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the State plan with respect to each needy individual who is blind and is not an inmate of a public institution, not counting so much of such expenditure with respect to any such individual for any month as exceeds $45—

"(A) Two-thirds of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $15 multiplied by the total number of such individuals who received aid to the blind for such month, plus

"(B) One-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A);

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Administrator for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose."

(b) Section 1003 (b) of such Act is amended by striking out "one-half", and inserting in lieu thereof "the State's proportionate share". 49 Stat. 646. 42 U. S. C. § 1203 (b).

SEC. 504. EFFECTIVE PERIOD.

Sections 501, 502, and 503 shall be effective with respect to the period commencing October 1, 1946, and ending on December 31, 1947. *Ante*, pp. 991, 992.

TITLE VI—VETERANS' EMERGENCY HOUSING ACT OF 1946

SEC. 601. Section 2 (a) of the Act of June 11, 1946 (Public Law 404, Seventy-ninth Congress), is amended by striking out the period at the end thereof and inserting a semicolon and the following: "and the Veterans' Emergency Housing Act of 1946". *Ante*, p. 237. *Ante*, p. 207.

Approved August 10, 1946.

[CHAPTER 952]

AN ACT

To provide additional inducements to citizens of the United States to make a career of the United States military or naval service, and for other purposes.

August 10, 1946
[S. 2460]
[Public Law 720]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Naval Reserve Act of 1938 (52 Stat. 1176) is hereby amended by inserting after the words "insular possessions of the United States" a comma and the following: "including citizens of the Philippine Islands who are members of the naval service at the time independence of the Philippine Islands becomes effective,". Naval Reserve Act of 1938, amendments. 34 U. S. C. § 853b.

SEC. 2. Section 204 of the Naval Reserve Act of 1938 (52 Stat. 1179) is hereby amended to read as follows: 34 U. S. C. § 854c.

"SEC. 204. Members of the Navy who first enlisted in the Navy after July 1, 1925, or who reenlisted therein after July 1, 1925, having been out of the Regular Navy for more than three months, may upon their own request be transferred to the Fleet Reserve upon the completion of at least twenty years' active Federal service. After such transfer, except when on active duty, they shall be paid at the annual rate of 2½ per centum of the annual base and longevity pay they are receiving at the time of transfer multiplied by the number of years of active Federal service: *Provided*, That the pay authorized in this section shall be increased 10 per centum for all men who may be credited with extraordinary heroism in the line of duty: *Provided further*, That the determination of the Secretary of the Navy as to the definition of extraordinary heroism shall be final and conclusive Transfer to Fleet Reserve. Heroism in line of duty.

for all purposes: *Provided further*, That the pay authorized in this section shall not exceed 75 per centum of the active-duty base and longevity pay they were receiving at the time of transfer: *Provided further*, That all enlisted men transferred to the Fleet Reserve in accordance with the provisions of this section and of sections 1 and 203 of this Act shall, upon completion of thirty years' service, be transferred to the retired list of the Regular Navy, with the pay they were then legally entitled to receive: *Provided further*, That nothing contained within this section shall be construed to prevent persons who qualify for transfer to the Fleet Reserve under the provisions of section 203 of this Act from being transferred in accordance with the provisions of this section if they so elect: *Provided further*, That a fractional year of six months or more shall be considered a full year for purposes of this section and section 203 in computing years of active Federal service and base and longevity pay: *And provided further*, That the provisions of this section shall apply to all persons of the class described herein heretofore or hereafter transferred to the Fleet Reserve, except that no increase in pay or allowances shall be deemed to have accrued prior to the date of the enactment of this amendment. For the purposes of this section, all active service in the Army of the United States, the Navy, the Marine Corps, the Coast Guard, or any component thereof, shall be deemed to be active Federal service."

Transfer to retired list of Regular Navy.

52 Stat. 1175, 1178. 34 U. S. C. §§ 853, 854b.

Fractional year.

Applicability.

Active service.

SEC. 3. Title II of the Naval Reserve Act of 1938 (52 Stat. 1178) is hereby amended by adding thereto a new section to read as follows:

"SEC. 208. Whenever enlisted men of the Fleet Reserve, transferred thereto after more than sixteen years' service, or enlisted men transferred from the Fleet Reserve to the retired list of the Regular Navy, perform active duty after July 1, 1925, such active duty, except that which they are required to perform in time of peace under section 206 of this title, shall be included in the computation of their total service for the purpose of computing their retainer or retired pay when in an inactive-duty status, and in the computation of their retainer or retired pay all active duty so performed subsequent to the effective date of transfer to the Fleet Reserve or to the retired list shall be counted for the purpose of computing percentage rates and increases with respect to their retainer or retired pay and shall be based on the enlisted pay received by them at the time they resume an inactive-duty status, including increases in consequence of advancement in rating, longevity, and extraordinary heroism: *Provided*, That such pay shall not exceed 75 per centum of the base and longevity pay of the highest rating to which entitled under the provisions of this section: *Provided further*, That active duty performed during any period of national emergency declared by the President shall be considered for the purpose of this section as not being active duty in time of peace required by section 206: *Provided further*, That nothing contained in this section shall operate to reduce the retainer or retired pay and allowances to which any enlisted man would otherwise have been entitled: *Provided further*, That a fractional year of six months or more shall be considered a full year for purposes of this section in computing years of active Federal service and base and longevity pay: *And provided further*, That persons of the classes described in this section who have been retired or returned to an inactive duty status prior to the date of approval of this section shall be entitled to the benefits of this section from the date of retirement or return to an inactive duty status."

