

## EXECUTIVE OFFICE OF THE PRESIDENT

## OFFICE FOR EMERGENCY MANAGEMENT

## WAR MANPOWER COMMISSION

Selective Service System: For an additional amount for the operation and maintenance of the Selective Service System, including the objects specified under the head "Selective Service System" in the Independent Offices Appropriation Act, 1943, \$21,160,000: *Provided*, That such combined appropriation shall not be subject to the provisions of section 5 of such Appropriation Act nor to the provisions of the First Supplemental National Defense Appropriation Act, 1943, in paragraphs 3 and 13 under the head "Office for Emergency Management", title I, and section 203, title II.

Post, p. 441.

56 Stat. 415.

56 Stat. 422.

56 Stat. 707, 710, 721.

## INDEPENDENT EXECUTIVE AGENCIES

## THOMAS JEFFERSON BICENTENNIAL COMMISSION

For carrying out the provisions of the Act entitled "An Act to enable the United States Commission for the Celebration of the Two-hundredth Anniversary of the Birth of Thomas Jefferson to carry out and give effect to certain approved plans", approved July 30, 1942, fiscal year 1943, \$50,000, to remain available until expended.

56 Stat. 728.  
36 U. S. C., Supp.  
II, § 149 note.

## TREASURY DEPARTMENT

## OFFICE OF TREASURER OF UNITED STATES

Salaries: For an additional amount for salaries, Office of Treasurer of the United States, fiscal year 1943, \$750,000.

Post, pp. 32, 448.

Approved March 2, 1943.

[CHAPTER 10]

## AN ACT

To amend the Communications Act of 1934, as amended, to permit consolidations and mergers of domestic telegraph carriers, and for other purposes.

March 6, 1943

[S. 158]

[Public Law 4]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Communications Act of 1934, as amended, is amended by adding at the end of Title II the following new section:

Communications  
Act of 1934, amend-  
ments.

48 Stat. 1070.

47 U. S. C. §§ 201-  
221.

Post, pp. 11, 12.

## "CONSOLIDATIONS AND MERGERS OF TELEGRAPH CARRIERS

"SEC. 222. (a) As used in this section—

"(1) The term 'consolidation or merger' includes the legal consolidation or merger of two or more corporations, and the acquisition by a corporation through purchase, lease, or in any other manner, of the whole or any part of the property, securities, facilities, services, or business of any other corporation or corporations, or of the control thereof, in exchange for its own securities, or otherwise.

"Consolidation or  
merger."

"(2) The term 'domestic telegraph carrier' means any common carrier by wire or radio, the major portion of whose traffic and revenues is derived from domestic telegraph operations; and such term includes a corporation owning or controlling any such common carrier.

"Domestic telegraph  
carrier."

"(3) The term 'international telegraph carrier' means any common carrier by wire or radio, the major portion of whose traffic and revenues is derived from international telegraph operations; and such

"International tele-  
graph carrier."

term includes a corporation owning or controlling any such common carrier.

"Consolidated or merged carrier."

"(4) The term 'consolidated or merged carrier' means any carrier by wire or radio which acquires or operates the properties and facilities unified and integrated by consolidation or merger.

"Domestic telegraph operations."

"(5) The term 'domestic telegraph operations' includes acceptance, transmission, reception, and delivery of record communications by wire or radio which either originate or terminate at points within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, Mexico, or Newfoundland and terminate or originate at points within the continental United States, Alaska, Canada, Saint Pierre-Miquelon, Mexico, or Newfoundland, and includes acceptance, transmission, reception, or delivery performed within the continental United States between points of origin within and points of exit from, and between points of entry into and points of destination within, the continental United States with respect to record communications by wire or radio which either originate or terminate outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, Mexico, and Newfoundland, and also includes the transmission within the continental United States of messages which both originate and terminate outside but transit through the continental United States: *Provided*, That nothing in this section shall prevent international telegraph carriers from accepting and delivering international telegraph messages in the cities which constitute gateways approved by the Commission as points of entrance into or exit from the continental United States, under regulations prescribed by the Commission, and the incidental transmission or reception of the same over its own or leased lines or circuits within the continental United States.

