

February 28, 1925.

[H. R. 8366.]

[Public, No. 511.]

Santiam National
Forest.
Lands withdrawn
and added to.

CHAP. 373.—An Act To add certain lands to the Santiam National Forest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands, to wit, the southeast quarter of section 24 and the northeast quarter and the southwest quarter of section 26, township 14 south, range 2 east, Willamette meridian; the east half of section 10; all of section 14; the north half of section 20; the northwest quarter of section 22; the west half of section 24; the northwest quarter of section 28; the northeast quarter of section 31; and all of sections 34 and 35, township 14 south, range 3 east, Willamette meridian, be, and they are hereby, withdrawn from all disposition and made a part of the Santiam National Forest.

Approved, February 28, 1925.

February 28, 1925.

[H. R. 9634.]

[Public, No. 512.]

Naval Reserve.
Established as part
of the Navy in lieu of
Naval Reserve Force.

Vol. 39, p. 587, re-
pealed.
Classes created.

Provisos.
Organizations trans-
ferred to Fleet Naval
Reserve.

To Merchant Marine
Naval Reserve.

Others to Volunteer
Naval Reserve

Term of service.

Transferred officers
may be appointed in
same rank.

Post, p. 1081.

Post, p. 1084.

Status of members
heretofore retired not
affected.

Marine Corps Re-
serve.

Established as part
of Marine Corps in
lieu of former organi-
zation.

Vol. 39, p. 593, re-
pealed.

Proviso.
Classes created.

CHAP. 374.—An Act To provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Naval Reserve Force, established under the Act of August 29, 1916, is hereby abolished, and in lieu thereof there is hereby created and established, as a component part of the United States Navy, a Naval Reserve which shall consist of three classes, namely: The Fleet Naval Reserve, the Merchant Marine Naval Reserve, and the Volunteer Naval Reserve: *Provided*, That all officers and men who on the date of this Act are members of the Fleet Naval Reserve, the Naval Reserve, or the Naval Reserve Flying Corps of the Naval Reserve Force, are hereby transferred to the Fleet Naval Reserve created by this Act, and all officers and men who on the date of this Act are members of the Naval Auxiliary Reserve of the Naval Reserve Force are hereby transferred to the Merchant Marine Naval Reserve created by this Act: *Provided further*, That members of the Naval Reserve Force on the date of the approval of this Act whose status in the Naval Reserve thus created is not otherwise specifically established by this Act are hereby transferred to the Volunteer Naval Reserve: *Provided further*, That such transfers of officers and enrolled men shall be for the unexpired period of their current enrollment in the Naval Reserve Force: *And provided further*, That within three months after the date of this Act any officer so transferred pursuant to this section may make application to the Secretary of the Navy for appointment in the Naval Reserve herein created, and such officer shall, if found physically qualified for appointment, be appointed in accordance with section 7 of this Act in the confirmed grade or rank held by him in the Naval Reserve Force with date of precedence in accordance with section 15 of this Act: *And provided further*, That nothing contained in this Act shall affect the status or pay of members of the Naval Reserve Force heretofore retired with or without pay.

SEC. 2. That the United States Marine Corps Reserve, established under the Act of August 29, 1916, is hereby abolished, and in lieu thereof there is hereby created and established, as a component part of the United States Marine Corps, a Marine Corps Reserve, under the same provisions in all respects (except as may be necessary to adapt the said provisions to the Marine Corps) as those contained in this Act or which may hereafter be enacted providing for the Naval Reserve: *Provided*, That the Marine Corps Reserve shall consist of two classes, namely: The Fleet Marine Corps Reserve and the Volunteer Marine Corps Reserve, corresponding, as near as may be, to

the Fleet Naval Reserve and the Volunteer Naval Reserve, respectively.

SEC. 3. That all provisions of law relating to the Naval Reserve Force, the United States Marine Corps Reserve, and the Naval Militia contained in the Acts of August 29, 1916; March 4, 1917; April 25, 1917; May 22, 1917; July 1, 1918; July 11, 1919; June 4, 1920; July 12, 1921, and all other Acts or parts of Acts relating to the Naval Reserve Force, the United States Marine Corps Reserve, and the Naval Militia, with the exception of the Act of June 10, 1922 (Forty-second Statutes at Large, page 625), are hereby repealed.

SEC. 4. That the Naval Reserve shall be composed of male citizens of the United States and of the insular possessions of the United States of eighteen years of age or over who by appointment or enlistment therein, under regulations prescribed by the Secretary of the Navy, or by transfer or assignment thereto as in this Act provided, obligate themselves to serve in the Navy in time of war or during the existence of a national emergency declared by the President: *Provided*, That nothing contained in this section shall render ineligible for transfer to the Naval Reserve created by this Act, as provided in section 1 hereof, any person now serving in the Naval Reserve Force: *Provided further*, That any enlisted man now serving in the regular Navy who is not a citizen of the United States and who on the date of this Act has completed not less than eight years' naval service shall be deemed eligible for transfer to the Fleet Naval Reserve of the Naval Reserve created by this Act upon completion of the minimum amount of service required for such transfer: *Provided further*, That no officer or man of the Naval Reserve shall be a member of any other naval or military organization except the Naval Militia: *And provided further*, That no existing law shall be construed to prevent any member of the Naval Reserve from accepting employment in any civil branch of the public service, nor from receiving the pay and allowances incident to such employment in addition to any pay or allowances to which he may be entitled under the provisions of this Act.

