

## [CHAPTER 10]

## AN ACT

January 20, 1942  
[S. 2094]  
[Public Law 406]

To provide for the rank and title of the Commandant of the Marine Corps.

Commandant of the  
Marine Corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter the office of "Major General Commandant of the Marine Corps" shall be known as "Commandant of the Marine Corps". The officer occupying that office shall be known by that title and shall, while so serving, have corresponding rank and shall receive the same pay and allowances as are now or may hereafter be prescribed by or in pursuance of law for Lieutenant General in the Army.

SEC. 2. All laws or parts of laws inconsistent with the provisions of this Act are hereby amended accordingly.

Approved, January 20, 1942.

## [CHAPTER 11]

## AN ACT

January 20, 1942  
[S. 2095]  
[Public Law 407]

To further amend the Act approved June 23, 1938 (52 Stat. 944), as amended.

Navy.  
52 Stat. 950.  
34 U. S. C. § 404 (j);  
Supp. I, § 404 note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved June 23, 1938 (52 Stat. 944), as amended, is further amended by striking out subsection "(j)" of section 12 and inserting in lieu thereof the following:

Retirement of officers  
on active list.

"(j) No officer on the active list of the Navy on the date of approval of this Act shall be retired in his present grade by reason of the provisions of subsection (b) of this section or in the next higher grade by reason of the provisions of subsection (f) of this section sooner than he would have been retired by reason of service ineligibility for consideration for selection under the provisions of law in effect on the date of approval of this Act: *Provided*, That officers promoted by reason of adjudgment as fitted for promotion, but not retained on the active list pursuant to subsection (d) of this section, who are nevertheless continued on the active list, shall, during such continuance on the active list and subject to the provisions of subsection 7 (a) of this Act, be eligible for consideration for selection for promotion to the next higher grade, as best fitted only, and, subject to the provisions of subsection 11 (c) of this Act, may be promoted consequent to such selection: *Provided further*, That such officers, while being so continued on the active list, who twice fail of such selection shall thereafter be ineligible for consideration for selection: *And provided further*, That officers of the grades of captain and commander, subject to retirement under subsection (b) of this section and retained on the active list under the provisions of this subsection, who have or shall have twice failed of selection as best fitted shall thereafter be ineligible for consideration for selection."

*Provisos.*  
Promotion of officers  
continued on active  
list.

52 Stat. 946.  
34 U. S. C. § 295.

52 Stat. 948.  
34 U. S. C. § 311.  
Officers twice failing  
of selection.

Captains and com-  
manders.

Approved, January 20, 1942.

## [CHAPTER 12]

## AN ACT

January 20, 1942  
[S. 2169]  
[Public Law 408]

To create the Limited Service Marine Corps Reserve, and for other purposes.

Limited Service  
Marine Corps Re-  
serve.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established as a part of the Marine Corps Reserve a class to be known as the Limited Service Marine Corps Reserve, for duty as guards at naval shore activities within the continental United States, to be