

## [CHAPTER 565]

## JOINT RESOLUTION

Declaring that a state of war exists between the Government of Italy and the Government and the people of the United States and making provision to prosecute the same.

December 11, 1941  
[S. J. Res. 120]  
[Public Law 332]

Whereas the Government of Italy has formally declared war against the Government and the people of the United States of America: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the state of war between the United States and the Government of Italy which has thus been thrust upon the United States is hereby formally declared; and the President is hereby authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Government of Italy; and, to bring the conflict to a successful termination, all of the resources of the country are hereby pledged by the Congress of the United States.

Declaration of state of war with Italy.

Approved, December 11, 1941, 3:06 p. m., E. S. T.

## [CHAPTER 566]

## AN ACT

To provide for continuing in the service of the Army, Navy, Marine Corps, and Coast Guard of the United States beyond the term of their enlistment, those suffering from service-connected disease or injury, and in need of medical care or hospitalization until recovery through such medical care and hospitalization.

December 12, 1941  
[S. 165]  
[Public Law 333]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter any enlisted man of the Army, Navy, Marine Corps, and Coast Guard of the United States in the active service, whose term of enlistment shall expire while he is suffering disease or injury incident to service and not due to misconduct, and who is in need of medical care or hospitalization, may, with his consent, be retained in such service beyond the expiration of his term of enlistment, and any such enlisted man shall be entitled to receive at Government expense medical care or hospitalization and his pay and allowances (including expense money authorized by law and credit for longevity) until he shall have recovered to such extent as would enable him to meet the physical requirements for reenlistment, or until it shall have been ascertained by competent authority of the service concerned that the disease or injury is of a character that recovery to such an extent would be impossible, whichever is earlier: *Provided*, That any enlisted man whose enlistment is extended as provided herein shall be subject to forfeiture in the same manner and to the same extent as if his term of enlistment had not expired, and nothing contained in this Act shall prevent any enlisted man of the Army, Navy, or Marine Corps, and the Coast Guard, from being held in the service without his consent under, respectively, the provisions of the one hundred and seventh article of war, the Act of August 29, 1916, as amended (40 Stat. 717), and section 1, subsection (a), of the Act of May 26, 1906, as amended (50 Stat. 547).

Retention of enlisted men in need of medical care, etc.

*Proviso.*  
Status.

Detention without consent.

10 U. S. C. § 1579.  
34 U. S. C. § 183.  
14 U. S. C. § 35.  
*Ante*, p. 586.

Approved, December 12, 1941.