

“SEC. 506. Members of the Women’s Reserve of the Navy, Marine Corps, Coast Guard, or their dependents, shall be entitled to all allowances or benefits provided by law for male officers and enlisted men of such services with dependents: *Provided*, That the husbands of such members shall not be considered dependents and the children of such members shall not be considered dependents unless their father is dead or they are in fact dependent on their mother for their chief support. This section shall be effective from July 30, 1942.”

Allowances or benefits.

Dependents.

Effective date.

Female physicians and surgeons.

Ante, p. 65.

Restriction to shore duty within U. S.

SEC. 2. The Act entitled “An Act to provide for the appointment of female physicians and surgeons in the Medical Corps of the Army and Navy”, approved April 16, 1943 (Public Law 38, Seventy-eighth Congress), is hereby amended by inserting before the period at the end thereof the following: “: *Provided*, That female physicians and surgeons appointed in the Medical Corps of the Naval Reserve shall be restricted to the performance of shore duty within the continental United States only and shall not be assigned to duty on board vessels of the Navy or in combat aircraft”.

Approved November 8, 1943.

[CHAPTER 298]

AN ACT

Relating to the organization and functions of the Public Health Service, and for other purposes.

November 11, 1943

[S. 400]

[Public Law 184]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the Public Health Service in the Federal Security Agency shall consist of the Office of the Surgeon General, the National Institute of Health, and two bureaus, to be known as the Bureau of Medical Services and the Bureau of State Services. The Surgeon General of the Public Health Service, under the supervision and direction of the Federal Security Administrator, is hereby authorized and directed to assign to the Office of the Surgeon General, to the National Institute of Health, and to the two bureaus, respectively, the several functions of the Public Health Service, and to establish within the Office of the Surgeon General, the National Institute of Health, and the two bureaus, respectively, such divisions, sections, and other units as may be required to perform their functions; and, under such supervision and direction, he may abolish existing divisions, sections, and other units, and, hereafter, may establish, transfer, and consolidate divisions, sections, and other units and reassign their functions for the efficiency of the Service.

Public Health Service Act of 1943.

SEC. 2. The Director of the National Institute of Health and the chiefs of each of the bureaus, established by section 1 of this Act, and the officer assigned as Chief Medical Officer of the United States Coast Guard, shall be commissioned medical officers detailed by the Surgeon General from the regular corps, and while so detailed shall be Assistant Surgeons General and shall have the same grade and shall receive the same pay and allowances as the Assistant to the Surgeon General.

Designation of bureau chiefs, etc., as Assistant Surgeons General.

SEC. 3. When commissioned officers below the grade of medical director are detailed by the Surgeon General from the regular corps to serve as chiefs of divisions, not more than six of such officers at one time while so detailed shall have the temporary grade and receive temporarily the pay and allowances of a medical director; and there is authorized to be established in the Office of the Surgeon General a Dental Division and a Sanitary Engineering Division; the chief of each such Dental and Sanitary Engineering Division shall be a commissioned dental officer and a commissioned sanitary engineer officer, respectively, of the regular corps detailed by the

Officers detailed as division chiefs.

Dental Division; Sanitary Engineering Division.