"International telegraph operations."

"(6) The term 'international telegraph operations' includes acceptance, transmission, reception, and delivery of record communications by wire or radio which either originate or terminate at points outside the continental United States, Alaska, Canada, Saint Pierre-Miquelon, Mexico, and Newfoundland, but does not include acceptance, transmission, reception, and delivery performed within the continental United States between points of origin within and points of exit from, and between points of entry into, and points of destination within, the continental United States with respect to such communications, or the transmission within the continental United States of messages which both originate and terminate outside but transit through the continental United States.

"Domestic telegraph properties," etc.

"(7) The terms 'domestic telegraph properties' and 'domestic telegraph facilities' mean properties and facilities, respectively, used or to be used in domestic telegraph operations.

"Employee" or "employees."

"(8) The term 'employee' or 'employees' (i) shall include any individual who is absent from active service because of furlough, illness, or leave of absence, except that there shall be no obligation upon the consolidated or merged carrier to reemploy any employee who is absent because of furlough, except in accordance with the terms of his furlough, and (ii) shall not include any employee of any carrier which is a party to a consolidation or merger pursuant to this section to the extent that he is employed in any business which such carrier continues to operate independently of the consolidation or merger.

"Representative."

"(9) The term 'representative' includes any individual or labor organization.

"Continental United States."

"(10) The term 'continental United States' means the several States and the District of Columbia.

Consolidation or merger of domestic telegraph carriers.

"(b) (1) It shall be lawful, upon application to and approval by the Commission as hereinafter provided, for any two or more domestic telegraph carriers to effect a consolidation or merger; and for any

domestic telegraph carrier, as a part of any such consolidation or merger or thereafter, to acquire all or any part of the domestic telegraph properties, domestic telegraph facilities, or domestic telegraph operations of any carrier which is not primarily a telegraph carrier: *Provided*, That, except as provided in paragraph (2) of this subsection, no domestic telegraph carrier shall effect a consolidation or merger with any international telegraph carrier, and no international telegraph carrier shall effect a consolidation or merger with any domestic telegraph carrier.

“(2) As a part of any such consolidation or merger, or thereafter upon application to and approval by the Commission as hereinafter provided, the consolidated or merged carrier may acquire all or any part of the domestic telegraph properties, domestic telegraph facilities, or domestic telegraph operations of any international telegraph carrier.

Acquisition of domestic properties of international carriers.

“(c) (1) Whenever any consolidation or merger is proposed under subsection (b) of this section, the telegraph carrier or telegraph carriers seeking authority therefor shall submit an application to the Commission, and thereupon the Commission shall order a public hearing to be held with respect to such application and shall give reasonable notice thereof, in writing, and an opportunity to be heard, to the Governor of each of the States in which any of the physical property involved in such proposed consolidation or merger is situated, to the Secretary of State, the Secretary of War, the Attorney General of the United States, the Secretary of the Navy, representatives of employees where represented by bargaining representatives known to the Commission, and to such other persons as the Commission may deem advisable. If, after such public hearing, the Commission finds that the proposed consolidation or merger, or an amended proposal for consolidation or merger, (1) is authorized by subsection (a) of this section, (2) conforms to all other applicable provisions of this section, (3) is in the public interest, the Commission shall enter an order approving and authorizing such consolidation or merger, and thereupon any law or laws making consolidations and mergers unlawful shall not apply to the proposed consolidation or merger. In finding whether any proposed consolidation or merger is in the public interest, the Commission shall give due consideration, among other things, to the financial soundness of the carrier resulting from such consolidation or merger.

Application for consolidation or merger.

Public hearing.

