

[CHAPTER 482]

AN ACT

November 15, 1945
[S. 940]
[Public Law 223]

To provide for terms of the District Court of the United States for the District of Nevada.

U. S. courts.
36 Stat. 1113.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 94 of the Judicial Code, as amended (U. S. C., title 28, sec. 174), is amended to read as follows:

Nevada judicial district.
Terms of court.

“The State of Nevada shall constitute one judicial district, to be known as the district of Nevada. Terms of the district court shall be held at Carson City on the first Mondays in February and May, at Las Vegas on the first Mondays in March and October, at Reno on the first Mondays in January and June, and at Elko on the first Monday in November: *Provided*, That suitable accommodations for holding court at Elko shall be provided without expense to the United States.”

Approved November 15, 1945.

[CHAPTER 483]

AN ACT

November 15, 1945
[S. 1139]
[Public Law 224]

For the relief of the residents of Guam through the settlement of meritorious claims.

Guam.
Settlement of damage claims.

Appointment of commissions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of granting immediate relief to the residents of Guam, the prompt settlement of meritorious claims arising in Guam, the Secretary of the Navy, and such other officer or officers as the Secretary of the Navy may designate for such purposes and under such regulations as the Secretary of the Navy may prescribe, are hereby authorized to appoint a claims commission or commissions, each composed of one or more officers of the Navy or the Marine Corps, to consider, ascertain, adjust, determine, and make payments of amounts determined as just compensation, where accepted by the claimant in full satisfaction and in final settlement, including waiver of any claims against the War Damage Corporation, of claims for damage occurring in Guam, including claims of insured but excluding claims of subrogees, on account of damage to or loss or destruction of public property, both real and personal, or on account of damage to or loss or destruction of private property, both real and personal of residents of Guam, including claims for damage to or loss or destruction of personal property bailed to the Government and claims for damages incident to use and occupation of real property, whether under a lease, express or implied, or otherwise, when such damage, loss, or destruction is the result of or incident to hostilities or hostile occupation, or is caused by or incident to noncombat activities of the United States Army, Navy, or Marine Corps forces or individual members thereof, including military and civilian employees thereof, where the amount of such claim does not exceed \$5,000: *Provided*, That no claim shall be considered by such commissions unless presented within one year after the occurrence of the accident or the incident or engagement out of which such claim arises, except that claims arising out of accidents, incidents, or engagements, after December 6, 1941, but prior to the first day of the month following enactment of this Act, may be presented at any time prior to the

Claims incident to hostilities, etc.

Time limitation.

expiration of one year after the latter date: *Provided further*, That any such settlements made by such commissions shall be subject to such regulations as the Secretary of the Navy may prescribe and may, in cases where the amount exceeds \$2,500 but does not exceed \$5,000, be subject to the approval of such commanding or other officer of the Navy or Marine Corps forces, as the Secretary of the Navy may prescribe; and the Secretary of the Navy shall have authority, if he deems any claim in excess of \$5,000, or any claims for death or personal injury to residents of Guam arising under the conditions herein set forth as a basis for property damage claims, to be meritorious, to certify such amount as may be found to be just and reasonable thereon to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of such claim, the amount claimed, and the amount allowed: *Provided further*, That no claim of any person who has voluntarily aided an enemy of the United States, or of any national of any country at war with the United States, or of any ally of such enemy country, except when the local military commander or his designee shall determine that such national was at the time of the damage or injury and still is friendly to the United States, shall be allowed under this Act: *Provided further*, That any such settlements made by such commissions under the authority of this Act shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

SEC. 2. In the discretion of the Secretary of the Navy or his designees, settlements of claims under section 1 of this Act shall be made by reimbursement in kind from available Government property stores and services and/or out of the appropriation current at the time of settlement, for "Pay and subsistence of naval personnel".

