

Provided further, That employees' compensation under this Act shall not be paid concurrently with active-duty pay or pension based upon military service, and in the event a person becomes eligible for the benefits of the United States Employees' Compensation Act and is also eligible for, or is in receipt of, a pension based upon military service, he shall elect which benefit to receive: *Provided further*, That authorized training without pay is defined as inactive-status training under written authorization by competent military authority covering a specific training assignment and prescribing a time limit: *Provided further*, That for the purpose of determining the benefits to which entitled under the provisions of this Act members of the Officers' Reserve Corps or of the Enlisted Reserve Corps of the Army physically injured when engaged in authorized training without pay will be held and considered as receiving the pay and allowances they would have received if in a pay status: *Provided further*, That Reserve Officers entitled to the benefits of the last proviso of section 5 of the Act of April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress), shall not be entitled to the benefits of this Act: *And provided further*, That nothing herein shall be construed to authorize compensation benefits for any period prior to the approval of this Act.

Approved, July 15, 1939.

Benefits not paid concurrently with active-duty pay, etc. Choice where also eligible to pension.

Authorized training without pay, definition.

Benefits for injuries when so engaged.

Disqualification if entitled to benefits under designated Act. *Ante*, p. 557.

No prior benefits.

[CHAPTER 285]

AN ACT

To provide for acceptance and cashing of Government pay checks of retired naval personnel and members of the Naval and Marine Corps Reserves by commissary stores and ship's stores ashore, located outside the continental limits of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3639 and 3651, Revised Statutes, as amended (31 U. S. C. 521, 543), the Secretary of the Navy, in his discretion, may hereafter authorize the officer in charge of any commissary store or ship's store ashore, located outside the continental limits of the United States, to accept Government checks tendered by retired personnel of the Navy and Marine Corps and by members of the Naval and Marine Corps Reserves in payment of amounts due by such personnel to any such commissary store or ship's store ashore, and to refund, in cash, to the payees of the tendered checks any difference between the amounts due and the amounts of the tendered checks.

Approved, July 15, 1939.

July 15, 1939
[S. 1118]

[Public, No. 180]

Government pay checks. Acceptance of, by certain commissary stores, etc., from designated personnel. R. S. §§ 3639, 3651. 31 U. S. C. §§ 521, 543.

[CHAPTER 286]

AN ACT

To authorize the payment of burial expenses and expenses in connection with last illness and death of native employees who die while serving in offices abroad of executive departments of the United States Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the head of any executive department, which maintains permanent staffs of employees in foreign countries is hereby authorized to pay out of any appropriation available to the department concerned for miscellaneous or contingent expenses, burial expenses, and expenses in connection with last illness and death, not in excess of \$100 in any one case, of the native employees of such department in those countries with respect to which the Secretary of State shall determine it is

July 15, 1939
[S. 1523]

[Public, No. 181]

Native employees serving in offices abroad of executive departments.

Payment of burial, etc., expenses in certain countries, authorized.

Limitation.

Payments in certain
destitute cases, au-
thorized.

customary for employers to pay such expenses; and the head of any executive department, which maintains permanent staffs of employees in foreign countries where such custom does not exist, is authorized, upon finding that the immediate family of the deceased is destitute, to make such payments within the limitations prescribed above to the family, heirs-at-law, or persons responsible for the debts of the deceased, as the officer in charge of the office abroad in which the deceased was employed shall determine to be proper.

Approved, July 15, 1939.

[CHAPTER 287]

AN ACT

July 15, 1939

[S. 2096]

[Public, No. 182]

To amend section 4a of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended.

National Defense
Act, amendment.

41 Stat. 761.
10 U. S. C. § 593.

Warrant officers, ad-
justment of relative
rank.

Army Mine Planter
Service added.

Proviso.
Rank aboard vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4a of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended (41 Stat. 761), be, and the same is hereby, amended by striking out the last clause thereof reading as follows: "and shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants" and inserting in lieu thereof the following: "and all warrant officers, including those of the Army Mine Planter Service, shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants: *Provided,* That aboard their vessels, warrant officers of the Army Mine Planter Service shall take rank among themselves, in the order, master, chief engineer, first mate, assistant engineer, second mate, each according to the date of appointment to such rating".

Approved, July 15, 1939.

[CHAPTER 288]

AN ACT

July 15, 1939

[S. 2503]

[Public, No. 183]

To amend an Act entitled "An Act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy", approved April 16, 1937.

Coast Guard Acad-
emy.
50 Stat. 67.
14 U. S. C., Supp.
IV, § 15h.

Congressional Board
of Visitors, appoint-
ment.

Proviso.
Substitutes for orig-
inal appointees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of April 16, 1937 (50 Stat. 67; U. S. C., 1934 edition, Supp. IV, title 14, sec. 15h), is hereby amended by striking out the first paragraph and inserting in lieu thereof the following:

"In addition to the Advisory Board, there shall be appointed in January of each year a Board of Visitors to the Coast Guard Academy, which shall consist of two Senators and three Members of the House of Representatives, appointed by the chairmen of the committees of the Senate and the House of Representatives, respectively, having cognizance of legislation pertaining to the Coast Guard Academy, the chairmen of said committees being ex officio members of the Board, and of one Senator and two Members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives, respectively: *Provided,* That whenever a member or an ex officio member is unable to attend the annual meeting as provided in paragraph (b) of this section another member may be appointed in his stead in the manner as herein provided but without restriction as to month of appointment."

Approved, July 15, 1939.