

FEDERAL LAWS PERTAINING TO VETERANS 1951-1952

SUPPLEMENT I



November 12, 1952

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H. Res. 563

Passed July 1, 1952

Eighty-second Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday, the eighth day of
January, one thousand nine hundred and fifty-two*

Resolution

Resolved, That a compilation of laws pertaining to veterans, enacted during the Eighty-second Congress to be prepared by the Committee on Veterans' Affairs, be printed as a House document, as a supplement to House Document 78 of the Eighty-second Congress.

Attest:

RALPH R. ROBERTS,
Clerk of the House of Representatives.

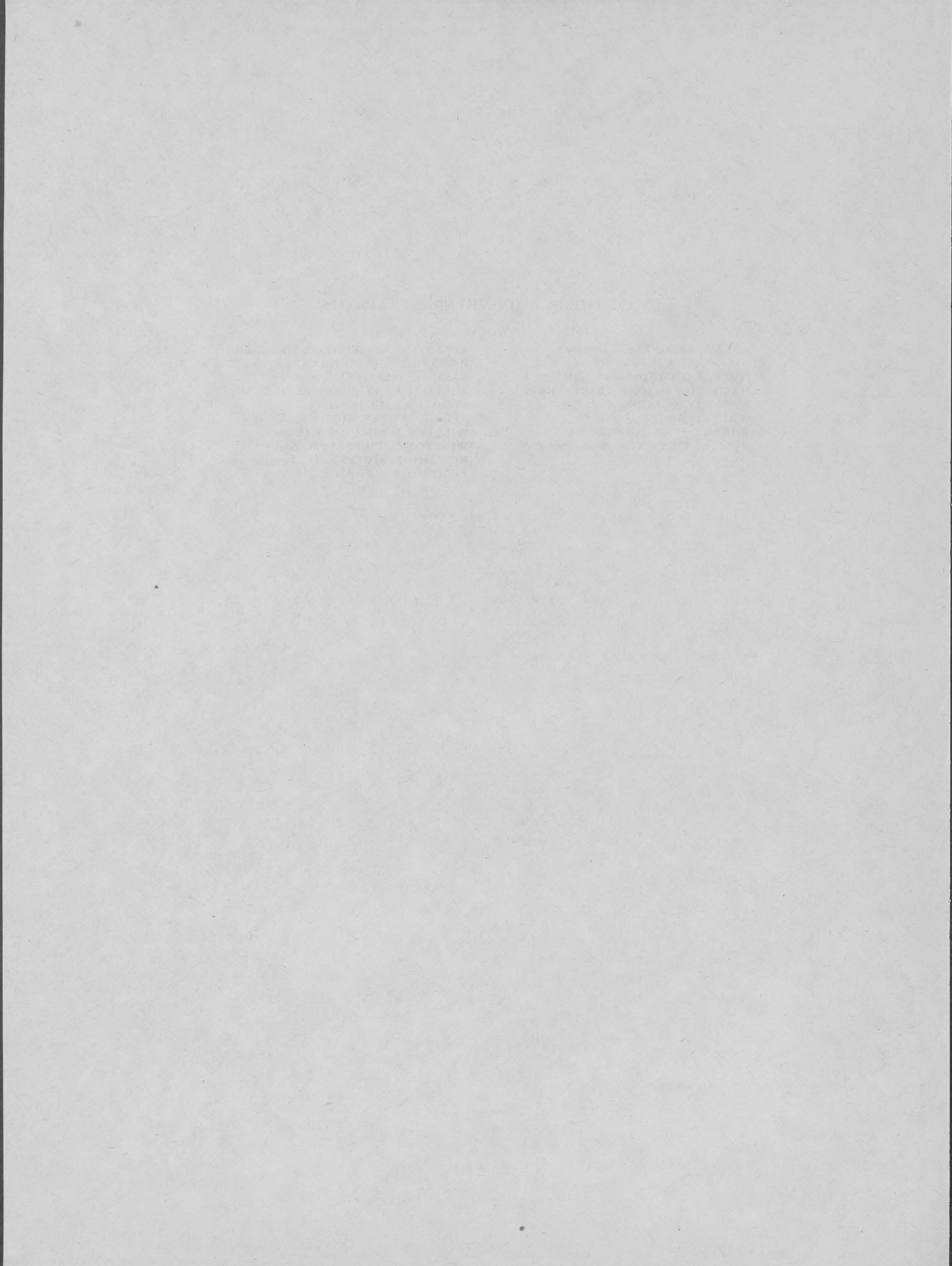
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FOREWORD

This supplement includes all of the laws pertaining to veterans, enacted during the Eighty-second Congress—January 3, 1951, through July 16, 1952. It is my hope that a supplement of this type will be issued at the end of each Congress so that Members will have available at all times an up-to-date text of veterans' laws. The present supplement was prepared by Miss Alice V. Matthews of the staff of the committee.

J. E. RANKIN,
Chairman, Committee on Veterans' Affairs,
House of Representatives.

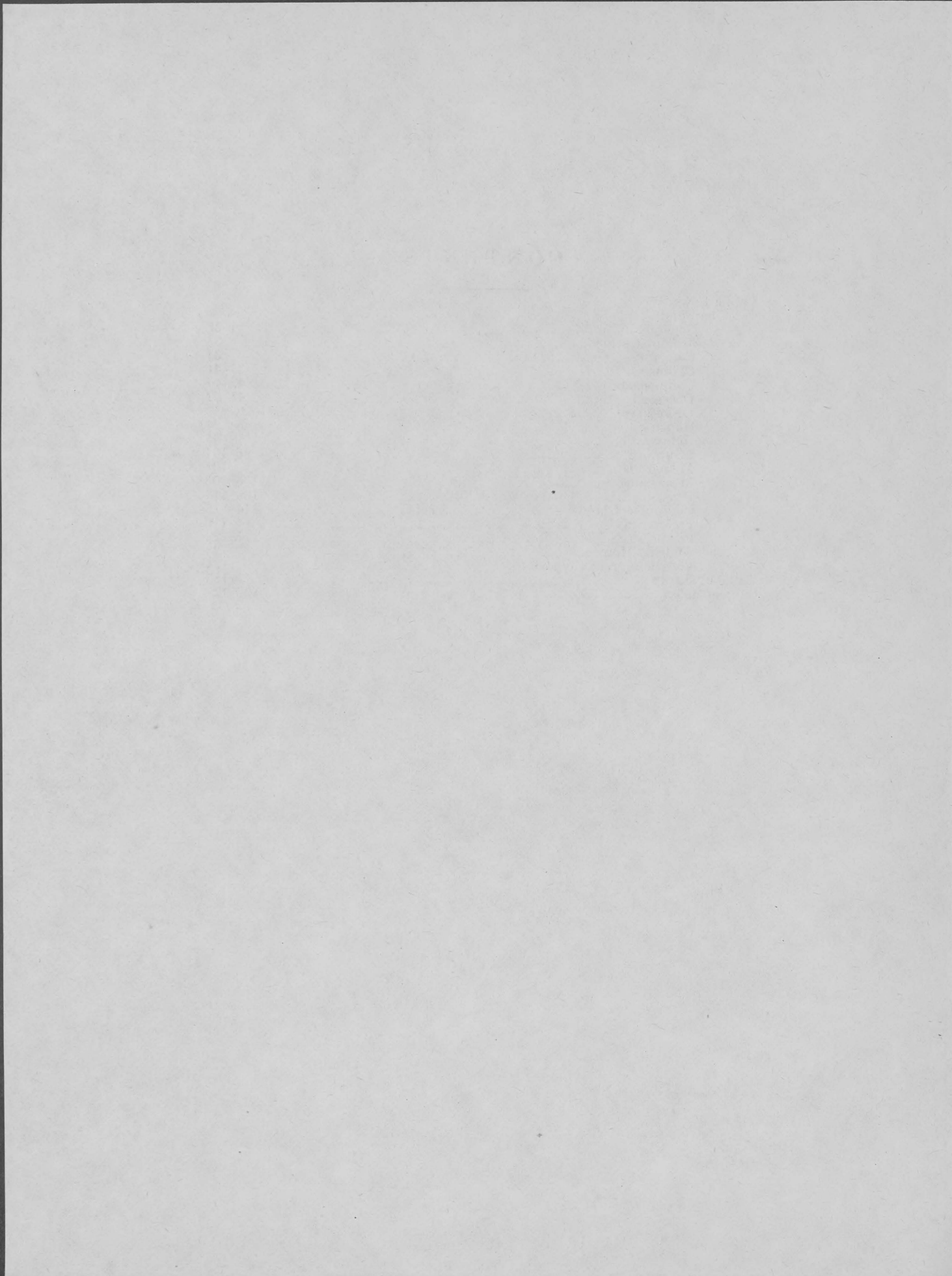
INTRODUCTION

The purpose of this study is to investigate the effects of the proposed changes on the system. It is expected that the changes will result in a more efficient and effective system. The study will be conducted in a systematic and objective manner. The results of the study will be presented in a clear and concise manner.

The study is organized as follows. Chapter 1 provides an overview of the system and the proposed changes. Chapter 2 describes the methodology used in the study. Chapter 3 presents the results of the study. Chapter 4 discusses the conclusions and recommendations.

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Public Law 28 - 82d Congress
Chapter 49 - 1st Session
S. J. Res. 72

65 Stat. 40.

JOINT RESOLUTION

To provide certain benefits for certain persons who shall have served in the Armed Forces of the United States on and after June 27, 1950.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall have served in the active service in the Armed Forces of the United States on or after June 27, 1950, and prior to such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress, shall, subject to other provisions of law and Veterans Regulations administered by the Veterans' Administration, be entitled to benefits of medical, hospital, and domiciliary care, burial benefits, and they and their dependents shall be entitled to compensation or pension provided by law for persons who served during the period of World War II.

Approved May 11, 1951.

Public Law 142 - 82d Congress
Chapter 381 - 1st Session
H. R. 319

AN ACT

To amend title III of the Servicemen's Readjustment Act of 1944, as amended, by providing for treble damage actions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title III of the Servicemen's Readjustment Act of 1944, as amended, is amended by inserting after section 503 the following new section:

"RECOVERY OF DAMAGES

"Sec. 503A. Whoever knowingly makes, effects, or participates in a sale of any property to a veteran for a consideration in excess of the reasonable value of such property as determined by proper appraisal made by an appraiser designated by the Administrator, shall, if the veteran pays for such property in whole or in part with the proceeds of a loan guaranteed by the Veterans' Administration under section 501, 502, or 503 of this title, be liable for three times the amount of such excess consideration irrespective of whether such person has received any part thereof.

"Actions pursuant to the provisions of this section may be instituted by the veteran concerned, in any United States district court, which court may, as a part of any judgment, award costs and reasonable attorneys' fees to the successful party. In the event the veteran shall fail to institute any action hereunder within thirty days after discovering he has overpaid, or having instituted an action shall fail diligently to prosecute the same, or upon request by the veteran, the Attorney General, in the name of the Government of the United States, may proceed therewith, in which event one-third of any recovery in said action shall be paid over to the veteran and two-thirds thereof shall be paid into the Treasury of the United States.

"The remedy provided in this section shall be in addition to any and all other penalties imposed by law."

Approved September 13, 1951.

65 Stat. 321,
322.

Public Law 325 - 82d Congress
Chapter 218 - 2d Session
H. R. 5893

AN ACT

All 66 Stat 64.

To make additional funds available to the Administrator of Veterans' Affairs for direct home and farmhouse loans to eligible veterans, under title III of the Servicemen's Readjustment Act of 1944, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 513 of the Servicemen's Readjustment Act of 1944 is amended by adding the following subsection (d):

"(d) For the purposes of further augmenting the revolving fund established in subsection (a) hereof the Secretary of the Treasury is authorized and directed between the effective date of this subsection and July 1, 1952, to make available to the Administrator such additional sums not in excess of \$25,000,000 as the Administrator may request, and is authorized and directed to advance from time to time thereafter until June 30, 1953, such additional sums as the Administrator may request, provided that the aggregate so advanced in any one quarter annual period shall not exceed the sum of \$25,000,000 less that amount which had been returned to the revolving fund during the preceding quarter annual period from the sale of loans pursuant to section 512 (d) of this title. Except for the limitation on the sums authorized in subsection (a) hereof, this subsection shall be subject to the other provisions of this section and of this title."

Approved April 18, 1952.

Servicemen's
Readjustment
Act of 1944,
amendment.
64 Stat. 76.
38 U.S.C.
§ 694m.

GENERAL

Public Law 550 - 82d Congress
Chapter 875 - 2d Session
H. R. 7656

AN ACT

All 66 Stat. 663.

To provide vocational readjustment and to restore lost educational opportunities to certain persons who served in the Armed Forces on or after June 27, 1950, and prior to such date as shall be fixed by the President or the Congress, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterans' Re-
adjustment
Assistance Act
of 1952.

TITLE I—SHORT TITLE AND STATEMENT OF POLICY

SHORT TITLE

SEC. 101. This Act may be cited as the "Veterans' Readjustment Assistance Act of 1952".

STATEMENT OF POLICY

SEC. 102. The Congress of the United States hereby declares that the veterans' education and training program created by this Act is for the purpose of providing vocational readjustment and restoring lost educational opportunities to those service men and women whose educational or vocational ambitions have been interrupted or impeded by reason of active service in the Armed Forces during a period of national emergency and for the purpose of aiding such persons in attaining the educational and training status which they might normally have aspired to and obtained had they not served their country; and that the home, farm, and business-loan benefits, the unemployment compensation benefits, the mustering out payments, and the employment assistance provided for by this Act are for the purpose of assisting in the readjustment of such persons from military to civilian life.

TITLE II—EDUCATIONAL AND VOCATIONAL ASSISTANCE

PART I—DEFINITIONS

SEC. 201. For the purposes of this title—

(1) the term "basic service period" means the period beginning on June 27, 1950, and ending on such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress;

(2) the term "eligible veteran" means any person who is not in the active service in the Armed Forces and who—

(A) has served in the active service in the Armed Forces at any time during the basic service period,

(B) has been discharged or released from such active service under conditions other than dishonorable, and

(C) has served in the active service in the Armed Forces for ninety days or more (exclusive of any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians, or as a cadet or midshipman at one of the service academies), or has been discharged or released from active service by reason of an actual service-incurred injury or disability;

(3) the term "program of education or training" means any single unit course or subject, any curriculum, or any combination of unit courses or subjects, which is generally accepted as necessary to fulfill

All 66 Stat. 664.

requirements for the attainment of a predetermined and identified educational, professional, or vocational objective;

(4) the term "course" means an organized unit of subject matter in which instruction is offered within a given period of time or which covers a specific amount of related subject matter for which credit toward graduation or certification is usually given;

(5) the term "dependent" means—

(A) a child (as defined in paragraph VI of Veterans Regulation Numbered 10, as amended) of an eligible veteran,

(B) a parent (as defined in paragraph VII of Veterans Regulation Numbered 10, as amended) of an eligible veteran, if the parent is in fact dependent upon the veteran, and

(C) the wife of an eligible veteran, or, in the case of an eligible veteran who is a woman, her husband if he is in fact dependent upon the veteran;

(6) the term "educational institution" means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers college, college, normal school, professional school, university, scientific or technical institution, or other institution furnishing education for adults;

(7) the term "training establishment" means any business or other establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprentice committee, or the Bureau of Apprenticeship established in accordance with Public Law 308, Seventy-fifth Congress, or any agency of the Federal Government authorized to supervise such training;

(8) the term "Armed Forces" means the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard of the United States;

(9) the term "State" means the several States, the Territories and possessions of the United States, and the District of Columbia;

(10) the term "Administrator" means the Administrator of Veterans' Affairs;

(11) the term "Commissioner" means the United States Commissioner of Education.

38 U.S.C.
note foll.
ch. 12.

50 Stat. 664.
29 U.S.C.
§§50-50b.

PART II—ELIGIBILITY

ENTITLEMENT TO EDUCATION OR TRAINING GENERALLY

SEC. 211. Each eligible veteran shall, subject to the provisions of this title, be entitled to the education or training provided under this title.

COMMENCEMENT; TIME LIMITATIONS

SEC. 212. (a) No eligible veteran shall be entitled to initiate a program of education or training under this title after August 20, 1954, or after two years after his discharge or release from active service, whichever is later.

(b) The program of education and training of an eligible veteran under this title shall, on and after the delimiting date for the veteran to initiate his program, be pursued continuously until completion except that an eligible veteran may suspend the pursuit of his program for periods of not more than 12 consecutive months, and may suspend the pursuit of such program for longer periods if the Administrator finds that the suspension for each such period was due to conditions beyond the control of the eligible veteran.

All 66 Stat. 665.

(c) In the event an eligible veteran returns to active service in the Armed Forces during the basic service period, his date of discharge or release shall, for the purposes of this section and section 213, be the date of his discharge or release from his last period of active service which began during the basic service period.

EXPIRATION OF ALL EDUCATION AND TRAINING

SEC. 213. No education or training shall be afforded an eligible veteran under this title beyond seven years after either his discharge or release from active service or the end of the basic service period, whichever is earlier.

DURATION OF VETERAN'S EDUCATION OR TRAINING

SEC. 214. (a) Each eligible veteran shall be entitled to education or training under this title for a period equal to one and a half times the duration of his active service in the Armed Forces during the basic service period (or to the equivalent thereof in part-time training), except that—

(1) in computing the duration of his active service in the Armed Forces, there shall be excluded a period equal to any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians or as a cadet or midshipman at one of the service academies;

(2) the period of education or training to which an eligible veteran shall be entitled under this title shall not, except as provided in subsection (b), exceed thirty-six months; and

(3) the period of education or training to which an eligible veteran shall be entitled under this title together with education or training received under part VII (Public Law 16, Seventy-eighth Congress, as amended, and Public Law 894, Eighty-first Congress, as amended), or part VIII of Veterans Regulation Numbered 1 (a), as amended, shall not, except as provided in subsection (b), exceed forty-eight months in the aggregate.

57 Stat. 43.
64 Stat. 1121.
38 U.S.C.
§701a and note.

(b) Whenever the period of entitlement to education or training under this title of an eligible veteran who is enrolled in an educational institution regularly operated on the quarter or semester system ends during a quarter or semester and after a major part of such semester or quarter has expired, such period shall be extended to the termination of such unexpired quarter or semester. In all other courses offered by educational institutions, whenever the period of eligibility ends after a major portion of the course is completed such period may be extended to the end of the course or for nine weeks, whichever is the lesser period.

(c) In the case of any eligible veteran who is pursuing any program of education or training exclusively by correspondence, one-fourth of the elapsed time in following such program of education or training shall be charged against the veteran's period of entitlement.

Correspondence
courses.

PART III—ENROLLMENT

SELECTION OF PROGRAM

SEC. 221. Subject to the provisions of this title, each eligible veteran may select a program of education or training to assist him in attaining an educational, professional, or vocational objective at any educational institution or training establishment selected by him, whether or not located in the State in which he resides, which will

All 66 Stat. 666.

accept and retain him as a student or trainee in any field or branch of knowledge which such institution or establishment finds him qualified to undertake or pursue. Notwithstanding the foregoing provisions of this section, an eligible veteran may not pursue a program of education or training at an educational institution or training establishment which is not located in a State, unless such program is pursued at an approved educational institution of higher learning. The Administrator in his discretion may deny or discontinue the enrollment under this title of any veteran in a foreign educational institution if he finds that such enrollment is not for the best interest of the veteran or the Government.

APPLICATIONS; APPROVAL

SEC. 222. Any eligible veteran who desires to initiate a program of education or training under this title shall submit an application to the Administrator which shall be in such form, and contain such information, as the Administrator shall prescribe. The Administrator shall approve such application unless he finds that such veteran is not eligible for or entitled to the education or training applied for or that his program of education or training fails to meet any of the requirements of this title, or that the eligible veteran is already qualified, by reason of previous education and training, for the educational, professional, or vocational objective for which the courses of the program of education or training are offered. The Administrator shall notify the eligible veteran of the approval or disapproval of his application.

CHANGE OF PROGRAM

SEC. 223. (a) Subject to the provisions of section 222, each eligible veteran (except an eligible veteran whose program has been interrupted or discontinued due to his own misconduct, his own neglect, or his own lack of application) may, at any time prior to the end of the period during which he is entitled to initiate a program of education or training under this title, make not more than one change of program of education or training.

(b) Each eligible veteran, who has not made a change of program of education or training before the expiration of the period during which he is entitled to initiate a program of education or training under this title, may make not more than one change of program of education or training with the approval of the Administrator. The Administrator shall approve such a change if he finds that—

(1) the eligible veteran is not making satisfactory progress in his present program and that the failure is not due to his own misconduct, his own neglect, or his own lack of application, and if the program to which the eligible veteran desires to change is more in keeping with his aptitude or previous education and training; or

(2) the program to which the eligible veteran desires to change, while not a part of the program currently pursued by him, is a normal progression from such program.

AVOCATIONAL AND RECREATIONAL COURSES

SEC. 224. (a) The Administrator shall not approve the enrollment of an eligible veteran in any bartending course, dancing course, or personality development course.

(b) The Administrator shall not approve the enrollment of an eligible veteran—

- (1) in any photography course or entertainment course, or
 - (2) in any music course—instrumental or vocal—public speaking course, or course in sports or athletics such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, sports officiating, or other sport or athletic courses, except courses of applied music, physical education, or public speaking which are offered by institutions of higher learning for credit as an integral part of a program leading to an educational objective, or
 - (3) in any other type of course which the Administrator finds to be avocational or recreational in character;
- unless the eligible veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.

DISCONTINUANCE FOR UNSATISFACTORY PROGRESS

Sec. 225. The Administrator shall discontinue the education and training allowance of an eligible veteran if, at any time, he finds that, according to the regularly prescribed standards and practices of the educational institution or training establishment, the conduct or progress of such veteran is unsatisfactory.

MINIMUM NUMBER OF NONVETERAN STUDENTS REQUIRED

Sec. 226. The Administrator shall not approve the enrollment of any eligible veteran, not already enrolled, in any nonaccredited course below the college level offered by a proprietary profit or proprietary nonprofit educational institution for any period during which the Administrator finds that more than eighty-five per centum of the students enrolled in the course are having all or any part of their tuition, fees, or other charges paid to or for them by the educational institution or the Veterans Administration under part VII or part VIII of Veterans Regulation Numbered 1 (a) or this title.