SEC. 5. There shall be allowed in the Naval Reserve the various ranks, grades, and ratings corresponding to those in the regular Navy, but not above the rank of lieutenant commander, except as otherwise provided in this Act. Officers of the line may be appointed for deck duties, engineering duties, or both, or for aviation duties. All appointments and promotions of officers, and enlistments and changes in rating of men, in the Naval Reserve, and transfers to and from any of the three classes therein, unless otherwise provided in this Act, shall be made in accordance with regulations prescribed by the Secretary of the Navy: *Provided*, That persons appointed to commissioned grades in the Naval Reserve shall be commissioned by the President alone and those appointed to warrant grades shall be warranted by the Secretary of the Navy: *Provided further*, That enlistments in the Naval Reserve shall be for a term of four years, subject to the provisions of section 9 of this Act, and may be extended for periods of one, two, three, or four years, in accordance with regulations prescribed by the Secretary of the Navy.

SEC. 6. That in time of peace no officer or man of the Naval Reserve shall be discharged except upon expiration of his term of service or upon his own request, or for full and sufficient cause, in the discretion of the Secretary of the Navy: *Provided*, That enlisted men heretofore or hereafter transferred to the Fleet Naval Reserve from the regular Navy in accordance with law shall at all times be governed by the laws and regulations for the government of the

Former laws repealed.

Vol. 39, pp. 587, 1174.
Vol. 40, pp. 37, 84,
708; Vol. 41, pp. 138, 812.

Vol. 42, p. 122.

Pay readjustment
Act excepted.
Vol. 42, p. 625.

Composition of
Naval Reserve.

Service required.

Provisos.
Eligibility of persons
now serving.

Enlisted men, not
citizens, after serving
eight years in Navy
eligible for transfer.

Other service pro-
hibited, except Militia.

Civil employment,
etc., not affected.

Ranks, grades, and
ratings of officers.

Appointments and
enlistments in accord-
ance with regulations.

Provisos.
Commissions and
warrants.

Term for enlistments.
Post, p. 1082.

Discharges limited in
time of peace.

Provisos.
Navy enlisted men
transferred to Fleet Na-
val Reserve.

Post, p. 1087.
In time of war, etc.,
service in accordance
with Navy regulations.

Infra.

Service of officers.

Distribution of the
line.

Of the staff.

Computations for ag-
gregate number.

Provides.
To be made each
calendar year.

No reductions, etc.,
authorized.

Post, p. 1084.
Midshipmen.
Appointments from
Reserve enlisted men.
Vol. 41, p. 140.

Proviso.
Yearly limit.

Active duty, includ-
ing retired list in time
of war, etc.

Navy and shall not be discharged from the Naval Reserve without their consent except by sentence of a court-martial or in accordance with the provisions of section 23 of this Act: *Provided further*, That in time of war, or a national emergency, declared by the President to exist, officers and enlisted, enrolled and assigned men of the Naval Reserve shall be subject to separation therefrom in the same manner as may be provided by or in pursuance of law for the separation of officers and enlisted men from the regular Navy, subject to the provisions of section 9 of this Act.

SEC. 7. Commissioned and warrant officers appointed or transferred to the Naval Reserve shall be commissioned or warranted to serve during the pleasure of the President, in grades or ranks not above that of lieutenant commander, except that a small percentage of officers, who may be required in higher grades or ranks for the recruiting, organization, administration, training, inspection, and mobilization of the Naval Reserve, may be commissioned in the grades or ranks of commodore, captain, and commander. The actual number of line officers so commissioned in higher grades shall be distributed in the proportion of one in the grade of commodore, to fifteen in the grade of captain, to twenty-eight in the grade of commander. The actual number of staff officers so commissioned in higher ranks shall be commissioned in the proportion of eight in the rank of captain, to sixteen in the rank of commander. The total number of line officers in such higher grades shall not exceed forty-four one-hundredths of 1 per centum and of staff officers in such higher ranks shall not exceed twenty-four one-hundredths of 1 per centum of the actual number of enlisted men regularly assigned to divisions or other organized units of the Fleet Naval Reserve entitled to pay as provided in section 21 of this Act. Whenever a final fraction occurs in computing the authorized number of officers in said higher grades or ranks, the nearest whole number shall be regarded as the authorized number, but at least one officer may be allowed in each grade or rank: *Provided*, That to determine the authorized number of officers in the various grades or ranks above lieutenant commander as provided in this section, computations shall be made by the Secretary of the Navy at least once during each calendar year and the resulting numbers as so computed shall be held and considered for all purposes as the authorized number of officers in such various grades or ranks and shall not be varied between the dates of such computations: *Provided further*, That no officer shall be reduced in rank as the result of any computation so made and that nothing in this Act shall be construed as reducing the present confirmed grade, rank, or rating of any officer or man transferred to the Naval Reserve pursuant to the provisions of this Act, or as prohibiting the appointment of such officers in their present confirmed grades or ranks, or as restricting the promotion of officers of the Naval Reserve in time of war as provided for in section 17 of this Act.

