

be suitable for such transfer. All lands so added to and made a part of the Angostura unit shall thereafter be subject to all laws applicable to agricultural lands acquired under the provisions of section 5 (a) of the Act of August 11, 1939, as amended (16 U. S. C. 590z-3 (a)); the costs incurred by the United States in acquiring such lands, as well as the costs incurred in the improvement thereof for irrigation purposes, shall be returned in the same manner as though such lands had been acquired under the provisions of said section 5 (a).

Approved July 23, 1947.

54 Stat. 1122.

[CHAPTER 300]

AN ACT

To provide secretaries for circuit and district judges.

July 23, 1947
[H. R. 2746]
[Public Law 218]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each circuit judge and each district judge may appoint a secretary, and each senior circuit judge and each senior district judge in districts having five or more district judges may also appoint an assistant secretary, who shall, subject to appropriations to be made by the Congress, receive compensation to be fixed from time to time by the Director of the Administrative Office of the United States courts and shall be reimbursed for their actual traveling expenses and expenses incurred for subsistence, within the limitations prescribed by law, when necessarily absent from their designated posts of duty on official business.

Compensation; ex-
penses.

SEC. 2. Within the meaning of this Act the District of Columbia shall be deemed to be both a circuit and a district, the United States Court of Appeals for the District of Columbia a circuit court of appeals, and the chief justice and associate justices of that court the senior circuit judge and circuit judges thereof, and the District Court of the United States for the District of Columbia a district court, and the chief justice and associate justices of that court the senior district judge and district judges thereof.

District of Colum-
bia.

Approved July 23, 1947.

[CHAPTER 301]

AN ACT

To integrate certain personnel of the former Bureau of Marine Inspection and Navigation and the Bureau of Customs into the Regular Coast Guard, to establish the permanent commissioned personnel strength of the Coast Guard, and for other purposes.

July 23, 1947
[H. R. 3494]
[Public Law 219]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the total number of commissioned officers, including permanent, temporary, temporary service, and Reserve officers on active duty, and excluding chief warrant officers, on the active list of the Coast Guard shall not exceed two thousand two hundred and fifty. Included in this number shall be the sixty-one extra numbers in rank which under existing law operate to increase the authorized number of line officers upon separation or retirement of the person holding that number, the five professors authorized by existing law who shall not be considered as extra numbers in rank, and the extra numbers in rank authorized by this Act. The commissioned officers shall be distributed in the ranks of rear admiral, captain, commander, lieutenant commander, lieutenant, lieutenant (junior grade), and ensign in the same percentages as are now or may hereafter be prescribed by statute for the Navy. To determine the authorized

Coast Guard.
Authorized number
of officers.

Distribution.

Computation.

number of officers in the various ranks as provided in this section the computation shall be based on the actual number of officers on active duty, including permanent, temporary, temporary service, and reserve officers on active duty, but not including extra numbers in the Coast Guard at the date of making the computation. The Secretary of the Treasury shall, at least once each year, make such a computation, and the resulting numbers in the various ranks as so computed shall be held and considered for all purposes as the authorized number in such various ranks. The nearest whole number shall be regarded as the authorized number in case fractions result in the computation. The Secretary of the Treasury is, however, as he may from time to time determine the needs of the Coast Guard require, authorized to reduce the percentages applicable to any rank or ranks above lieutenant commander and in order to compensate for such reduction, to increase correspondingly the percentages applicable to any rank or ranks below the rank or ranks in which such percentages are so reduced. No officer shall be reduced in permanent rank or pay or removed from the active list of the Coast Guard as the result of any computation or determination made by the Secretary of the Treasury to establish the number of officers in the various ranks.

Reduction and increase of percentages.

Reduction in rank, pay, etc.

Promotion to rear admiral.

Assistant Commandant and Engineer in Chief.

Rear admirals of upper half.

Precedence.

Appointment of commissioned officers.

Categories.

SEC. 2. Commissioned officers, including extra numbers in rank, shall be promoted to the ranks of rear admiral by selection, under such regulations as the Secretary of the Treasury may prescribe. The Assistant Commandant and the Engineer in Chief shall be entitled to the pay and allowances provided by law for rear admirals of the upper half. The number of rear admirals on the active list of the Coast Guard entitled to the pay and allowances provided by law for rear admirals of the upper half, excluding the Assistant Commandant and the Engineer in Chief for purposes of computation, shall be one-half of the number of officers on the active list of that rank. Where the division results in an odd number, the odd number shall be placed in the upper half. No officer who has or may become entitled to the pay and allowances of a rear admiral of the upper half shall suffer a reduction of his pay and allowances solely by reason of the fact that the number of rear admirals may for any reason be reduced. The precedence on the list of rear admirals shall be determined by the date of first appointment to that rank, except that the Assistant Commandant shall, while holding such office, be next in precedence to the Commandant.