38 U.S.C. note
foll. ch. 12.

PERIOD OF OPERATION FOR APPROVAL

Sec. 227. (a) The Administrator shall not approve the enrollment of an eligible veteran in any course offered by an educational institution when such course has been in operation for less than two years.

(b) Subsection (a) shall not apply to—

- (1) any course to be pursued in a public or other tax-supported educational institution;
- (2) any course which is offered by an educational institution which has been in operation for more than two years, if such course is similar in character to the instruction previously given by such institution; or
- (3) any course which has been offered by an institution for a period of more than two years, notwithstanding the institution has moved to another location within the same general locality.

INSTITUTIONS LISTED BY ATTORNEY GENERAL

Sec. 228. The Administrator shall not approve the enrollment of, or payment of an education and training allowance to, any eligible veteran in any course in an educational institution or training establishment while it is listed by the Attorney General under section 3 of part III of Executive Order 9835, as amended.

5 U.S.C. § 631
note.

All 66 Stat. 668.

PART IV—PAYMENTS TO VETERANS
EDUCATION AND TRAINING ALLOWANCE

SEC. 231. (a) The Administrator shall pay to each eligible veteran who is pursuing a program of education or training under this title, and who applies therefor, an education and training allowance to meet in part the expenses of his subsistence, tuition, fees, supplies, books, and equipment.

(b) The education and training allowance for an eligible veteran shall be paid, as provided in section 232, only for the period of the veteran's enrollment as approved by the Administrator, but no allowance shall be paid—

(1) to any veteran enrolled in a course approved under section 253 or a course of institutional on-farm training for any period when the veteran is not pursuing his course in accordance with the regularly established policies and regulations of the institution and the requirements of this title,

(2) to any veteran enrolled in a course approved under section 254 or in a course of apprentice or other training on the job for any day of absence in excess of thirty days in a twelve-month period, not counting as absences weekends or legal holidays established by Federal or State law during which the institution or establishment is not regularly in session or operation, or

(3) to any veteran pursuing his program of education exclusively by correspondence for any period during which no lessons were serviced by the institution.

Requirements. (c) No education and training allowance shall be paid to an eligible veteran for any period until the Administrator shall have received—

(1) from the eligible veteran (A) in the case of an eligible veteran enrolled in a course approved under section 253 or a course of institutional on-farm training, a certification that he was actually enrolled in and pursuing the course as approved by the Administrator, or (B) in the case of an eligible veteran enrolled in a course approved under section 254 or a course of apprentice or other training on the job, a certification as to actual attendance during such period, or (C) in the case of an eligible veteran enrolled in a program of education or training by correspondence, a certification as to the number of lessons actually completed by the veteran and serviced by the institution, and

(2) from the educational institution or training establishment, a certification, or an endorsement on the veteran's certificate, that such veteran was enrolled in and pursuing a course of education or training during such period, and, in the case of an institution furnishing education or training to a veteran exclusively by correspondence, a certification, or an endorsement on the veteran's certificate, as to the number of lessons completed by the veteran and serviced by the institution.

Education and training allowances shall, insofar as practicable, be paid within twenty days after receipt by the Administrator of the certifications required by this subsection.

COMPUTATION OF EDUCATION AND TRAINING ALLOWANCES

SEC. 232. (a) The education and training allowance of an eligible veteran who is pursuing a program of education or training in an educational institution and is not entitled to receive an education and training allowance under subsection (b), (c), (d), (e), or (f) shall be computed as follows:

Allowances.

(1) If such program is pursued on a full-time basis, such allowance shall be computed at the rate of \$110 per month, if the veteran has no dependent, or at the rate of \$135 per month, if he has

All 66 Stat. 669.

one dependent, or at the rate of \$160 per month, if he has more than one dependent.

(2) If such program is pursued on a three-quarters time basis, such allowance shall be computed at the rate of \$80 per month, if the veteran has no dependent, or at the rate of \$100 per month, if he has one dependent, or at the rate of \$120 per month, if he has more than one dependent.

(3) If such program is pursued on a half-time basis, such allowance shall be computed at the rate of \$50 per month, if the veteran has no dependent, or at the rate of \$60 per month, if he has one dependent, or at the rate of \$80 per month, if he has more than one dependent.

(b) The education and training allowance of an eligible veteran who is pursuing a full-time program of education and training which consists of institutional courses and on-the-job training, with the on-the-job training portion of the program being strictly supplemental to the institutional portion, shall be computed at the rate of (1) \$90 per month, if he has no dependent, or (2) \$110 per month, if he has one dependent, or (3) \$130 per month, if he has more than one dependent. Education and training.

(c) The education and training allowance of an eligible veteran pursuing apprentice or other training on the job shall be computed at the rate of (1) \$70 per month, if he has no dependent, or (2) \$85 per month, if he has one dependent, or (3) \$105 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of each four-month period as his program progresses by an amount which bears the same ratio to the basic education and training allowance as four months bears to the total duration of his apprentice or other training on the job; but in no case shall the Administrator pay an education and training allowance under this subsection in an amount which, when added to the compensation to be paid to the veteran, in accordance with his approved training program, for productive labor performed as a part of his course, would exceed the rate of \$310 per month. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of months of such training a multiple of four. Apprentice training.

(d) The education and training allowance of an eligible veteran pursuing institutional on-farm training shall be computed at the rate of (1) \$95 per month, if he has no dependent, or (2) \$110 per month, if he has one dependent, or (3) \$130 per month, if he has more than one dependent; except that his education and training allowance shall be reduced at the end of each four-month period as his program progresses by an amount which bears the same ratio to \$65 per month, if the veteran has no dependent, or \$80 per month, if he has one dependent, or \$100 per month, if he has more than one dependent, as four months bears to the total duration of such veteran's institutional on-farm training. For the purpose of computing allowances under this subsection, the duration of the training of an eligible veteran shall be the period specified in the approved application as the period during which he may receive an education and training allowance for such training, plus such additional period, if any, as is necessary to make the number of such months of such training a multiple of four. Institutional on-farm training.

(e) The education and training allowance of an eligible veteran pursuing a program of education or training exclusively by correspondence Correspondence courses.

All 66 Stat. 670.

ence shall be computed on the basis of the established charge which the institution requires nonveterans to pay for the course or courses pursued by the eligible veteran. Such allowance shall be paid quarterly on a pro rata basis for the lessons completed by the veteran and serviced by the institution, as certified by the institution.

Less-than half-time basis. (f) The education and training allowance of an eligible veteran who is pursuing a program of education or training under this title in an educational institution on a less-than-half-time basis shall be computed at the rate of (1) the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, or (2) \$110 per month for a full-time course, whichever is the lesser.

Flight training. (g) Each eligible veteran who is pursuing an approved course of flight training shall be paid an education and training allowance to be computed at the rate of 75 per centum of the established charge which similarly circumstanced nonveterans enrolled in the same flight course are required to pay for tuition for the course. If such veteran's program of education or training consists exclusively of flight training, he shall not be paid an education and training allowance under one of the preceding subsections of this section; if his program of education or training consists of flight training and other education or training, the allowance payable under this subsection shall be in addition to any education and training allowance payable to him under one of the preceding subsections of this section for education or training other than flight training. Such allowance shall be paid monthly upon receipt of certification from the eligible veteran and the institution as to the actual flight training received by the veteran. In each such case the eligible veteran's period of entitlement shall be charged (in addition to any charge made against his entitlement by reason of education or training other than flight training) with one day for each \$1.25 which is paid to the veteran as an education and training allowance for such course.

Prohibitions. (h) No eligible veteran shall be paid an education and training allowance under this title for any period during which (1) he is enrolled in and pursuing a course of education or training paid for by the United States under any provision of law other than this title, where the payment of such allowance would constitute a duplication of benefits paid to the veteran from the Federal Treasury, or (2) he is pursuing a course of apprentice or other training on the job, a course of institutional on-farm training, or a course of education and training described in subsection (b), on a less than full-time basis.

FULL-TIME COURSES

SEC. 233. (a) For the purposes of this title, (1) an institutional trade or technical course offered on a clock-hour basis below the college level involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with not more than two and one-half hours of rest periods per week allowed, (2) an institutional course offered on a clock-hour basis below the college level in which theoretical or class room instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction is required, and (3) an institutional undergraduate course offered by a college or university on a quarter or semester-hour basis for which credit is granted toward a standard college degree shall be considered a full-time course when a minimum of fourteen semester hours or its equivalent is required.

(b) The Administrator shall define full-time training in the case of all types of courses of education or training other than institutional

on-farm training and the types of courses referred to in subsection (a): *Provided*, That the Administrator shall not define full-time apprentice training for a particular establishment other than that established as the standard work-week through bona-fide collective bargaining between employers and employees.

OVERCHARGES BY EDUCATIONAL INSTITUTIONS

SEC. 234. The Administrator may, if he finds that an institution has charged or received from any eligible veteran any amount in excess of the established charges for tuition and fees which the institution requires similarly circumstanced nonveterans enrolled in the same course to pay, disapprove such educational institution for the enrollment of any veteran not already enrolled therein, except that, in the case of a tax-supported public educational institution which does not have established charges for tuition and fees which it requires non-veteran residents to pay, such institution may charge and receive from each eligible veteran who is a resident an amount equal to the estimated cost of teaching personnel and supplies for instruction attributable to such veteran, but in no event to exceed the rate of \$10 per month for a full-time course.

PART V—STATE APPROVING AGENCIES

DESIGNATION

SEC. 241. (a) Unless otherwise established by the law of the State concerned, the chief executive of each State is requested to create or designate a State department or agency as the "State approving agency" for his State for the purposes of this title.

(b) (1) In the event any State fails or declines to create or designate a State approving agency, the provisions of this title which refer to the State approving agency shall, with respect to such State, be deemed to refer to the Administrator.

(2) In the case of courses subject to approval by the Administrator under section 242, the provisions of this title which refer to a State approving agency shall be deemed to refer to the Administrator.

APPROVAL OF COURSES

SEC. 242. (a) An eligible veteran shall receive the benefits of this title while enrolled in a course of education or training offered by an educational institution or training establishment only if such course is approved by the State approving agency for the State where such educational institution or training establishment is situated or by the Administrator. Approval of courses by State approving agencies shall be in accordance with the provisions of this title and such other regulations and policies as the State approving agency may adopt. Each State approving agency shall furnish the Administrator with a current list of educational institutions and training establishments, specifying courses which it has approved, and, in addition to such list, it shall furnish such other information to the Administrator as it and the Administrator may determine to be necessary to carry out the purposes of this title. Each State approving agency shall notify the Administrator of the disapproval of any course previously approved and shall set forth the reasons for such disapproval.

(b) The Administrator shall be responsible for the approval of courses of education or training offered by any agency of the Federal Government authorized under other laws to supervise such education or training. The Administrator may approve any course in any other

All 66 Stat. 672.

educational institution or training establishment in accordance with the provisions of this title.

COOPERATION

SEC. 243. (a) The Administrator and each State approving agency shall take cognizance of the fact that definite duties, functions, and responsibilities are conferred upon the Administrator and each State approving agency under the veterans' educational programs. To assure that such programs are effectively and efficiently administered, the cooperation of the Administrator and the State approving agencies is essential. It is necessary to establish an exchange of information pertaining to activities of educational institutions and training establishments, and particular attention should be given to the enforcement of approval standards, enforcement of wage and income limitations, enforcement of enrollment restrictions, and fraudulent and other criminal activities on the part of persons connected with educational institutions and training establishments in which veterans are enrolled under this title.

(b) The Administrator will furnish the State approving agencies with copies of such Veterans' Administration informational material as may aid them in carrying out this title.

USE OF OFFICE OF EDUCATION AND OTHER FEDERAL AGENCIES

SEC. 244. (a) In carrying out his functions under this title, the Administrator may utilize the facilities and services of any other Federal department or agency. The Administrator shall utilize the services of the Office of Education in developing cooperative agreements between the Administrator and State and local agencies relating to the approval of courses of education or training as provided for in section 245, in reviewing the plan of operations of State approving agencies under such agreements, and in rendering technical assistance to such State and local agencies in developing and improving policies, standards, and legislation in connection with their duties under this title.

(b) Any such utilization shall be pursuant to proper agreement with the Federal department or agency concerned; and payment to cover the cost thereof shall (except in the case of the Office of Education) be made either in advance or by way of reimbursement, as may be provided in such agreement. Funds necessary to enable the Office of Education to carry out its functions under this title are authorized to be appropriated directly to such Office.

Funds.

REIMBURSEMENT OF EXPENSES

SEC. 245. The Administrator is authorized to enter into contracts or agreements with State and local agencies to pay such State and local agencies for reasonable and necessary expenses of salary and travel incurred by employees of such agencies in (1) rendering necessary services in ascertaining the qualifications of educational institutions and training establishments for furnishing courses of education or training to eligible veterans under this title, and in the supervision of such educational institutions and training establishments, and (2) furnishing, at the request of the Administrator, any other services in connection with this title. Each such contract or agreement shall be conditioned upon compliance with the standards and provisions of this title.

PART VI—APPROVAL OF COURSES OF EDUCATION AND TRAINING

APPRENTICE OR OTHER TRAINING ON THE JOB

SEC. 251. (a) Apprentice or other training on the job shall consist of courses offered by training establishments whenever such courses of training are furnished in accordance with the provisions of this section. Any training establishment desiring to furnish a course of apprentice or other training on the job shall submit to the appropriate State approving agency a written application setting forth the course of training for each job for which an eligible veteran is to be trained. The written application covering the course of training shall include the following:

Application.

- (1) Title and description of the specific job objective for which the eligible veteran is to be trained;
- (2) The length of the training period;
- (3) A schedule listing various operations for major kinds of work or tasks to be learned and showing for each, job operations or work, tasks to be performed, and the approximate length of time to be spent on each operation or task;
- (4) The wage or salary to be paid at the beginning of the course of training, at each successive step in the course, and at the completion of training;
- (5) The entrance wage or salary paid by the establishment to employees already trained in the kind of work for which the veteran is to be trained; and
- (6) The number of hours of supplemental related instruction required.

(b) The appropriate State approving agency may approve a course of apprentice or other training on the job specified in an application submitted by a training establishment in accordance with subsection (a) if such training establishment is found upon investigation to have met the following criteria:

Criteria.

- (1) The training content of the course is adequate to qualify the eligible veteran for appointment to the job for which he is to be trained.
- (2) There is reasonable certainty that the job for which the eligible veteran is to be trained will be available to him at the end of the training period.
- (3) The job is one in which progression and appointment to the next higher classification are based upon skills learned through organized training on the job and not on such factors as length of service and normal turn-over.
- (4) The wages to be paid the eligible veteran for each successive period of training are not less than those customarily paid in the training establishment and in the community to a learner in the same job who is not a veteran.
- (5) The job customarily requires a period of training of not less than three months and not more than two years of full-time training, except that this provision shall not apply to apprentice training.
- (6) The length of the training period is no longer than that customarily required by the training establishment and other training establishments in the community to provide an eligible veteran with the required skills, arrange for the acquiring of job knowledge, technical information, and other facts which the eligible veteran will need to learn in order to become competent on the job for which he is being trained.

All 66 Stat. 674.

(7) Provision is made for related instruction for the individual eligible veteran who may need it.

(8) There is in the training establishment adequate space, equipment, instructional material, and instructor personnel to provide satisfactory training on the job.

(9) Adequate records are kept to show the progress made by each eligible veteran toward his job objective.

(10) Appropriate credit is given the eligible veteran for previous training and job experience, whether in the military service or elsewhere, his beginning wage adjusted to the level to which such credit advances him and his training period shortened accordingly and provision is made for certification by the training establishment that such credit has been granted and the beginning wage adjusted accordingly. No course of training will be considered bona fide if given to an eligible veteran who is already qualified by training and experience for the job objective.

(11) A signed copy of the training agreement for each eligible veteran, including the training program and wage scale as approved by the State approving agency, is provided to the veteran and to the Administrator and the State approving agency by the employer.

(12) Upon completion of the course of training furnished by the training establishment the eligible veteran is given a certificate by the employer indicating the length and type of training provided and that the eligible veteran has completed the course of training on the job satisfactorily.

(13) That the course meets such other criteria as may be established by the State approving agency.

INSTITUTIONAL ON-FARM TRAINING

SEC. 252. (a) An eligible veteran shall be entitled to the benefits of this title while enrolled in a course of full-time institutional on-farm training which has been approved by the appropriate State approving agency in accordance with the provisions of this section.

Approval requirements. (b) The State approving agency may approve a course of institutional on-farm training when it satisfies the following requirements:

(1) The course combines organized group instruction in agricultural and related subjects of at least two hundred hours per year (and of at least eight hours each month) at an educational institution, with supervised work experience on a farm or other agricultural establishment.

(2) The eligible veteran will perform a part of such course on a farm or other agricultural establishment under his control.

(3) The course is developed with due consideration to the size and character of the farm or other agricultural establishment on which the eligible veteran will receive his supervised work experience and to the need of such eligible veteran, in the type of farming for which he is training, for proficiency in planning, producing, marketing, farm mechanics, conservation of resources, food conservation, farm financing, farming management, and the keeping of farm and home accounts.

(4) The eligible veteran will receive not less than one hundred hours of individual instruction per year, not less than fifty hours of which shall be on such farm or other agricultural establishment (with at least two visits by the instructor to such farm each month). Such individual instruction shall be given by the instructor responsible for the veteran's institutional instruction and shall include instruction and home-study assignments in the

All 66 Stat. 575.

preparation of budgets, inventories, and statements showing the production, use on the farm, and sale of crops, livestock, and livestock products.

(5) The eligible veteran will be assured of control of such farm or other agricultural establishment (whether by ownership, lease, management agreement, or other tenure arrangement) until the completion of his course.

(6) Such farm or other agricultural establishment shall be of a size and character which (A) will, together with the group-instruction part of the course, occupy the full time of the eligible veteran, (B) will permit instruction in all aspects of the management of the farm or other agricultural establishment of the type for which the eligible veteran is being trained, and will provide the eligible veteran an opportunity to apply to the operation of his farm or other agricultural establishment the major portion of the farm practices taught in the group instruction part of the course, and (C) will assure him a satisfactory income for a reasonable living under normal conditions at least by the end of his course.

(7) Provision shall be made for certification by the institution and the veteran that the training offered does not repeat or duplicate training previously received by the veteran.

(8) The institutional on-farm training meets such other fair and reasonable standards as may be established by the State approving agency.

APPROVAL OF ACCREDITED COURSES

SEC. 253. (a) A State approving agency may approve the courses offered by an educational institution when—

(1) such courses have been accredited and approved by a nationally recognized accrediting agency or association;

(2) credit for such course is approved by the State department of education for credit toward a high school diploma;

(3) such courses are conducted under the Act of February 23, 1917, as amended (39 Stat. 927), or the Vocational Education Act of 1946; or

(4) such courses are accepted by the State department of education for credit for a teacher's certificate or a teacher's degree.

50 Stat. 775.

20 U.S.C. § 151
note.

For the purposes of this title the Commissioner shall publish a list of nationally recognized accrediting agencies and associations which he determines to be reliable authority as to the quality of training offered by an educational institution and the State approving agencies may, upon concurrence, utilize the accreditation of such accrediting associations or agencies for approval of the courses specifically accredited and approved by such accrediting association or agency. In making application for approval, the institution shall transmit to the State approving agency copies of its catalog or bulletin.

Publication of
list.

(b) As a condition to approval under this section, the State approving agency must find that adequate records are kept by the educational institution to show the progress of each eligible veteran. The State approving agency must also find that the educational institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

Records.

All 66 Stat. 676.

APPROVAL OF NONACCREDITED COURSES

SEC. 254. (a) No course of education or training (other than a course of institutional on-farm training) which has not been approved by a State approving agency pursuant to section 253, which is offered by a public or private, profit or nonprofit, educational institution shall be approved for the purposes of this title unless the educational institution offering such course submits to the appropriate State approving agency a written application for approval of such course in accordance with the provisions of this title.

Application.

(b) Such application shall be accompanied by not less than two copies of the current catalog or bulletin which is certified as true and correct in content and policy by an authorized owner or official and includes the following:

(1) Identifying data, such as volume number and date of publication;

(2) Names of the institution and its governing body, officials and faculty;

(3) A calendar of the institution showing legal holidays, beginning and ending date of each quarter, term, or semester, and other important dates;

(4) Institution policy and regulations on enrollment with respect to enrollment dates and specific entrance requirements for each course;

(5) Institution policy and regulations relative to leave, absences, class cuts, make-up work, tardiness and interruptions for unsatisfactory attendance;

(6) Institution policy and regulations relative to standards of progress required of the student by the institution (this policy will define the grading system of the institution, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress and a description of the probationary period, if any, allowed by the institution, and conditions of reentrance for those students dismissed for unsatisfactory progress. A statement will be made regarding progress records kept by the institution and furnished the student);

(7) Institution policy and regulations relating to student conduct and conditions for dismissal for unsatisfactory conduct;

(8) Detailed schedule of fees, charges for tuition, books, supplies, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other charges;

(9) Policy and regulations of the institution relative to the refund of the unused portion of tuition, fees, and other charges in the event the student does not enter the course or withdraws or is discontinued therefrom;

(10) A description of the available space, facilities, and equipment;

(11) A course outline for each course for which approval is requested, showing subjects or units in the course, type of work or skill to be learned, and approximate time and clock hours to be spent on each subject or unit; and

(12) Policy and regulations of the institution relative to granting credit for previous educational training.

Criteria.

(c) The appropriate State approving agency may approve the application of such institution when the institution and its non-accredited courses are found upon investigation to have met the following criteria:

(1) The courses, curriculum, and instruction are consistent in quality, content, and length with similar courses in public schools

and other private schools in the State, with recognized accepted standards.

(2) There is in the institution adequate space, equipment, instructional material, and instructor personnel to provide training of good quality.

(3) Educational and experience qualifications of directors, administrators, and instructors are adequate.

(4) The institution maintains a written record of the previous education and training of the veteran and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the veteran and the Administrator so notified.

(5) A copy of the course outline, schedule of tuition, fees, and other charges, regulations pertaining to absences, grading policy, and rules of operation and conduct will be furnished the veteran upon enrollment.

(6) Upon completion of training, the veteran is given a certificate by the institution indicating the approved course and indicating that training was satisfactorily completed.

(7) Adequate records as prescribed by the State approving agency are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced.