SEC. 8. That hereafter the Secretary of the Navy is authorized to appoint midshipmen to the Naval Academy from the enlisted men of the Naval Reserve and Marine Corps Reserve under similar conditions as prescribed by law for appointments from enlisted men of the Navy: *Provided*, That not more than twenty-five midshipmen shall be appointed in any one year under the authority contained in this section.

SEC. 9. That officers and men of the Naval Reserve, including those who may have been retired, may be ordered to active duty by the Secretary of the Navy in time of war or when in the opinion of the President a national emergency exists and may be required to perform active duty throughout the war or until the national emer-

gency ceases to exist; but in time of peace, except as is otherwise provided in this Act, they shall only be ordered to or continued on active duty with their own consent: *Provided*, That the Secretary of the Navy may release any officer or man from active duty at any time.

In time of peace, only by consent.

Proviso.
Optional release.

SEC. 10. Officers and men of the Naval Reserve, when employed on active duty, authorized training duty, with or without pay, drill, or other equivalent instruction or duty, or when employed in authorized travel to and from such duty, drill, or instruction, or during such time as they may by law be required to perform active duty in accordance with their obligations, or while wearing a uniform prescribed for the Naval Reserve, shall be subject to the laws, regulations, and orders for the government of the Navy: *Provided*, That disciplinary action for an offense committed while so subject to the laws, regulations, and orders for the government of the Navy shall not be barred by reason of release from duty status of an officer or man charged with the commission thereof: *Provided further*, That officers and men who have heretofore been or may hereafter be transferred to the retired list of the Naval Reserve Force or the Naval Reserve with pay shall at all times be subject to the laws, regulations, and orders for the government of the Navy.

Navy laws, etc., to govern active duty service.

Provisos.
Action on offenses.

Retired list subject to Navy laws, etc.

SEC. 11. That commissioned officers of the Naval Reserve when employed on active duty or on training duty, with pay, or when employed in authorized travel to and from such duty, shall be deemed to have been confirmed in grade and qualified for all general service and shall receive the pay, allowances, including longevity pay, as provided by law for the reserve forces of the United States, and shall when traveling under orders receive transportation in kind, mileage or actual expenses as provided by law for travel performed by officers of the regular Navy. Warrant officers and men of the Naval Reserve when employed on active duty or on training duty with pay or when employed in authorized travel to and from such duty shall receive the same pay and allowances as received by warrant officers and enlisted men of the regular Navy of the same rank, grade, or rating, and of the same length of service which shall include service in the Navy, Marine Corps, Coast Guard, Naval Reserve Force, Navy Militia, National Naval Volunteers, Marine Corps Reserve, or Naval Reserve: *Provided*, That when officers or men of the Naval Reserve perform active duty or training duty with pay for a period of less than thirty days such duty performed on the thirty-first day of any month shall be paid for at the same rate as for other days.

Grade of commissioned officers on active duty, etc., construed.

Pay, transportation, etc.

Warrant officers and enlisted men.

Pay and allowances of, on active duty.

Service longevity.

Proviso.
Pay for less than 30 days.

SEC. 12. That upon being appointed in the Fleet Naval Reserve an officer shall be paid a sum of \$100 for purchase of required uniforms and thereafter he shall be paid an additional sum of \$50 for the same purpose upon completion of each period of four years in the Fleet Naval Reserve: *Provided*, That any officer who has heretofore received a uniform gratuity shall not be entitled to either of the above-mentioned sums until the expiration of four years from the date of the receipt of such gratuity: *Provided further*, That in time of war or national emergency a further sum of \$150 for purchase of required uniforms shall be paid to officers of all classes of the Naval Reserve when they first report for active duty.

Uniform gratuity to officers.

Provisos.
Limitation.

Further sum in time of war.

SEC. 13. That in time of peace enlisted men of the Naval Reserve shall be issued articles of uniform, bedding, and equipment in accordance with regulations to be prescribed by the Secretary of the Navy: *Provided*, That upon first reporting for active duty in time of war or national emergency enlisted men of the Naval Reserve shall receive in addition the same outfit as may be authorized for the enlisted personnel of the regular Navy upon first enlistment.

