

lated snags and other debris and clearing and straightening channels in navigable streams and tributaries thereof, when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year."

Proviso.

SEC. 10. That the sum of \$275,000,000 is hereby authorized to be appropriated for carrying out the improvements herein, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examinations and surveys provided for in this Act and any other Acts of Congress, to be prosecuted by said departments. There is also hereby authorized to be appropriated for expenditure by the Department of Agriculture in carrying on works of improvement of the character specified in section 7 of the Flood Control Act of June 28, 1938, and which the Department is not otherwise authorized to undertake, such additional sums, not to exceed \$5,000,000, as may be necessary for that purpose. All appropriations necessary for operation and maintenance of flood-control works authorized by law to be operated and maintained by the United States are hereby authorized.

Appropriations authorized.
Post, p. 829.

Additional sums for specified projects.

52 Stat. 1225.
33 U. S. C. § 701b-1.

Operation, etc., of flood-control works.
Appropriations authorized.

Approved, August 18, 1941.

[CHAPTER 378]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

August 18, 1941
[H. R. 5122]
[Public Law 229]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, by an Act of Congress, approved May 27, 1940, are hereby extended one and three years, respectively, from May 27, 1941.

Monongahela River.
Time extended for bridging, at Elizabeth, Pa.

54 Stat. 223.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 18, 1941.

[CHAPTER 384]

AN ACT

To strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes.

August 21, 1941
[S. 162]
[Public Law 230]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter there shall be two grades of warrant officers in the Army of the United States; first, chief warrant officer, who shall receive the same base pay as authorized by existing law for warrant officer, chief engineer, Army Mine Planter Service; and second, warrant officer (junior grade), who shall receive the same base pay and allowances as are authorized by existing law for warrant officers of the Army other than those of the Army Mine Planter Service: *Provided*, That warrant officers of the Army Mine Planter Service in the grade of master shall receive the same base pay as authorized by existing law. Chief warrant officers shall receive the same money allowances for subsistence and rental of quarters as are authorized by existing laws for

Army warrant officers, grades, etc.

Chief warrant officer.

Warrant officer (junior grade).

Proviso.
Warrant officers of Army Mine Planter Service.

Longevity pay increase.

officers receiving the pay of the second pay period, and all warrant officers shall receive, as a permanent addition to their pay, an increase of 5 per centum of their base pay for each four years of active service now counted for pay purposes, not to exceed 25 per centum.

Aerial flights, pay.

All warrant officers of the Army shall receive an increase of 50 per centum of their pay when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President.

Original permanent appointments.
Service requirements.

SEC. 2. Hereafter, original permanent appointments in the grade of warrant officer (junior grade) shall be made only from among those persons who have served at least one year on active duty in the Army of the United States, and original permanent appointments in the grade of chief warrant officer shall be made only from among those warrant officers who have completed at least a total of ten years' active service either as warrant officer (junior grade) or as warrant officers under existing law, or both, and from among masters and chief engineers, Army Mine Planter Service, hereafter appointed as such under the provisions of existing law. All such permanent appointments shall be made in the Regular Army and may be terminated under such regulations as the Secretary of War shall prescribe, and the action of the Secretary of War in terminating the appointment of a warrant officer shall be final and conclusive. The total number of permanent appointments in the grades of chief warrant officer and warrant officer (junior grade) shall be as prescribed by the President from time to time, but shall not exceed 1 per centum of the enlisted strength of the Regular Army as authorized by law: *Provided*, That not more than 40 per centum of the total actual number of permanent warrant officers in active service shall be appointed in the grade of chief warrant officer.

To be in Regular Army; termination.

Number.

Proviso.
Limitation.

Temporary appointments.

SEC. 3. In time of war or during the period of any national emergency declared by Congress or proclaimed by the President, the Secretary of War is authorized, under such regulations as he shall prescribe, to make temporary appointments in the grades of chief warrant officer and warrant officer (junior grade). Such temporary appointments shall be in the Army of the United States, shall not exceed a number equal to one-half of 1 per centum of the enlisted strength of the Army of the United States in active military service, and shall remain in effect at the pleasure of the Secretary of War, but in no case shall they continue beyond six months after the termination of the war or period of national emergency. Persons appointed in the Army of the United States as temporary chief warrant officers or as temporary warrant officers (junior grade), while in active Federal service, shall, while so serving, be entitled to the rank, pay, and allowances of the grades to which they are temporarily appointed, and shall be entitled to count such service as warrant or enlisted service for all purposes: *Provided*, That the Secretary of War is hereby authorized to designate by name a number of permanent or temporary chief warrant officers (not exceeding 1 per centum of the maximum authorized number of permanent and temporary warrant officers) to receive the base pay and allowances provided by existing law for officers in the fourth pay period, and to designate by name an additional number of permanent or temporary chief warrant officers (not exceeding 2 per centum of the maximum authorized number of temporary and permanent warrant officers) to receive the base pay and allowances provided by existing law for officers in the third pay period, but no chief warrant officer so designated shall receive such base pay and allowances except during

Number.

Duration of service.

Rank, pay, and allowances.