SEC. 3. Insofar as the claims of residents of Guam arising in Guam are concerned, this Act is in lieu of all other provisions of law authorizing settlement of war-damage claims by the agencies of the United States Government, but shall otherwise be supplementary to, and not in lieu of, all other provisions of law authorizing consideration, ascertainment, adjustment, determination, or payment of claims by the Secretary of the Navy.

SEC. 4. Claims of the type described in section 1 hereof on account of damage to or loss or destruction of property, both real and personal, or personal injury or death of any person, caused by Coast Guard forces, or individual members, including military personnel and civilian employees thereof, or otherwise incident to activities of such forces, arising at any time while the Coast Guard shall be operating as a part of the Navy may be considered, ascertained, adjusted, determined, and paid in the manner in this Act provided for the settlement of Navy and Marine Corps claims: *Provided*, That no claims on account of damage to or loss or destruction of property, or personal injury or death, caused by Coast Guard forces or individual members thereof, or otherwise incident to the activities of such forces, shall be considered, ascertained, adjusted, determined, or paid under the provisions of this Act at any time when the Coast Guard shall be operating under the Treasury Department.

SEC. 5. This Act shall not apply to claims of persons not permanent residents of Guam or to claims not arising in Guam.

Approved November 15, 1945.

Regulations.

Specified settlements subject to approval.

Claims in excess of \$5,000.

Claims not allowed.

Finality of settlements.

Reimbursement in kind.

Substitution of provisions.

Coast Guard.

Nonapplicability.

[CHAPTER 485]

AN ACT

November 15, 1945
[S. 1362]
[Public Law 226]

To authorize the Secretary of the Navy to transfer land for resettlement in Guam, and for other purposes.

Guam.
Transfer of land for
resettlement.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of effecting the rehabilitation and resettlement of the residents of Guam, the Secretary of the Navy, or such officer as he may designate for such purpose and under such regulations as he may prescribe, is hereby authorized to transfer to the naval government of Guam, for transfer or sale by the naval government of Guam at its discretion, to such persons and upon such terms and conditions and at such times as it may determine to be suitable, in replacement of lands acquired for military or naval purposes in Guam, such lands owned by the United States in Guam as may be determined by the Secretary of the Navy, after consultation with the Secretary of War, not to be required for military or naval purposes.

Approved November 15, 1945.

[CHAPTER 489]

AN ACT

November 21, 1945
[S. 1036]
[Public Law 226]

To provide for the adjustment of the compensation of certain members or former members of the armed forces of the United States who, before the expiration of their terminal leave, have performed, or shall hereafter perform, civilian services for the United States, its Territories or possessions, or the District of Columbia, and for other purposes.

Government em-
ployees in armed
forces.
Pay for leave.

5 U. S. C., Supp. IV,
§ 61a.

Civilian employ-
ment while on ter-
minal leave.

Pay and allowances
from armed forces.

Pay for unused por-
tion of leave.

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 making provisions for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for accumulated or accrued annual leave when ordered to active duty with the military or naval forces of the United States", approved August 1, 1941, as amended April 7, 1942 (56 Stat. 200), is further amended by adding at the end thereof a new section as follows:

"SEC. 2. (a) Any person, who, subsequent to May 1, 1940, shall have performed active service in the armed forces, may, while on terminal leave pending separation from or release from active duty in such service under honorable conditions, enter or reenter employment of the Government of the United States, its Territories or possessions, or the District of Columbia (including any corporation created under authority of an Act of Congress which is either wholly controlled or wholly owned by the Government of the United States, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), and, in addition to compensation for such employment, shall be entitled to receive pay and allowances from the armed forces for the unexpired portion of such terminal leave at the same rates and to the same extent as if he had not entered or reentered such employment.

"(b) Any such person who, prior to the date of enactment of this section, entered or reentered such employment without having used all accumulated and current accrued leave to which he would have been entitled as a result of such service had he not entered or reentered such employment, shall, upon application therefor filed with the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, or the Federal Security Administrator, as the case may be, be entitled to be paid a lump sum equal in amount to the pay and allowances to which he would have been entitled while on