(8) The institution complies with all local, city, county, municipal, State, and Federal regulations, such as fire codes, building and sanitation codes. The State approving agency may require such evidence of compliance as is deemed necessary.

(9) The institution is financially sound and capable of fulfilling its commitments for training.

(10) The institution does not utilize advertising of any type which is erroneous or misleading, either by actual statement, omission, or intimation. The institution shall not be deemed to have met this requirement until the State approving agency (1) has ascertained from the Federal Trade Commission whether the Commission has issued an order to the institution to cease and desist from any act or practice, and (2) has, if such an order has been issued, given due weight to that fact.

(11) The institution does not exceed its enrollment limitations as established by the State approving agency.

(12) The institution's administrators, directors, owners, and instructors are of good reputation and character.

(13) The institution has and maintains a policy for the refund of the unused portion of tuition, fees, and other charges in the event the veteran fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion and such policy must provide that the amount charged to the veteran for tuition, fees, and other charges for a portion of the course shall not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the completed portion of the course bears to its total length.

(14) Such additional criteria as may be deemed necessary by the State approving agency.

NOTICE OF APPROVAL OF COURSES

SEC. 255. The State approving agency, upon determining that an educational institution has complied with all the requirements of this title, will issue a letter to such institution setting forth the courses which have been approved for the purposes of this title, and will fur-

All 66 Stat. 678.

nish an official copy of such letter and any subsequent amendments to the Administrator. The letter of approval shall be accompanied by a copy of the catalog or bulletin of the institution, as approved by the State approving agency, and shall contain the following information:

- (1) date of letter and effective date of approval of courses;
- (2) proper address and name of each educational institution or training establishment;
- (3) authority for approval and conditions of approval, referring specifically to the approved catalog or bulletin published by the educational institution;
- (4) name of each course approved;
- (5) where applicable, enrollment limitations such as maximum numbers authorized and student-teacher ratio;
- (6) signature of responsible official of State approving agency; and
- (7) such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency.

DISAPPROVAL OF COURSES AND DISCONTINUANCE OF ALLOWANCES

Notification.

SEC. 256. (a) Any course approved for the purposes of this title which fails to meet any of the requirements of this title shall be immediately disapproved by the appropriate State approving agency. An educational institution or training establishment which has its courses disapproved by a State approving agency will be notified of such disapproval by a registered letter of notification and a return receipt secured.

(b) The Administrator may discontinue the education and training allowance of any eligible veteran if he finds that the course of education or training in which such veteran is enrolled fails to meet any of the requirements of this title or if he finds that the educational institution or training establishment offering such course has violated any provision of this title or fails to meet any of its requirements.

(c) Each State approving agency shall notify the Administrator of each course which it has disapproved under this section. The Administrator shall notify the State approving agency of his disapproval of any educational institution or training establishment under part VII of Veterans Regulation Numbered 1 (a), as amended.

38 U.S.C.
note foll.
ch. 12.

PART VII—MISCELLANEOUS PROVISIONS

AUTHORITY AND DUTIES OF ADMINISTRATOR

SEC. 261. (a) The Administrator is authorized to prescribe, promulgate, and publish such rules and regulations as are consistent with the provisions of this title and necessary to carry out its purposes. Notwithstanding the provisions of section 11 of the Act of October 17, 1940, as amended (54 Stat. 1193), payments under this title shall be subject to audit and review by the General Accounting Office as provided by the Budget and Accounting Act of 1921, as amended, and the Budget and Accounting Procedures Act of 1950.

(b) The Administrator is authorized to accept uncompensated services and to enter into contracts or agreements with private or public agencies, or persons, for necessary services, incident to the administration of this title, including personal services, as he may deem practicable.

(c) The Administrator may arrange for educational and vocational guidance to persons eligible for education and training under this title and, if the Administrator requires such educational and voca-

38 U.S.C.
§ 11a-2.
42 Stat. 20.
64 Stat. 832.
31 U.S.C.
§§ 1, 2 note.

Guidance.

tional guidance, he is authorized, in his discretion, to defray, or reimburse the veteran for his traveling expenses to and from the place of advisement. At such intervals as he deems necessary, he shall make available information respecting the need for general education and for trained personnel in the various crafts, trades, and professions: *Provided*, That facilities of other Federal agencies collecting such information shall be utilized to the extent he deems practicable.

All 66 Stat. 679

ADVISORY COMMITTEE

SEC. 262. The Administrator shall form an advisory committee which shall be composed of persons who are eminent in their respective fields of education, labor, and management, and of representatives of the various types of institutions and establishments furnishing education and training to veterans enrolled under this title. The Commissioner and the Director, Bureau of Apprenticeship, Department of Labor shall be ex-officio members of the advisory committee. The Administrator shall advise and consult with the committee from time to time with respect to the administration of this title and the committee may make such reports and recommendations as it deems desirable to the Administrator and to the Congress.

CONTROL BY AGENCIES OF UNITED STATES

SEC. 263. No department, agency, or officer of the United States, in carrying out this title, shall exercise any supervision or control, whatsoever, over any State approving agency, State educational agency, or State apprenticeship agency, or any educational institution or training establishment: *Provided*, That nothing in this section shall be deemed to prevent any department, agency, or officer of the United States from exercising any supervision or control which such department, agency, or officer is authorized, by existing provisions of law, to exercise over any Federal educational institution or training establishment, or to prevent the furnishing of education or training under this title in any institution or establishment over which supervision or control is exercised by such other department, agency, or officer under authority of existing provisions of law.

CONFLICTING INTERESTS

SEC. 264. (a) Every officer or employee of the Veterans' Administration, or of the Office of Education, who has, while such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, any educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this title shall be immediately dismissed from his office or employment.

(b) If the Administrator finds that any person who is an officer or employee of a State approving agency has, while he was such an officer or employee, owned any interest in, or received any wages, salary, dividends, profits, gratuities, or services from, an educational institution operated for profit in which an eligible veteran was pursuing a course of education or training under this title, he shall discontinue making payments under section 245 to such State approving agency unless such agency shall, without delay, take such steps as may be necessary to terminate the employment of such person and such payments shall not be resumed while such person is an officer or employee of the State approving agency, or State Department of Veterans Affairs or State Department of Education.

All 66 Stat. 680.

(c) A State approving agency shall not approve any course offered by an educational institution operated for profit and, if any such course has been approved, shall disapprove each such course, if it finds that any officer or employee of the Veterans' Administration, the Office of Education, or the State approving agency owns an interest in, or receives any wages, salary, dividends, profits, gratuities, or services from, such institution.

(d) The Administrator may, after reasonable notice and public hearings, waive in writing the application of this section in the case of any officer or employee of the Veterans' Administration, of the Office of Education, or of a State approving agency, if he finds that no detriment will result to the United States or to eligible veterans by reason of such interest or connection of such officer or employee.

REPORTS BY INSTITUTIONS

SEC. 265. (a) Educational institutions and training establishments shall, without delay, report to the Administrator in the form prescribed by him, the enrollment, interruption, and termination of the education or training of each eligible veteran enrolled therein under this title.

(b) The Administrator shall pay to each educational institution which is required to submit reports and certifications to the Administrator under this title, an allowance at the rate of \$1.50 per month for each eligible veteran enrolled in and attending such institution under the provisions of this title to assist the educational institution in defraying the expense of preparing and submitting such reports and certifications. Such allowances shall be paid in such manner and at such times as may be prescribed by the Administrator, except that in the event any institution fails to submit reports or certifications to the Administrator as required by this title, no allowance shall be paid to such institution for the month or months during which such reports or certifications were not submitted as required by the Administrator.

OVERPAYMENTS TO VETERANS

SEC. 266. In any case where it is found by the Administrator that an overpayment has been made to a veteran as the result of (1) the willful or negligent failure of the educational institution or training establishment to report, as required by this title and applicable regulations, to the Veterans' Administration excessive absences from a course, or discontinuance or interruption of a course by the veteran or (2) false certification by the educational institution or training establishment, the amount of such overpayment shall constitute a liability of such institution or establishment, and may be recovered in the same manner as any other debt due the United States: *Provided*, That any amount so collected shall be reimbursed if the overpayment is recovered from the veteran. This provision shall not preclude the imposition of any civil or criminal action under this or any other statute.

EXAMINATION OF RECORDS

SEC. 267. The records and accounts of educational institutions and training establishments pertaining to eligible veterans who received education or training under this title shall be available for examination by duly authorized representatives of the Government.

FALSE OR MISLEADING STATEMENTS

SEC. 268. The Administrator shall not make any payments under this title to any person found by him to have willfully submitted any false or misleading claims. In each case where the Administrator finds that an educational institution or training establishment has willfully submitted a false or misleading claim, or where a veteran, with the complicity of an educational institution or training establishment, has submitted such a claim, he shall make a complete report of the facts of the case to the appropriate State approving agency and where deemed advisable to the Attorney General of the United States for appropriate action.

CRIMINAL PENALTIES

SEC. 269. Whoever knowingly and willfully—

(1) makes or presents any false, fictitious, or fraudulent affidavit, declaration, certificate, voucher, endorsement, or paper or writing purporting to be such, concerning any claim for payment under this title, or pertaining to any matter arising under this title,

(2) makes or presents any paper required under this title on which paper a date other than the date upon which it was actually signed or acknowledged by the claimant has been willfully inserted,

(3) certifies falsely that the declarant, affiant, or witness named in such affidavit, declaration, voucher, endorsement, or other paper or writing personally appeared before him and was sworn thereto, or acknowledged the execution thereof, or

(4) accepts and converts to his own use payments for any period during which he was not actually pursuing a course of education or training under this title for which period payment was made,

shall be fined not more than \$5,000 or imprisoned not more than three years, or both.

APPLICATION OF OTHER LAWS

SEC. 270. The provisions of Public Law Numbered 262, Seventy-fourth Congress, approved August 12, 1935 (49 Stat. 607), as amended, the provisions of section 15 of Public Law Numbered 2, Seventy-third Congress, as amended, the provisions of section 12 of Public Law Numbered 144, Seventy-eighth Congress, approved July 13, 1943 (57 Stat. 557), as amended, and the provisions of titles II and III of Public Law Numbered 844, Seventy-fourth Congress, approved June 29, 1936, as amended, shall be for application under this title.

38 U.S.C.
§§ 450, 454a,
556a and note.
48 Stat. 11.
38 U.S.C. § 715.
38 U.S.C. note
foll. ch. 12.
49 Stat. 2031.
38 U.S.C.
§§ 101-104, 131-
133, 619 note.

WAIVER OF RECOVERY OF OVERPAYMENTS

SEC. 271. There shall be no recovery of payments of education and training allowance made under this title from any person who, in the judgment of the Administrator, is without fault on his part and where, in the judgment of the Administrator, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No disbursing officer or certifying officer shall be held liable for any amount paid to any person where the recovery of such amount is waived under this section.

All 66 Stat. 682.

INFORMATION FURNISHED BY FEDERAL TRADE COMMISSION

SEC. 272. The Federal Trade Commission shall keep all State approving agencies advised of any information coming to its attention which would be of assistance to such agencies in carrying out their duties under this title.

EFFECTIVE DATE

SEC. 273. This title shall take effect on the date of its enactment, except that no education and training allowance shall be paid for any period prior to August 20, 1952.

APPROPRIATIONS

SEC. 274. The appropriations for the Veterans' Administration under the headings "Administration, medical, hospital and domiciliary services" and "Readjustment benefits" are hereby made available for expenditures necessary to carry out the provisions of this title, and there is hereby authorized to be appropriated such additional amounts as may be necessary to accomplish the purposes of this title.

TITLE III—LOANS

PERSONS ELIGIBLE FOR LOANS

58 Stat. 291.
38 U.S.C.
§ 694.

SEC. 301. Subsection (a) of section 500 of the Servicemen's Readjustment Act of 1944, as amended, is amended—

(1) by inserting after "war" in the first sentence the following: "or at any time on or after June 27, 1950, and prior to such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress,";

(2) by inserting after the first sentence the following: "Entitlement derived from service on or after June 27, 1950, shall (1) cancel any unused entitlement derived from service prior to June 27, 1950, and (2) be reduced by the amount entitlement from such prior service shall have been used to obtain a direct, guaranteed, or insured loan (a) on real property which the veteran owns at the time of application or (b) as to which the Administrator shall have incurred actual liability or loss, unless in the event of loss or the incurrence and payment of such liability by the Administrator, the resultant indebtedness of the veteran to the Government shall have been paid in full."; and

(3) by inserting after "war" in the fourth sentence of such subsection, as amended by this section, the following: "and any loan to a veteran eligible by virtue of active service on or after June 27, 1950, if made within ten years after such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress,".

POWER OF ADMINISTRATOR TO EXAMINE LOANS

38 U.S.C.
§ 694.

SEC. 302. Section 500 of the Servicemen's Readjustment Act of 1944, as amended, is amended by adding at the end thereof the following new subsection:

"(f) Notwithstanding the provisions in this title respecting automatically guaranteed loans, the Administrator may at any time upon thirty days' notice require loans to be made by any lender or class of lenders to be submitted for prior approval, and no guaranty or insurance liability shall exist in respect to such loans unless evidence of guaranty or insurance is issued by the Administrator."

ADDITIONAL REQUIREMENT FOR GUARANTEED LOANS

All 66 Stat. 683.

SEC. 303. Section 501 (a) (2) of the Servicemen's Readjustment Act of 1944, as amended, is amended by inserting after "expenses" the following: ", and the veteran is a satisfactory credit risk". 38 U.S.C. § 694a.

STANDARDS OF PLANNING AND CONSTRUCTION; SUBSTANTIAL DEFICIENCIES IN HOUSING

SEC. 304. Section 504 of the Servicemen's Readjustment Act of 1944, as amended, is amended by striking out subsection (b) and inserting in lieu thereof the following new subsections: 38 U.S.C. § 694d.

"(b) No loan for the purchase or construction of residential property on which construction is begun subsequent to sixty days from the date the Veterans' Readjustment Assistance Act of 1952 becomes effective shall be financed through the assistance of the provisions of this title unless the property meets or exceeds minimum requirements for planning, construction, and general acceptability prescribed by the Administrator: *Provided*, That subsection 504 (b) as originally enacted shall continue to be applicable to construction begun prior to the end of such sixty-day period: *Provided further*, That this subsection shall not apply to a loan for the purchase of residential property the construction of which was completed more than one year prior to the making of such loan.

"(c) The Administrator shall have the right to refuse to appraise any dwelling or housing project owned, sponsored, or to be constructed by any person identified with housing previously sold to veterans under this title as to which substantial deficiencies have been discovered, or as to which there has been a failure or indicated inability to discharge contractual liabilities to veterans, or as to which it is ascertained that the type of contract of sale or the methods or practices pursued in relation to the marketing of such properties were unfair or unduly prejudicial to veteran purchasers."

ELIGIBILITY FOR LOANS TO REFINANCE EXISTING LIABILITY

SEC. 305. Section 507 (1) of the Servicemen's Readjustment Act of 1944, as amended, is amended by inserting before the semicolon at the end thereof the following: "or, in the case of a veteran eligible by virtue of active service on or after June 27, 1950, not later than ten years after such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress". 38 U.S.C. § 694h.

EXPIRATION OF AUTHORITY TO MAKE DIRECT LOANS

SEC. 306. Section 512 (b) of the Servicemen's Readjustment Act of 1944, as amended, is amended by striking out "(D)" and inserting in lieu thereof "(C)" and by inserting before the period at the end thereof the following: ", except that if a commitment to make such a loan was issued by the Administrator prior to that date the loan may be completed subsequent to such date". 38 U.S.C. § 694i.

REFUSAL TO GUARANTEE OR INSURE LOANS IN CERTAIN CASES

SEC. 307. Title III of the Servicemen's Readjustment Act of 1944, as amended, is amended by adding at the end thereof the following new section: 38 U.S.C. §§ 694-694m.

"SEC. 514. Whenever the Administrator finds with respect to loans guaranteed or insured under this title that any lender or holder has failed to maintain adequate loan accounting records, or to demonstrate

All 66 Stat. 684.

proper ability to service loans adequately or to exercise proper credit judgment or has willfully or negligently engaged in practices otherwise detrimental to the interest of veterans or of the Government, he may refuse either temporarily or permanently to guarantee or insure any loans made by such lender or holder or bar such lender or holder from acquiring loans guaranteed or insured under this title: *Provided*, That the Administrator shall not refuse to pay a guarantee on loans theretofore entered into in good faith between the veteran and the lending institution."

TITLE IV—UNEMPLOYMENT COMPENSATION FOR VETERANS OF SERVICE ON OR AFTER JUNE 27, 1950

COMPENSATION FOR VETERANS UNDER STATE AGREEMENTS

SEC. 401. (a) The Secretary is authorized on behalf of the United States to enter into an agreement with any State, or with the agency administering the unemployment compensation law of such State, under which such State agency (1) will make, as agent of the United States, payments of compensation to veterans, in accordance with the provisions of this title, and (2) will otherwise cooperate with the Secretary, and with other State agencies, in making payments of compensation under this title.

Rate of compensation. (b) Any such agreement shall, except as provided in section 408, provide that compensation at the rate of \$26 per week will be paid by the State to any veteran in such State with respect to weeks of unemployment (not in excess of a total of 26 weeks) which occur after the ninetieth day after the date of the enactment of this Act: *Provided, however*, That if a veteran is eligible to receive mustering-out payment under section 502 of this Act, he shall not be eligible to receive compensation under this title with respect to weeks of unemployment completed within thirty days after his discharge or ninety days after the date of the enactment of this Act, whichever date is the later, if he receives \$100 in such mustering-out payment; within sixty days after his discharge or ninety days after the date of the enactment of this Act, whichever date is the later, if he receives \$200 in such mustering-out payment; or within ninety days after his discharge or ninety days after the date of the enactment of this Act, whichever date is the later, if he receives \$300 in such mustering-out payment.

Date of eligibility.

(c) Any such agreement shall provide that any determination by a State agency with respect to entitlement to compensation pursuant to an agreement under this section shall be made in accordance with the State unemployment compensation law, insofar as such law is applicable, and shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in such manner and to such extent.

(d) Each agreement shall provide the terms and conditions upon which it may be amended or terminated.

COMPENSATION FOR VETERANS IN ABSENCE OF STATE AGREEMENTS

SEC. 402. (a) In the case of a veteran who is in a State which has no agreement under this title with the Secretary, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such veteran of a claim for compensation under this subsection, make payments of compensation to him in the same amounts and for the same periods as provided in section 401 (b). Any determination by the Secretary with respect to entitlement to compensation under this subsection shall be made in accordance with the State unemployment

All 66 Stat. 685.

compensation law of the State in which the veteran is insofar as such law is applicable.

(b) In the case of a veteran who is in Puerto Rico or in the Virgin Islands, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such veteran of a claim for compensation under this subsection, make payments of compensation to him in the same amounts and for the same periods as provided in section 401 (b). Any determination by the Secretary with respect to entitlement to compensation under this subsection shall be made in accordance with the unemployment compensation law of the District of Columbia, insofar as such law is applicable. Puerto Rico;
Virgin Islands.

(c) Any veteran whose claim for compensation under subsection (a) or (b) of this section has been denied shall be entitled to a fair hearing in accordance with regulations prescribed by the Secretary. Any final determination by the Secretary with respect to entitlement to compensation under this section shall be subject to review by the courts in the same manner and to the same extent as is provided in section 205 (g) of title II of the Social Security Act, as amended, with respect to final decisions of the Administrator under such title. Denial of com-
pensation.

53 Stat. 1368.
42 U.S.C. § 405.

(d) The Secretary may utilize for the purposes of this section the personnel and facilities of the agencies in Puerto Rico and the Virgin Islands cooperating with the United States Employment Service under the Act of June 6, 1933 (48 Stat. 113), as amended. For the purpose of payments made to such agencies under such Act, the furnishing of such personnel and facilities shall be deemed to be a part of the administration of the public employment offices of such agencies. 5 U.S.C. § 616;
29 U.S.C. §§ 49-
49k; 39 U.S.C.
§ 338.

PAYMENTS TO STATES

SEC. 403. (a) Each State shall be entitled to be paid by the United States an amount equal to the payments of compensation made by such State under and in accordance with an agreement under this title.

(b) In making payments pursuant to subsection (a) of this section there shall be paid to the State, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

(c) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State sums payable to such State under this section. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the funds for carrying out the purposes of this title. Certification.

(d) All money paid to a State under this title shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this title, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this title may be made.

(e) An agreement under this title may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Bond.

All 66 Stat. 686.

Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this title.

Certifying officer.

(f) No person designated by the Secretary, or designated pursuant to an agreement under this title, as a certifying officer, shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any compensation certified by him under this title.

Disbursing officer.

(g) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated as provided in subsection (f) of this section.

49 Stat. 626.
42 U.S.C.
§§ 501-503.

(h) For the purpose of payments made to a State under title III of the Social Security Act, administration by the State agency of such State pursuant to an agreement under this title shall be deemed to be a part of the administration of the State unemployment compensation law.

Availability of funds.

(i) Until such time as funds are appropriated to carry out the provisions of this title, any funds available to the Department of Labor for "Grants to States for unemployment compensation and employment service administration" are hereby made available for expenditures necessary to carry out the provisions of this title: *Provided*, That any such expenditures made or obligations incurred shall be adjusted and charged to any applicable appropriation, fund, or authorization whenever a law is enacted which contains such applicable appropriation, fund, or authorization.

INFORMATION

SEC. 404. (a) All Federal departments and agencies are directed to make available to State agencies which have agreements under this title or to the Secretary, as the case may be, such information with respect to military service of any veteran as the Secretary may find practicable and necessary for the determination of such veteran's entitlement to compensation under this title.

Reports.

(b) The agency administering the unemployment compensation law of any State shall furnish to the Secretary such information as the Secretary may find necessary or appropriate in carrying out the provisions of this title, and such information shall be deemed reports required by the Secretary for the purposes of paragraph (6) of subsection (a) of section 303 of the Social Security Act, as amended.