Order of approval.

Consideration of financial soundness.

“(2) Any proposed consolidation or merger of domestic telegraph carriers shall provide for the divestment of the international telegraph operations theretofore carried on by any party to the consolidation or merger, within a reasonable time to be fixed by the Commission, after the consideration for the property to be divested is found by the Commission to be commensurate with its value, and as soon as the legal obligations, if any, of the carrier to be so divested will permit. The Commission shall require at the time of the approval of such consolidation or merger that any such party exercise due diligence in bringing about such divestment as promptly as it reasonably can.

Divestment of international operations.

“(d) No proposed consolidation or merger of telegraph carriers pursuant to this section shall be approved by the Commission if, as a result of such consolidation or merger, more than one-fifth of the capital stock of any carrier which is subject to the jurisdiction of the Commission will be owned or controlled, or voted, directly or indirectly, (1) by any alien or the representative of any alien, (2) by any foreign government or the representative thereof, (3) by any corporation organized under the laws of any foreign government, or (4) by any corporation of which any officer or director is an alien, or of which more than one-fifth of the capital stock is owned or con-

Stock ownership by alien or by foreign government.

trolled, or voted, directly or indirectly, by any alien or the representative of any alien, by any foreign government or the representative thereof, or by any corporation organized under the laws of a foreign government.

Distribution of traffic among international carriers.

“(e) (1) In the case of any consolidation or merger of telegraph carriers pursuant to this section, the consolidated or merged carrier shall, except as provided in paragraph (2) of this subsection, distribute among the international telegraph carriers, telegraph traffic by wire or radio destined to points without the continental United States, and divide the charges for such traffic, in accordance with such just, reasonable, and equitable formula in the public interest as the interested carriers shall agree upon and the Commission shall approve: *Provided, however,* That in case the interested carriers should fail to agree upon a formula which the Commission approves as above provided, the Commission, after due notice and hearing, shall prescribe in its order approving and authorizing the proposed consolidation or merger a formula which it finds will be just, reasonable, equitable, and in the public interest, will be, so far as is consistent with the public interest, in accordance with the existing contractual rights of the carriers, and will effectuate the purposes of this subsection.

Action of Commission if carriers fail to agree.

Distribution among carriers in contiguous foreign country.

“(2) In the case of any consolidation or merger pursuant to this section of telegraph carriers which, immediately prior to such consolidation or merger, interchanged traffic with telegraph carriers in a contiguous foreign country, the consolidated or merged carrier shall distribute among such foreign telegraph carriers, telegraph traffic by wire or radio destined to points in such contiguous foreign country and shall divide the charges therefor, in accordance with such just, reasonable, and equitable formula in the public interest as the interested carriers shall agree upon and the Commission shall approve: *Provided, however,* That in case the interested carriers should fail to agree upon a formula which the Commission approves as above provided, the Commission, after due notice and hearing, shall prescribe in its order approving and authorizing the proposed consolidation or merger a formula which it finds will be just, reasonable, equitable, and in the public interest, will be, so far as is consistent with the public interest, in accordance with the existing contractual rights of the carriers, and will effectuate the purposes of this subsection. As used in this paragraph, the term ‘contiguous foreign country’ means Canada, Mexico, or Newfoundland.

Action of Commission if carriers fail to agree.

“Contiguous foreign country.”

Action upon finding distribution unjust, etc.

“(3) Whenever, upon a complaint or upon its own initiative, and after a full hearing, the Commission finds that any such distribution of telegraph traffic among telegraph carriers, or any such division of charges for such traffic, which is being made or which is proposed to be made, is or will be unjust, unreasonable, or inequitable, or not in the public interest, the Commission shall by order prescribe the distribution of such telegraph traffic, or the division of charges therefor, which will be just, reasonable, equitable, and in the public interest, and will be, so far as is consistent with the public interest, in accordance with the existing contractual rights of the carriers.

