

exceed the amount determined by the Bureau of the Budget to be available for such purpose on the basis of the Budget estimate for such appropriation or fund exclusive of new money in any such Budget estimate for such administrative promotions.

Short title.

SEC. 6. This Act may be cited as the "Independent Offices Appropriation Act, 1941".

Approved, April 18, 1940.

[CHAPTER 108]

AN ACT

To legalize a bridge across the Nestucca River at Pacific City, Oregon.

April 18, 1940
[H. R. 7989]
[Public, No. 460]

Nestucca River.
Bridge across, at
Pacific City, Oreg.,
legalized.

Proviso.
State authorization,
etc.

Structure deemed
lawful, etc.

Amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a bridge already constructed by the county of Tillamook across the Nestucca River at Pacific City, Oregon: *Provided,* That said bridge has been authorized by the legislature of the State of Oregon and as located and constructed affords free, easy, and unobstructed navigation.

SEC. 2. That when the location and plans of said bridge have been so approved, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 18, 1940.

[CHAPTER 109]

AN ACT

To authorize the Secretary of War to furnish certain markers for certain graves.

April 18, 1940
[H. R. 8083]
[Public, No. 461]

Grave markers for
deceased veterans.
Type of, to be fur-
nished where stone
markers not accept-
able.

Proviso.
National cemeteries,
etc.
24 U. S. C. § 279.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of existing law the Secretary of War is authorized to furnish, upon application, for use on graves in cemeteries where stone markers are not acceptable, a headstone or marker of such standard design and material as may be approved by him, within the limit of prevailing costs of the standard World War type headstone, for the grave of any deceased person for which the Secretary of War is authorized to furnish a marker or headstone: *Provided,* That the Secretary of War shall furnish the upright stone marker, authorized by section 4877 of the Revised Statutes, for cemeteries under the jurisdiction of the Secretary of War.

Approved, April 18, 1940.

[CHAPTER 116]

AN ACT

Authorizing the Secretary of the Navy to sell certain surplus land owned by the United States in Bremerton, Washington.

April 20, 1940
[H. R. 7081]
[Public, No. 462]

Bremerton, Wash.
Sale of land au-
thorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to sell at such price as he shall deem reasonable, and in connection with such sale to convey, all the right, title, and interest of the United States in and to the east nine-foot strip of lot 47, block 14, original plat of Bremerton, Kitsap County, Washington.

Approved, April 20, 1940.

[CHAPTER 117]

AN ACT

To extend original jurisdiction to district courts in civil suits between citizens of the District of Columbia, the Territories of Hawaii or Alaska, and any State or Territory.

April 20, 1940
[H. R. 8822]
[Public, No. 463]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (b) of paragraph (1), section 24, of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 41; Supp. IV, title 28, sec. 41), be, and the same is hereby, amended to read as follows:

Judicial Code,
amendment.

36 Stat. 1091.

“(b) Is between citizens of different States, or citizens of the District of Columbia, the Territory of Hawaii, or Alaska, and any State or Territory.”

U. S. district courts.
Original jurisdiction
in civil suits extended.

Approved, April 20, 1940.

[CHAPTER 118]

AN ACT

To amend the Act entitled “An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor”, approved February 23, 1931, as amended.

April 20, 1940
[H. R. 8446]
[Public, No. 464]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled “An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor”, approved February 23, 1931, as amended, be, and the same is hereby, amended as follows: Section 26 (e) of said Act, as amended by the Act of April 24, 1939, is amended to read as follows:

Foreign Service
retirement and disability
system.

46 Stat. 1211.
22 U. S. C. § 21 (e);
Supp. V, § 21 (e).
53 Stat. 585.
Post, p. 184.

Annuities; amount.

“(e) The annuity of a retired Foreign Service officer shall be equal to 2 per centum of his average annual basic salary for the ten years next preceding the date of retirement, multiplied by the number of years of service not exceeding thirty years and in determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, in the total service shall be eliminated: *Provided*, That at the time of his retirement a Foreign Service officer, if the husband of a wife to whom he has been married for at least five years, may elect to receive a reduced annuity and designate his wife as his beneficiary, to whom will be paid any portion up to two-thirds of his reduced annuity, at the option of the officer, as long as she may live after his death: *Provided, however*, That the annuity payable to the widow shall in no case exceed 25 per centum of the officer's average annual basic salary for the ten years next preceding the date of retirement. If the age of the officer is less than the age of the wife or exceeds her age by not more than eight years, the annuity of the officer will be reduced by an amount equal to one-half the annuity which he elects to have paid to his widow. If the age of the officer exceeds the age of the wife by more than eight years, the annuity of the officer will be reduced by an amount equal to one-half the annuity which he elects to have paid to his widow plus an additional reduction equal to 2 per centum of such widow's annuity for each year, or fraction thereof, that the difference in age exceeds eight: *Provided further*, That the officer may at his option also elect to have his annuity reduced by an additional 5 per centum of the amount which he elects to have paid to his widow, with a provision that, from and after the death of his wife, if the officer shall survive her, the annuity payable to the officer shall be that amount which would

Provisos.
Wife as beneficiary.

Annuity payable to
widow, limitation.

Computation of
amounts.

Survivorship provi-
sion.