Uniforms, etc., to enlisted men in time of peace.

Proviso.
Additional in time of war.

Injuries while on active duty in time of peace.

Jurisdiction of Employees Compensation Commission.
Vol. 39, p. 743.

Proviso.
Sickness not deemed an injury.

Precedence of officers.
Among themselves.

Provisos.
Transfers from Naval Reserve Force.

Former officers of Navy or Coast Guard.

With Navy officers.
In time of peace.

When mobilized during war.

Proviso.
Above lieutenant commander.

Up to lieutenant commander.

SEC. 14. That if in time of peace any officer or enlisted man of the Naval Reserve is physically injured in the line of duty while performing active duty, authorized training duty with or without pay, or when employed in authorized travel to and from such duty, or dies as the result of such physical injury, he or his beneficiary shall be entitled to all the benefits prescribed by law for civil employees of the United States who are physically injured in the line of duty or who die as the result thereof, and the United States Employees Compensation Commission shall have jurisdiction in such cases and shall perform the same duties with reference thereto as in the cases of civil employees of the United States so injured: *Provided*, That in no case shall sickness or disease be regarded as an injury within the meaning of this section relating to the Naval Reserve.

SEC. 15. That commissioned officers of the same rank and warrant officers in the Naval Reserve shall take precedence among themselves by date of commission or warrant. Officers of the same date of commission or warrant shall take precedence according to such regulations as the Secretary of the Navy may prescribe: *Provided*, That commissioned officers of the same rank and warrant officers in the Naval Reserve Force who are transferred to the Naval Reserve in accordance with the provisions of this Act shall take precedence among themselves and with other officers of the Naval Reserve according to the dates of the commissions, warrants, or provisional assignments of rank or grade held by them at the time of transfer, except that such officers who were transferred to the Naval Reserve Force from the National Naval Volunteers, if they have not been separated from the Naval Reserve Force for more than four months since said transfer, shall take precedence among themselves and with other officers of the Naval Reserve according to the date of the commissions or warrants held by them on the active lists of the Naval Militia at the time of their enrollment in the National Naval Volunteers, or, if subsequently promoted in the National Naval Volunteers, according to the dates of said promotions: *Provided further*, That former officers of the Navy or Coast Guard who, within four months of their separation therefrom, enrolled in the Naval Reserve Force in the same ranks or grades last held by them in the Navy or Coast Guard, and who are transferred to the Naval Reserve in the said ranks or grades pursuant to this Act, and such former officers of the Navy or Coast Guard who may hereafter, within the same period, be appointed in the Naval Reserve in the same ranks or grades as last held by them in the Navy or Coast Guard, shall take precedence among themselves and with other officers of the Naval Reserve according to the dates of the commissions or warrants held by them in the Navy or Coast Guard when separated therefrom.

SEC. 16. In time of peace officers of the Naval Reserve shall take precedence with but after officers of the same rank or grade in the regular Navy. When mobilized with the regular Navy for war or national emergency, officers of the Naval Reserve shall, for the duration of the war or national emergency, take precedence after the junior of their respective ranks or grades in the regular Navy on date of such mobilization: *Provided*, That officers of the Naval Reserve of and above the rank of lieutenant commander who are selected for advancement in accordance with the provisions of section 17 of this Act shall, when so advanced, take precedence during the then existing war or national emergency with officers of the regular Navy of the same rank or grade in accordance with the dates stated in their commissions.

SEC. 17. In time of war or national emergency, officers on the active list of the Naval Reserve employed on active duty shall be advanced in grade and rank up to and including the rank of lieutenant com-

mander with the officers of the regular Navy with whom or next after whom they take precedence in accordance with this Act and such officers of and above the rank of lieutenant commander shall be eligible for selection upon recommendation by a board appointed, constituted, and approved as required by law for the regular Navy and when so selected shall be eligible for advancement, either temporary or permanent, to the next higher grade or rank in the Naval Reserve corresponding to such higher grades or ranks as may then exist on the active list of the regular Navy, in such numbers for each grade or rank as may be prescribed from time to time by the Secretary of the Navy: *Provided*, That no officer of the Naval Reserve shall be advanced to a higher rank until he has qualified therefor by such mental, moral, professional, and physical examinations as the Secretary of the Navy may prescribe: *Provided further*, That all officers of the Naval Reserve who may be advanced to a higher grade or rank shall be allowed the pay and allowances of the higher grade or rank from the dates stated in their commissions: *Provided further*, That the provisions of this section shall not apply to officers who have been or may hereafter be retired from the Naval Reserve Force or the Naval Reserve.

SEC. 18. All officers of the Naval Reserve shall be examined physically once every four years, or oftener, as may be deemed necessary, and if upon such examination they are found not physically qualified for active service they shall be honorably discharged or, within the discretion of the Secretary of the Navy, placed on the honorary retired list provided for in section 19 of this Act.