34 U. S. C. §§ 854–854f.

Ante, p. 993.

Active duty after July 1, 1925.

52 Stat. 1179. 34 U. S. C. § 854e.

Period of national emergency.

Pay and allowances.

Fractional year.

Prior retirement, etc.

SEC. 4. (a) The authority conferred upon the President by the Act approved June 27, 1942 (56 Stat. 422), as amended, to appoint commissioned warrant and warrant officers of the Regular Navy to commissioned grades or ranks is hereby extended to include authority to appoint chief petty officers of the Regular Navy who have completed

Appointment of chief petty officers to commissioned grades.

34 U. S. C., Supp. V, §§ 338–338g.

not less than three years of service as chief petty officers to commissioned grades or ranks in like manner and under the same conditions and circumstances, except as otherwise provided in this subsection, as is provided in that Act, as amended, for the appointment of commissioned warrant and warrant officers to commissioned grades or ranks.

Appointment of enlisted men as ensigns.
34 U. S. C., Supp. V, §§ 338-338g.

(b) The authority conferred upon the President by the Act approved June 27, 1942 (56 Stat. 422), as amended, to appoint commissioned warrant and warrant officers of the Regular Navy to commissioned grades or ranks is hereby extended to include authority to appoint any enlisted man of the Regular Navy who has not, on the date of such appointment, attained his thirty-third birthday and who has served continuously and immediately prior to such appointment in the Regular Navy for a period of not less than four years to the commissioned grade or rank of ensign in the line or staff corps of the Regular Navy in like manner and under the same conditions and circumstances, except as otherwise provided in this subsection, as is provided in that Act, as amended, for the appointment of commissioned warrant and warrant officers to commissioned grades or ranks: *Provided*, That the authorized number of commissioned officers of the line and of each staff corps to which appointments pursuant to this subsection may be made will not be increased according to the number of appointments made, and officers appointed pursuant to this subsection shall not be carried as extra numbers in the grades or ranks in which appointed.

Restriction.

Computation of service.

34 U. S. C., Supp. V, §§ 338-338g.

(c) In computing the years of service necessary for appointment to commissioned grade or rank pursuant to the Act approved June 27, 1942 (56 Stat. 422), and pursuant to this section, at least one year of such service shall have been in the Regular Navy. The remaining portion of such service may have been active duty in a reserve component of the Navy after September 8, 1939, and before the termination of the present war as proclaimed by the President or established by Act or resolution of the Congress.

34 U. S. C., Supp. V, § 350g (c).

SEC. 5. (a) Subsection 8 (c) of the Act approved July 24, 1941 (55 Stat. 604), is hereby amended to read as follows:

Disability while serving under temporary appointment.

"(c) An officer or enlisted man on the retired list of the Regular Navy or Marine Corps who was placed thereon by reason of physical disability shall, if he incurs physical disability while serving under a temporary appointment in a higher rank, subject to the provisions of subsection (e) hereof, be advanced on the retired list to such higher rank with retired pay at the rate of 75 per centum of the active-duty pay to which he was entitled while serving in that rank."

Infra.

34 U. S. C., Supp. V, § 350g (e).

(b) Subsection 8 (e) of the Act approved July 24, 1941 (55 Stat. 604), is hereby amended to read as follows:

Benefits, etc.

"(e). The benefits of this section shall apply only to an individual who incurs physical disability in line of duty in time of war or national emergency. In the case of those officers and enlisted men to whom subsection (c) hereof is applicable retirement in the next higher rank shall be effected upon a finding by a naval retiring board that the disability was incident to the service while on active duty in the higher rank and upon a rating by such board, in accordance with regulations prescribed by the Secretary of the Navy, at not less than 30 per centum permanent disability. In all other cases officers and enlisted men shall be retired in accordance with existing law providing for the retirement of officers or enlisted men."

Supra.

59 Stat. 539.
10 U. S. C., Supp. V, § 948.

SEC. 6. (a) Section 4 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress), is hereby amended to read as follows:

Transfer to Enlisted Reserve Corps.

"SEC. 4. Whenever any enlisted man of the Regular Army shall have completed a minimum of twenty but less than thirty years of active Federal service, he may, under such regulations as the Secretary of War shall prescribe, upon his own request be transferred to the Enlisted Reserve Corps and thereupon will be placed on the retired list of the Regular Army. An enlisted man so transferred and retired shall receive, except when on active duty, monthly retired pay at the rate of 2½ per centum of the base and longevity pay of the enlisted grade held at the time he made application for retirement multiplied by the number of years of active Federal service, not to exceed thirty years. The retired pay authorized by this section shall be increased 10 per centum for any enlisted man who is credited with extraordinary heroism in line of duty: *Provided*, That the determination of the Secretary of War as to extraordinary heroism for purposes of this section shall be final and conclusive for all purposes: *Provided further*, That the total retired pay (including the 10 per centum increase for extraordinary heroism) authorized by this section shall not in any case exceed 75 per centum of the total enlisted base and longevity pay such enlisted man was receiving at the time he made application for retirement: *And provided further*, That any fractional part of a year amounting to six months or more shall be counted as a complete year for the purpose of computing retired pay, but shall not be counted for the purpose of determining eligibility for retirement under this section."