Temporary promotions. <i>Ante</i> , p. 24.	Surgeon General, and while each such dental and sanitary engineer officer is so detailed, he shall have the grade, pay, and allowances of an Assistant Surgeon General as provided by section 2 of this Act.
Acceptance date.	SEC. 4. In time of war or national emergency determined by the President, any commissioned officer of the regular corps of the Public Health Service may be appointed to higher temporary grade with the pay and allowances thereof without vacating his permanent appointment, and any officer so promoted to a higher grade at any time after December 7, 1941, shall be deemed for all purposes to have accepted his promotion to higher grade upon the date of approval, unless he shall expressly decline such promotion, and shall receive the pay and allowances of the higher grade from such date unless he is entitled under some other provision of law to receive the pay and allowances of the higher grade from an earlier date. No such officer who shall have subscribed to the oath of office required by section 1757, Revised Statutes, shall be required to renew such oath or to take a new oath upon his promotion to a higher grade, if his service after the taking of such an oath shall have been continuous. Hereafter reserve officers of the Public Health Service may be distributed in the several grades without regard to the proportion which at any time obtains or has obtained among the commissioned medical officers of such Service. For the duration of the present war and for six months thereafter graduates of reputable osteopathic colleges shall be eligible for appointment as reserve officers in the Public Health Service.
Nonrenewal of oath. 5 U. S. C. § 16.	SEC. 5. The record of each commissioned officer of the regular corps initially appointed above the grade of Assistant Surgeon, after the first three years of service in such grade, shall be reviewed under regulations approved by the President, and any such officer who is found to be unqualified for further service shall be separated from the Service and paid six months' pay and allowances.
Distribution of reserve officers.	SEC. 6. In case of the absence or disability of the Surgeon General and the Assistant to the Surgeon General, or in the event of a vacancy in the office of both, the Assistant Surgeons General shall act as Surgeon General in the order of their designation for such purpose by the Surgeon General.
Graduates of osteopathic colleges.	SEC. 7. Section 9 of the Act of April 9, 1930 (U. S. C. 42, sec. 37; 46 Stat. 151), is hereby amended by the addition of the following language at the end of said section:
Separations.	“(d) Original appointments in the commissioned corps of the Public Health Service, regular and reserve, may be made to a junior grade which shall correspond to that held by a second lieutenant in the Medical Department of the Army and persons so appointed shall be entitled to the same pay and allowances as a second lieutenant in the Medical Department of the Army. After not less than one nor more than two years of service each such appointee in the regular corps may be examined under regulations prescribed by the President and upon such examination shall either be promoted to the grade of Assistant Surgeon or be separated from the Service.”
Acting Surgeon General.	SEC. 8. (a) For the purposes of this section—
Commissioned officers.	(1) the term “full military benefits” means all rights, privileges, immunities, and benefits provided under any law of the United States in the case of commissioned military and naval personnel of the United States (including their surviving beneficiaries) on account of active military or naval service, including, but not limited to, burial payments in the event of death, six months' pay in case of death, veterans' compensation and pensions and other veterans' benefits, retirement, including retirement for disability, the rights provided under the Soldiers'
Original appointments.	
Promotions or separations.	
“Full military benefits.”	

and Sailors' Civil Relief Act, as amended, the National Service Life Insurance Act, as amended, travel allowances, including per diem allowances for travel without regard to repeated travel between two or more places in the same vicinity, allowances for uniforms, exemption of certain pay from Federal income taxation, and other benefits, privileges and exceptions under the Internal Revenue laws;

(2) the term "limited military benefits" means full military benefits, except veterans' compensation and pensions and other veterans' benefits, and eligibility under the National Service Life Insurance Act, as amended.

(b) Beginning with the date of enactment of this Act, commissioned officers of the Public Health Service, regular and reserve (including their surviving beneficiaries)—

(1) in time of war, shall be entitled to limited military benefits with respect to all active service in the Public Health Service;

(2) while such officers are detailed for duty with the Army, Navy, or Coast Guard, shall be entitled to full military benefits with respect to such duty;

(3) while such officers are serving outside the continental limits of the United States or in Alaska in time of war, shall be entitled to full military benefits with respect to such service.

(c) In time of war, the President may by Executive order declare the commissioned corps of the Public Health Service a part of the military forces of the United States and provide the extent to which it shall be subject to the Articles of War and the Articles for the Government of the Navy. Upon the issuance of such an Executive order, all commissioned officers of the Public Health Service, regular and reserve (including their surviving beneficiaries), shall be entitled to full military benefits with respect to active service rendered while the Public Health Service is a part of the military forces of the United States.

SEC. 9. Commissioned officers of the Public Health Service, regular and reserve (including their surviving beneficiaries), shall be entitled to receive the same benefits for injury or death in the performance of their duties as civil officers and employees of the United States under the United States Employees' Compensation Act of September 7, 1916, as amended: *Provided*, That any such officer or beneficiary of such officer eligible to receive any benefit authorized by this section who is also eligible to receive any payment or benefit (except the proceeds of any insurance policy) under any provision of law other than such Act of September 7, 1916, as amended, on account of the same injury or death, shall elect which benefit he shall receive.