SEC. 19. That officers of the Naval Reserve shall be placed on an honorary retired list of the Naval Reserve without pay or allowances upon reaching the age of sixty-four years, or, within the discretion of the Secretary of the Navy, upon the officer's own request, after twenty-five years' service in the Naval Reserve: *Provided*, That service in the Navy, Marine Corps, Naval Reserve Force, National Naval Volunteers, Naval Militia, Naval Auxiliary Service, and Coast Guard shall be counted as service in the Naval Reserve under the provisions of this section.

THE FLEET NAVAL RESERVE

SEC. 20. That in time of peace, except as herein otherwise provided, officers and enrolled and enlisted men of the Fleet Naval Reserve shall be required to perform such training duty, not to exceed fifteen days annually, as may be prescribed by the Secretary of the Navy, unless excused therefrom for good and sufficient reasons by direction of the Secretary of the Navy: *Provided*, That they may be given additional training or other duty, either with or without pay, as may be authorized, with their consent, by the Secretary of the Navy: *Provided further*, That when authorized training or other duty without pay is performed by officers or men they may, in the discretion of the Secretary of the Navy, be furnished subsistence in kind or commutation thereof at a rate to be fixed from time to time by the Secretary of the Navy: *And provided further*, That officers and men while detailed for training or other duty in aviation which involves actual flying in aircraft, in accordance with regulations prescribed by the Secretary of the Navy, shall receive the same increase of the pay of their grades, ranks, or ratings as may be received by officers and enlisted men in similar grades, ranks, and ratings in the regular Navy for the performance of similar duty.

SEC. 21. Officers below the grade or rank of lieutenant commander and enlisted men of the Fleet Naval Reserve attached to a division thereof, organized under regulations prescribed by the Secretary of

Advancement of lieutenant commander and above, upon recommendation of board.

Provisos.
Subject to qualification examinations.

Pay, etc., from date of commission.

Retired officers not included.

Physical examination every four years.

To be honorably discharged or retired if not qualified for active service.

Honorary retired list. Established after designated service, etc.

Proviso.
Services included in longevity.

Fleet Naval Reserve.

Annual training duty of, in time of peace.

Provisos.
Additional, authorized with consent.

Subsistence furnished.

Increase for aircraft flying.

Compensation for drill attendance, etc.

<i>Provisos.</i> Yearly limit.	the Navy, shall receive compensation at the rate of one-thirtieth of the monthly base pay of their grades, ranks, or ratings for attending, under competent orders, each regular drill, or other equivalent instruction or duty, as may be prescribed by the Secretary of the Navy: <i>Provided</i>, That no such officer or enlisted man shall receive pay for more than 60 drills or other equivalent instruction or duty in any one fiscal year: <i>Provided further</i>, That week-end cruises shall not be regarded as drills or other equivalent instruction or duty.
Week-end cruises not duty.	For satisfactory performance of their appropriate duties under such regulations as the Secretary of the Navy may prescribe, officers above the grade or rank of lieutenant of the Fleet Naval Reserve shall receive compensation at the rate of not more than \$500 a year, and officers below the grade or rank of lieutenant commander and enlisted men of the Fleet Naval Reserve not attached to a division thereof, shall receive not more than four-thirtieths of the monthly base pay of their grades, ranks, or ratings, each month.
Additional pay, officers above lieutenants.	In addition to the pay to which they may otherwise become entitled under this section, officers of or below the grade or rank of captain of the Fleet Naval Reserve regularly assigned to and commanding organizations of the Fleet Naval Reserve, organized under regulations prescribed by the Secretary of the Navy, and having administrative functions, shall receive compensation at the rate of \$240 a year for the faithful performance of the administrative duties connected therewith.
Below, and enlisted men, not attached to a division.	Pay under the provisions of this section shall not accrue to any officer or enlisted man during a period when he shall be lawfully entitled to pay for active duty or training duty.
Further addition to officers for administrative duties.	SEC. 22. That the Secretary of the Navy, in his discretion, under such regulations as he may prescribe, may require any person hereafter when first enlisting in the regular naval service and may authorize any enlisted man in such service to obligate himself to serve four years in the Fleet Naval Reserve upon termination of his enlistment in the regular naval service: <i>Provided</i>, That upon termination of their enlistment in the regular naval service, men who have so obligated themselves shall be assigned to the Fleet Naval Reserve for the four-year period, unless they apply for reenlistment or extension of their enlistment in the regular naval service, in which event they may be reenlisted or may extend their enlistment in the regular naval service: <i>Provided further</i>, That the men so assigned to the Fleet Naval Reserve for the four-year period shall not, in time of peace, be ordered to active duty, except with their own consent, and shall be under no obligation to perform training duty or drill during that period, but shall be paid in advance \$25 per annum, except when, with their own consent, they become attached to a division of the Fleet Naval Reserve, or satisfactorily perform appropriate duties assigned by direction of the Secretary of the Navy, in which case they shall receive the pay, allowances, gratuities, and other emoluments as herein specifically provided for enlisted men of the Fleet Naval Reserve.
Not accruing if receiving active and training duty pay.	Enlisted men of the regular naval service assigned to the Fleet Naval Reserve in accordance with the provisions of this section, or enlisted men who within three months from date of discharge from the regular naval service upon completion of a four-year enlistment, enlist in the Naval Reserve, may, while so in the Naval Reserve, be permitted to reenlist in the regular naval service, in which case they shall be entitled to the same benefits as if they had enlisted in the regular naval service within three months of their last discharge therefrom.
First enlistments in Navy to require four years in Fleet Reserve on termination thereof.	
<i>Provisos.</i> Assignment thereto, unless reenlisting in Navy.	
Active duty not required when assigned to Fleet Reserve.	
Allowance when performing assigned duties.	
Enlisted men. Reenlistment of, from Fleet Reserve, etc.	