Operations construed.

“(4) For the purposes of this subsection, the international telegraph operations of any domestic telegraph carrier shall be considered to be the operations of an independent international telegraph carrier, and the domestic telegraph operations of any international telegraph carrier shall be considered to be the operations of an independent domestic telegraph carrier.

Protection of employees.

“(f) (1) Each employee of any carrier which is a party to a consolidation or merger pursuant to this section who was employed by such carrier immediately preceding the approval of such consolida-

tion or merger, and whose period of employment began on or before March 1, 1941, shall be employed by the carrier resulting from such consolidation or merger for a period of not less than four years from the date of the approval of such consolidation or merger, and during such period no such employee shall, without his consent, have his compensation reduced or be assigned to work which is inconsistent with his past training and experience in the telegraph industry.

“(2) If any employee of any carrier which is a party to any such consolidation or merger, who was employed by such carrier immediately preceding the approval of such consolidation or merger, and whose period of employment began after March 1, 1941, is discharged as a consequence of such consolidation or merger by the carrier resulting therefrom, within four years from the date of approval of the consolidation or merger, such carrier shall pay such employee at the time he is discharged severance pay in cash equal to the amount of salary or compensation he would have received during the full four-week period immediately preceding such discharge at the rate of compensation or salary payable to him during such period, multiplied by the number of years he has been continuously employed immediately preceding such discharge by one or another of such carriers who were parties to such consolidation or merger, but in no case shall any such employee receive less severance pay than the amount of salary or compensation he would have received at such rate if he were employed during such full four-week period: *Provided, however,* That such severance pay shall not be required to be paid to any employee who is discharged after the expiration of a period, following the date of approval of the consolidation or merger, equal to the aggregate period during which such employee was in the employ, prior to such date of approval, of one or more of the carriers which are parties to the consolidation or merger.

Severance pay to certain discharged employees.

“(3) For a period of four years after the date of approval of any such consolidation or merger, any employee of any carrier which is a party to such consolidation or merger who was such an employee on such date of approval, and who is discharged as a result of such consolidation or merger, shall have a preferential hiring and employment status for any position for which he is qualified by training and experience over any person who has not theretofore been an employee of any such carrier.

Preferential hiring and employment status.

“(4) If any employee is transferred from one community to another, as a result of any such consolidation or merger, the carrier resulting therefrom shall pay, in addition to such employee's regular compensation as an employee of such carrier, the actual traveling expenses of such employee and his family, including the cost of packing, crating, drayage, and transportation of household goods and personal effects.

Traveling expenses.

“(5) In the case of any consolidation or merger pursuant to this section, the consolidated or merged carrier shall accord to every employee or former employee, or representative or beneficiary of an employee or former employee, of any carrier which is a party to such consolidation or merger, the same pension, health, disability, or death insurance benefits, as were provided for prior to the date of approval of the consolidation or merger, under any agreement or plan of any carrier which is a party to the consolidation or merger which covered the greatest number of the employees affected by the consolidation or merger; except that in any case in which, prior to the date of approval of the consolidation or merger, an individual has exercised his right of retirement, or any right to health, disability, or death insurance benefits has accrued, under any agreement or plan of any carrier which is a party to the consolidation or merger, pension,

Pension, health, disability, or death insurance benefits.

health, disability, or death insurance benefits, as the case may be, shall be accorded in conformity with the agreement or plan under which such individual exercised such right of retirement or under which such right to benefits accrued. For purposes of determining and according the rights and benefits specified in this paragraph, any period spent in the employ of the carrier of which such individual was an employee at the time of the consolidation or merger shall be considered to have been spent in the employ of the consolidated or merged carrier. The application for approval of any consolidation or merger under this section shall contain a guaranty by the proposed consolidated carrier that there will be no impairment of any of the rights or benefits specified in this paragraph.

Status of employees while in military or naval service of U. S.

Reemployment.

