

When no protest filed, procedure.

Disapproval by Commandant of recommendation; effect.

Transmittal of approved recommendations to Secretary of the Treasury.

Recommendations to be laid before the President.

Powers of the President.

Lieutenant commanders, placement of limited number out of line of promotion; exception.

Officers with 30 years' service, retirement of limited number.

Officers out of line of promotion with 10 years' service, retirement.

hereinafter provided. At the expiration of thirty days after receipt by an officer of notice aforesaid, in the event that no such protest is filed by him, such officer may upon approval by the President, be retired from active service with retired pay as prescribed by section 3 hereof, or be placed out of line of promotion, as the case may be, as hereinafter provided. If the Commandant shall disapprove any recommendation of the Board, the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered by such Board. Except as hereinbefore provided, each recommendation of the Board which is finally approved by the Commandant, together with the proceedings and findings of the Board, shall be transmitted to the Secretary of the Treasury for further review, and if the Secretary shall disapprove any recommendation of the Board, the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered by such Board. Each recommendation of the Board which is not disapproved by the Secretary shall be laid before the President by the Secretary with his recommendation in the case. The President may, in any calendar year, pursuant to recommendations so laid before him:

“(a) Place out of line of promotion such number of lieutenant commanders on the active list as will not exceed the whole number nearest to 2 per centum of the officers in that grade as of January 1 of such year; except that such limitation shall not be construed to limit the number of lieutenant commanders who may be placed out of line of promotion, in accordance with regulations prescribed by the Secretary of the Treasury, for failing to establish their mental, moral, and professional fitness for promotion.

“(b) Place upon the retired list such number of commissioned officers who have thirty or more years of service as will not exceed the whole number nearest to 5 per centum of the number of officers falling within that classification on January 1 of such year.

“(c) Place upon the retired list any officer who has been placed out of line of promotion and who has ten years or more of commissioned service.”

Approved, June 6, 1940.

[CHAPTER 250]

AN ACT

To provide for the enlargement of the Coast Guard depot at Seattle, Washington, and for the establishment of a Coast Guard servicing base at or near Chattanooga, Tennessee.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized to acquire, at a cost not to exceed \$8,500, by purchase, condemnation, or otherwise such additional land adjacent to the present Coast Guard depot at the foot of Twenty-seventh Avenue West, Seattle, Washington, and to make such improvements thereon as may be necessary for the development of the depot to best meet the needs of the Coast Guard.

Sec. 2. The Secretary of the Treasury is authorized to acquire, at a cost not to exceed \$5,000, by purchase, condemnation, or otherwise such land and to make such improvements thereon as may be necessary for the establishment of a Coast Guard servicing base in such locality as the Commandant of the Coast Guard may recommend at or in the vicinity of Chattanooga, Tennessee.

Approved, June 6, 1940.

June 6, 1940  
[H. R. 8537]  
[Public, No. 557]

Coast Guard.  
Depot, Seattle,  
Wash., acquisition of  
land for.

Servicing base,  
Chattanooga, Tenn.,  
acquisition of land for.

[CHAPTER 251]

AN ACT

Authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht Freedom from Sterling Morton.

June 6, 1940  
[H. R. 8983]  
[Public, No. 558]

*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 be, and he is hereby, authorized to accept on behalf of the United States, without expense to the Government, the yacht Freedom and her equipment as a gift from her owner, Sterling Morton, to the United States Naval Academy.

Yacht *Freedom*.  
Acceptance of, from Sterling Morton, authorized.

Approved, June 6, 1940.

[CHAPTER 252]

AN ACT

To transfer Hardeman County, Texas, from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas.

June 6, 1940  
[H. R. 9013]  
[Public, No. 559]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, effective thirty days after the date of the enactment of this Act, the territory embraced in Hardeman County, Texas, shall be withdrawn from the Fort Worth division of the northern judicial district of Texas and shall constitute a portion of the Wichita Falls division of such district.

Judicial Code, amendment.  
36 Stat. 1125.  
28 U. S. C. § 189; Supp. V, § 189.  
Texas northern judicial district, transfer of territory.

Approved, June 6, 1940.

[CHAPTER 253]

AN ACT

To authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center.

June 6, 1940  
[H. R. 9115]  
[Public, No. 560]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia are authorized, in their discretion, to permit such officers and employees of the District of Columbia Government as the Commissioners may select to park motor vehicles in any building or buildings now or hereafter erected upon squares numbered 490, 491, and 533, and reservation numbered 10, in the District of Columbia, known as the Municipal Center, and to make and enforce regulations for the control of the parking of such vehicles, including the authority to prescribe and collect fees and charges for the privilege of parking of such vehicles.

District of Columbia.  
Municipal Center.  
parking of automobiles by D. C. employees, etc.

Regulations, fees, etc.

SEC. 2. The Commissioners of the District of Columbia are further authorized, in their discretion, to permit the public to park motor vehicles in such portion or portions of squares numbered 490, 491, and 533, and reservation 10, in the District of Columbia, known as the Municipal Center, as may be set apart by the said Commissioners for such purpose, and to make and enforce such regulations as the Commissioners may deem advisable for the control of parking in such portion or portions of the Municipal Center as they may set apart for such purpose, including authority to restrict the privilege of parking therein to persons having business in the Municipal Center, and to make and enforce regulations to prohibit parking in all portions of the Municipal Center not set apart by the Commissioners for such purpose. The Commissioners are further authorized in their discretion, to prescribe and collect fees and charges for the privilege of parking motor vehicles in such portion or portions of

Parking facilities open to public in certain restricted areas.

Regulations.

Fees and charges.