SEC. 23. Men who enlist in the regular Navy after the passage of this Act, except as herein otherwise provided, may be transferred to the Fleet Naval Reserve only upon the completion of at least twenty years' naval service and provided they are then found physically and otherwise qualified to perform duty in time of war and apply for such transfer, and thereafter, except when on active duty, shall be paid at the rate of one-half of the base pay they are receiving at the time of transfer: *Provided*, That in time of peace all enlisted men so transferred to the Fleet Naval Reserve may be required to perform not more than two months' active duty in each four-year period and shall be physically examined at least once during each four-year period, and if upon such examination they are found not physically qualified to perform duty in time of war they shall be discharged: *Provided further*, That all enlisted men so transferred to the Fleet Naval Reserve shall, upon completion of thirty years' service, including naval service and time in the Fleet Naval Reserve, be transferred to the retired list of the regular Navy with one-half of the base pay of their ratings plus all permanent additions thereto, and the allowances to which enlisted men of the same ratings are entitled on retirement after thirty years' naval service.

Transfers to Fleet Reserve after 20 years' service.

Limitation.

Provisos.
Duty required men transferred.

Transfers to Navy retired list after 30 years' service.

SEC. 24. All enlisted men who heretofore have been transferred from the regular Navy to the Fleet Naval Reserve established by the Act of August 29, 1916, and who by section 1 of this Act are transferred to the Fleet Naval Reserve herein created, shall receive the rate of pay they were legally entitled to receive in the Naval Reserve Force: *Provided*, That such enlisted men so transferred to the Fleet Naval Reserve herein created shall, upon completing thirty years' service, including naval service and time in the Fleet Naval Reserve of the Naval Reserve Force and in the Fleet Naval Reserve herein created, be transferred to the retired list of the regular Navy with the pay they were then legally entitled to receive, plus the allowances to which enlisted men of the regular Navy are entitled on retirement after thirty years' naval service.

Pay of enlisted men transferred from former Fleet Reserve.

Vol. 39, p. 589.

Proviso.
Pay, etc., on transfer to retired list after 30 years' service.

SEC. 25. Enrolled men of the Naval Reserve Force transferred by section 1 of this Act to the Naval Reserve herein created, who had enrolled in the Naval Reserve Force within four months from the date of their discharge from the regular Navy, and who hereafter reenlist in the regular Navy within three months from the date of their discharge from the Naval Reserve herein created, shall be entitled to the same benefits as if they had reenlisted in the regular Navy within three months of their last discharge therefrom.

Benefits to men enrolled in Reserve Force, reenlisting in the Navy.

SEC. 26. Enlisted men serving in the regular Navy on the date of the approval of this Act, or who, having been discharged therefrom, reenlist in the regular Navy within three months from date of discharge, or who are serving in the Naval Reserve Force on the date of this Act in an enrollment entered into within four months from the date of their discharge from the regular Navy and hereafter reenlist in the regular Navy within three months from the date of their discharge from the Naval Reserve, herein created, shall be entitled to be transferred to the Fleet Naval Reserve on the completion of sixteen or more years' naval service, and when so transferred shall, except when on active duty, be entitled to receive, if they have had sixteen but less than twenty years' naval service, pay at the rate of one-third the base pay they are receiving at the time of transfer, plus all permanent additions thereto, and if they have had twenty or more years' naval service, pay at the rate of one-half of the base pay they are receiving at the time of transfer, plus all permanent additions thereto: *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 or whose average

Fleet Naval Reserve. Transfers of Navy enlisted men to, after 16 years' service.

Pay, etc.

After 20 years, or more.

Provisos.
Increase, for extraordinary heroism.

Minority enlistments counted as four years' service.

Limitation of active duty required.
Transferred to retired list if found physically disqualified.

Pay.

Proviso.
Other transfers from Fleet Reserve, after 30 years' service.

Naval Militia.
Part of Organized Militia to constitute.
Personnel may be admitted to Fleet Reserve, if qualified.