SEC. 3. The President is authorized to appoint, by and with the advice and consent of the Senate, permanent commissioned officers in the Coast Guard in ranks appropriate to their qualifications, experience, and length of service, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury, as the result of such examinations as he may deem necessary, to be mentally, morally, professionally, and physically qualified, from among the following categories:

- (1) Graduates of the Coast Guard Academy;
- (2) Temporary commissioned officers of the Coast Guard;
- (3) Chief warrant officers, warrant officers, and enlisted men of the Coast Guard;
- (4) Members of the Coast Guard Reserve;
- (5) Licensed officers of the United States merchant marine who have served four or more years aboard a vessel of the United States in the capacity of a licensed officer; and
- (6) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were transferred

from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875), and who on March 1, 1942, held the civil-service rating of CAF-9 or P-3, or above.

50 U. S. C. app. § 601
note.
60 Stat. 1097.
5 U. S. C. § 133y-16
note.

Any person described in category (5) of this section, commissioned pursuant to the provisions of this Act, shall serve a probationary period of two years, during which time his commission may be revoked if his services are unsatisfactory, pursuant to such regulations as the Secretary of the Treasury may prescribe.

Probationary pe-
riod.

SEC. 4. Appointees under section 3 shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary of the Treasury may determine. Appointees who, during any period of World War II, served temporarily as commissioned officers of the Coast Guard, or as commissioned officers who were regular members of the Coast Guard Reserve on active duty, shall take precedence with other officers in their respective ranks under such regulations as the Secretary of the Treasury may prescribe. Appointees from category (6) of section 3 shall be assigned running mates, as determined by the Secretary of the Treasury, from among regular line officers of the Coast Guard in the respective ranks in which such appointees are commissioned.

Precedence in rank.

Running mates.

SEC. 5. The President is authorized to appoint, by and with the advice and consent of the Senate, permanent chief warrant officers in the Coast Guard, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury as the result of such examinations as he may prescribe, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Appointment of
chief warrant officers.

Categories.

- (1) Temporary commissioned officers of the Coast Guard;
- (2) Temporary chief warrant officers of the Coast Guard;
- (3) Temporary and permanent warrant officers of the Coast Guard;
- (4) Enlisted men of the Coast Guard;
- (5) Members of the Coast Guard Reserve;
- (6) Licensed officers of the United States merchant marine; and
- (7) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were transferred from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875).

50 U. S. C. app. § 601
note.
60 Stat. 1097.
5 U. S. C. § 133y-16
note.
Appointment of
warrant officers.

SEC. 6. The Secretary is authorized to appoint permanent warrant officers in the Coast Guard, as the needs of the Coast Guard may require and as are found by the Secretary of the Treasury, as the result of such examinations as he may prescribe, to be mentally, morally, professionally, and physically qualified, from among the following categories:

Categories.

- (1) Temporary chief warrant officers and temporary warrant officers of the Coast Guard;
- (2) Enlisted men of the Coast Guard;
- (3) Members of the Coast Guard Reserve;
- (4) Licensed officers of the United States merchant marine; and
- (5) Personnel of the former Bureau of Marine Inspection and Navigation of the Department of Commerce, and the Bureau of Customs of the Treasury Department, who were

50 U. S. C. app. § 601
note.
60 Stat. 1097.
5 U. S. C. § 133y-16
note.
Precedence in rank.

transferred from those bureaus to the Coast Guard by Executive Order 9083, dated February 28, 1942 (7 F. R. 1609), and by Reorganization Plan Numbered 3, effective July 16, 1946 (11 F. R. 7875).

SEC. 7. Appointees under sections 5 and 6 shall take precedence with other officers in their respective ranks in accordance with the dates of commission in such ranks. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary of the Treasury may determine. Appointees who, during any period of World War II, served temporarily as commissioned officers, chief warrant officers, or warrant officers of the Coast Guard, or as commissioned officers, chief warrant officers, or warrant officers who were regular members of the Coast Guard Reserve on active duty, shall take precedence with other officers in their respective ranks under such regulations as the Secretary of the Treasury may prescribe.

Extra numbers.

SEC. 8. Included in the two thousand two hundred and fifty commissioned officers authorized by section 1 of this Act shall be four hundred and fifty-three extra numbers to which the President is authorized to appoint, pursuant to the provisions of this Act, only the personnel described in category (6) of section 3. In the event that any person from among the personnel eligible to fill such extra numbers does not qualify, or who, being qualified does not accept a commission, the extra numbers not so filled shall be reserved pending the separation of such persons from the Coast Guard by retirement, transfer, resignation, death, or other cause. Upon such separation, each vacancy so reserved, and each vacancy created by the unavailability for appointment of personnel described in category (6) of section 3, or by the retirement, resignation, death, or other separation from the active military service of the Coast Guard of personnel described in category (6) of section 3 who are commissioned pursuant to the provisions of this Act shall increase by one the authorized number of line officers, and decrease by one the authorized number of extra numbers.