Proviso.
Designations to fourth and third pay periods.

the period prescribed by the Secretary of War. Such temporary appointees shall be entitled to the benefits of all existing laws and regulations governing retirement, pensions, and disability as are applicable to members of the Army of the United States when called or ordered into the active military service by the Federal Government under existing statutory authorizations. All persons temporarily appointed as chief warrant officers or as warrant officers (junior grade) in the Army of the United States under the authority of this section, shall, as long as they continue to hold such appointments, be available for assignment to active duty with any unit of the Army of the United States. Persons temporarily appointed as chief warrant officers or as warrant officers (junior grade), in the Army of the United States under the authority of this section who, at the time of their respective temporary appointments have a military status in the Army of the United States or any component thereof may accept such temporary appointments without prejudice to the military status which they so held and upon termination of such temporary appointments such persons may revert to the grades which they held at the time of their temporary appointments.

SEC. 4. Warrant officers may be assigned to such duties as may be prescribed by the Secretary of War: *Provided*, That when such duties necessarily include those normally performed by commissioned officers they shall be vested with the power to perform such duties under regulations to be prescribed by the President: *Provided further*, That when a warrant officer is serving as assistant adjutant of any command, he shall have power to administer oaths for all purposes of military administration. Warrant officers appointed under existing laws, other than masters and chief engineers of the Army Mine Planter Service, shall become warrant officers (junior grade), and masters and chief engineers of the Army Mine Planter Service shall become chief warrant officers, on the date this Act shall become effective. All warrant officers shall take rank next below second lieutenants and among themselves under regulations prescribed by the Secretary of War.

SEC. 5. Warrant officers shall be entitled to retirement under the same conditions as commissioned officers: *Provided*, That hereafter warrant officers may, in the discretion of the Secretary of War, be retired after fifteen years of active service: *Provided further*, That a warrant officer retired after fifteen years of active service shall receive retired pay at the rate of 2½ per centum of his active pay multiplied by the number of complete years of active service in the Army, but not to exceed a total of 75 per centum of his active pay.

SEC. 6. Subject to the provisions of this Act, the Secretary of War is hereby authorized to prescribe such rules and regulations as he may deem necessary to govern and administer properly the personnel in the grades of chief warrant officer and warrant officer (junior grade), including warrant officers of the Army Mine Planter Service. This Act shall become effective on the date specified in regulations issued by the Secretary of War, but not later than October 1, 1941.

SEC. 7. The provisions of any laws heretofore enacted which are in conflict with the provisions of this Act are hereby repealed, except that appointments, temporary appointments, and promotions in the Army Mine Planter Service shall continue to be made as now provided for: *Provided*, That no rights or benefits to which warrant officers now in active service are entitled under existing laws shall be affected in any manner by reason of the enactment of this Act: *Provided further*, That the provisions of this Act shall not be retroactive and no back pay or allowances shall accrue by reason of the enactment of this Act.

Approved, August 21, 1941.

Benefits, temporary appointees.

Availability for active duty.

Status.

Assignments.
Provisos.
Powers.

Administration of oaths.

Appointments under existing laws.

Relative rank.

Retirement provisions.
Provisos.
Service requirement.
Pay.

Rules and regulations.

Effective date.

Conflicting provisions repealed; exception.

Provisos.
Rights of present officers in active service.

Provisions not retroactive.

[CHAPTER 385]

AN ACT

August 21, 1941
[S. 881]

[Public Law 231]

To permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

Reemployment of
retired employees.

54 Stat. 679.
41 U. S. C., prec. §
1 note.
5 U. S. C. §§ 715,
715a.

War and Navy De-
partments and FBI.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clause preceding the first proviso in section 6 of the Act of June 28, 1940 (Public, Numbered 671, Seventy-sixth Congress, third session), is hereby amended to read as follows: "Notwithstanding the provisions of section 2 of the Act of May 29, 1930 (46 Stat. 468), and section 204 of the Act of June 30, 1932 (47 Stat. 404), any person heretofore or hereafter retired under the Civil Service Retirement Act of May 29, 1930, as amended, may be reemployed in the service of the War and Navy Departments and the Federal Bureau of Investigation of the Department of Justice and be continued in such service not later than June 30, 1942:".

Approved, August 21, 1941.

[CHAPTER 386]

AN ACT

August 21, 1941
[H. R. 3261]

[Public Law 232]

To authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces.

District of Colum-
bia.
Memorial to Rain-
bow Division, Ameri-
can Expeditionary
Forces.

Provisos.
Approval of site and
design.

Evidence of suffi-
cient funds.

Time limitation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to grant permission to the Rainbow (Forty-second) Division Veterans Association, American Expeditionary Forces, for the erection on public grounds of the United States in the District of Columbia, other than those of the Capitol, the Library of Congress, and the White House, of a suitable memorial in honor of the dead of the Rainbow (Forty-second) Division: *Provided,* That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts and that the United States shall be put to no expense in or by the erection of the said memorial: *Provided further,* That evidence of funds in an amount which, in the judgment of the Secretary of the Interior, is sufficient to insure the completion of the memorial, including the preparation and landscape treatment of the site, the erection of the pedestal, and the erection of the memorial, must be made available prior to the issuance of a permit for the construction of the memorial: *And provided further,* That unless the erection of the memorial is begun within five years from the date of the approval of this Act, the authorization hereby granted is revoked.

Approved, August 21, 1941.

[CHAPTER 387]

AN ACT

August 21, 1941
[H. R. 3388]

[Public Law 233]

To permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes.

Smithsonian Gallery
of Art, D. C.
Purchase of model
of winning design.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Smithsonian Gallery of Art Commission is authorized to purchase, at a price not to exceed \$2,500, from Eliel Saarinen, Eero Saarinen, and Robert F. Swanson, a model of their winning design furnished in competition for a design for the proposed Smithsonian Gallery of Art.