Provisos.
To qualify for rank or rating.

Naval Reserve members relieved from militia duty in time of war.

Loan of Navy vessels to States, etc., for militia training.

Proportion of personnel required to be in Fleet Reserve, etc.

Yearly inspection of reserve units.

marks in conduct for twenty years or more shall not be less than 95 per centum of the maximum: *Provided further*, That for all purposes of this section a complete enlistment during minority shall be counted as four years' service and any enlistment terminated within three months prior to the expiration of the term of such enlistment shall be counted as the full term of service for which enlisted.

SEC. 27. That in time of peace all enlisted men so transferred to the Fleet Naval Reserve in accordance with the preceding section may be required to perform not more than two months' active duty in each four-year period and shall be examined physically at least once during each four-year period, and if upon such examination they are found not physically qualified they shall be transferred to the retired list of the regular Navy, with the pay they are then receiving, and upon the completion of thirty years' service, including naval service, time in the Fleet Naval Reserve and time on the retired list of the Navy, they shall receive the allowances to which enlisted men of the regular Navy are entitled on retirement after thirty years' naval service: *Provided*, That all enlisted men so transferred to the Fleet Naval Reserve who are not transferred to the retired list pursuant to the foregoing provisions of this section shall, upon completion of thirty years' service, including naval service and time in the Fleet Naval Reserve, be transferred to the retired list of the regular Navy with the pay they were then receiving, and the allowances to which enlisted men of the same rating are entitled on retirement after thirty years' naval service.

SEC. 28. That of the Organized Militia, as provided by law, such part as may be duly prescribed in any State, Territory, or the District of Columbia shall constitute a Naval Militia. Any officer or enlisted man of such Naval Militia may, in the discretion of the Secretary of the Navy, be appointed or enlisted in the Fleet Naval Reserve in the grade, rank, or rating not above the rank of lieutenant for which he may be found qualified in accordance with such special regulations as may be prescribed by the Secretary of the Navy: *Provided*, That each officer and enlisted man of the Naval Militia appointed or enlisted in the Fleet Naval Reserve shall be required within one year after the date of his appointment or enlistment in the Fleet Naval Reserve to qualify for the rank or rating he may hold in accordance with the general regulations governing the Fleet Naval Reserve: *Provided further*, That officers and men of the Naval Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty in said Naval Militia when on active duty in time of war or national emergency: *Provided further*, That such vessels, material, armament, equipment, and other facilities of the regular Navy as are or may be made available for the Fleet Naval Reserve shall also be available, in the discretion of the Secretary of the Navy, for issue or loan to the several States, Territories, or the District of Columbia, for the administration and training of units of the Naval Militia, but no such facilities of the regular Navy shall be furnished for use by any portion or unit of the Naval Militia unless at least 95 per centum of its personnel has been appointed or enlisted in the Fleet Naval Reserve and unless its organization, administration, and training conform to the standard prescribed by the Secretary of the Navy for such units.

SEC. 29. That an inspection of Naval Reserve units shall be made at least once each year by officers of the regular Navy detailed by the Secretary of the Navy for that purpose, and said officers shall report to the Secretary of the Navy upon the qualifications, organization, and administration of said units.

THE MERCHANT MARINE NAVAL RESERVE

Merchant Marine
Naval Reserve.

SEC. 30. That the Merchant Marine Naval Reserve shall be composed of male citizens of the United States and of the insular possessions of the United States who follow or who have followed the sea as a profession and who are employed, or who have been employed within three years, on public vessels of the United States or such other seagoing vessels documented under the laws of the United States as may be approved by the Secretary of the Navy.

Composed of citizens following the sea as a profession, etc.

SEC. 31. That officers and enlisted men of the Merchant Marine Naval Reserve shall be transferred to the Volunteer Naval Reserve, or discharged, three years after they have ceased to follow the sea as a profession.

Transfer to Volunteer Reserve on ceasing to follow the sea.

SEC. 32. That officers and enlisted men of the Merchant Marine Naval Reserve may, upon their own application, approved by direction of the Secretary of the Navy, be given the same training duty, with or without pay, as is provided for officers and enlisted men of the Fleet Naval Reserve.

Training duty given on application.

SEC. 33. That in time of peace officers and enlisted men of the Merchant Marine Naval Reserve when not employed on active duty with the regular Navy shall be paid per annum, under such regulations as the Secretary of the Navy may prescribe, at the rate of not exceeding one month's base pay of their corresponding grades, ranks, or ratings in the regular Navy, which pay shall be additional to any pay to which they may be entitled for training duty: *Provided*, That funds equal to the amount required for the purposes of this section shall first have been made available by the Congress for this specific purpose.

Yearly pay, when not on active Navy duty.

Additional to training pay.
Proviso.
Specific funds required.

