except as to offenses committed prior to such date.

One day prior to the date of the termination of the Selective Training and Service Act of 1940, as amended, as herein or hereafter specified, all remaining functions and responsibilities of the Personnel Division established under the authority of section 8 (g) of such Act, and all records and balances of appropriations which have been utilized or are available for use in the administration of such functions of the Personnel Division of the Selective Service System, shall be transferred to such agency of the Federal Government as the Congress may designate, or, if none is so designated, to such agency of the Federal Government as the President may designate."

Approved June 29, 1946.

[CHAPTER 523]

AN ACT

To amend the Pay Readjustment Act of 1942, as amended, so as to provide an increase in pay for personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first paragraph of section 9 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows:

"The monthly base pay of enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be as follows: Enlisted men of the first grade, \$165; enlisted men of the second grade, \$135; enlisted men of the third grade, \$115; enlisted men of the fourth grade, \$100; enlisted men of the fifth grade, \$90; enlisted men of the sixth grade, \$80; and enlisted men of the seventh grade, \$75. Chief petty officers under acting appointment shall be included in the first grade at a monthly base pay of \$150."

(b) The third paragraph of section 9 of the Pay Readjustment Act of 1942, as amended, is hereby amended to read as follows:

"Every enlisted man paid under the provisions of this section shall receive an increase of 5 per centum of the base pay of his grade for each three years of service up to thirty years. Such service shall be active Federal service in any of the services mentioned in the title of this Act or reserve components thereof; service in the active National Guard of the several States, Territories, and the District of Columbia; and service in the Enlisted Reserve Corps of the Army, the Officers' Reserve Corps of the Army, the Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve: *Provided*, That retired enlisted men heretofore or hereafter retired with credit for thirty years' service in the Army, Navy, or Marine Corps and who served beyond the continental limits of the United States between 1898 and 1912, such service having been computed under previous laws as double time toward retirement, shall be entitled to receive the maximum retired pay now provided for the grade in which retired."

(c) Section 11 of the Act of March 4, 1925 (43 Stat. 1274; 34 U. S. C. 701), is hereby amended to read as follows:

"Sec. 11. That the band of the United States Marine Corps shall consist of one leader whose pay and allowances shall be those of a captain in the Marine Corps; one second leader whose pay shall be \$230 per month and who shall have the allowances of a sergeant major; ten principal musicians whose pay shall be \$180 per month; twenty-five first-class musicians whose pay shall be \$150 per month; twenty second-class musicians whose pay shall be \$120 per month; and ten third-class musicians whose pay shall be \$102 per month; such musicians of the band to have the allowances of a sergeant: *Provided*, That the second leader and musicians of the band shall

54 Stat. 885.
50 U. S. C. app.
§§ 301-318; Supp. V,
§ 302 et seq.
Ante, p. 181.
54 Stat. 891.
50 U. S. C. app.
§ 308 (g).

June 29, 1946
[H. R. 6084]
[Public Law 474]

56 Stat. 363.
37 U. S. C., Supp.
V, § 109.

Monthly base pay.
Enlisted men.

Acting chief petty
officers.

Longevity increase.

Retired enlisted
men.

Marine Band.

Longevity increase.