SEC. 10. The surviving beneficiaries of any commissioned officer of the Public Health Service, regular or reserve, who, since December 7, 1941, and prior to the enactment of this Act, has lost his life while on active duty in the Public Health Service or while detailed to the Army, Navy, or Coast Guard, shall receive six months' pay as provided in the Act of June 4, 1920, as amended (U. S. C., 1940 edition, sup. II, title 34, sec. 943), and, unless entitled to compensation under the laws administered by the Veterans' Administration, shall receive the benefits provided under Section 9 of this Act.

SEC. 11. This Act may be cited as the "Public Health Service Act of 1943". For the purpose of any reorganization under section 1 of this Act the Federal Security Administrator, with the approval of the Director of the Bureau of the Budget, is hereby authorized to make such transfer of funds between appropriations as may be necessary for the continuance of transferred functions.

Approved November 11, 1943.

54 Stat. 1178, 1008.
50 U. S. C. app. §§ 501-585; Supp. II, § 501 *et seq.*; 38 U. S. C. §§ 801-818; Supp. II, § 801 *et seq.*
Ante, p. 64.

"Limited military benefits."
54 Stat. 1008.
38 U. S. C. §§ 801-818; Supp. II, § 801 *et seq.*
Ante, p. 64.
Commissioned officers.
Benefits.

Operation of PHS in time of war.

41 Stat. 787; 12 Stat. 600.
10 U. S. C. § 1471 *et seq.*; Supp. II, § 1473 *et seq.*; 34 U. S. C. § 1200.

Benefits under U. S. Employees' Compensation Act.

39 Stat. 742.
5 U. S. C. §§ 751-791, 793; Supp. II, § 793.
Election of benefit.

Surviving beneficiaries of certain commissioned officers.
Benefits.

41 Stat. 824.

Short title.
Transfer of funds.

[CHAPTER 299]

AN ACT

November 12, 1943
[H. R. 3366]
[Public Law 186]

To amend section 409 of the Interstate Commerce Act, relating to joint rates of freight forwarders and common carriers by motor vehicle.

Interstate Com-
merce Act, amend-
ments.
56 Stat. 290.
49 U. S. C., Supp.
II, § 1009.
Freight forwarders,
joint rates.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 409 of the Interstate Commerce Act, as amended, is amended by striking out the words "eighteen months" wherever they appear therein and inserting in lieu thereof the words "thirty-six months".

SEC. 2. Paragraph (4) of the proviso contained in subsection (a) of such section 409 is amended to read as follows:

"(4) No new or additional joint rate or charge may be established under authority of this section for service from any point of origin to any point of destination with respect to any particular commodity or class of traffic unless at least one rate or charge for service from such point of origin to such point of destination with respect to such commodity or class of traffic, established by an individual freight forwarder or by a freight forwarder jointly with a common carrier by motor vehicle, is already lawfully in effect; but for purposes of this paragraph the making of a change in a joint rate or charge which has been established, or which has become effective pursuant to this section, shall not be deemed to constitute the establishment of a new or additional joint rate or charge."

Approved November 12, 1943.

[CHAPTER 300]

JOINT RESOLUTION

November 12, 1943
[S. J. Res. 95]
[Public Law 186]

Relating to the tenure of office of the present President and Vice President of the Philippines.

Philippines.
Tenure of present
President and Vice
President.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 5 of article VII of the amended Constitution of the Philippines, the present President and Vice President of the Commonwealth of the Philippines serving at the time of the introduction of this joint resolution shall continue in their respective offices until the President of the United States shall proclaim that constitutional processes and normal functions of government shall have been restored in the Philippine Islands. Thereupon, the tenure of office of the present President of the Commonwealth shall cease and the Vice President shall become President to serve until such time as his successor shall have been elected and qualified according to the Constitution and the laws of the Philippines.

Approved November 12, 1943.

[CHAPTER 301]

AN ACT

November 22, 1943
[H. R. 800]
[Public Law 187]

To provide for the issuance of a flag to the nearest relatives of certain persons who die in service in the land or naval forces of the United States.

U. S. flag.
Issuance in case of
death in military or
naval service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of any person who has died while in the military or naval service of the United States after May 27, 1941, and prior to the end of the wars in which the United States is now engaged, the Administrator of Veterans' Affairs is authorized and directed to issue free of cost to the nearest relative of such person, or to such other person as the Admin-