

Penalty for violation.	or naval authority. Any person found guilty of a violation of this section shall upon conviction be punished as provided in the first section of this Act.
Terms defined.	SEC. 4. The term "aircraft" as used in this Act means any contrivance known or hereafter invented, used, or designed for navigation or flight in the air. The expression "post, camp, or station" as used in this Act shall be interpreted to include naval vessels, military and naval aircraft, and any separate military or naval command.
Scope of Act.	SEC. 5. The provisions of this Act shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States, whether contiguous thereto, or not and offenses under this Act when committed upon or over the high seas or elsewhere within the admiralty and maritime jurisdiction of the United States and outside the territorial limits thereof shall be punishable hereunder.

Approved, January 12, 1938.

[CHAPTER 3]

AN ACT

To increase the efficiency of the Coast Guard.

January 12, 1938  
[S. 2575]  
[Public, No. 419]

Coast Guard. Commissioned officers placed out of line of promotion.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any commissioned officer of the Coast Guard, who, in accordance with regulations prescribed by the Secretary of the Treasury, heretofore has been or hereafter may be placed out of the line of promotion, may, at his own request (a) if his commissioned service is ten years or more, be placed upon the retired list with retired pay as prescribed by section 3 hereof, or (b) if his commissioned service is less than ten years, resign from the Coast Guard with one year's pay computed at the rate of pay he was receiving on the date of his resignation.</i>
Retirement, if commissioned service 10 years or more. Resignation, with one year's pay, if less.	
Personnel Board, annual meeting.	SEC. 2. The Secretary of the Treasury, at the direction of the President, shall assemble annually a Coast Guard Personnel Board, to be composed of not less than three commissioned officers on the active list of the Coast Guard, to select the officers, if any, whom the Board determines should be retired or placed out of the line of promotion, and to make recommendations with respect thereto. The proceedings and decisions of the Personnel Board shall be transmitted to the Commandant of the Coast Guard for review. If the Commandant shall approve the recommendation of the Personnel Board, the officer concerned shall be notified in writing of the action taken in his case, and he shall be entitled to have his case reconsidered by such Board, if, within thirty days after he receives notice as aforesaid, he files with the Commandant a written protest of the action taken, or appears, either in person or by counsel, before the Personnel Board: <i>Provided</i> , That no case shall be twice reconsidered by the Personnel Board. If the Commandant shall disapprove the recommendation of the Personnel Board, he shall transmit the same with his recommendation to the Secretary of the Treasury for final action. If the Secretary of the Treasury shall concur in the decision of the Commandant, the case shall be terminated, and the officer concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered. If the Secretary of the Treasury shall disapprove the recommendation of the Commandant and approve that of the Board, the officer concerned shall be notified as aforesaid, and shall be entitled to have his case reconsidered by the Personnel Board, subject to the same conditions as hereinbefore provided. At the expiration of thirty days after receipt of any officer
Composition, functions.	
Review of Board's proceedings and decisions. Reconsideration of case.	
<i>Proviso.</i> Limitation on reconsideration.	
Decisions of Commandant and Secretary of the Treasury; effect of.	
Reconsideration in case of disapproval by Secretary.	