42 U.S.C.
§ 503.

PENALTIES

SEC. 405. (a) Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under this title or under an agreement thereunder shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

(b) Any person who makes, or causes to be made by another, a false statement or representation of a material fact knowing it to be false or knowingly fails, or causes another to fail, to disclose a material fact, and, as a result thereof, has received any amount as compensation under this title to which he was not entitled, shall be liable to repay such amount to the State agency or the Secretary, as the case may be, for the fund from which the amount was paid or, in the discretion of the State agency or the Secretary, as the case may be, to have such amount deducted from any future compensation payable to

him under this title within the two-year period following the finding, if the existence of such nondisclosure or misrepresentation has been found by a court of competent jurisdiction or in connection with a reconsideration or appeal.

REGULATIONS

SEC. 406. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this title. The Secretary shall insofar as practicable consult with representatives of the State unemployment compensation agencies before prescribing any rules or regulations which may affect the performance by such agencies of functions pursuant to agreements under this title.

DEFINITIONS

SEC. 407. When used in this title—

(a) The term "veteran" means any person who has served in the active service in the Armed Forces at any time on or after June 27, 1950, and prior to such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress, and who has been discharged or released from such active service under conditions other than dishonorable after continuous service of ninety days or more, or by reason of an actual service-incurred injury or disability.

(b) The term "compensation" means the money payments to individuals with respect to their unemployment.

(c) The term "Secretary" means the Secretary of Labor.

(d) The term "State" includes Hawaii, Alaska, Puerto Rico, the Virgin Islands, and the District of Columbia.

(e) The term "Armed Forces" means the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard of the United States.

NONDUPLICATION OF BENEFITS

SEC. 408. (a) Notwithstanding any other provision of this title, no payment shall be made under any agreement under this title, or, in the absence of such an agreement, by the Secretary under this title, to a veteran for—

(1) any week or any part of a week he is eligible (or would be eligible except for the provisions of this title or except for any action taken by such veteran under this title) to receive unemployment benefits at a rate equal to or in excess of \$26 per week under any Federal or State unemployment compensation law,

(2) any period with respect to which he receives an education and training allowance under subsection (a), (b), (c), or (d) of section 232 of this Act or a subsistence allowance under part VII or part VIII of Veterans Regulation Numbered 1 (a), as amended, or

(3) any period he receives additional compensation necessary for his maintenance under section 6 (b) (2) of the Federal Employees Compensation Act, as amended.

(b) In any case in which, for any week or any part of a week, a veteran is eligible for payment of compensation under this title and is also eligible (or would be eligible except for the provisions of this title or except for any action taken by such veteran under this title) to receive for such week or such part of a week unemployment benefits at a rate less than \$26 per week under any Federal or State unemployment compensation law, such veteran may elect to receive payment of compensation under this title; but if the veteran so elects, the amount of compensation payable under this title shall be reduced by the amount of such compensation benefits for which such

38 U.S.C. note
foll. ch. 12.

63 Stat. 858.
5 U.S.C. §756.

All 66 Stat. 688.

veteran is eligible (or would be eligible except for the provisions of this title or except for any action taken by such veteran under this title) under such Federal or State unemployment compensation law.

(c) If the veteran elects under subsection (b) to receive payment of compensation under this title, he shall be entitled to compensation at the rate of \$26 per week after the exhaustion of State unemployment benefits until the total compensation received under this title equals \$676.

(d) Under no circumstances shall any veteran receive compensation under this title from more than one State at one time or in a total amount in excess of \$676.

TERMINATION

SEC. 409. No compensation shall be paid under this title for any week commencing more than five years after the date determined by Presidential proclamation or concurrent resolution of the Congress prescribed in section 407 (a).

TITLE V—MUSTERING-OUT PAYMENTS

ELIGIBILITY FOR PAYMENTS

SEC. 501. (a) Except as provided in subsection (b) of this section, each member of the Armed Forces who shall have been engaged in active service on or after June 27, 1950, and prior to such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress, and who is discharged or relieved from active service under honorable conditions, shall be eligible to receive mustering-out payment.

Prohibitions.

(b) No mustering-out payment shall be made to—

(1) any member of the Armed Forces who, at the time of discharge or relief from active service, is in a pay grade higher than O-3;

(2) any member of the Armed Forces who, at the time of discharge or release from active service, is entitled to severance pay or is transferred or returned to the retired list with retired pay, retirement pay, retainer pay, or equivalent pay, or to a status in which he receives such pay: *Provided*, That this paragraph shall not apply upon retirement or separation pursuant to title IV of the Career Compensation Act of 1949;

63 Stat. 816.

37 U.S.C.

§§271-285.

(3) any member of the Armed Forces for any active service performed prior to the date of his discharge or relief from active service on his own initiative to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska;

(4) any member of the Armed Forces whose total period of service has been as a student assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians;

(5) any member of the Armed Forces for any active service performed prior to the date of his discharge from such forces for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy;

All 66 Stat. 689.

(6) any member of the Armed Forces whose sole service has been as a cadet at the United States Military Academy or the United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of said Academies;

(7) any commissioned officer unless he is discharged or relieved from active service within three years after such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress; and

(8) any member of the Armed Forces who is ordered to active service for the sole purpose of training duty or a physical examination, or for a period of less than sixty days.

(c) A member of the Armed Forces who is eligible to receive mustering-out payments under this title and under the Mustering-Out Payment Act of 1944 for the same period of active service shall elect to receive such payment either under this title or such Act, but shall not be entitled to payment under both provisions of law. 58 Stat. 8.
38 U.S.C. § 691.

DETERMINATION OF PAYMENTS

SEC. 502. (a) Mustering-out payment for persons eligible under section 501 shall be in sums as follows:

(1) \$300 for persons who, having performed active service for sixty days or more, have served outside the continental limits of the United States or in Alaska.

(2) \$200 for persons who, having performed active service for sixty days or more, have served no part thereof outside the continental limits of the United States or in Alaska.

(3) \$100 for persons who have performed active service for less than sixty days.

(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service, or at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces; and the remaining amount of such payment shall be paid in two equal installments—one month and two months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces; and the remaining amount of such payment shall be paid one month from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (3) shall receive the stipulated amount at the time of such discharge or relief from active service or, at the option of the person so eligible, at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces. A person entitled to receive the first installment of the mustering-out payment at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces shall, at his election, receive the whole of such payment in one lump sum, rather than in installments. Method of payment.

All 66 Stat. 690.

TIME LIMITATIONS

SEC. 503. Any member of the Armed Forces entitled to mustering-out payment who shall have been discharged or relieved from active service under honorable conditions before the effective date of this title shall, if application therefor is made within two years after the date of enactment of this title, be paid such mustering-out payment by the Department of the Army, Navy, or Air Force, or the Treasury Department, as the case may be, beginning within one month after application has been received and approved by such department. No member of the Armed Forces shall receive mustering-out payment under this title more than once, and such payment shall accrue and the amount thereof shall be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active service or, at the option of such member, for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces.

DECEASED MEMBERS

SEC. 504. If any member of the Armed Forces, after his discharge or relief from active service, shall die before receiving any portion of or the full amount of his mustering-out payment, the balance of the amount due him shall be payable, on appropriate application therefor, to his surviving spouse, if any; and if he shall leave no surviving spouse, then in equal shares to his child or children, if any; and if he shall leave no surviving spouse or child or children, then in equal shares to his surviving parents, if any. No payments under this title shall be made to any other person.

ADMINISTRATION OF TITLE

Mustering-out
payments.

SEC. 505. (a) Mustering-out payments due or to become due under this title shall not be assignable and any payments made to or on account of a veteran hereunder shall be exempt from taxation, shall be exempt from the claims of creditors, including any claim of the United States, and shall not be subject to attachment, levy, or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

Regulations.

(b) The Secretaries of the Army, Navy, Air Force, and Treasury shall make such regulations not inconsistent with this title as may be necessary effectively to carry out the provisions thereof, and their decisions shall be final and not subject to review by any court or other Government official.

Payments to
survivors.

(c) The Secretaries of the Army, Navy, Air Force, and Treasury, or such subordinate officers as they may designate, are authorized to make direct payment to survivors over seventeen years of age, and to select a proper person or persons to whom mustering-out payments may be made for the use and benefit of former active members of the Armed Forces, or survivors thereof, as defined by section 504 hereof, without the necessity of appointment by judicial proceedings of a legal representative of any such former member or such survivors when, in the opinion of the respective Secretaries or their designees, the interests of persons under seventeen years of age so justify, or where the former active member or his survivors is suffering from a mental disability sufficient to make direct payment not in the best interests of such person or persons. Payments made under the provisions of this subsection shall constitute a complete discharge of the obligation of the United States as provided in this title; and the selection of a proper person or persons, as provided herein, and the

All 66 Stat. 691.

correctness of the amount due and paid to such person or persons shall have the same finality as that accorded decisions made pursuant to subsection (b). The provisions of this subsection shall not apply where a legal guardian or committee has been judicially appointed, except as to any payments made hereunder prior to the receipt of notice of appointment.

DEFINITIONS

SEC. 506. As used in this title—

(a) The term "spouse" means a lawful wife or husband.

(b) The term "child" includes (1) a legitimate child; (2) a child legally adopted; and (3) a stepchild, if, at the time of death of the member of the Armed Forces, such stepchild was a member of the deceased's household.

(c) The term "parent" includes father and mother, stepfather and stepmother, and father and mother through adoption.

(d) The term "Armed Forces" means the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard of the United States.

TITLE VI—MISCELLANEOUS

JOB COUNSELING AND EMPLOYMENT PLACEMENT

SEC. 601. Section 607 of title IV, Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 695f), is hereby amended to read as follows: 58 Stat. 295.

"SEC. 607. The term 'veteran' as used in this title shall mean a person who served in the active service of the Armed Forces during a period of war in which the United States has been, or is, engaged, or during the period on or after June 27, 1950, and prior to such date as may be thereafter determined by Presidential proclamation or concurrent resolution of the Congress, and who has been discharged or released therefrom under conditions other than dishonorable."

AUTHORIZATION OF APPROPRIATIONS

SEC. 602. There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved July 16, 1952.

Public Law 201 - 82d Congress
Chapter 554 - 1st Session
S. 622

AN ACT

To increase the basic rates of compensation of certain officers and employees of the Federal Government, and for other purposes.

	*	*	*	*	*	*	*
All 65 Stat. 614 - 615	SEC. 4. (a)	The rates of basic compensation of officers and employees in the Department of Medicine and Surgery in the Veterans' Administration whose rates of basic compensation are provided by Public Law 293, Seventy-ninth Congress, approved January 3, 1946, as amended, are hereby increased by 10 per centum, except that in no case shall any such rate be increased by less than \$300 per annum or by more than \$800 per annum.				Veterans' Administration. Department of Medicine and Surgery. 59 Stat. 675. 38 U.S.C. §§ 15-15n.	
38 U.S.C. § 15g.	(b)	Section 8 (d) of Public Law 293, Seventy-ninth Congress, as amended, is amended by striking out "\$12,000" and inserting in lieu thereof "\$12,800".					
60 Stat. 1003. 22 U.S.C. §§ 867, 870.	SEC. 5. (a)	The rates of basic compensation provided by sections 412 and 415 of the Foreign Service Act of 1946, as amended, are hereby increased by 10 per centum, except that in no case shall any such rate be increased by less than \$300 per annum, or by more than \$800 per annum.					
Report to Congressional committees.	(b)	The Bureau of the Budget and the Civil Service Commission are authorized and directed to transmit to the Post Office and Civil Service Committees of the Senate and House of Representatives on or before April 1, 1952, a report on pay and personnel practices being followed in overseas areas by all departments and agencies of the Federal Government, including the Foreign Service of the State Department.					
Effective date.	SEC. 6. (a)	This Act shall become effective as of the first day of the first pay period which began after June 30, 1951.					
Retroactive compensation.	(b)	Retroactive compensation or salary shall be paid under this Act only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or of the municipal government of the District of Columbia on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid a retired officer or employee for services rendered during the period beginning with the first day of the first pay period which began after June 30, 1951, and ending with the date of his retirement.					

Approved October 24, 1951.

Public Law 364 - 82d Congress
Chapter 334 - 2d Session
H. R. 4949

AN ACT

To amend the Act of February 10, 1920, so as to provide for free blank ammunition for veterans' organizations for use in connection with the funeral ceremonies of deceased veterans, and for other ceremonial purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Secretary of War to loan Army rifles to posts of the American Legion", approved February 10, 1920, as amended (50 U. S. C., sec. 62), is hereby amended to read as follows: "That the Secretary of the Army is hereby authorized, under rules, limitations, and regulations to be prescribed by him, to loan obsolete or condemned Army rifles, slings, and cartridge belts to posts or camps of national veterans' organizations recognized by the Veterans' Administration, for use by them in connection with the funeral ceremonies of deceased soldiers, sailors, and marines, and for other post or camp ceremonial purposes; and to issue and deliver to such posts and camps, free of charge but, except where supplied for use in ceremonies at national cemeteries, without expense to the United States for packing, handling, and transportation, blank ammunition in suitable amounts for such rifles: *Provided, however,* That not to exceed ten such rifles shall be issued to any one post or camp."

Veterans' organizations.
Loan of Army rifles, etc.
41 Stat. 403.

66 Stat. 94.
66 Stat. 95.

Approved May 26, 1952.

Public Law 16 - 82d Congress
Chapter 27 - 1st Session
S. J. Res. 40

JOINT RESOLUTION

To extend the time for the filing of certain claims under the War Claims Act of 1948.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (c) of the War Claims Act of 1948, as amended, is amended as of March 1, 1951, by striking out the last sentence thereof and inserting in lieu of such sentence the following: "The limit of time within which claims may be filed with the Commission shall in no event be later than March 31, 1952. The Commission shall take immediate action to advise all persons entitled to file claims under the provisions of this Act administered by the Commission of their rights under such provisions, and to assist them in the preparation and filing of their claims."

65 Stat. 28,
29.

Approved April 5, 1951.

Public Law 220 - 82d Congress
Chapter 588 - 1st Session
H. R. 1181

AN ACT

To amend section 207 of the Legislative Reorganization Act of 1946 so as to authorize payment of claims arising from the correction of military or naval records.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 207 of the Act of August 2, 1946 (60 Stat. 812), is hereby amended to read as follows:

"SEC. 207. (a) The Secretaries of the Army, Navy, and Air Force and the Secretary of the Treasury (with respect to the Coast Guard), respectively, under procedures set up by them, and acting through boards of civilian officers or employees of their respective Departments, are authorized to correct any military or naval record where in their judgment such action is necessary to correct an error or remove an injustice, and corrections so made shall be final and conclusive on all officers of the Government except when procured by means of fraud: *Provided*, That procedures set up by the Secretaries of the Army, Navy, and Air Force in accordance with this subsection shall be approved by the Secretary of Defense: *Provided further*, That no corrective action shall be taken under this subsection unless the request therefor be filed by claimant, his heirs at law, or legal representatives within three years after his or their discovery of the alleged error or injustice, or within ten years after the date of enactment of this Act, whichever be the later: *Provided further*, That the failure to file the request by claimant, his heirs at law, or legal representative, within three years after his or their discovery of the alleged error or injustice may be excused by such board of civilian officers or employees of the respective Departments upon finding by it that it is in the interest of justice to excuse such failure to file within the prescribed time in which event action shall be taken in the same manner as if the request had been filed within the three years as prescribed herein.

"(b) The Department concerned is authorized to pay, out of applicable current appropriations, claims of any persons, their heirs at law or legal representatives as hereinafter provided, of amounts paid as fines, forfeitures, or for losses of pay (including retired or retirement pay), allowances, compensation, emoluments, or other monetary benefits, as the case may be, which are found to be due on account of military or naval service as a result of the action heretofore taken pursuant to section 207 of the Legislative Reorganization Act of 1946, or hereafter taken pursuant to subsection (a) of this section: *Provided*, That in the case of deceased persons where no demand is presented by a duly appointed legal representative of the estate, payments otherwise due hereunder shall be made to the decedent's widow, widower, legal heirs, or beneficiaries, in the order of precedence or succession as may be prescribed by the applicable provisions of law relating to the kind of payment involved and when not otherwise so provided, in the order of precedence as set forth in the Act of February 25, 1946 (60 Stat. 30), or as may be prescribed by the applicable provisions of law relating to the kind of payment involved.

"(1) This subsection shall not be deemed to authorize the payment of any claim heretofore compensated by Congress through enactment of a private law.

"(c) The acceptance by the claimant of any settlement made pursuant to subsection (b) of this section shall constitute a complete release by the claimant of any claim against the United States on account of such correction of record.

5 U.S.C. § 191a
and note.

Correction of
military and
naval records.

65 Stat. 655.
65 Stat. 656.

Approval of
procedures.
Request for cor-
rective action.

Failure to file
request.

Authority to
pay certain
claims.

Deceased per-
sons.

14 U.S.C. § 136a
and note;
42 U.S.C. § 225;
10 U.S.C. § 868.

Acceptance of
settlement.

Availability of appropriations. “(d) Applicable current appropriations shall be available for payment of such sums as may be due for continuing the pay (including retired or retirement pay), allowances, compensation, emoluments, and other monetary benefits to persons who shall have received payment pursuant to the provisions of subsection (b) of this section and who may be entitled to such continuing payments as a result of the correction of their military or naval records: *Provided*, That continuing payments are authorized to be made to such personnel for not more than one year following the date of the correction or one year following the date of enactment of this Act, whichever be the later, without the necessity of reenlistment, appointment, or reappointment to the grade, rank, or office to which such pay (including retired or retirement pay), allowances, compensation, emoluments, and other monetary benefits are attached, and such reenlistments, appointments, and reappointments are hereby authorized by the Secretary concerned without regard to other qualifications.

Continuing payments. “(e) The Secretary of Defense and the Secretary of the Treasury, for their respective Departments, shall make semi-annual reports to the Congress of all claims paid under this subsection during the period covered by each such report. Each such report shall include, with respect to each such claim, a statement of the amount paid, to whom, and a brief description of the claim.

Reports to Congress. “(f) Nothing in this Act shall be construed to authorize the payment of any amount as compensation for any benefit to which the claimant might subsequently become entitled under the laws and regulations administered by the Administrator of Veterans' Affairs.”

65 Stat. 656.
65 Stat. 657.

Effective date. SEC. 2. This Act shall be effective from and after August 2, 1946.
Approved October 25, 1951.

Public Law 303 - 82d Congress
Chapter 167 - 2d Session
S. 1415

AN ACT

To amend sections 6 and 7 of the War Claims Act of 1948.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 6 of the War Claims Act of 1948, as amended (62 Stat. 1240), is hereby amended by inserting after the words "As used in" the following: "subsection (b) of"; and such section 6 is further amended by adding a new subsection (d) as follows:

War Claims
Act of 1948,
amendments.
50 U.S.C. app.
§ 2005.

"(d) (1) As used in this subsection the term 'prisoner of war' means any regularly appointed, enrolled, enlisted, or inducted member of the military or naval forces of the United States, who was held a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which the United States has been at war subsequent to such date.

"Prisoner of
war".

"(2) The Commission is authorized to receive, adjudicate according to law, and to provide for the payment of any claim filed by any prisoner of war for compensation—

Claims.

"(A) for the violations by the enemy government by which he was held as a prisoner of war, or its agents, of such government's obligations under title III, section III, of the Geneva Convention of July 27, 1929, relating to labor of prisoners of war; or

"(B) for inhumane treatment by the enemy government by which he was held, or its agents. The term 'inhumane treatment' as used herein shall include, but not be limited to, violation by such enemy government, or its agents, of one or more of the provisions of articles 2, 3, 7, 10, 12, 13, 21, 22, 54, 56, or 57, of the Geneva Convention of July 27, 1929.

"(3) Compensation shall be allowed to any prisoner of war under this subsection at the rate of \$1.50 per day for each day he was held as a prisoner of war on which he alleges and proves in a manner acceptable to the Commission—

Rate of com-
pensation.

"(A) the violation by such enemy government or its agents of the provisions of title III, section III, of the Geneva Convention of July 27, 1929; or

"(B) any inhumane treatment as defined herein.

Any claim allowed under the provisions of this subsection shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act. In no event shall the compensation allowed to any prisoner of war under this subsection exceed the sum of \$1.50 with respect to any one day.

50 U.S.C. app.
§ 2012.

"(4) Claims pursuant to subsection (d) (2) shall be paid to the person entitled thereto, or to his legal or natural guardian if he has one, and shall, in case of death of the persons who are entitled be payable only to or for the benefit of the following persons:

Payment.

"(A) widow or dependent husband if there is no child or children of the deceased;

"(B) widow or dependent husband and child or children of the deceased, one-half to the widow or dependent husband and the other half to the child or children of the deceased in equal shares;

66 Stat. 47.
66 Stat. 48.

"(C) child or children of the deceased (in equal shares) if there is no widow or dependent husband; and

"(D) parents (in equal shares) if there is no widow, dependent husband, or child."

50 U.S.C. app. § 2006.	SEC. 2. Section 7 of the War Claims Act of 1948, as amended, is amended by inserting "(a)" after the section number, and by adding at the end thereof the following new subsections:
Philippines. Religious organizations.	"(b) That any such religious organization or its personnel functioning in the Philippines and affiliated with a religious organization in the United States, which furnished relief in the Philippines to members of the Armed Forces of the United States or to civilian American citizens in accordance with the provisions of subsection (a) shall be compensated from the War Claims Fund, as hereinafter provided, for the loss and damage sustained as a consequence of the war to its schools, colleges, universities, scientific observatories, hospitals, dispensaries, orphanages, and other property or facilities connected with its educational, medical, or welfare work.
	"(c) That any such affiliated organization furnishing relief which possessed any interest in, and whose personnel of American citizens substantially composed the administrative staff of, any hospital whose prewar facilities and capacity have not been restored shall be compensated in an amount sufficient to enable such organization to replace the hospital's facilities and capacity equal to that which existed at the time of the outbreak of the war, irrespective of what disposition was made subsequently of the land, buildings, and contents.
Determination of claims.	"(d) That claims filed pursuant to subsection (b) shall be determined and paid upon the basis of postwar cost of replacement which shall be ascertained by the War Claims Commission. In making such determinations the Commission shall utilize but not be limited to the factual information and evidence contained in the records of the Philippine War Damage Commission; the technical advice of experts in the field; the substantiating evidence submitted by the claimants; and any other technical and legal means by which fair and equitable postwar replacement costs shall be determined.
Investigation and study.	"(e) The Commission is hereby authorized and directed to proceed at once with the necessary investigation, study, and establishment of procedures in order to determine the replacement costs of the claims to be filed under subsections (b) and (c), using as a basis for beginning such investigation and study the evidence contained in the claims of those religious organizations or their personnel which have already filed and are eligible to be paid under the terms of subsection (a) of this section.
Filing of claims; adjudication. Payments.	"(f) All claims under subsections (b) and (c) must be filed on or before October 1, 1952; and not later than March 31, 1953, the Commission shall adjudicate according to law and provide for the payment of any claim filed pursuant to this section. In any case in which any money is payable as a result of subsections (b) and (c) to a religious organization or its personnel functioning in the Philippines, such money shall be paid upon request of such organization to its affiliate in the United States: <i>Provided</i> , That all money thus paid to such affiliated religious organization in the United States shall be used by such affiliate for the purpose of restoring the educational, medical, and welfare facilities described in subsections (b) and (c) and located in the Philippines.
66 Stat. 48. 66 Stat. 49.	"(g) The Commission shall expedite the payments under this section without reducing payment of claims of American civilian internees and prisoners of war filed before March 31, 1953, pursuant to the provisions of sections 5 and 6 of this Act."
50 U.S.C. app. §§ 2004, 2005. Ante, p. 47.	SEC. 3. Claims for compensation under subsection (d) of section 6 of the War Claims Act of 1948, as amended, must be filed with the War Claims Commission within one year after the date of the enactment of this Act.
Time limitation.	