Heroism in line of duty.

Fractional part of year.

Service to be credited for retirement.

(b) The number of years of service to be credited in computing eligibility for retirement under this Act or any other Act providing for retirement of enlisted men of the Army shall include all active Federal service performed in the Army of the United States, the Navy, the Marine Corps, the Coast Guard, or any component thereof.

Ante, p. 995.

(c) Any enlisted man retired under the provisions of section 4 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress), shall, commencing the first day of the month following the effective date of this Act, receive retired pay computed as provided in section 6 of this Act.

Service requirements.

SEC. 7. Any enlisted man who is transferred to the Enlisted Reserve Corps pursuant to the provisions of section 6 of this Act shall remain a member thereof until his active Federal military service performed prior to such transfer plus the period of his service in such corps equals thirty years, and while a member of such corps shall be subject to perform such periods of active duty as may now or hereafter be prescribed by law.

Army.
Retired pay.

SEC. 8. (a) Each enlisted man of the Regular Army retired under the provisions of section 6 of this Act or the provisions of section 4 of the Act approved October 6, 1945 (Public Law 190, Seventy-ninth Congress), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay on the same basis as received by him prior to his recall to active duty, or in the amount resulting from a recomputation, as provided herein, whichever is the greater. Such recomputation shall be made in the same manner as provided in section 6 of this Act on the basis of the enlisted grade held at the time of relief from active military service, or the enlisted grade in which originally retired, whichever is higher: *Provided*, That the service to be credited shall include periods of active Federal service subsequent to retirement: *Provided further*, That the retired pay shall not exceed 75 per centum of the enlisted base and longevity pay he was receiving in his active-duty status.

Ante, p. 995.

Active Federal service.

(b) Each enlisted man of the Regular Army retired under the provisions of the Act of March 2, 1907 (34 Stat. 1217; 10 U. S. C. 947),

or under the provisions of the Act of June 30, 1941 (55 Stat. 394; 10 U. S. C. 982a), who performs or has performed active military service subsequent to retirement shall, upon relief from such active duty, receive retired pay in the amount received by him prior to his recall to active duty, or on the basis of his grade and length of service at the time of relief from active duty, whichever is the greater: *Provided*, That the amount of his retired pay shall not in any event exceed 75 per centum of the enlisted base and longevity pay of the highest enlisted grade held by him.

10 U. S. C. § 980; Supp. V, §§ 947 note, 980 note, 982a.

SEC. 9. No back pay for any period prior to the date of enactment of this Act shall accrue to any person by reason of the enactment of this Act except as otherwise provided in section 3. No person, active or retired, of any of the armed forces, shall suffer, by reason of this Act, any reduction in any pay, allowances, or compensation to which he was entitled upon the effective date of this Act. Retired enlisted personnel of the Navy and Marine Corps, personnel of the Navy and Marine Corps who are members of the Fleet Reserve or Fleet Marine Corps Reserve, and personnel of the Navy and Marine Corps who become eligible and who apply for transfer to the Fleet Reserve or Fleet Marine Corps Reserve shall receive an opportunity to elect to receive retainer and retired pay under the provisions of this Act or to receive such pay under the provisions of law in effect immediately prior to the date of the enactment of this Act, and these persons shall be entitled to receive the pay elected.

Back pay, etc.

Ante, p. 994.

Approved August 10, 1946.

[CHAPTER 954]

AN ACT

To establish the Castle Clinton National Monument, in the city of New York, and for other purposes.

August 12, 1946
[H. R. 5125]
[Public Law 721]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept, on behalf of the United States, title to the site, comprising approximately one acre and situated in Battery Park, New York City, of the historic structure known as Castle Clinton, together with such structure and any other improvement on or appurtenant to such site. When title to such property is vested in the United States, it shall constitute the Castle Clinton National Monument.

SEC. 2. The administration, protection, and development of the Castle Clinton National Monument shall be under the supervision of the Secretary of the Interior, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

39 Stat. 535.
5 U. S. C. § 485; 16 U. S. C. §§ 1, 2–4, 22, 43.

Approved August 12, 1946.

[CHAPTER 955]

AN ACT

To establish a national air museum, and for other purposes.

August 12, 1946
[H. R. 5144]
[Public Law 722]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established under the Smithsonian Institution a bureau to be known as a national air museum, which shall be administered by the Smithsonian Institution with the advice of a board to be composed of the Commanding General of the Army Air Forces, or his successor, the Chief of Naval Operations, or his successor, the Secretary of the Smithsonian Institution, and two citizens of the United

Smithsonian Institution.
National air museum.

Board.