SEC. 34. That the Secretary of the Navy shall prescribe a suitable flag or pennant which may be flown as an emblem of the Merchant Marine Naval Reserve on any seagoing merchant vessel documented under the laws of the United States: *Provided*, That such vessel be first designated by the Secretary of the Navy as suitable for service as a naval auxiliary in time of war: *Provided further*, That the master or commanding officer and not less than 50 per centum of the officers are members of the Naval Reserve: *And provided further*, That such flag or pennant shall not be flown in lieu of the national ensign.

Flag or pennant authorized for vessels.

Provisos.
Vessel suitable as naval auxiliary.

Naval Reserve personnel.

Not in lieu of national emblem.

THE VOLUNTEER NAVAL RESERVE

Volunteer Naval Reserve.

SEC. 35. That officers and enlisted men of the Volunteer Naval Reserve shall not be required to attend drills or perform training duty and shall receive no pay or allowances, except when ordered to active duty or training duty: *Provided*, That they may, upon their own application, approved by the direction of the Secretary of the Navy, be given the same active duty or training duty, with or without pay, as is provided for officers and enlisted men of the Fleet Naval Reserve.

No drills, etc., required.

Proviso.
May have training duty, etc., on application

GENERAL PROVISIONS

General provisions.

SEC. 36. That the Secretary of the Navy shall prescribe all necessary and proper regulations, not inconsistent with the provisions of this Act, for the recruiting, organization, government, administration, training, inspection, and mobilization of the Naval Reserve hereby created and established, and shall detail such officers and enlisted men and shall make available such vessels, material, armament, equipment, and other facilities of the regular Navy as he may deem necessary and advisable for the development of the Naval

Regulations to be prescribed for organization, etc., of Naval Reserve.

Details of personnel, ships, etc., from the Navy.

Proviso.
Government em-
ployees allowed leaves
of absence for training
duty.

Annual appropria-
tions authorized.

Estimates to be sub-
mitted.

For all purposes of
Fleet Reserves.

Pay, etc., of trans-
ferred Navy enlisted
men.

For enlisted men
assigned, without
active duty.
Ante, p. 1086.

Funds available.

Effective as of July
1, 1925.

Reserve in accordance with the provisions of this Act: *Provided*, That all officers and employees of the United States or of the District of Columbia, who are members of the Naval Reserve, shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they are employed, under orders, on training duty for periods not to exceed fifteen days in any one calendar year.

SEC. 37. That the necessary funds are hereby authorized to be appropriated annually, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Naval Reserve, including all expenses pertaining thereto as authorized by law.

SEC. 38. That the Secretary of the Navy shall submit annually in connection with the estimates for the Navy Department a statement showing separately the sums required for the following purposes under this Act:

(a) The estimated amount necessary for all purposes for the Fleet Naval Reserve for the succeeding fiscal year, not including pay and allowances of former enlisted men of the regular Navy transferred or assigned to the Fleet Naval Reserve.

(b) The estimated amount for said fiscal year required to cover the pay and allowances of those former enlisted men of the regular Navy transferred to the Fleet Naval Reserve.

(c) The amount estimated for said fiscal year to cover the annual payment of \$25 allowed by section 22 of this Act to those men of the Naval Reserve who have been assigned thereto.

SEC. 39. That unobligated funds from appropriations for the Naval Reserve Force and the various classes thereof for the current fiscal year and thereafter are hereby made available for carrying the provisions of this Act into effect.

SEC. 40. That this Act shall take effect on July 1, 1925, which date shall be construed as the date of the passage or approval thereof.

Approved, February 28, 1925.

February 28, 1925.
[H. R. 11500.]
[Public, No. 513.]

CHAP. 375.—An Act To amend an Act entitled "An Act to consolidate national forest lands."

National forests.
Acceptance of lands
for use of.
Vol. 42, p. 466, amend-
ed.

Reservations of tim-
ber, minerals, etc., al-
lowed.
In lands conveyed to
United States.

By United States, of
mineral deposits.

Proviso.
State taxation on
property, etc., retained
by owners.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 20, 1922 (Forty-second Statutes at Large, page 465), entitled "An Act to consolidate national forest lands," be, and the same is hereby, amended by adding the following section thereto:

SEC. 2. Either party to an exchange may make reservations of timber, minerals, or easements, the values of which shall be duly considered in determining the values of the exchanged lands. Where reservations are made in lands conveyed to the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary of Agriculture; where mineral reservations are made in lands conveyed by the United States it shall be so stipulated in the patents, and that any person who acquires the right to mine and remove the reserved deposits may enter and occupy so much of the surface as may be required for all purposes incident to the mining and removal of the minerals therefrom, and may mine and remove such minerals upon payment to the owner of the surface for damages caused to the land and improvements thereon: *Provided*, That all property, rights, easements, and benefits authorized by this section to be retained by or reserved to owners of lands conveyed to the United States shall be subject to the tax laws of the States where such lands are located.

Approved, February 28, 1925.