SEC. 4. Nothing in this Act, or in the amendments made by this Act to the War Claims Act of 1948, as amended, shall operate to extend the life of the War Claims Commission for any period of time.

Approved April 9, 1952.

All 66 Stat. 49.

62 Stat. 1240
50 U.S.C. app.
§ 2001 note.

Public Law 304 - 82d Congress
Chapter 168 - 2d Session
S. 1669

AN ACT

All 66 Stat. 49.

To amend the War Claims Act of 1948, as amended, with respect to payments for the benefit of persons under legal disability.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 5 of the War Claims Act of 1948, as amended (50 U. S. C. 2004 (e)), is amended to read as follows:

“(e) Any claim allowed by the Commission under this section shall be certified to the Secretary of the Treasury for payment out of the war claims funds established by section 13 of this Act, and shall be payable by the Secretary of the Treasury to the person entitled thereto; except that where the person entitled to payment is under any legal disability, any part of the amount payable may, in the discretion of the Commission, be paid, for the use of the claimant, to the natural or legal guardian, committee, conservator, or curator of the claimant, or, if there is no such guardian, committee, conservator, or curator, then the Commission may, in its discretion, make payment to any other person, including the spouse of such claimant, whom the Commission may determine is vested with the care of the claimant or his estate for the use and benefit of such claimant or estate; and if such person is a minor, any part of the amount payable may, in the discretion of the Commission, be paid to such minor.”

SEC. 2. Subsection (c) of section 6 of the War Claims Act of 1948, as amended (50 U. S. C. 2005 (c)), is amended by striking out “or to his legal or natural guardian if he has one,”; and such section 6 is further amended by inserting after subsection (c) thereof the following new subsection:

“(d) Where any person entitled to payment under this section is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of section 5.”

Approved April 9, 1952.

War Claims
Act of 1948,
amendments.
62 Stat. 1242.
50 U.S.C. app.
§ 2004(e).

50 U.S.C. app.
§ 2012.
Claimants
under legal
disability.

50 U.S.C. app.
§ 2005(c).

COMPENSATION

Public Law 174 - 82d Congress
Chapter 499 - 1st Session
H. R. 3205

AN ACT

All 65 Stat. 421.

To amend the Veterans Regulations to provide that multiple sclerosis developing a 10 per centum or more degree of disability within two years after separation from active service shall be presumed to be service-connected.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second last proviso of subparagraph (c) of paragraph I, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by inserting after the words "three years" the words ", or multiple sclerosis developing a 10 per centum degree of disability or more within two years". 38 U.S.C. note
foll. ch. 12.

Approved October 12, 1951.

Public Law 427 - 82d Congress
Chapter 525 - 2d Session
H. R. 7783

AN ACT

To increase certain rates of veterans' compensation provided for specific service-incurred disabilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (A) subparagraph (k), paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

Veterans.
Disability
compensation.
38 U.S.C. note
foll. ch. 12.

"(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of a creative organ, or one foot, or one hand, or blindness of one eye, having only light perception, the rate of compensation therefor shall be \$47 per month independent of any other compensation provided in part I, paragraph II, subparagraphs (a) to (j); and in the event of anatomical loss or loss of use of a creative organ, or one foot, or one hand, or blindness of one eye, having only light perception, in addition to the requirement for any of the rates specified in subparagraphs (l) to (n), inclusive, of part I, paragraph II, the rate of compensation shall be increased by \$47 per month for each such loss or loss of use, but in no event to exceed \$400 per month."

(B) The rate of compensation provided under subparagraph (l), paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby increased to \$266.

(C) The rate of compensation provided under subparagraph (m), paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby increased to \$313.

(D) The rate of compensation provided under subparagraph (n), paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby increased to \$353.

(E) The rates of compensation provided by subparagraphs (o) and (p), paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, are hereby increased to \$400.

SEC. 2. Paragraph II, part I, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by adding a new subparagraph (q) to read as follows:

66 Stat. 295.
66 Stat. 296.

"(q) If the disabled person is shown to have had a service-incurred disability resulting from an active tuberculous disease, which disease in the judgment of the Administrator of Veterans' Affairs has reached a condition of complete arrest, the monthly compensation shall be not less than \$67."

SEC. 3. The rate of compensation provided by the last paragraph of section 202 (3) of the World War Veterans' Act, 1924, as amended (38 U. S. C. 473), for the loss of the use of a creative organ or one or more feet or hands is hereby increased to \$47. 43 Stat. 618.

SEC. 4. The rate of compensation provided in section 202 (7) of the World War Veterans' Act, 1924, as amended (38 U. S. C. 480), for arrested tuberculosis is hereby increased to \$67.

SEC. 5. All rates of compensation provided by the last two provisos of the first paragraph of section 202 (3) of the World War Veterans' Act, 1924, as amended (38 U. S. C. 473), are hereby increased 11 per centum: *Provided*, That in any case the rate of compensation, as increased, shall be further adjusted upward or downward to the nearest dollar.

SEC. 6. The maximum additional sum authorized by section 202 (5), World War Veterans' Act, 1924, as amended (38 U. S. C. 478), for the need of a nurse or attendant is hereby increased to \$67.

All 66 Stat. 296.

Effective
date.

SEC. 7. The rates of compensation authorized by this Act shall be effective from the first day of the second calendar month following the date of approval of this Act.

Approved June 30, 1952.

Public Law 356 - 82d Congress
Chapter 323 - 2d Session
H. R. 4394

AN ACT

All 66 Stat. 90.

To provide certain increases in the monthly rates of compensation and pension payable to veterans and their dependents, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all monthly rates of compensation payable under laws administered by the Veterans' Administration for disability rated 10 per centum to 49 per centum are hereby increased by 5 per centum, and for disability rated 50 per centum to 100 per centum are hereby increased by 15 per centum: *Provided,* That such increases shall not apply to special awards and allowances, dependency allowances, or subsistence allowances.

Veterans.
Compensation
and pensions.

SEC. 2. (a) Paragraph I (f), part III, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

38 U.S.C. note
foll. ch. 12.

"(f) The amount of pension payable under the terms of part III shall be \$63 monthly, except—

"(1) that where an otherwise eligible person shall have been rated permanent and total and in receipt of pension for a continuous period of ten years or reaches the age of sixty-five years, the amount of pension shall be \$75 monthly; and

"(2) that where an otherwise eligible person is or hereafter becomes, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the amount of pension shall be \$129 monthly."

(b) The provisions of subsection (a) of this section shall apply to veterans of both World War I and World War II.

SEC. 3. Paragraph IV of part I of Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

38 U.S.C. note
foll. ch. 12.

"IV. The surviving widow, child or children, and dependent mother or father of any deceased person who died as the result of injury or disease incurred in or aggravated by active military or naval service as provided in part I, paragraph I, hereof, shall be entitled to receive compensation at the monthly rates specified next below.

"Widow but no child, \$75; widow with one child, \$121 (with \$29 for each additional child); no widow but one child, \$67; no widow but two children, \$94 (equally divided); no widow but three children, \$122 (equally divided) (with \$23 for each additional child; total amount to be equally divided); dependent mother or father, \$60 (or both), \$35 each."

SEC. 4. Section 2 of Public Law Numbered 484, Seventy-third Congress, as amended, is hereby amended to read as follows:

48 Stat. 1281.
38 U.S.C.
§ 504.

"SEC. 2. That the monthly rates of pension shall be as follows: Widow but no child, \$48; widow and one child, \$60 (with \$7.20 for each additional child); no widow but one child, \$26; no widow but two children, \$39 (equally divided); no widow but three children, \$52 (equally divided) with \$7.20 for each additional child (the total amount to be equally divided)."

SEC. 5. (a) All monthly rates of pension payable to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and dependents of such veterans which are payable under laws reenacted by the Act of August 13, 1935 (49 Stat. 614; 38 U. S. C. 368, 369), or under Acts amendatory or supplemental to such laws, are hereby increased by 7½ per centum.

(b) All monthly rates of pension payable to veterans of the Civil War and dependents of such veterans which are payable under any public laws administered by the Veterans' Administration are hereby increased by 7½ per centum.

All 66 Stat. 91.

SEC. 6. (a) The minimum monthly rate of pension payable to veterans of the Indian wars under the Act of March 3, 1927 (44 Stat. 1361), as amended (38 U. S. C. 381), or the Act of August 25, 1937 (50 Stat. 786), as amended (38 U. S. C. 381-1), shall be \$96.75 unless such veteran is now or hereafter becomes on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, in which event the monthly rate shall be \$129.

(b) All monthly rates of pension payable to dependents of veterans of the Indian wars which are payable under any public laws administered by the Veterans' Administration are hereby increased by 7½ per centum.

Effective
date.

SEC. 7. The increased rates authorized by this Act shall be effective from the first day of the second calendar month following the date of approval of this Act.

Approved May 23, 1952.

Public Law 121 - 82d Congress
Chapter 339 - 1st Session
H. R. 3911

AN ACT

To provide appropriate lapel buttons for widows, parents, and next of kin of members of the Armed Forces who lost or lose their lives in the armed services of the United States during World War II or during any subsequent war or period of armed hostilities in which the United States may be engaged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 1, 1947 (61 Stat. 710, title 36, U. S. C. 182a-182d), is amended to read as follows:

"That the Secretary of Defense shall formulate and fix the size, design, and composition of a lapel button (to be known as the 'gold star lapel button') suitable as a means of identification for widows, parents, and next of kin of members of the Armed Forces of the United States who lost or lose their lives in the armed services of the United States during World War I, World War II, or during any subsequent war or period of armed hostilities in which the United States may be engaged. The Secretaries of the Army, Navy, and Air Force shall procure for their respective departments such number of gold star lapel buttons as shall be necessary to effect distribution of such buttons in accordance with the provisions of this Act.

"SEC. 2. (a) Upon application to the Department of the Army, Department of the Navy, or the Department of the Air Force, as the case may be, one such gold star lapel button shall be furnished, without cost, to the widow and to each of the parents of a member of the Armed Forces of the United States who lost or loses his or her life in the armed services of the United States during World War I, World War II, or during any subsequent war or period of armed hostilities in which the United States may be engaged.

"(b) In addition to the gold star lapel button authorized in subsection (a) of this section, gold star lapel buttons shall also be furnished, upon application and the payment of an amount sufficient to cover the cost of manufacture and distribution, to the next of kin, not hereinbefore designated, of any such deceased person.

"(c) Not more than one gold star lapel button shall be furnished to any one individual as provided in subsections (a) and (b) of this section, except whenever a gold star lapel button furnished under the provisions of this Act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was furnished such button may be replaced, upon application, by payment of an amount sufficient to cover the cost of manufacture and distribution.

"(d) Gold star lapel buttons shall be distributed in accordance with rules and regulations prescribed by the Secretary of Defense.

"SEC. 3. As used in this Act, (a) the term 'widow' shall include widower; (b) the term 'parents' shall include mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in loco parentis; (c) the term 'next of kin' shall include only children, brothers, sisters, half brothers, and half sisters; (d) the term 'children' shall include stepchildren and children through adoption; (e) the term 'World War I' shall include the period extending from April 6, 1917, to March 3, 1921; and (f) the term 'World War II' shall include the period extending from September 8, 1939, to July 25, 1947, at 12 o'clock noon.

65 Stat. 195,
196.

66 Stat. 196.

"SEC. 4. Whoever shall (1) wear, display on his person, or otherwise use as an insignia, any gold star lapel button issued to another person under the provisions of this Act; (2) falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or aid in falsely making, forging or counterfeiting any lapel button authorized by this Act; or (3) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession, any such false, forged, or counterfeited lapel button, shall be fined not more than \$1,000 or imprisoned not more than two years, or both.

"SEC. 5. Such sums are hereby authorized to be appropriated as may be necessary to carry out the purposes of this Act."

Approved August 21, 1951.

Public Law 584 - 82d Congress
Chapter 932 - 2d Session
H. R. 7806

AN ACT

All 66 Stat. 758.

To authorize the participation by certain Federal employees, without loss of pay or deduction from annual leave, in funerals for deceased members of the Armed Forces returned to the United States from abroad for burial and relating to the General Counsel of the Department of Commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to grant time to employees in the executive branch of the Government to participate, without loss of pay or deduction from annual leave, in funerals for deceased members of the Armed Forces returned to the United States for burial", approved August 16, 1949, is amended to read as follows:

"That employees in the executive branch of the Government who are veterans of any war, campaign, or expedition (for which a campaign badge has been authorized), or members of honors or ceremonial groups of organizations of such veterans may be excused from duty without loss of pay or deduction from their annual leave, for such time as may be necessary, but not in excess of four hours in any one day, to enable them to participate as active pallbearers or as members of firing squads or guards of honor in funeral ceremonies for members of the Armed Forces of the United States whose remains are returned from abroad for final interment in the United States."

SEC. 2. The Solicitor of the Department of Commerce shall hereafter be designated as the General Counsel of the Department of Commerce, and all laws and orders relating or referring to the Solicitor of the Department of Commerce shall be deemed to relate or refer to the General Counsel of the Department of Commerce.

Approved July 17, 1952.

Veterans.
Participation
in funerals.

63 Stat. 608.
5 U.S.C.
§ 30 note.

General Coun-
sel of Depart-
ment of Com-
merce.

Public Law 590 - 82d Congress
Chapter 945 - 2d Session
H. R. 7800

AN ACT

All 66 Stat. 767.

To amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Social Security Act Amendments of 1952".

Social Security Act Amendments of 1952.

WAGE CREDITS FOR CERTAIN MILITARY SERVICE; REINTERMENT OF
DECEASED VETERANS

SEC. 5. (a) Section 217 of the Social Security Act (relating to benefits in case of World War II veterans) is amended by striking out "WORLD WAR II" in the heading and by adding at the end of such section the following new subsection:

All 66 Stat.
774.
Benefits for
veterans.

"(e) (1) For purposes of determining entitlement to and the amount of any monthly benefit or lump-sum death payment payable under this title on the basis of the wages and self-employment income of any veteran (as defined in paragraph (4)), such veteran shall be deemed to have been paid wages (in addition to the wages, if any, actually paid to him) of \$160 in each month during any part of which he served in the active military or naval service of the United States on or after July 25, 1947, and prior to January 1, 1954. This subsection shall not be applicable in the case of any monthly benefit or lump-sum death payment if—

"(A) a larger such benefit or payment, as the case may be, would be payable without its application; or

"(B) a benefit (other than a benefit payable in a lump sum unless it is a commutation of, or a substitute for, periodic payments) which is based, in whole or in part, upon the active military or naval service of such veteran on or after July 25, 1947, and prior to January 1, 1954, is determined by any agency or wholly owned instrumentality of the United States (other than the Veterans' Administration) to be payable by it under any other law of the United States or under a system established by such agency or instrumentality.

The provisions of clause (B) shall not apply in the case of any monthly benefit or lump-sum death payment under this title if its application would reduce by \$0.50 or less the primary insurance amount (as computed under section 215 prior to any recomputation thereof pursuant to subsection (f) of such section) of the individual on whose wages and self-employment income such benefit or payment is based.

Ante, pp. 767,
768, 770, 771.
Post, p. 776.

"(2) Upon application for benefits or a lump-sum death payment on the basis of the wages and self-employment income of any veteran, the Federal Security Administrator shall make a decision without regard to clause (B) of paragraph (1) of this subsection unless he has been notified by some other agency or instrumentality of the United States that, on the basis of the military or naval service of such veteran on or after July 25, 1947, and prior to January 1, 1954, a benefit described in clause (B) of paragraph (1) has been determined by such agency or instrumentality to be payable by it. If he has not been so notified, the Federal Security Administrator shall then ascertain whether some other agency or wholly owned instrumentality of the United States has decided that a benefit described in clause (B) of paragraph (1) is payable by it. If any such agency or instrumentality has decided, or thereafter decides, that such a benefit is payable by it, it shall so notify the Federal Security Administrator, and the Administrator shall certify no further benefits for payment or shall recompute the amount of any further benefits payable, as may be required by paragraph (1) of this subsection.

All 66 Stat. 775.

"(3) Any agency or wholly owned instrumentality of the United States which is authorized by any law of the United States to pay benefits, or has a system of benefits which are based, in whole or in part, on military or naval service on or after July 25, 1947, and prior to January 1, 1954, shall, at the request of the Federal Security Administrator, certify to him, with respect to any veteran, such information as the Administrator deems necessary to carry out his functions under paragraph (2) of this subsection.

"Veteran".

"(4) For the purposes of this subsection, the term 'veteran' means any individual who served in the active military or naval service of the United States at any time on or after July 25, 1947, and prior to January 1, 1954, and who, if discharged or released therefrom, was so discharged or released under conditions other than dishonorable after active service of ninety days or more or by reason of a disability or injury incurred or aggravated in service in line of duty; but such term shall not include any individual who died while in the active military or naval service of the United States if his death was inflicted (other than by an enemy of the United States) as lawful punishment for a military or naval offense."

(b) Section 205 (c) of the Social Security Act (relating to credit- 42 U.S.C. §405.
ing of compensation under the Railroad Retirement Act) is amended 50 Stat. 307.
by striking out "section 217 (a)" and inserting in lieu thereof "sub- 45 U.S.C. ch.9.
section (a) or (e) of section 217". 42 U.S.C. §417.

(c) (1) The amendments made by subsections (a) and (b) shall apply with respect to monthly benefits under section 202 of the Social 42 U.S.C. §402.
Security Act for months after August 1952, and with respect to lump-
sum death payments in the case of deaths occurring after August
1952, except that, in the case of any individual who is entitled, on the
basis of the wages and self-employment income of any individual to
whom section 217 (e) of the Social Security Act applies, to monthly Ante, p. 773.
benefits under such section 202 for August 1952, such amendments
shall apply (A) only if an application for recomputation by reason
of such amendments is filed by such individual, or any other individ-
ual, entitled to benefits under such section 202 on the basis of such
wages and self-employment income, and (B) only with respect to such
benefits for months after whichever of the following is the later:
August 1952 or the seventh month before the month in which such
application was filed. Recomputations of benefits as required to carry
out the provisions of this paragraph shall be made notwithstanding
the provisions of section 215 (f) (1) of the Social Security Act; but no 42 U.S.C. §415.
such recomputation shall be regarded as a recomputation for pur-
poses of section 215 (f) of such Act. Post, p. 776.

(2) In the case of any veteran (as defined in section 217 (e) (4) of the Social Security Act) who died prior to September 1952, the requirement in subsections (f) and (h) of section 202 of the Social Security Act that proof of support be filed within two years of the date of such death shall not apply if such proof is filed prior to September 1954. Ante, p. 773.

(d) (1) Paragraph (1) of section 217 (a) of such Act is amended by striking out "a system established by such agency or instrumentality." in clause (B) and inserting in lieu thereof:

"a system established by such agency or instrumentality.
The provisions of clause (B) shall not apply in the case of any monthly benefit or lump-sum death payment under this title if its application would reduce by \$0.50 or less the primary insurance amount (as computed under section 215 prior to any recomputation thereof pursuant to subsection (f) of such section) of the individual on whose wages and self-employment income such benefit or payment is based."

(2) The amendment made by paragraph (1) of this subsection shall apply only in the case of applications for benefits under section 202 of the Social Security Act filed after August 1952.

(e) (1) Section 101 (d) of the Social Security Act Amendments of 1950 is amended by changing the period at the end thereof to a comma and adding: "and except that in the case of any individual who died outside the forty-eight States and the District of Columbia on or after June 25, 1950, and prior to September 1950, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment or reinterment, the last sentence of section 202 (g) of the Social Security Act as in effect prior to the enactment of this Act shall not prevent payment to any person under the second sentence thereof if application for a lump-sum death payment under such section with respect to such deceased individual is filed by or on behalf of such person (whether or not legally competent) prior to the expiration of two years after the date of such interment or reinterment."

All 66 Stat.
776.

64 Stat. 488.
42 U.S.C.
§ 402 note.

(2) In the case of any individual who died outside the forty-eight States and the District of Columbia after August 1950 and prior to January 1954, whose death occurred while he was in the active military or naval service of the United States, and who is returned to any of such States, the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands for interment or reinterment, the last sentence of section 202 (i) of the Social Security Act shall not prevent payment to any person under the second sentence thereof if application for a lump-sum death payment with respect to such deceased individual is filed under such section by or on behalf of such person (whether or not legally competent) prior to the expiration of two years after the date of such interment or reinterment.

42 U.S.C.
§402.

Public Law 239 - 82d Congress
Chapter 638 - 1st Session
H. R. 320

AN ACT

All 65 Stat. 694.

To assure hospitalization and out-patient treatment by the Veterans' Administration of World War II veterans who develop an active psychosis within two years from the date of separation from active service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of hospital and medical treatment, including out-patient treatment, authorized under laws administered by the Veterans' Administration, a veteran of World War II (as defined in Veterans Regulation Numbered 10, as amended) developing an active psychosis within two years from the date of separation from active service in such war shall be deemed to have incurred such disability in such active service. 38 U.S.C. note
foll. ch. 12.

Approved October 30, 1951.

