

[CHAPTER 167]

AN ACT

To authorize the training of enlisted men of the Army as aviation students.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized, under such regulations as he may prescribe, to cause the detail of enlisted men of the Regular Army and of other components of the Army of the United States in active Federal service for training and instruction as aviation students, in their respective grades, in such numbers and schools as he shall direct: *Provided,* That enlisted men so detailed as aviation students who are undergoing courses of instruction which require them to participate regularly and frequently in aerial flights shall be issued Government life insurance in the amount of \$10,000 under the National Service Life Insurance Act of 1940 (Public, Numbered 801, title VI, part 1), except that the premiums shall be paid by the Government during the period such enlisted men are undergoing training and instruction, and upon completion of training and instruction as aviation students they shall have the option of continuing such policies at their own expense: *And provided further,* That nothing herein shall be construed as repealing or otherwise affecting existing statutory authorizations for the appointment and training of aviation students or aviation cadets.

Approved, June 3, 1941.

June 3, 1941
[S. 1371]
[Public Law 99]

Aviation students,
Army.

Provisos.
Government life insurance.

54 Stat. 1008.
38 U. S. C. §§ 801-818.

Existing provisions
not affected.

[CHAPTER 168]

AN ACT

Authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That compensation for employment in excess of forty hours in any administrative work-week computed at a rate of one and one-half times the regular rate is hereby authorized to be paid, under such regulations as the President may prescribe, to those per annum employees in the field service of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, whose overtime services are essential to and directly connected with the expeditious prosecution of the overtime work upon which the employees enumerated in section 5 (a) of the Act of June 28, 1940, and section 1 of the Act of October 21, 1940, are engaged: *Provided,* That in determining the overtime compensation of the foregoing per annum employees the pay for one day shall be considered to be one three-hundred-and-sixtieth of the respective per annum salaries.

SEC. 2. Employees of the field service of the War Department and the Panama Canal Zone may, during the period of the national emergency declared by the President on September 8, 1939, to exist, be employed during the time they would otherwise be on vacation without deprivation of their vacation pay for the time so worked. Employees who forego their vacations in accordance with the provisions of this section may be paid, in addition to their regular pay, the equivalent of the pay they would have drawn during the period of such vacation. The provisions of this section shall be applicable only to employees whose service at the time cannot, in the judgment of the Secretary of War or the Governor of the Panama Canal, as the case may be, be spared without detriment to the national defense.

June 3, 1941
[S. 1541]
[Public Law 100]

Field services of
designated Department,
etc.
Overtime rates of
pay, per annum employees.
54 Stat. 678, 1205.
41 U. S. C., prec. § 1
note; 5 U. S. C. § 29
note.

Proviso.

Employees fore-
going vacations.

54 Stat. 2643.
50 U. S. C., app.,
prec. § 1 note.

Rules and regulations.
54 Stat. 679.
41 U. S. C., prec. § 1 note.

Duration.

SEC. 3. The provisions of section 2 of this Act and of section 7 of the Act of June 28, 1940 (Public, Numbered 671), shall be administered in accordance with such rules and regulations as the President may prescribe.

SEC. 4. The provisions of this Act shall be effective during the national emergency declared by the President on September 8, 1939, to exist, and shall terminate June 30, 1942, unless the Congress shall otherwise provide.

Approved, June 3, 1941.

[CHAPTER 174]

AN ACT

June 6, 1941
[H. R. 4466]
[Public Law 101]

To authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

Emergency acquisition of domestic or foreign merchant vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whereas Congress has power to provide for the common defense and general welfare and to regulate commerce with foreign nations and whereas for this purpose embargo Acts and nonintercourse Acts have from time to time been passed and whereas the commerce of the United States is at the present time interrupted and the general welfare of its citizens is threatened and an emergency has been declared, for the purposes of national defense, during the existence of the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942, the President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense: *Provided*, That just compensation shall be determined and made to the owner or owners of any such vessel in accordance with the applicable provisions of section 902 of the Merchant Marine Act, 1936, as amended: *Provided further*, That such compensation hereunder shall be deposited with the Treasurer of the United States, and the fund so deposited shall be available for the payment of such compensation, and shall be subject to be applied to the payment of the amount of any valid claim by way of mortgage or maritime lien or attachment lien upon such vessel, or of any stipulation therefor in a court of the United States, or of any State, subsisting at the time of such requisition or taking of title or possession; the holder of any such claim may commence within six months after such deposit with the Treasurer and maintain in the United States District Court from whose custody such vessel has been or may be taken or in whose territorial jurisdiction the vessel was lying at the time of requisitioning or taking of title or possession, a suit in admiralty according to the principles of libels in rem against the fund, which shall proceed and be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties; and such suit shall be commenced in the manner provided by section 2 of the Suits in Admiralty Act and service of process shall be made in the manner therein provided by service upon the United States attorney and by mailing by registered mail to the Attorney General and the United States Maritime Commission and due notice shall under order of the court be given to all interested persons, and any decree shall be subject to appeal and revision as now provided in other cases of

54 Stat. 2643.
50 U. S. C., app.,
prec. § 1 note.
Utilization of idle foreign merchant vessels.

Provisos.
Compensation.

49 Stat. 2015.
46 U. S. C. § 1242.
Manner of payment.

Claims and liens.

Suit in admiralty.

Commencement of suit.

41 Stat. 525.
46 U. S. C. § 742.