“(6) Any employee who, since August 27, 1940, has left a position, other than a temporary position, in the employ of any carrier which is a party to any such consolidation or merger, for the purpose of entering the military or naval forces of the United States, shall be considered to have been in the employ of such carrier during the time he is a member of such forces, and, upon making an application for employment with the consolidated or merged carrier within forty days from the time he is relieved from service in any of such forces under honorable conditions, such former employee shall be employed by the consolidated or merged carrier and entitled to the benefits to which he would have been entitled if he had been employed by one of such carriers during all of such period of service with such forces; except that this paragraph shall not require the consolidated or merged carrier, in the case of any such individual, to pay compensation, or to accord health, disability, or death insurance benefits, for the period during which he was a member of such forces. If any such former employee is disabled and because of such disability is no longer qualified to perform the duties of his former position but otherwise meets the requirements for employment, he shall be given such available employment at an appropriate rate of compensation as he is able to perform and to which his service credit shall entitle him.

Pay reduction, discharge, or furlough.

“(7) No employee of any carrier which is a party to any such consolidation or merger shall, without his consent, have his compensation reduced, or (except as provided in paragraph (2) and paragraph (8) of this subsection) be discharged or furloughed during the four-year period after the date of the approval of such consolidation or merger. No such employee shall, without his consent, have his compensation reduced, or be discharged or furloughed, in contemplation of such consolidation and merger, during the six-month period immediately preceding such approval.

Discharge for cause.

“(8) Nothing contained in this subsection shall be construed to prevent the discharge of any employee for insubordination, incompetency, or any other similar cause.

Rights under collective bargaining agreements.

“(9) All employees of any carrier resulting from any such consolidation or merger, with respect to their hours of employment, shall retain the rights provided by any collective bargaining agreement in force and effect upon the date of approval of such consolidation or merger until such agreement is terminated, executed, or superseded. Notwithstanding any other provision of this Act, any agreement not prohibited by law pertaining to the protection of employees may hereafter be entered into by such consolidated or merged carrier and the duly authorized representative or representatives of its employees selected according to existing law.

Remedies available to employees.

“(10) For purposes of enforcement or protection of rights, privileges, and immunities granted or guaranteed under this subsection, the employees of any such consolidated or merged carrier shall be entitled to the same remedies as are provided by the National Labor Relations

Act in the case of employees covered by that Act; and the National Labor Relations Board and the courts of the United States (including the courts of the District of Columbia) shall have jurisdiction and power to enforce and protect such rights, privileges, and immunities in the same manner as in the case of enforcement of the provisions of the National Labor Relations Act.

49 Stat. 449.  
29 U. S. C. §§ 151-166.

“(11) Nothing contained in this subsection shall apply to any employee of any carrier which is a party to any such consolidation or merger whose compensation is at the rate of more than \$5,000 per annum.

Employees receiving over \$5,000.

“(12) Notwithstanding the provisions of paragraphs (1) and (7), the protection afforded therein for the period of four years from the date of approval of the consolidation or merger shall not, in the case of any particular employee, continue for a longer period, following such date of approval, than the aggregate period during which such employee was in the employ, prior to such date of approval, of one or more of the carriers which are parties to the consolidation or merger. As used in paragraphs (1), (2), and (7), the term ‘compensation’ shall not include compensation attributable to overtime not guaranteed by collective bargaining agreements.”

Limitation on period of employee's protection.

“Compensation.”