Public Law 69 - 82d Congress
Chapter 198 - 1st Session
H. J. Res. 278

JOINT RESOLUTION

To continue for a temporary period the Defense Production Act of 1950; the Housing and Rent Act of 1947, as amended; and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 716 (a) of the Defense Production Act of 1950 is hereby amended (1) by striking out "June 30, 1951" and inserting in lieu thereof "July 31, 1951", and (2) by striking out "July 1, 1951" and inserting in lieu thereof "August 1, 1951". Section 716 (b) of the Defense Production Act of 1950 is hereby amended by striking out "June 30, 1951" and inserting in lieu thereof "July 31, 1951". Notwithstanding any other provision of this resolution or any other provision of law, the authority conferred under the Defense Production Act of 1950, as amended, shall not be exercised during the period June 30, 1951, to July 31, 1951, inclusive, to place into effect, or permit to become effective, a price ceiling for any material or service lower than the ceiling in effect for such material or service on the date of the enactment of this resolution or to put into effect a ceiling for any material or service for which a ceiling is not in effect on the date of the enactment of this resolution, except that in the case of those agricultural commodities below parity which reach a parity price during the effective period of this resolution, ceilings may be put into effect in conformity with the provisions of section 402 (d) (3) of the Act.

SEC. 2. (a) Section 4 (e) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out "June 30, 1951" and inserting in lieu thereof "July 31, 1951".

(b) Section 204 (a) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out "June 30, 1951" and inserting in lieu thereof "July 31, 1951".

(c) Section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out "June 30, 1951" and inserting in lieu thereof "July 31, 1951".

SEC. 3. The Act of June 30, 1950 (Public Law 590, Eighty-first Congress) is hereby amended by striking out "July 1, 1951" and inserting in lieu thereof "August 1, 1951".

Approved June 30, 1951.

Public Law 96 - 82d Congress
Chapter 275 - 1st Session
S. 1717

AN ACT

To amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Defense Production Act Amendments of 1951".

TITLE I—AMENDMENTS TO DEFENSE PRODUCTION
ACT OF 1950

SEC. 106.

(c) Section 605 of the Defense Production Act of 1950 is amended ^{65 Stat. 138.} by adding at the end thereof the following sentences: "Subject to the provision of this section with respect to preserving the relative credit preferences accorded to veterans under existing law, the President may require lenders or borrowers and their successors and assigns to comply with reasonable conditions and requirements, in addition to those provided by other laws, in connection with any loan of a type which has been the subject of action by the President under this section. Such conditions and requirements may vary for classifications of persons or transactions as the President may prescribe, and failure to comply therewith shall constitute a violation of this section."

TITLE II—AMENDMENTS TO THE HOUSING AND RENT ACT OF 1947

65 Stat. 143

SEC. 201. Section 204 (f) of the Housing and Rent Act of 1947, as amended, is amended by striking out "July 31, 1951" and inserting in lieu thereof "June 30, 1952".

SEC. 202. (a) The Housing and Rent Act of 1947, as amended, is amended by striking out "Housing Expediter" wherever it appears therein and inserting in lieu thereof "President".

(b) Section 204 (a) of the Housing and Rent Act of 1947, as amended, is repealed.

(c) Section 206 (e) of the Housing and Rent Act of 1947, as amended, is amended by striking out "The principal office of the Housing Expediter shall be in the District of Columbia, but he or any duly authorized representative may exercise any or all of his powers in any place and attorneys" and inserting in lieu thereof "Attorneys".

(d) Section 208 (a) of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"(a) The President shall administer the powers, duties, and functions conferred upon him by title II of this Act through the new independent agency created pursuant to section 403 of the Defense Production Act of 1950; and he shall administer the powers, duties, and functions conferred upon him by title I of this Act through such officer or agency of the Government as he may designate. In accordance with the action taken by him pursuant to the preceding sentence, the President shall provide for appropriate transfers of records, property, necessary personnel, and unexpended balances of appropriations, allocations, and other funds heretofore under the jurisdiction of, or available to, the Office of the Housing Expediter. Any employees of the Office of the Housing Expediter not so transferred shall, unless transferred to other positions in the Government, be separated from the service. The President shall make such provisions as he shall deem appropriate for the termination and liquidation of the affairs of the Office of the Housing Expediter. For the purposes of determining the status of employees transferred to an agency administering functions provided for in this Act, they shall be deemed to be transferred in connection with a transfer of functions."

65 Stat. 144,
145.

SEC. 203. Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following:

"(k) The President shall by regulation or order establish such maximum rent or maximum rents as in his judgment will be fair and equitable for controlled housing accommodations (as defined in section 202 (c)) (1) in any State which by law declares that there exists such a shortage in rental housing accommodations as to require Federal rent control in such State, or (2) in any incorporated city, town, village, or in the unincorporated area of any county (other than a city, town, village, or unincorporated area of any county within a State which is controlling rents) upon receipt of a resolution of its governing body adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body, reached as a result of a public hearing held after ten days' notice, that there exists such a shortage in rental housing accommodations as to require Federal rent control in such city, town, village, or unincorporated area in such county. In establishing any maximum rent for any housing accommodations under this subsection the President shall give due consideration to the rents prevailing for such housing accommodations or comparable housing accommodations during the period from May 24, 1950, to June 24, 1950, and he shall make adjustment for such relevant factors as he shall deem to be of general applicability in

respect to such accommodations, including increases or decreases in property taxes and other costs within such State, incorporated city, town, or village, or unincorporated area.

"(1) Whenever the Secretary of Defense and the Director of Defense Mobilization, acting jointly, shall determine and certify to the President that any area (whether then or ever controlled or decontrolled under this Act) is a critical defense housing area, the President shall by regulation or order establish such maximum rent or maximum rents for any housing accommodations, not then subject to rent control, in such area or portion thereof as in his judgment will be fair and equitable. Notwithstanding the provisions of section 202 (c) the term 'controlled housing accommodations' as applied to any such critical defense housing area shall include all housing accommodations in the area, without exception. In establishing any maximum rent for any housing accommodations under this subsection, the President shall give due consideration to the rents prevailing for such housing accommodations or comparable housing accommodations during the period from May 24, 1950, to June 24, 1950, and he shall make adjustment for such relevant factors as he shall determine and deem to be of general applicability in respect to such accommodations, including increases or decreases in property taxes and other costs within such area. Maximum rents in any critical defense housing area shall be terminated at such time as the Secretary of Defense and the Director of Defense Mobilization, acting jointly, shall determine and certify to the President that such area is no longer a critical defense housing area, or as provided in subsection (e) or (j) of this section: *Provided, however,* That in any area where maximum rents are removed under the procedures provided in subsection (e) or (j) of this section, maximum rents may be reestablished after the expiration of thirty days on the determination and certification of the Secretary of Defense and the Director of Defense Mobilization, acting jointly. No area shall be certified as a critical defense housing area under the authority granted in this subsection unless all the following conditions exist in such area:

"(1) a new defense plant or installation has been or is to be provided, or an existing defense plant or installation has been or is to be reactivated or its operation substantially expanded;

"(2) substantial in-migration of defense workers or military personnel is required to carry out activities at such plant or installation; and

"(3) a substantial shortage of housing required for such defense workers or military personnel exists or impends which has resulted or threatens to result in excessive rent increases and which impedes or threatens to impede activities of such defense plant or installation.

"(m) Whenever an area has been certified under subsection (1) to be a critical defense housing area, real-estate construction credit controls imposed under title VI of the Defense Production Act of 1950 shall be relaxed to the extent necessary to encourage construction of housing for defense workers and military personnel: *Provided,* That the certification, pursuant to subsection (1), that an area is a critical defense housing area shall not be effective in such area for any of the purposes of this section until such real-estate construction credit controls have been relaxed as provided in this subsection to the extent necessary in the determination of the President. The fact that any area has been certified as a critical defense housing area under subsection (1) shall not make such area ineligible for the location of additional defense plants, facilities, or installations, or as a source of additional military procurement of any sort.

65 Stat. 145,
146.

"(n) No maximum rents shall be established under subsection (l) for housing accommodations in any State where rent control is in effect or in any locality where local rent control is in effect, unless the rent component of the Consumers' Index of the Bureau of Labor Statistics for such State or locality has increased more than the United States average of the rent component of such index during the last six months for which such index is available immediately preceding the establishment of such maximum rents. The rent component of the Consumers' Index of the Bureau of Labor Statistics for any State shall be the average, weighted by population as determined by the Bureau of Labor Statistics, for all reported cities in the State, except that, where only one city is reported, the rent component for the State shall be the rent component for that city. Upon the establishment of maximum rents pursuant to subsection (l) for housing accommodations in a State in which State rent control is in effect, State rent control shall thereupon terminate. Upon the establishment of maximum rents pursuant to subsection (l) for housing accommodations in a locality in which local rent control is in effect, local rent control shall thereupon terminate. The rent component for any locality subject to local rent control shall be the rent component as established by the Bureau of Labor Statistics for that locality. Where data concerning rents have not been heretofore collected for a city in a State having State rent control or for a particular locality which has local rent control, the President may cause a survey to be made by the Bureau of Labor Statistics for the purpose of establishing a rent component for that State or locality. For the purposes of this subsection, State rent control shall be deemed in effect in any State in which maximum rents are controlled pursuant to State law throughout the State, regardless of whether maximum rents are actually in effect in every locality of the State.

65 Stat. 146,
147.

"(o) In order to compensate for increases which have occurred in costs and prices, the maximum rent in effect on the date of enactment of this subsection for any housing accommodation shall, upon sworn application, be increased to 120 per centum of the following: The maximum rent for the housing accommodation in effect on June 30, 1947 (or if no maximum rent was then in effect for the housing accommodation, the maximum rent then in effect for comparable housing accommodations), plus the amount of any increase allowed or allowable under this Act for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment, and minus any decrease required or requirable under this Act for decreases in living space, services, furniture, furnishings, or equipment, or for substantial deterioration or failure to perform ordinary repair, replacement, or maintenance. Any increase in a maximum rent applied for under this subsection which is based upon the maximum rent in effect on June 30, 1947, for the particular housing accommodation and upon increases and decreases actually allowed under this Act shall be effective upon the filing of the application. Nothing in this subsection shall require the reduction of any maximum rent, nor prevent such additional adjustment for increases in costs and prices as the President may deem appropriate."

SEC. 204. Section 205 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"SEC. 205. (a) Any person who demands, accepts, receives, or retains any payment of rent in excess of the maximum rent prescribed under the provisions of this Act, or any regulation, order, or requirement thereunder, shall be liable to the person from whom such payment is demanded, accepted, received, or retained (or shall be liable to the United States as hereinafter provided) for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amounts of (1) \$50, or (2) not more than three times the amount by which the payment or payments demanded, accepted, received, or retained exceed the maximum rent which could lawfully be demanded, accepted, received, or retained, as the court in its discretion may determine, whichever in either case may be the greater amount: *Provided*, That the amount of such liquidated damages shall be the amount of the overcharge or overcharges if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation.

"(b) Any person who unlawfully evicts a tenant shall be liable to the person so evicted (or shall be liable to the United States as hereinafter provided) for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amounts of (1) one month's rent or \$50, whichever is greater, or (2) not more than three times such monthly rent, or \$150, whichever is greater: *Provided*, That the amount of such liquidated damages shall be the amount of one month's rent or \$50, whichever is greater, if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation.

"(c) Suit to recover liquidated damages as provided in this section may be brought in any Federal court of competent jurisdiction regardless of the amount involved, or in any State or Territorial court of competent jurisdiction, within one year after the date of violation: *Provided*, That if the person from whom such payment is demanded, accepted, received, or retained, or the person wrongfully evicted, either fails to institute an action under this section within thirty days from the date of the occurrence of the violation or is not entitled for any reason to bring the action, the United States may settle the claim arising out of the violation or within one year after the date of violation may institute such action. If such claim is settled or such action is instituted, the person from whom such payment is demanded, accepted, received, or retained, or the person wrongfully evicted, shall thereafter be barred from bringing an action for the same violation or violations. For the purpose of determining the amount of liquidated damages to be awarded to the plaintiff in an action brought under subsection (a) of this section, all violations alleged in an action under said subsection (a) which were committed by the defendant with respect to the plaintiff prior to the bringing of such an action shall be deemed to constitute one violation and, in such action under subsection (a) of this section, the amount demanded, accepted, received, or retained in connection with such one violation shall be deemed to be the aggregate amount demanded, accepted, received, or retained in connection with all such violations. A judgment for damages or on the merits in any action under either subsection (a) or (b) of this section shall be a bar to any recovery under the same subsection of this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered."

65 Stat. 147,
148.

SEC. 205. Section 206 (a) of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"(a) (1) It shall be unlawful for any person to demand, accept, receive, or retain any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent prescribed under this Act, or otherwise to do or omit to do any act, in violation of this Act, or of any regulation or order or requirement under this Act, or to offer, solicit, attempt, or agree to do any of the foregoing.

"(2) It shall be unlawful for any person to evict, remove, or exclude, or cause to be evicted, removed, or excluded, any tenant from any controlled housing accommodations in any manner or upon any grounds except as authorized or permitted by the provisions of this Act or any regulation, order, or requirement thereunder, and any person who lawfully gains possession from a tenant of any controlled housing accommodations, and thereafter fails fully to comply with such requirements or conditions as may have been imposed for such possession by the provisions of this Act or any regulation, order, or requirement thereunder, shall also be deemed to have unlawfully evicted such tenant and shall be liable to such tenant, or to the United States, as provided in this Act."

SEC. 206. Section 202 (a) of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"(a) The term 'person' includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing: *Provided*, That no punishment provided by this Act shall apply to the United States, or to any such government, political subdivision, or government agency."

SEC. 207. (a) The first sentence of section 202 (c) (1) (A) of the Housing and Rent Act of 1947, as amended, is amended by striking out the following: "which is located in a city of less than two million five hundred thousand population according to the 1940 decennial census and".

(b) Section 202 (c) (1) (B) of the Housing and Rent Act of 1947, as amended, is repealed.

(c) The proviso in section 204 (h) of the Housing and Rent Act of 1947, as amended, is repealed.

SEC. 208. Section 202 (d) of the Housing and Rent Act of 1947, as amended, is amended by inserting after "204 (i) (1) or (2)" the following: ", 204 (k), or 204 (l)".

SEC. 209. The first sentence of section 204 (b) (1) of the Housing and Rent Act of 1947, as amended, is amended by striking out "(h) and (i)" and inserting in lieu thereof "(h), (i), (k), (l), and (o)".

SEC. 210. Nothing in this Act or in the Housing and Rent Act of 1947, as amended, shall be construed to require any person to offer any housing accommodations for rent.

SEC. 211. (a) The last sentence of section 4 (c) of the Housing and Rent Act of 1947, as amended, is amended by inserting after the word "section" the following: "for persons engaged in national defense activities and".

(b) Section 4 (e) of the Housing and Rent Act of 1947, as amended, is amended by striking out "July 31, 1951" and inserting in lieu thereof "June 30, 1952".

(c) Section 4 of such Act is amended by adding at the end thereof the following new subsection:

"(f) For the purposes of this section, any parent of a member of the armed forces of the United States who lost his life in the armed services of the United States since September 16, 1940, shall be considered to be a member of the family of a veteran of World War II."

SEC. 212. Section 215 of the Independent Offices Appropriation Act, 1946 (59 Stat. 134), and section 213 of the Independent Offices Appropriation Act, 1947 (60 Stat. 81), are hereby repealed.

Approved July 31, 1951, 7:00 p.m., E. D. T. 65 Stat. 149.

Public Law 139 - 82d Congress
Chapter 378 - 1st Session
S. 349

AN ACT

To assist the provision of housing and community facilities and services required in connection with the national defense.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Defense Housing and Community Facilities and Services Act of 1951".

TITLE I—CRITICAL DEFENSE HOUSING AREAS, PROCEDURES FOR EXERCISE OF AUTHORITY, AND EXPIRATION DATE

SEC. 101. (a) Notwithstanding any other provisions of this Act, the authority contained in titles II, III, or IV of this Act shall not be exercised in any area unless the President shall have determined that such area is a critical defense housing area.

65 Stat. 293,
294.

(b) No area shall be determined to be a critical defense housing area pursuant to this section unless the President finds that in such area all the following conditions exist:

(1) a new defense plant or installation has been or is to be provided, or an existing defense plant or installation has been or is to be reactivated or its operation substantially expanded;

(2) substantial in-migration of defense workers or military personnel is required to carry out activities at such plant or installation; and

(3) a substantial shortage of housing required for such defense workers or military personnel exists or impends which impedes or threatens to impede activities at such defense plant or installation, or that community facilities or services required for such defense workers or military personnel are not available or are insufficient, or both, as the case may be.

SEC. 102. In order to assure that private enterprise shall be afforded full opportunity to provide the defense housing needed wherever possible, in any area which the President, pursuant to the authority contained in section 101 hereof, has declared to be a critical defense housing area—

(a) first, the number of permanent dwelling units (including information as to types, rentals, and general locations) needed for defense workers and military personnel in such critical defense housing area shall be publicly announced and printed in the Federal Register by the Housing and Home Finance Administrator;

(b) second, residential credit restrictions under the Defense Production Act of 1950, as amended, (1) as to housing to be sold at \$12,000 or less per unit or to be rented at \$85 or less per unit per month, shall be suspended with respect to the number and types of housing units at the sales prices or rentals which the President determines to be needed in such area for defense workers or military personnel, and (2) as to all other housing, shall be relaxed in such manner and to such extent as the President determines to be necessary and appropriate to obtain the production of such housing needed in such area for defense workers or military personnel;

(c) third, the mortgage insurance aids provided under title II of this Act shall be made available to obtain the production of housing needed in such area for defense workers or military personnel; and

(d) fourth, no permanent housing shall be constructed by the Federal Government under the provisions of title III hereof except to the extent that private builders or eligible mortgagees have not, within a period of not less than ninety days (as the Housing and Home Finance Administrator shall specify) following public announcement of the availability of such mortgage insurance aids under title II of this Act, indicated through bona fide applications (which meet the requirements as to types, rentals or sales prices, and general locations) for exceptions from such residential credit restrictions or for mortgage insurance or guaranty that they will provide the housing determined to be needed in such area for defense workers and military personnel and publicly announced as provided by subsection (a) of this section.

SEC. 103. In order to assure that community facilities or services required in connection with national defense activities shall, wherever possible, be provided by the appropriate local agencies with local funds, in any area which the President, pursuant to the authority contained in section 101 hereof, has declared to be a critical defense housing area—

65 Stat. 294,
295.

(a) no loan shall be made pursuant to title III of this Act for the provision of community facilities or equipment therefor required in connection with national defense activities in such area unless the chief executive officer of the appropriate political subdivision certifies, and the Housing and Home Finance Administrator finds, that such facilities or equipment could not otherwise be provided when needed;

(b) no grant or other payment shall be made pursuant to title III of this Act for the provision, or for the operation and maintenance, of community facilities or equipment therefor, or for the provision of community services, required in connection with national defense activities in such area unless the chief executive officer of the appropriate political subdivision certifies, and the Housing and Home Finance Administrator finds, that such community facilities or services cannot otherwise be provided when needed, or operated and maintained, as the case may be, without the imposition of an increased excessive tax burden or an unusual or excessive increase in the debt limit of the appropriate local agency; and

(c) no community facilities or services shall be provided, and no community facilities shall be maintained and operated, by the United States except where the appropriate local agency is demonstrably unable to provide such facilities and services, or to maintain or operate such community facilities and services adequately with its own personnel, with loans, grants, or payments authorized to be made pursuant to title III hereof.

For the purposes of this section, the term "chief executive officer of the appropriate political subdivision" shall mean appropriate principal executive officer or governing body having primary responsibility with respect to the community facility or service involved, but shall not, in any case, mean any public housing authority, or its governing body, or any of its officers, acting in such capacity.

SEC. 104. After June 30, 1953, (a) no mortgage may be insured under title IX of the National Housing Act, as amended (except (i), pursuant to a commitment to insure issued on or before such date, or (ii) a mortgage given to refinance an existing mortgage insured under that title and which does not exceed the original principal amount and unexpired term of such existing mortgage), (b) no agreement may be made to extend assistance for the provision of community

facilities or services under title III of this Act, and no construction of housing or community facilities by the United States may be begun under such title, (c) no land may be acquired by the Housing and Home Finance Administrator under title IV of this Act, and (d) no loan may be made or obligations purchased by the Housing and Home Finance Administrator under section 102a of the Housing Act of 1948, as amended (except pursuant to a commitment issued on or before June 30, 1953, or to refinance an existing loan or existing obligations held under such section by said Administrator on June 30, 1953).

TITLE II—MORTGAGE INSURANCE FOR DEFENSE HOUSING

SEC. 201. The National Housing Act, as amended, is amended by the addition of the following title at the end thereof:

"TITLE IX—NATIONAL DEFENSE HOUSING INSURANCE

"SEC. 901. As used in this title, the terms 'mortgage', 'first mortgage', 'mortgagee', 'mortgagor', 'maturity date', and 'State' shall have the same meaning as in section 201 of this Act.

"SEC. 902. There is hereby created a National Defense Housing Insurance Fund which shall be used by the Commissioner as a revolving fund for carrying out the provisions of this title, and mortgages insured under this title shall be known and referred to as 'national defense housing insured mortgages'. The Commissioner is hereby authorized and directed to transfer to such fund the sum of \$10,000,000 from the War Housing Insurance Fund established pursuant to the provisions of section 602 of this Act. General expenses of operation of the Federal Housing Administration under this title may be charged to the National Defense Housing Insurance Fund: *Provided*, That no moneys in said fund shall be expended for administrative expenses of the Federal Housing Administration under this title except pursuant to such specific authorization therefor as may hereafter be enacted by the Congress.

