

Status when relieved of active duty.

Annual rate of retirement pay.

Provisos.
Citation for extraordinary heroism, etc.

Limitation on amount.

Determination of extraordinary heroism.

Application of Act.

Regulations.

when relieved of active service shall retain upon the retired list the rank and service held by him at the time of such relief, with pay and such increases as are prescribed in section 5 of this Act.

SEC. 5. The annual rate of pay of any enlisted man retired under this Act shall be $2\frac{1}{2}$ per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement, multiplied by the number of years of his service: *Provided*, That any enlisted man retired under this Act who has been cited for extraordinary heroism in line of duty, or whose average marks in conduct during his service in the Coast Guard shall be not less than $97\frac{1}{2}$ per centum of the maximum, shall be entitled to have his retired pay increased by an amount equal to 10 per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement: *Provided further*, That the retired pay of any enlisted man retired under this Act shall not in any case exceed 75 per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement: *And provided further*, That the determination of the Secretary of the Treasury as to what constitutes extraordinary heroism for the purpose of this section shall be final and conclusive.

SEC. 6. (a) The provisions of this Act shall be supplementary to, but shall not be construed to limit or supersede, existing laws relating to the retirement of enlisted personnel of the Coast Guard.

(b) The Commandant may prescribe such regulations which shall be subject to approval by the Secretary of the Treasury, as may be necessary to carry out the purposes of this Act.

Approved, May 24, 1939.

[CHAPTER 147]

AN ACT

May 24, 1939

[S. 965]

[Public, No. 88]

To amend the Act entitled "An Act authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin", approved June 30, 1938.

Saint Louis River.
Authorized bridge construction, Duluth, Minn., to Superior, Wis.; location modified.

52 Stat. 1256.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin", approved June 30, 1938, is amended by striking out "to the vicinity of the lower end of Banks Avenue extended to the shore line in Superior, Wisconsin", and inserting in lieu thereof "to such point in Superior, Wisconsin, as the Harbor Commission of Superior shall designate".

Approved, May 24, 1939.

[CHAPTER 148]

AN ACT

May 24, 1939

[S. 1876]

[Public, No. 89]

To readjust the commissioned personnel of the Coast Guard, and for other purposes.

Coast Guard.
Readjustment of commissioned personnel.

45 Stat. 1533.

14 U. S. C. § 10.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to readjust the commissioned personnel of the Coast Guard, and for other purposes", approved March 2, 1929 (45 Stat. 1533; U. S. C., title 14, sec. 10), is hereby amended by adding at the end thereof the following paragraph:

"The total number of commissioned officers in the Coast Guard is hereby increased by one hundred and fifty-four line officers (exclusive of commissioned warrant officers) and two district commanders. Such additional line officers shall be distributed in grades in the same proportion as prescribed by the foregoing provisions of this section: *Provided*, That the total number of vacancies created hereby in each of the grades of captain, commander, lieutenant commander, and lieutenant shall be filled at a rate not exceeding, in any one year following the enactment hereof, 20 per centum of such total number."

SEC. 2. Section 2 of the Act entitled "An Act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923 (42 Stat. 1130; U. S. C., title 14, sec. 12), is hereby amended by changing the second proviso thereof to read as follows: "*Provided further*, That the engineer in chief, while so serving, shall have the rank of a rear admiral and the pay and allowances of a rear admiral (lower half), and hereafter the engineer in chief shall be selected from the active list of engineer officers not below the grade of commander (engineering)."

SEC. 3. Section 1 of the Act entitled "An Act to increase the efficiency of the personnel of the Revenue Cutter Service", approved April 16, 1908 (35 Stat. 61, as amended; U. S. C., title 14, sec. 11), is hereby amended by adding at the end thereof the following paragraph:

"The President is authorized to appoint in the Coast Guard, by and with the advice and consent of the Senate, one Assistant Commandant who shall serve for a term of four years unless sooner relieved by the President. The Assistant Commandant shall be selected from the active list of line officers not below the grade of commander, and such appointment shall not create a vacancy; and the Commandant of the Coast Guard shall make recommendations for the appointment of the Assistant Commandant. The Assistant Commandant shall have the rank of a rear admiral and the pay and allowances of a rear admiral (lower half): *Provided*, That an officer whose term of service as Assistant Commandant has expired shall take his place on the lineal list in the grade that he would have attained had he not served as Assistant Commandant."

Approved, May 24, 1939.

[CHAPTER 149]

AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1940, and for other purposes.

May 25, 1939
[H. R. 6149]
[Public, No. 90]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1940, namely:

Navy Department and naval service appropriations for fiscal year 1940.

NAVAL ESTABLISHMENT

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including not to exceed \$2,500 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the

Traveling expenses.

Number increased.
Distribution of additional line officers.
Proviso.
Filling of vacancies.
Engineer in chief.
42 Stat. 1130.
14 U. S. C. § 12.
Rank, pay, selection.
35 Stat. 61.
14 U. S. C. § 11;
Supp. IV, § 11.
Assistant Commandant; appointment, term, selection, etc.
Rank, pay, allowances.
Proviso.
Status on expiration of term of service.