

## [CHAPTER 10]

## AN ACT

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

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

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

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

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

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

Retirement of officers  
on active list.

*Provided.*  
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 commanders.

*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:

"(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."

Approved, January 20, 1942.

## [CHAPTER 12]

## AN ACT

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

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

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

subject to the laws and regulations, except as may be necessary to adapt the same hereto, applicable to the Marine Corps Reserve: *Provided*, That the provision of section 12 (a) of the Selective Training and Service Act of 1940, that the monthly base pay of enlisted men with less than four months' service during their first enlistment shall be \$21, shall not apply to members of the Limited Service Marine Corps Reserve who are veterans of the World War: *Provided further*, That all enlisted men of the Limited Service Marine Corps Reserve shall be entitled to allowances for quarters and subsistence and to transportation of dependents and of household effects in the same manner and under like conditions as are now or may hereafter be authorized for enlisted men of the first three pay grades of the Marine Corps Reserve.

Approved, January 20, 1942.

[CHAPTER 14]

AN ACT

To amend the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) so much of section 1 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, as precedes subsection (a), is amended to read as follows:

"SECTION 1. In order to provide housing for persons engaged in national-defense activities, and their families, and living quarters for single persons so engaged, in those areas or localities in which the President shall find that an acute shortage of housing exists or impends which would impede national-defense activities and that such housing would not be provided by private capital when needed, the Federal Works Administrator (hereinafter referred to as the 'Administrator') is authorized:"

(b) Section 1 (b) of such Act, as amended, is amended by striking out the next to last proviso and inserting in lieu thereof the following: "*Provided*, That the cost per permanent family-dwelling unit shall not exceed an average of \$3,750 for all types of construction for those units located within the continental United States nor an average of \$4,250 for those located elsewhere (exclusive of Alaska), and the cost of no family-dwelling unit shall exceed \$4,500 within the continental United States or \$4,750 elsewhere, except in the Territory of Alaska, where the cost shall not exceed \$7,500, exclusive of expenses of administration, land acquisition, public utilities, and community facilities, and the aggregate cost of community facilities shall not exceed 3 per centum of the total cost of all projects: *Provided further*, That where the Administrator shall consider that there is no reasonable prospect of disposing of such housing to meet a need extending beyond the emergency he shall construct temporary units:"

SEC. 2. Section 2 of such Act, as amended, is amended by inserting before the semicolon at the end of clause (a) the following: "; (4) officers of the Army and Marine Corps not above the grade of captain, and officers of the Navy and Coast Guard, not above the grade of lieutenant, senior grade, assigned to duty at naval or military reservations, posts, or bases, or to duty at defense industries: *Provided*, That any proceedings for the recovery of possession of any property or project developed or constructed under this title shall be brought

*Provisos.*  
Monthly base pay,  
World War veterans.  
54 Stat. 895.  
37 U. S. C. § 13a (a).  
*Post*, pp. 190, 369.

Allowances, etc.

January 21, 1942  
[H. R. 6128]  
[Public Law 409]

Defense housing,  
amendments.  
54 Stat. 1125.  
42 U. S. C., Supp. I  
§ 1521.

Authority of Fed-  
eral Works Adminis-  
trator.

54 Stat. 1126; 55 Stat.  
147.  
42 U. S. C., Supp. I,  
§ 1521 (b).  
*Provisos.*  
Cost limitations,  
permanent units.

Community facili-  
ties.  
Temporary units.

Officers of Army,  
Navy, etc.  
54 Stat. 1126.  
42 U. S. C., Supp. I,  
§ 1522.

*Proviso.*  
Proceeding to re-  
cover property.