65 Stat. 295,
296.

"SEC. 903. (a) This title is designed to supplement systems of mortgage insurance under other provisions of the National Housing Act in order to assist in providing adequate housing in areas which the President, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951, shall have determined to be critical defense housing areas. The Commissioner is authorized, upon application by the mortgagee, to insure under this section or section 908 as hereinafter provided any mortgage which is eligible for insurance as hereinafter provided and upon such terms as the Commissioner may prescribe to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided*, That the property covered by the mortgage is in an area which the President, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951, shall have determined to be a critical defense housing area, and that the total number of dwelling units in properties covered by mortgages insured under this title in any such area does not exceed the number authorized by the Housing and Home Finance Administrator from time to time as needed in such area for defense purposes and to be insured pursuant to this title: *Provided further*, That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed such sum as may be authorized by the President

from time to time for the purposes of this title pursuant to his authority under section 217 hereof: *Provided further*, That the Commissioner shall have power to require properties covered by mortgages insured under this title to be held for rental for such periods of time and at such rentals or other charges as he may prescribe; and, with respect to such properties being held for rental, (1) to require that the property be held by a mortgagor approved by him, and (2) to prescribe such requirements as he deems to be reasonable governing the method of operation and prohibiting or restricting sales of such properties or interests therein or agreements relating to such sales: *And provided further*, That no mortgage shall be insured under this title unless the mortgagor certifies under oath that in selecting tenants for any property covered by the mortgage he will not discriminate against any family by reason of the fact that there are children in the family, and that he will not sell the property while the insurance is in effect unless the purchaser so certifies, such certification to be filed with the Commissioner. Violation of any such certification shall be a misdemeanor punishable by a fine of not to exceed \$500.

"(b) To be eligible for insurance under this section a mortgage shall—

"(1) have been made to, and be held by, a mortgagee approved by the Commissioner as responsible and able to service the mortgage properly;

"(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed 90 per centum of the appraised value (as of the date the mortgage is accepted for insurance) of a property, urban, suburban, or rural, upon which there is located a dwelling designed principally for residential use for not more than two families in the aggregate, which is approved for mortgage insurance prior to the beginning of construction, the construction of which is begun after the date of enactment of this title. The principal obligation of such mortgage shall not, however, exceed \$8,100 if such dwelling is designed for a single-family residence, or \$15,000 if such dwelling is designed for a two-family residence except that the Commissioner may by regulation increase these amounts to not to exceed \$9,000 and \$16,000, respectively, in any geographical area where he finds that cost levels so require: *Provided*, That if the Commissioner finds that it is not feasible within the aforesaid dollar amount limitations to construct dwellings containing three or four bedrooms per family unit without sacrifice of sound standards of construction, design, and livability, he may increase such dollar amount limitations by not exceeding \$1,080 for each additional bedroom (as defined by the Commissioner) in excess of two contained in such family unit if he finds that such unit meets sound standards of livability as a three-bedroom or a four-bedroom unit, as the case may be;

"(3) have a maturity satisfactory to the Commissioner but not to exceed thirty years from the date of the insurance of the mortgage;

"(4) contain complete amortization provisions satisfactory to the Commissioner;

"(5) bear interest (exclusive of premium charges for insurance) at not to exceed 4½ per centum per annum on the amount of the principal obligation outstanding at any time;

"(6) provide, in a manner satisfactory to the Commissioner, for the application of the mortgagor's periodic payments (exclusive of the amount allocated to interest and to the premium charge

which is required for mortgage insurance as herein provided) to amortization of the principal of the mortgage; and

"(7) contain such terms and provisions with respect to insurance, repairs, alterations, payment of taxes, default reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, additional and secondary liens, and other matters as the Commissioner may in his discretion prescribe.

"(c) The Commissioner is authorized to fix a premium charge for the insurance of mortgages under this title but in the case of any mortgage such charge shall not be less than an amount equivalent to one-half of 1 per centum per annum nor more than an amount equivalent to $1\frac{1}{2}$ per centum per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments. Such premium charges shall be payable by the mortgagee, either in cash or in debentures issued by the Commissioner under this title at par plus accrued interest, in such manner as may be prescribed by the Commissioner: *Provided*, That the Commissioner may require the payment of one or more such premium charges at the time the mortgage is insured, at such discount rate as he may prescribe not in excess of the interest rate specified in the mortgage. If the Commissioner finds upon the presentation of a mortgage for insurance and the tender of the initial premium charge or charges so required that the mortgage complies with the provisions of this title, such mortgage may be accepted for insurance by endorsement or otherwise as the Commissioner may prescribe; but no mortgage shall be accepted for insurance under this title unless the Commissioner finds that the project with respect to which the mortgage is executed is an acceptable risk in view of the needs of national defense. In the event that the principal obligation of any mortgage accepted for insurance under this title is paid in full prior to the maturity date, the Commissioner is further authorized in his discretion to require the payment by the mortgagee of an adjusted premium charge in such amount as the Commissioner determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured under this title until such maturity date; and in the event that the principal obligation is paid in full as herein set forth the Commissioner is authorized to refund to the mortgagee for the account of the mortgagor all, or such portion as he shall determine to be equitable, of the current unearned premium charges theretofore paid.

65 Stat. 297,
298.

"(d) Notwithstanding any other provisions of this or any other Act, except provisions of law enacted hereafter expressly referring to this paragraph (d), the Commissioner, with the approval of the Housing and Home Finance Administrator, is further authorized to prescribe such procedures as are necessary to secure to persons engaged or to be engaged in national defense activities preference or priority of opportunity to purchase or rent properties, or interests therein, covered by mortgages insured under this title.

"(e) Any contract of insurance heretofore or hereafter executed by the Commissioner under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

"SEC. 904. (a) In any case in which the mortgagee under a mortgage insured under section 903 shall have foreclosed and taken possession of the mortgaged property, in accordance with regulations

of, and within a period to be determined by, the Commissioner, or shall, with the consent of the Commissioner, have otherwise acquired such property from the mortgagor after default, the mortgagee shall be entitled to receive the benefit of the insurance as hereinafter provided, upon (1) the prompt conveyance to the Commissioner of title to the property which meets the requirements of rules and regulations of the Commissioner in force at the time the mortgage was insured, and which is evidenced in the manner prescribed by such rules and regulations; and (2) the assignment to him of all claims of the mortgagee against the mortgagor or others, arising out of the mortgage transaction or foreclosure proceedings, except such claims as may have been released with the consent of the Commissioner. Upon such conveyance and assignment the obligation of the mortgagee to pay the premium charges for insurance shall cease and the Commissioner shall, subject to the cash adjustment hereinafter provided, issue to the mortgagee debentures having a total face value equal to the value of the mortgage and a certificate of claim, as hereinafter provided. For the purposes of this subsection, the value of the mortgage shall be determined, in accordance with rules and regulations prescribed by the Commissioner, by adding to the amount of the original principal obligation of the mortgage which was unpaid on the date of the institution of foreclosure proceedings, or on the date of the acquisition of the property after default other than by foreclosure, the amount of all payments which have been made by the mortgagee for taxes, ground rents, and water rates, which are liens prior to the mortgage, special assessments which are noted on the application for insurance or which become liens after the insurance of the mortgage, insurance of the mortgaged property, and any mortgage insurance premiums paid after either of such dates and by deducting from such total amount any amount received on account of the mortgage after either of such dates and any amount received as rent or other income from the property, less reasonable expenses incurred in handling the property, after either of such dates: *Provided*, That with respect to mortgages which are foreclosed before there shall have been paid on account of the principal obligation of the mortgage a sum equal to 10 per centum of the appraised value of the property as of the date the mortgage was accepted for insurance, there may be included in the debentures issued by the Commissioner, on account of the cost of foreclosure (or of acquiring the property by other means) actually paid by the mortgagee and approved by the Commissioner an amount—

“(1) not in excess of 2 per centum of the unpaid principal of the mortgage as of the date of the institution of foreclosure proceedings and not in excess of \$75; or

“(2) not in excess of two-thirds of such cost, whichever is the greater: *And provided further*, That with respect to mortgages to which the provisions of sections 302 and 306 of the Soldiers' and Sailors' Civil Relief Act of 1940, as now or hereafter amended, apply and which are insured under section 903, and subject to such regulations and conditions as the Commissioner may prescribe, there shall be included in the debentures an amount which the Commissioner finds to be sufficient to compensate the mortgagee for any loss which it may have sustained on account of interest on debentures and the payment of insurance premiums by reason of its having postponed the institution of foreclosure proceedings or the acquisition of the property by other means during any part or all of the period of such military service and three months thereafter.

"(b) The Commissioner may at any time, under such terms and conditions as he may prescribe, consent to the release of the mortgagor from his liability under the mortgage or the credit instrument secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage.

"(c) Debentures issued under this title shall be in such form and denominations in multiples of \$50, shall be subject to such terms and conditions, and shall include such provisions for redemption, if any, as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury, and may be in coupon or registered form. Any difference between the amount of debentures to which the mortgagee is entitled under this section or section 908 of this Act and the aggregate face value of the debentures issued, not to exceed \$50, shall be adjusted by the payment of cash by the Commissioner to the mortgagee from the National Defense Housing Insurance Fund.

"(d) The debentures issued under this section to any mortgagee shall be executed in the name of the National Defense Housing Insurance Fund as obligor, shall be signed by the Commissioner by either his written or engraved signature, and shall be negotiable. All such debentures shall be dated as of the date foreclosure proceedings were instituted, or the property was otherwise acquired by the mortgagee after default, and shall bear interest from such date at a rate determined by the Commissioner, with the approval of the Secretary of the Treasury, at the time the mortgage was accepted for insurance, but not to exceed 3 per centum per annum, payable semiannually on the 1st day of January and the 1st day of July of each year. Such debentures shall mature ten years after the date thereof. Such debentures shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, or gift taxes) now or hereafter imposed by any Territory, dependency, or possession of the United States, or by the District of Columbia, or by any State, county, municipality, or local taxing authority, and shall be paid out of the National Defense Housing Insurance Fund, which shall be primarily liable therefor, and they shall be fully and unconditionally guaranteed as to principal and interest by the United States, and such guaranty shall be expressed on the face of the debentures. In the event that the National Defense Housing Insurance Fund fails to pay upon demand, when due, the principal of or interest on any debentures issued under this title, the Secretary of the Treasury shall pay to the holders the amount thereof which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the rights of the holders of such debentures.

65 Stat. 299,
300.

"(e) The certificate of claim issued by the Commissioner to any mortgagee under this section shall be for an amount determined in accordance with, and shall contain provisions and shall be paid in accordance with, the provisions of section 204 (e) and section 204 (f) of this Act which are applicable to mortgages insured under section 207, except that the reference in section 204 (f) to 'the Housing Insurance Fund' shall be deemed for the purposes of this section to be a reference to the National Defense Housing Insurance Fund.

"(f) Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Commissioner shall have power to deal with, complete, rent, renovate, modernize, insure, make contracts or establish suitable agencies for the management of, or sell for cash or credit, in his discretion, any properties conveyed to him in exchange for debentures and certificates of claim as provided in this section; and, notwithstanding any other provision of law, the Commissioner shall also have power

to pursue to final collection, by way of compromise or otherwise, all claims against mortgagors assigned by mortgagees to the Commissioner as provided in this title: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or contract for services or supplies on account of such property if the amount thereof does not exceed \$1,000. The power to convey and to execute in the name of the Commissioner deeds of conveyances, deeds of release, assignments, and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein heretofore or hereafter acquired by the Commissioner pursuant to the provisions of this Act, may be exercised by the Commissioner or by any Assistant Commissioner appointed by him, without the execution of any express delegation of power or power of attorney: *Provided*, That nothing in this subsection shall be construed to prevent the Commissioner from delegating such power by order or by power of attorney in his discretion, to any officer, agent, or employee he may appoint.

"(g) No mortgagee or mortgagor shall have, and no certificate of claim shall be construed to give to any mortgagee or mortgagor, any right or interest in any property conveyed to the Commissioner or in any claim assigned to him; nor shall the Commissioner owe any duty to any mortgagee or mortgagor with respect to the handling or disposal of any such property or the collection of any such claim.

"SEC. 905. (a) Moneys in the National Defense Housing Insurance Fund not needed for the current operations of the Federal Housing Administration under this title shall be deposited with the Treasurer of the United States to the credit of the National Defense Housing Insurance Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under the provisions of this title. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

"(b) Premium charges, adjusted premium charges, and appraisal and other fees, received on account of the insurance of any mortgage insured under this title, the receipts derived from any such mortgage or claim assigned to the Commissioner and from any property acquired by the Commissioner, and all earnings on the assets of the National Defense Housing Insurance Fund, shall be credited to the National Defense Housing Insurance Fund. The principal of and interest paid and to be paid on debentures issued in exchange for any mortgage or property insured under this title, cash adjustments, and expenses incurred in the handling of such mortgages or property and in the foreclosure and collection of mortgages and claims assigned to the Commissioner under this title, shall be charged to the National Defense Housing Insurance Fund.

"SEC. 906. Nothing in this title shall be construed to exempt any real property acquired and held by the Commissioner under this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed.

"SEC. 907. The Commissioner is authorized and directed to make such rules and regulations as may be necessary to carry out the provisions of this title.

"SEC. 908. (a) In addition to mortgages insured under section 903 of this title, the Commissioner is authorized to insure mortgages as defined in section 901 of this title (including advances on such mort-

gages during construction) which are eligible for insurance as hereinafter provided.

"(b) To be eligible for insurance under this section a mortgage shall meet the following conditions:

"(1) The mortgaged property shall be held by a mortgagor approved by the Commissioner. The Commissioner may, in his discretion, require such mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation. The Commissioner may make such contracts with, and acquire for not to exceed \$100 stock or interest in any such mortgagor, as the Commissioner may deem necessary to render effective such restriction or regulation. Such stock or interest shall be paid for out of the National Defense Housing Insurance Fund, and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance.

"(2) The mortgage shall involve a principal obligation in an amount—

"(A) not to exceed \$5,000,000; and

"(B) not to exceed 90 per centum of the amount which the Commissioner estimates will be the value of the property or project when the proposed improvements are completed: *Provided*, That such mortgage shall not in any event exceed the amount which the Commissioner estimates will be the cost of the completed physical improvements on the property or project exclusive of off-site public utilities and streets and organization and legal expenses; and

"(C) not to exceed \$8,100 per family unit (or \$7,200 per family unit if the number of rooms in such property or project does not equal or exceed four per family unit) for such part of such property or project as may be attributable to dwelling use: *Provided*, That the Commissioner may by regulation increase such dollar amount limitations by not exceeding \$900 in any geographical area where he finds that cost levels so require.

"(3) The mortgagor shall agree (i) to certify, upon completion of the physical improvements on the mortgaged property or project and prior to final endorsement of the mortgage, either (a) that the amount of the actual cost of said physical improvements (exclusive of off-site public utilities and streets and of organization and legal expenses) equaled or exceeded the proceeds of the mortgage loan or (b) the amount by which the proceeds of the mortgage loan exceeded the actual cost of said physical improvements (exclusive of off-site public utilities and streets and of organization and legal expenses), as the case may be, and (ii) to pay, within sixty days after such certification, to the mortgagee, for application to the reduction of the principal obligation of such mortgage, the amount, if any, so certified to be in excess of such actual cost. The Commissioner shall construe the term 'actual cost' in such a manner as to reduce same by the amount of any kick-backs, rebates, and normal trade discounts received in connection with the construction of the said physical improvements, and to include only the actual amounts paid for labor and materials and necessary services in connection therewith.

"The mortgage shall provide for complete amortization by periodic payments within such term as the Commissioner shall prescribe, and shall bear interest (exclusive of premium charges for insurance) at not to exceed 4 per centum per annum on the amount of the principal obligation outstanding at any time. The Commissioner may consent to the release of a part or parts of the mortgaged property from the lien of the mortgage upon such terms and conditions as he may prescribe and the mortgage may provide for such release.

65 Stat. 301,
302.

"(c) The mortgagee shall be entitled to receive debentures in connection with mortgages insured under this section in the amount and under the conditions specified in subsection (g) of section 207 of this Act, and the references in said subsection (g) to the cash adjustment provided for in subsection (j) of section 207 and to the certificate of claim provided for in subsection (h) of section 207 shall be deemed to refer respectively to the cash adjustment provided for in subsection (c) of section 904 of this Act and to the certificate of claim provided for in subsection (d) of this section.

"(d) The certificate of claim issued by the Commissioner to any mortgagee under this section shall be for an amount determined in accordance with, and shall contain provisions and shall be paid in accordance with, the provisions of section 207 (h) of this Act, except that the reference in section 207 (h) to 'the Housing Insurance Fund' shall be deemed for the purposes of this section to be a reference to the National Defense Housing Insurance Fund.

"(e) Debentures issued under this section shall be issued in accordance with the provisions of section 904 (c) and (d) except that such debentures shall be dated as of the date of default as determined in subsection (c) of this section, and shall bear interest from such date.

"(f) The provisions of section 207 (k) and section 207 (l) of this Act shall be applicable to mortgages insured under this section and to property acquired by the Commissioner hereunder, except that as applied to such mortgages and property (1) all references in such sections 207 (k) and 207 (l) to the 'Housing Fund' shall be construed to refer to the National Defense Housing Insurance Fund, and (2) the reference therein to 'subsection (g)' shall be construed to refer to subsection (c) of this section.

65 Stat. 302,
303.

"(g) In any case where an application for insurance under section 608 of this Act was received by the Federal Housing Commissioner on or before March 1, 1950, and has not been rejected or committed upon, the mortgagee upon reapplication for insurance of a mortgage under this section 908 with respect to the same property shall receive credit for any application fees paid in connection with the prior application: *Provided*, That this subsection shall not constitute a waiver of any requirements otherwise applicable to the insurance of mortgages under this section.

"(h) The Commissioner shall grant preference to applications for insurance under this title to mortgages covering housing of lower rents."

SEC. 202. Sections 1 and 5 of the National Housing Act, as amended, are further amended by striking out the words "titles II, III, VI, VII, and VIII" each time they appear and inserting in lieu thereof the words "titles II, III, VI, VII, VIII, and IX".

SEC. 203. Section 212 (a) of said Act, as amended, is hereby amended by deleting the words "or under title VIII, a mortgage or investment" and by inserting in lieu thereof the words "or under title VIII, or under section 908 of title IX, a mortgage or investment".

SEC. 204. Section 215 of said Act, as amended, is hereby amended by deleting the words "or title VIII" and inserting in lieu thereof the words "title VIII, or title IX".

SEC. 205. Section 301 (a) of said Act, as amended, is hereby amended by striking out of paragraph (1) the words "or section 8 of title I of" and inserting in lieu thereof the words "section 8 of title I, or title IX of".

SEC. 206. Section 608 of said Act, as amended, is further amended by striking out paragraph (g) thereof and inserting in lieu thereof the following:

"(g) The Commissioner shall also have power to insure under this title, title I, title II, title VIII, or title IX any mortgage executed in connection with the sale by him of any property acquired under any of such titles without regard to limitations upon eligibility, time, or aggregate amount contained therein."

Sec. 207. Section 24 of the Federal Reserve Act, as amended, is hereby amended by striking out of the third sentence "or section 8 of title I" and inserting in lieu thereof the words "section 8 of title I, or title IX".

Sec. 208. Section 10 of the Federal Home Loan Bank Act, as amended, is further amended by striking out of subsection (a) (1) the words "or title VIII" and inserting in lieu thereof the words "title VIII, or title IX".

TITLE III—PROVISION OF DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES

Sec. 301. Subject to the provisions and limitations of title I hereof and subject to the provisions and limitations of this title, the Housing and Home Finance Administrator (hereinafter referred to as the "Administrator") is authorized to provide housing in any areas (subject to the provisions of section 101 hereof) needed for defense workers or military personnel or to extend assistance for the provision of, or to provide, community facilities or services required in connection with national defense activities in any area which the President, pursuant to the authority contained in section 101 hereof, has determined to be a critical defense housing area.

Sec. 302. (a) Consistent with other requirements of national defense, any permanent housing constructed pursuant to the authority of this title shall consist of one- to four-family dwelling structures (including row houses) so arranged that they may be offered for separate sale. All housing of permanent construction which is constructed or acquired under the authority of this title shall be sold as expeditiously as possible and in the public interest taking into consideration the continuation of the need for such housing by persons engaged in national defense activities. All dwelling structures of permanent construction designed for occupancy by not more than four families (including row houses) shall be offered for sale, and preference in the purchase of any such dwelling structure shall be granted to occupants and to veterans over other prospective purchasers. As among veterans, preference in the purchase of any such dwelling structure shall be given to disabled veterans whose disability has been determined by the Veterans' Administration to be service-connected. All dwelling structures of permanent construction in any housing project which are designed for occupancy by more than four families (and other structures in such project which are not sold separately) shall be sold as an entity. On such sales first preference shall be given for such period not less than ninety days nor more than six months from the date of the initial offering of such project as the Administrator may determine, to groups of veterans organized on a mutual ownership or cooperative basis (provided that any such group shall accept as a member of its organization, on the same terms, subject to the same conditions, and with the same privileges and responsibilities, required of, and extended to, other members of the group any tenant occupying a dwelling unit in such project, at any time during such period as the Administrator shall deem appropriate, starting on the date of the announcement by the Administrator of the availability of such project). The Administrator shall provide an equitable method of selecting the purchasers when preferred purchasers (or

65 Stat. 303,
304.

groups of preferred purchasers) in the same preference class or containing members in the same preference class compete with each other. Sales pursuant to this section shall be for cash or credit, upon such terms as the Administrator shall determine, and at the fair value of the property as determined by him: *Provided*, That full payment to the Government for the property sold shall be required within a period of not exceeding twenty-five years with interest on unpaid balances at not less than 4 per centum per annum.

(b) Where it is necessary to provide housing under this title in locations where, in the determination of the Administrator, there appears to be no need for such housing beyond the period during which it is needed for housing persons engaged in national defense activities, the provisions of section 102 hereof shall not be applicable and temporary housing which is of a mobile or portable character or which is otherwise constructed so as to be available for reuse at other locations shall be provided. All housing constructed pursuant to the authority contained in this title which is of a temporary character, as determined by the Administrator, shall be disposed of by the Administrator not later than the date, and subject to the conditions and requirements, hereafter prescribed by the Congress: *Provided*, That nothing in this sentence shall be construed as prohibiting the Administrator from removing any such housing by demolition or otherwise prior to the enactment of such legislation.

(c) When the Administrator determines that any housing provided under this title is no longer required for persons engaged in national defense activities, preference in admission to occupancy thereof shall be given to veterans pending its ultimate sale or disposition in accordance with the provisions of this title. As among veterans, preference in admission to occupancy shall be given to disabled veterans whose disability has been determined by the Veterans' Administration to be service-connected.

