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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.

Back pay, etc.

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.

Ante, p. 994.

Approved August 10, 1946.

[CHAPTER 954]

AN ACT

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

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

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

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

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

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.