

issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States until the hour of 12 o'clock meridian of the 1st day of July 1949: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this Act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of August 1, 1949, a notice of his desire to hold said mining claim under this Act: *Provided further*, That any labor performed or improvements made on any such mining claim during the year ending July 1, 1949, may be credited against the labor or improvements required to be performed or made for the year ending at 12 o'clock meridian on the 1st day of July 1950.

SEC. 2. Notwithstanding the provisions of any Act of Congress to the contrary, any person who hereafter prospects for, mines, or removes, by strip or open pit mining methods, any minerals from any land included in a stock raising or other homestead entry or patent, and who had been liable under such an existing Act only for damages caused thereby to the crops or improvements of the entryman or patentee, shall also be liable for any damage that may be caused to the value of the land for grazing by such prospecting for, mining, or removal of minerals. Nothing in this section shall be construed to impair any vested right in existence on the effective date of this section.

Approved June 17, 1949.

[CHAPTER 225]

AN ACT

To provide benefits for members of the reserve components of the armed forces who suffer disability or death from injuries incurred while engaged in active-duty training for periods of less than thirty days or while engaged in inactive-duty training.

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 Aviation Personnel Act of 1940, as amended (U. S. C., title 34, sec. 855c-1), is amended to read as follows:

"SEC. 4. All officers, nurses, warrant officers, and enlisted men of the United States Naval Reserve or United States Marine Corps Reserve, who—

"(1) if called or ordered into active naval or military service by the Federal Government for extended naval or military service in excess of thirty days, suffer disability or death in line of duty from disease while so employed; or

"(2) if called or ordered by the Federal Government to active naval or military service or to perform active duty for training or inactive-duty training for any period of time, suffer disability or death in line of duty from injury while so employed;

shall be deemed to have been in the active naval service during such period, and they or their beneficiaries shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers, warrant officers, nurses, and enlisted men of corresponding grades and length of service of the Regular Navy or Marine Corps: *Provided*, That if a person who is eligible for the benefits prescribed by this Act be also eligible for pension under the provisions of the Act of June 23, 1937 (50 Stat. 305), compensation from the Bureau of Employees' Compensation, Federal Security Agency, under the provisions of section 304 of the

Liability for damages.

June 20, 1949
[S. 213]
[Public Law 108]

Reserve components of armed forces.

54 Stat. 864.

Disability or death benefits.

38 U. S. C. note
foll. § 739, p. 4265.

34 U. S. C. § 855c.

34 U. S. C. § 855i.

53 Stat. 557.
10 U. S. C. § 456.
Army or Air Force.

Naval Reserve Act of 1938 (52 Stat. 1181) or retired pay under the provision of section 310 of the Naval Reserve Act of 1938 (52 Stat. 1183), he shall elect which benefit he shall receive."

SEC. 2. The last proviso to section 5 of the Act entitled "An Act to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress", approved April 3, 1939, as amended, is amended to read as follows: "*Provided further*, That all officers, warrant officers, and enlisted men of the Army of the United States, or the Air Force of the United States, other than the officers and enlisted men of the Regular Army, or the Regular Air Force who—

"(1) if called or ordered into the active military service by the Federal Government for extended military service in excess of thirty days suffer disability or death in line of duty from disease while so employed; or

"(2) if called or ordered by the Federal Government to active military service or to perform active duty for training or inactive-duty training for any period of time, suffer disability or death in line of duty from injury while so employed,

shall be deemed to have been in the active military service during such period and shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted men of corresponding grades and length of service of the Regular Army or the Regular Air Force."

National Guard.

SEC. 3. All officers, warrant officers, and enlisted men of the National Guard of the United States, both ground and air, the federally recognized National Guard of the several States, Territories, and the District of Columbia—

(1) if engaged for periods in excess of thirty days in any type of training or active duty under sections 5, 81, 92, 94, 97, or 99 of the National Defense Act, as amended, suffer disability or death in line of duty from disease while so engaged; or

(2) if engaged for any period of time in any type of training or active duty under such sections of the National Defense Act, as amended, suffer disability or death in line of duty from injury while so employed,

shall be in all respects entitled to receive the same pensions, compensation, death gratuity, retirement pay, hospital benefits, and pay and allowances as are now or may hereafter be provided by law or regulation for officers and enlisted men of corresponding grades and length of service of the Regular Army.

Effective date.

SEC. 4. The provisions of this Act shall be effective from August 14, 1945, but no back pay, pension, compensation, death gratuity, or retirement pay shall be held to have accrued as the result of the enactment of this Act for any period prior to such date: *Provided*, That in the case of persons electing to receive the benefits of this Act, the amount of any monetary benefits received for any period subsequent to August 14, 1945, under any provisions of law providing benefits for disability or death incident to the service described in sections 1, 2, and 3 of this Act, shall be deducted from the monetary benefits provided for herein.

Prior benefits.

SEC. 5. Nothing contained in this Act shall be construed to deprive any person of any benefits to which he was entitled prior to its enactment.

Appropriation authorized.

SEC. 6. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved June 20, 1949.

39 Stat. 167, 203,
206, 207.
10 U. S. C. §§ 4,
22-25, 32-36, 38; 52
U. S. C. §§ 62-66,
144-146, 171-176; Supp.
II, § 62.