SEC. 2. Section 214 (a) of the Communications Act of 1934, as amended, is hereby amended to read as follows:

48 Stat. 1075.  
47 U. S. C. § 214 (a).

“SEC. 214. (a) No carrier shall undertake the construction of a new line or of an extension of any line, or shall acquire or operate any line, or extension thereof, or shall engage in transmission over or by means of such additional or extended line, unless and until there shall first have been obtained from the Commission a certificate that the present or future public convenience and necessity require or will require the construction, or operation, or construction and operation, of such additional or extended line: *Provided*, That no such certificate shall be required under this section for the construction, acquisition, or operation of (1) a line within a single State unless such line constitutes part of an interstate line, (2) local, branch, or terminal lines not exceeding ten miles in length, or (3) any line acquired under section 221 or 222 of this Act: *Provided further*, That the Commission may, upon appropriate request being made, authorize temporary or emergency service, or the supplementing of existing facilities, without regard to the provisions of this section. No carrier shall discontinue, reduce, or impair service to a community, or part of a community, unless and until there shall first have been obtained from the Commission a certificate that neither the present nor future public convenience and necessity will be adversely affected thereby; except that the Commission may, upon appropriate request being made, authorize temporary or emergency discontinuance, reduction, or impairment of service, or partial discontinuance, reduction, or impairment of service, without regard to the provisions of this section. As used in this section the term ‘line’ means any channel of communication established by the use of appropriate equipment, other than a channel of communication established by the interconnection of two or more existing channels: *Provided, however*, That nothing in this section shall be construed to require a certificate or other authorization from the Commission for any installation, replacement, or other changes in plant, operation, or equipment, other than new construction, which will not impair the adequacy or quality of service provided.”

Certificate for extension of lines.

Exceptions.

48 Stat. 1080.  
47 U. S. C. § 221.  
*Id.*, p. 5.  
Temporary or emergency service.  
Discontinuance, reduction, or impairment of service.

“Line.”

Changes in plant, operation, or equipment.

SEC. 3. Section 214 (b) of the Communications Act of 1934, as amended, is hereby amended to read as follows:

48 Stat. 1076.  
47 U. S. C. § 214 (b).

“(b) Upon receipt of an application for any such certificate, the Commission shall cause notice thereof to be given to, and shall cause

Application for certificate.  
Notice and filing.

a copy of such application to be filed with, the Secretary of War, the Secretary of the Navy, and the Governor of each State in which such line is proposed to be constructed, extended, acquired, or operated, or in which such discontinuance, reduction, or impairment of service is proposed, with the right to those notified to be heard; and the Commission may require such published notice as it shall determine."

SEC. 4. Section 214 (c) of the Communications Act of 1934, as amended, is hereby amended to read as follows:

48 Stat. 1076.  
47 U. S. C. § 214 (c).  
Issuance of certificate.

Compliance with terms.

"(c) The Commission shall have power to issue such certificate as applied for, or to refuse to issue it, or to issue it for a portion or portions of a line, or extension thereof, or discontinuance, reduction, or impairment of service, described in the application, or for the partial exercise only of such right or privilege, and may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require. After issuance of such certificate, and not before, the carrier may, without securing approval other than such certificate, comply with the terms and conditions contained in or attached to the issuance of such certificate and proceed with the construction, extension, acquisition, operation, or discontinuance, reduction, or impairment of service covered thereby. Any construction, extension, acquisition, operation, discontinuance, reduction, or impairment of service contrary to the provisions of this section may be enjoined by any court of competent jurisdiction at the suit of the United States, the Commission, the State commission, any State affected, or any party in interest."

SEC. 5. Section 214 (d) of the Communications Act of 1934, as amended, is hereby amended to read as follows:

48 Stat. 1076.  
47 U. S. C. § 214 (d).  
Provision of adequate facilities.

"(d) The Commission may, after full opportunity for hearing, in a proceeding upon complaint or upon its own initiative without complaint, authorize or require by order any carrier, party to such proceeding, to provide itself with adequate facilities for the expeditious and efficient performance of its service as a common carrier and to extend its line or to establish a public office; but no such authorization or order shall be made unless the Commission finds, as to such provision of facilities, as to such establishment of public offices, or as to such extension, that it is reasonably required in the interest of public convenience and necessity, or as to such extension or facilities that the expense involved therein will not impair the ability of the carrier to perform its duty to the public. Any carrier which refuses or neglects to comply with any order of the Commission made in pursuance of this paragraph shall forfeit to the United States \$100 for each day during which such refusal or neglect continues."