Eligibility for promotion.

SEC. 9. Any person described in category (6) of section 3 who is commissioned pursuant to the provisions of this Act shall be an extra number in any rank to which he may be promoted. He shall be eligible for promotion, if otherwise qualified, at such time as the regular line officer who is his running mate becomes eligible for promotion, and shall be examined only with respect to those qualifications which pertain to his specialty.

Further examinations.

SEC. 10. No person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 shall be required to undergo further professional, physical, or mental examinations as a prerequisite to original commissioning, appointment, or enlistment pursuant to this Act, and the physical standards for such personnel while serving in the Regular Coast Guard shall not be greater than those applicable generally to civilian employees under civil-service laws and regulations.

Computation of length of service for retirement.

SEC. 11. In computing length of service for purposes of retirement of a person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted pursuant to the provisions of this Act, there shall be included, in addition to all service now or hereafter creditable by law, all service as a civilian employee of the United States within the purview of the Act of May 22, 1920, as amended (5 U. S. C. 691 and the following), such service to be classified as commissioned, warrant, or enlisted depending upon which status the person assumes upon his entry into the Regular Coast Guard. Service covering the same period shall not be counted more than once.

41 Stat. 614.
Ante, p. 135; *post*, p.
453.

SEC. 12. Any person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted pursuant to the provisions of this Act shall not be entitled to any retirement benefits under any laws relating to the retirement of civilian personnel of the Federal Government, but shall be entitled upon claim therefor to a return of the total contributions made by him to the retirement fund with interest thereon and, in addition, to eligibility for retirement benefits provided by law for members of the Regular Coast Guard, he shall, if his total service in the Federal Government, civil plus military, is fifteen years or over, be entitled, upon reaching the statutory retirement age for military personnel of the Regular Coast Guard, to retirement pay amounting to 75 per centum of his active-duty pay at the time of such retirement; and, in the administration of applicable laws for physical disability retirement, a disability shall be deemed to have been incurred incident to Coast Guard service if the cause of such disability is not due to vicious habits, intemperance, or misconduct.

Retirement benefits.

Retirement pay.

Disability.

SEC. 13. No person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is commissioned, appointed, or enlisted in the Coast Guard pursuant to the provisions of this Act shall suffer any reduction in annual compensation, including allowances, below the compensation applicable to his permanent civil-service position at the time of such commissioning, appointment, or enlistment, exclusive of overtime compensation, and the civil-service status, tenure, seniority, and compensation of any such person who for any reason is not commissioned, appointed, or enlisted under the provisions of this Act shall not be impaired by reason of this Act.

Reduction in annual compensation, etc.

SEC. 14. Accrued military leave of any person described in category (6) of section 3, category (7) of section 5, or category (5) of section 6 who is a member of the Coast Guard Reserve or the Naval Reserve on active duty, and who is commissioned, appointed, or enlisted pursuant to the provisions of this Act, shall be credited to him upon such commissioning, appointment, or enlistment.

Accrued military leave.

SEC. 15. Any person described in category (5) of section 6 who enlists in the Coast Guard shall be considered as enlisted pursuant to this Act.

Enlistment.

SEC. 16. All Acts or parts of Acts inconsistent with this Act are hereby repealed; but nothing contained in this Act shall be construed to affect the continued application to the Coast Guard of the Act of July 24, 1941, as amended (34 U. S. C., Supp. V, secs. 350-350J).

55 Stat. 603.
Ante, pp. 312, 313.

Approved July 23, 1947.

[CHAPTER 302]

AN ACT

To extend temporarily the time for filing applications for patents and for taking action in the United States Patent Office with respect thereto.

July 23, 1947
[H. R. 3958]
[Public Law 220]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of extension of priority rights under section 1 of Public Law 690, Seventy-ninth Congress, approved August 8, 1946, and the time for the payment of any fee or the taking of any other action under section 3 of said Act, specified as expiring twelve months after the passage of that Act, shall be further extended to a date not later than February 29, 1948, in favor of citizens of the United States and citizens or subjects of countries which grant or shall grant before February 29, 1948, substantially reciprocal privileges to citizens of the United States for such extended term, subject to the provisions of said Public Law 690.

Patents.

60 Stat. 940.
35 U. S. C. § 101.60 Stat. 942.
35 U. S. C. § 103.

Approved July 23, 1947.

60 Stat. 940.
35 U. S. C. §§ 101-114.