Penalty.

48 Stat. 1101.

Priority for Government telegrams.

SEC. 6. Section 5266 of the Revised Statutes, as amended (U. S. C., 1940 edition, title 47, sec. 3), is amended to read as follows:

"SEC. 5266. Telegrams between the several departments of the Government and their officers, relating exclusively to the public business, in their transmission over the lines of any telegraph company to which has been given the right-of-way, timber, or station lands from the public domain, shall have priority over all other business at such rates as the Federal Communications Commission shall annually fix. No part of any appropriation for the several departments of the Government shall be paid to any company which neglects or refuses to transmit such telegrams in accordance with the provisions of this section: *Provided*, That nothing in this section shall limit the authority of the Federal Communications Commission, under section 201 (b) of the Communications Act of 1934, as amended, with respect to the classification of communications and the prescribing of different charges for different classes of communications, and such authority of the

Rates.  
Payment restrictions.

Classification and charges.  
Authority of FCC.  
48 Stat. 1070.  
47 U. S. C. § 201 (b).

Federal Communications Commission to fix rates for Government communications may be exercised with respect to any or all communications to which section 201 (b) of the Communications Act of 1934, as amended, and this section apply: *Provided further*, That the term 'Government' as used in section 201 (b) of the Communications Act of 1934, as amended, and the term 'departments of the Government' as used in this section, shall be held to refer only to the established departments, independent establishments, and agencies in the legislative, executive and judicial branches of the Federal Government.<sup>55</sup>

Approved March 6, 1943.

"Government."

"Departments of the Government."

[CHAPTER 11]

AN ACT

To amend section 6 of the Pay Readjustment Act of 1942 relating to the payment of rental allowances to certain officers.

March 6, 1943  
[S. 641]  
[Public Law 5]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fourth paragraph of section 6 of the Pay Readjustment Act of 1942, approved June 16, 1942, is hereby amended to read as follows:

"No rental allowance shall accrue to an officer having no dependents while he is on field duty unless his commanding officer certifies that he was necessarily required to procure quarters at his own expense, or while on sea duty, except for temporary periods of sea duty not exceeding three months, nor shall any rental allowance accrue to an officer with or without dependents who is assigned quarters at his permanent station unless a competent superior authority of the service concerned certifies that such quarters are not occupied because of being inadequate for the occupancy of the officer and his dependents, if any, and such certifications shall be conclusive: *Provided*, That an officer although furnished with quarters shall be entitled to rental allowance as authorized in this section if by reason of orders of competent authority his dependents are prevented from occupying such quarters."

Pay Readjustment Act of 1942, amendment.  
58 Stat. 362.  
37 U. S. C., Supp. II, § 106.  
Rental allowances to officers.

Approved March 6, 1943.

[CHAPTER 12]

AN ACT

To authorize the Secretary of the Navy to grant to the city of San Diego for street purposes a parcel of land situated in the city of San Diego and State of California.

March 6, 1943  
[S. 621]  
[Public Law 6]

*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 is hereby, authorized to grant and convey, under such conditions as may be approved by the Secretary of the Navy, to the city of San Diego, State of California, for use as a public street, all right, title, and interest of the United States of America in and to a strip of land containing five thousand, nine hundred and fifty square feet contiguous to Lytton Street between Barnett Avenue and Rosecrans Street at the United States Naval Training Station, San Diego, California.

San Diego, Calif.  
Conveyance of land.

SEC. 2. That if any part of the above-described lands hereby granted to the city of San Diego shall be used for any other purpose or purposes, or shall cease to be maintained by the city of San Diego for the purpose for which granted, such part shall revert to the United States.

Reversionary provision.

Approved March 6, 1943.