65 Stat. 304
305.

SEC. 303. The cost per family dwelling unit for any housing project constructed under the authority of this title shall not exceed an average of \$9,000 for two-bedroom units in such project, \$10,000 for three-bedroom units in such project, and \$11,000 for four-bedroom units in such project: *Provided*, That the Administrator may increase any such dollar limitation by not exceeding \$1,000 in any geographical area where he finds that cost levels so require: *Provided further*, That in the Territories and possessions of the United States the Administrator may increase any such dollar limitation by 50 per centum: *And provided further*, That for the purposes of this section the cost of any land acquired by the Administrator upon the filing of a declaration of taking in proceedings for the condemnation of fee title shall be considered to be the amount determined by the Administrator, upon the basis of competent appraisal, to be the value thereof.

SEC. 304. In furtherance of the purposes of this title and subject to the provisions hereof, the Administrator may make loans or grants, or other payments, to public and nonprofit agencies for the provision, or for the operation and maintenance, of community facilities and equipment therefor, or for the provision of community services, upon such terms and in such amounts as the Administrator may consider to be in the public interest: *Provided*, That grants under this title to any local agency for hospital construction may be made only after such action by the local agency to secure assistance under Public Law 725, Seventy-ninth Congress, approved August 13, 1946, as amended, or Public Law 380, Eighty-first Congress, approved October 25, 1949, as is determined to be reasonable under the circumstances, and only to the extent that the required assistance is not available to such local

agency under said Public Law 725, or said Public Law 380, as the case may be: *Provided further*, That grants or payments for the provision, or for the maintenance and operation, of community facilities or services under this section shall not exceed the portion of the cost of the provision, or the maintenance and operation, of such facilities or services which the Administrator estimates to be attributable to the national defense activities in the area and not to be recovered by the public or nonprofit agency from other sources, including payments by the United States under any other provisions of this Act or any other law: *And provided further*, That any such continuing grant or payment shall be reexamined and adjusted annually upon the basis of the ability of the agency to bear a greater portion of the cost of such maintenance, operation, or services as a result of increased revenues made possible by such facility or by such defense activities.

SEC. 305. (a) With respect to any housing or community facilities or services which the Administrator is authorized to provide, or any property which he is authorized to acquire, under this Act, the Administrator is authorized by contract or otherwise (without regard to sections 1136 and 3709 of the Revised Statutes, as amended, section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, the Federal Property and Administrative Services Act of 1949, as amended, and prior to the approval of the Attorney General) to make plans, surveys, and investigations; to acquire (by purchase, donation, condemnation or otherwise), construct, erect, extend, remodel, operate, rent, lease, exchange, repair, deal with, insure, maintain, convey, sell for cash or credit, demolish, or otherwise dispose of any property, land, improvement, or interest therein; to provide approaches, utilities, and transportation facilities; to procure necessary materials, supplies, articles, equipment, and machinery; to make advance payments for leased property; to pursue to final disposition by way of compromise or otherwise, claims both for and against the United States (exclusive of claims in excess of \$5,000 arising out of contracts for construction, repairs, and the purchase of supplies and materials, and claims involving administrative expenses) which are not in litigation and which have not been referred to the Department of Justice; and to convey without cost to States and political subdivisions and instrumentalities thereof property for streets and other public thoroughfares and easements for public purposes: *Provided*, That any instrument executed by the Administrator and purporting to convey any right, title or interest in any property acquired pursuant to this title or title IV of this Act shall be conclusive evidence of compliance with the provisions thereof insofar as title or other interest of any bona fide purchasers, lessees or transferees of such property is concerned. Notwithstanding any provisions of this Act, housing or community facilities constructed by the United States pursuant to the authority contained herein shall conform to the requirements of State and local laws, ordinances, rules, or regulations relating to health and sanitation, and, to the maximum extent practicable, taking into consideration the availability of materials and the requirements of national defense, any housing or community facilities, except housing or community facilities of a temporary character, constructed by the United States pursuant to the authority contained herein shall conform to the requirements of State or local laws, ordinances, rules, or regulations relating to building codes.

(b) Before condemnation proceedings are instituted pursuant to this title or title IV, an effort shall be made to acquire the property involved by negotiation unless, because of reasonable doubt as to the identity of the owner or owners, because of the large number of persons with whom it would be necessary to negotiate, or for other

65 Stat. 305,
306.

reasons, the effort to acquire by negotiation would involve, in the judgment of the Administrator, such delay in acquiring the property as to be contrary to the interest of national defense. In any condemnation proceeding instituted pursuant to this title or title IV, the court shall not order the party in possession to surrender possession in advance of final judgment unless a declaration of taking has been filed, and a deposit of the amount estimated to be just compensation has been made, under the first section of the Act of February 26, 1931 (46 Stat. 1421), providing for such declarations. Unless title is in dispute, the court, upon application, shall promptly pay to the owner at least 75 per centum of the amount so deposited, but such payment shall be made without prejudice to any party to the proceeding.

(c) If any real property acquired under this title or title IV is retained after June 30, 1953, without having been used for the purposes of this Act, the Administrator shall, if the original owner desires the property and pays the fair value thereof, return such property to the owner. In the event the Administrator and the original owner do not agree as to the fair value of the property, the fair value shall be determined by three appraisers, one of whom shall be chosen by the Administrator, one by the original owner, and the third by the first two appraisers; the expenses of such determination shall be paid in equal shares by the Government and the original owner.

SEC. 306. Any Federal agency may, upon request of the Administrator, transfer to his jurisdiction without reimbursement any lands, improved or unimproved, or other property real or personal, considered by the Administrator to be needed or useful for housing or community facilities, or both, to be provided under this title, and the Administrator is authorized to accept any such transfers. The Administrator may also utilize any other real or personal property under his jurisdiction for the purpose of this title without adjustment of the appropriations or funds involved. Any property so transferred or utilized, and any funds in connection therewith, shall be subject only to the authorizations and limitations of this title. The Administrator may, in his discretion, upon request of the Secretary of Defense or his designee, transfer to the jurisdiction of the Department of Defense without reimbursement any land, improvements, housing, or community facilities constructed or acquired under the provisions of this title and considered by the Department of Defense to be required for the purposes of the said Department. Upon the transfer of any such property to the jurisdiction of the Department of Defense, the laws, rules, and regulations relating to property of the Department of Defense shall be applicable to the property so transferred, and the provisions of this title and the rules and regulations issued thereunder shall no longer apply.

SEC. 307. Notwithstanding any other provisions of law, the acquisition by the United States of any real property pursuant to this title or title IV of this Act shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property, or impair the civil or other rights under the State or local law of the inhabitants of such property. Any proceedings by the United States for the recovery of possession of any property or project acquired, developed, or constructed under this title or title IV of this Act may be brought in the courts of the States having jurisdiction of such causes.

SEC. 308. The Administrator shall pay from rentals annual sums in lieu of taxes and special assessments to any State and/or political subdivision thereof, with respect to any real property, including improvements thereon, acquired and held by him under this title for residential purposes (or for commercial purposes incidental

thereto), whether or not such property is or has been held in the exclusive jurisdiction of the United States. The amount so paid for any year upon such property shall approximate the taxes and special assessments which would be paid to the State and/or subdivision, as the case may be, upon such property if it were not exempt from taxation and special assessments, with such allowance as may be considered by him to be appropriate for expenditures by the Federal Government for the provision or maintenance of streets, utilities, or other public services to serve such property.

SEC. 309. In carrying out this title—

(a) notwithstanding any other provisions of this title, so far as is consistent with emergency needs, contracts shall be subject to section 3709 of the Revised Statutes;

(b) the cost-plus-a-percentage-of-cost system of contracting shall not be used, but contracts may be made on a cost-plus-a-fixed-fee basis: *Provided*, That the fixed fee shall not exceed 6 per centum of the estimated cost;

(c) wherever practicable, existing private and public community facilities shall be utilized or such facilities shall be extended, enlarged, or equipped in lieu of constructing new facilities; and

(d) all right, title, and interest of the United States in and to any community facilities constructed by the United States pursuant to the authority contained in this title shall (if such agency is willing to accept such facility and operate the same for the purpose for which it was constructed) be disposed of to the appropriate State, city, or other local agency having responsibility for such type of facility in the area not later than one year after the expiration date specified in title I hereof, and subject to the conditions and requirements hereafter prescribed by the Congress.

SEC. 310. (a) Notwithstanding any other provision of law, the wages of every laborer and mechanic employed on any construction, maintenance, repair, or demolition work authorized by this title shall be computed on a basic day rate of eight hours per day and work in excess of eight hours per day shall be permitted upon compensation for all hours worked in excess of eight hours per day at not less than one and one-half times the basic rate of pay.

65 Stat. 307,
308.

(b) The provisions of the Davis-Bacon Act (49 Stat. 1011), as amended; of title 18, United States Code, section 874; and of title 40, United States Code, section 276c, shall apply in accordance with their terms to work pursuant to this title.

(c) Any contract for loan or grant, or both, pursuant to this title shall contain a provision requiring that not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act, as amended, shall be paid to all laborers and mechanics employed in the construction of the project at the site thereof; and the Administrator shall require certification as to compliance with the provisions of this subsection prior to making any payment under such contract.

(d) Any contractor engaged in the development of any project financed in whole or in part with funds made available pursuant to this title shall report monthly to the Secretary of Labor, and shall cause all subcontractors to report in like manner, within five days after the close of each month and on forms to be furnished by the United States Department of Labor, as to the number of persons on their respective payrolls on the particular project, the aggregate amount of such payrolls, the total man-hours worked, and itemized expenditures for materials. Any such contractor shall furnish to

the Department of Labor the names and addresses of all subcontractors on the work at the earliest date practicable.

(e) The Secretary of Labor shall prescribe appropriate standards, regulations, and procedures, which shall be observed by the Administrator in carrying out the provisions of this title (and cause to be made by the Department of Labor such investigations) with respect to compliance with and enforcement of the labor standards provisions of this section, as he deems desirable.

SEC. 311. Moneys derived from rentals, operation, or disposition of property acquired or constructed under the provisions of this title shall be available for expenses of operation, maintenance, improvement, and disposition of any such property, including the establishment of necessary reserves therefor and administrative expenses in connection therewith: *Provided*, That such moneys derived from rentals, operation, or disposition may be deposited in a common fund account or accounts in the Treasury: *And provided further*, That the moneys in such common fund account or accounts shall not exceed \$5,000,000 at any time, and all moneys in excess of such amount shall be covered into miscellaneous receipts.

SEC. 312. The Administrator shall fix fair rentals based on the value thereof as determined by him which shall be charged for housing accommodations operated under this title and may prescribe the class or classes of persons who may occupy such accommodations, preferences, or priorities in the rental thereof, and the terms, conditions, and period of such occupancy.

SEC. 313. There are hereby authorized to be appropriated—

(a) such sums, not exceeding \$60,000,000, as may be necessary for carrying out the provisions and purposes of this title relating to community facilities and services in critical defense housing areas; and

(b) such sums, not exceeding \$50,000,000, as may be necessary for carrying out the provisions and purposes of this title relating to housing in critical defense housing areas.

65 Stat. 308,
309.

SEC. 314. Subject to all of the limitations and restrictions of this Act, including, specifically, the requirements of subsection (c) of section 103 hereof and of subsections (c) and (d) of section 309 hereof, where any other officer, department, or agency is performing, or, in the determination of the President, has facilities adapted to the performance of, functions, powers and duties similar, or directly related, to any of the functions, powers and duties which the Housing and Home Finance Administrator is authorized by this title to perform with respect to the construction, maintenance or operation of community facilities for recreation, and day-care centers, or the provision of community services, the President may transfer to such other officer, department, or agency any of the functions, powers, and duties authorized by this title to be performed with respect thereto if he finds that such transfer will assist the furtherance of national defense activities, and upon any such transfer, funds in such amount as the Director of the Bureau of the Budget shall determine, but in no event in excess of the balance of any moneys appropriated to the Housing and Home Finance Administrator pursuant to the authorization therefor contained in this title for the performance of the transferred functions, powers, and duties, may also be transferred by the President to such other officer, department, or agency: *Provided*, That the President, by Executive Order or otherwise, may prescribe or direct the manner in which any functions, powers, and duties, which the Housing and Home Finance Administrator is authorized by this title to perform with respect to assistance for the construction, or the construction of, any community facilities, shall be administered in coordination

with other officers, departments, or agencies having functions or activities related thereto.

SEC. 315. As used in this title, the following terms shall have the meanings respectively ascribed to them below, and, unless the context clearly indicates otherwise, shall include the plural as well as the singular number:

(a) "State" shall mean the several States, the District of Columbia, and Territories, and possessions of the United States.

(b) "Federal agency" shall mean any executive department or officer (including the President), independent establishment, commission, board, bureau, division, or office in the executive branch of the United States Government, or other agency of the United States, including corporations in which the United States owns all or a majority of the stock, directly or indirectly.

(c) "Community facility" shall mean waterworks, sewers, sewage, garbage and refuse disposal facilities, police and fire protection facilities, public sanitary facilities, works for treatment and purification of water, libraries, hospitals and other places for the care of the sick, recreational facilities, streets and roads, and day-care centers.

(d) "Community service" shall mean the maintenance and operation of facilities for health, refuse disposal, sewage treatment, recreation, water purification, and day-care centers, and the provision of fire-protection.

(e) "National defense" shall mean (1) the operations and activities of the armed forces, the Atomic Energy Commission, or any other Government department or agency directly or indirectly and substantially concerned with the national defense, (2) other operations and activities directly or indirectly and substantially concerned with the operations and activities of the armed forces and the Atomic Energy Commission, or (3) activities in connection with the Mutual Defense Assistance Act of 1949, as amended.

(f) "Nonprofit agency" shall mean any agency no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(g) "Project" shall mean housing or community facilities acquired, developed, or constructed with financial assistance pursuant to this title.

(h) "Veteran" shall mean a person, or the family of a person, who has served in the active military or naval service of the United States at any time (i) on or after September 16, 1940, and prior to July 26, 1947, (ii) on or after April 6, 1917, and prior to November 11, 1918, or (iii) on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President, and who shall have been discharged or released therefrom under conditions other than dishonorable or who shall be still serving therein. The term shall also include the family of a person who served in the active military or naval service of the United States within any such period and who shall have died of causes determined by the Veterans' Administration to have been service-connected.

SEC. 316. Notwithstanding any other provision of this title, all functions, powers, and duties under this title and section 103 with respect to health, refuse disposal, sewage treatment, and water purification shall be exercised by and vested in the Surgeon General of the Public Health Service: *Provided*, That the Surgeon General shall have power to delegate to any other Federal agency functions, powers, and duties with respect to construction.

65 Stat. 309,
310.

TITLE IV—PROVISION OF SITES FOR NECESSARY
DEVELOPMENT IN CONNECTION WITH ISOLATED
DEFENSE INSTALLATIONS

SEC. 401. Subject to the provisions and limitations of title I hereof and subject to the provisions and limitations of this title, upon a finding by the President that in connection with a defense installation (as defined by him) developed or to be developed in an isolated or relatively isolated area (1) housing or community facilities needed for such installation would not otherwise be provided when and where required or (2) there would otherwise be speculation or uneconomic use of land resources which would impair the efficiency of defense activities at such installation, the Housing and Home Finance Administrator (hereinafter referred to as the "Administrator") is authorized to make general plans for the development of necessary housing and community facilities in connection with such defense installation; to acquire, by purchase, condemnation, or otherwise, the necessary improved or unimproved land or interests therein; to clear land; to install, construct, or reconstruct streets, utilities, and other site improvements essential to the preparation of the land for use in accordance with said general plans; and to dispose of such land or interests therein for use in accordance with such plans and subject to such terms and conditions as he shall deem advisable and in the public interest. For the purposes of this title, the Administrator may exercise the powers granted to him in title III for the purposes thereof: *Provided*, That no funds made available under this title shall be used for the erection of dwellings or other buildings, and funds representing the fair value, as determined by the Administrator, of any property acquired under this title and used as sites for dwellings or other buildings or facilities under title III shall be transferred from funds appropriated thereunder and made available for purposes of this title IV: *And provided further*, That the provisions of section 310 shall be applicable to site development work under this title.

65 Stat. 310
311.

SEC. 402. Upon a finding by the President that it is necessary or desirable in the public interest that land shall be acquired by the Administrator not only for the purposes of section 401 hereof but for the defense installation to be served thereby, the Administrator is authorized to acquire improved or unimproved land for such defense installation and, in connection therewith, to exercise any powers granted under this title. The Administrator may transfer such property to the appropriate Federal, State, local or private agency, person, or corporation upon such terms and conditions as he shall determine to be in the public interest.

SEC. 403. With respect to any real property acquired and held by the Administrator pursuant to this title and with respect to any defense installation owned by the Federal Government in connection with which such property is acquired, the Administrator may pay annual sums in lieu of taxes to the appropriate State and local taxing authorities: *Provided*, That, in making any such payments, the Administrator shall take into consideration other payments by the Federal Government to the State and local taxing authorities, the value of services furnished by such taxing authorities in connection with the property or installation, and the value of any services provided by the Federal Government. There are hereby authorized to be appropriated such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this section.

SEC. 404. The Administrator is authorized to obtain money from the Treasury of the United States for use in the performance of the functions, powers, and duties granted to him by this title, not to exceed

a total of \$10,000,000 outstanding at any one time. For this purpose appropriations not to exceed \$10,000,000 are hereby authorized to be made to a revolving fund in the Treasury. Advances shall be made to the Administrator from the revolving fund when requested by the Administrator. As the Administrator repays the amounts thus obtained from the Treasury, the repayments shall be made to the revolving fund. The Administrator shall pay into the Treasury as miscellaneous receipts interest on the outstanding advances from the Treasury provided for by this section. The Secretary of the Treasury shall determine the interest rate annually in advance, such rate to be calculated to reimburse the Treasury for its cost, taking into consideration the current average interest rate which the Treasury pays upon its marketable obligations.

SEC. 405. In any city or in two contiguous cities in which, on March 1, 1951, there were in one of such cities more than twelve thousand temporary housing units held by the United States of America, the powers authorized by this title may be exercised for the acquisition of land for the provision of improved sites for privately financed defense housing: *Provided*, That acquisitions pursuant to this section shall be limited to not exceeding 300 acres of land in the general area in which approximately one thousand five hundred units of such temporary housing were unoccupied on said date.

TITLE V—PREFABRICATED HOUSING

SEC. 501. Section 102 of the Housing Act of 1948, as amended, is amended by striking out the words "for the production of prefabricated houses or prefabricated housing components, or for large-scale modernized site construction" at the end of the first sentence thereof and inserting the following: "for production or distribution of prefabricated houses or housing components and for related purposes, or for modernized site construction: *Provided, however*, That no loan in excess of \$500,000 shall be made to any individual or corporation for purposes of production", and by inserting after the word "determine" in the second sentence thereof the words "and may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or the purchase of participation or otherwise".

65 Stat. 311,
312.

SEC. 502. The Housing Act of 1948, as amended, is amended by inserting before section 103 thereof the following new sections:

"SEC. 102a. To assure the maintenance of industrial capacity for the production of prefabricated houses and housing components so that it may be available for the purposes of national defense, the Housing and Home Finance Administrator is authorized to make loans to and purchase obligations of any business enterprise or financial institution for the purpose of providing financial assistance for the production or distribution of prefabricated houses or prefabricated housing components and for related purposes. Such loans may be made upon such terms and conditions and with such maturities as the Administrator may determine and may be made either directly or in cooperation with banks or other lending institutions through agreements to participate or the purchase of participation or otherwise: *Provided*, That the total amount of commitments for loans made and obligations purchased under this section shall not exceed \$15,000,000 outstanding at any one time, and no financial assistance shall be extended under this section unless it is not otherwise available on reasonable terms. The Administrator is further authorized to issue to the Secretary of the Treasury, and the Secretary of the Treasury is authorized to purchase, obligations of the Administrator

in an amount outstanding at any one time sufficient to enable the Administrator to carry out his functions under this section, such obligations to be in substantially the same form, and be issued in the same manner and subject to the same conditions, except as to the total amount thereof, as obligations issued by the Administrator pursuant to Reorganization Plan 23 of 1950.

"SEC. 102b. In the performance of, and with respect to, the functions, powers, and duties vested in him by Reorganization Plan 23 of 1950 and by section 102a hereof, the Housing and Home Finance Administrator shall, in addition to any powers, functions, privileges, and immunities otherwise vested in him—

"(1) have the powers, functions, privileges, and immunities transferred to him by said Reorganization Plan and the same powers, functions and duties as set forth in section 402 of the Housing Act of 1950, except subsection (c) (2) thereof, with respect to loans authorized by title IV of said Act;

"(2) take any and all actions determined by him to be necessary or desirable in making, servicing, compromising, modifying, liquidating, or otherwise dealing with or realizing on loans thereunder.

"SEC. 102c. Wherever in this Act the words 'prefabricated houses' are used they shall be construed to include houses which are of a mobile or portable character."

SEC. 503. The third paragraph of section 24 of the Federal Reserve Act, as amended, is amended by adding in clause (d) the words "or the Housing and Home Finance Administrator" after the words "the Reconstruction Finance Corporation" and by adding the words "or of section 102 or 102a of the Housing Act of 1948, as amended," after the words "provisions of the Reconstruction Finance Corporation Act, as amended,".

TITLE VI—AMENDMENTS TO EXISTING LAWS AND GENERAL PROVISIONS

65 Stat. 312. SEC. 601. Title VIII of the National Housing Act, as amended, is hereby amended—
313.

(a) By striking out of section 803 (a) "July 1, 1951" and substituting therefor "July 1, 1953". The amendment made by this subsection shall be effective as of July 1, 1951.

(b) By inserting before the period at the end of section 803 (b) (3) (C) the following: "Provided, That the Commissioner may by regulation increase the \$8,100 limitation by not exceeding \$900 in any geographical area where he finds that cost levels so require".

(c) By inserting after the words "National Military Establishment" in the last sentence of section 803 (d) the words "or the Atomic Energy Commission".

(d) By adding at the end thereof the following new section:

"SEC. 810. A mortgage which meets all of the eligibility requirements of this title except those specified in section 803 (b) (2) and which is secured by property designed for rent for residential use by personnel of the Atomic Energy Commission (including military personnel and Government contractors' employees) employed or assigned to duty at the Atomic Energy Commission installation at or in the area in which such property is constructed shall be eligible for insurance under this title if the Atomic Energy Commission or its designee shall have certified to the Commissioner that the housing with respect to which the mortgage is made is necessary to provide adequate housing for such personnel, that such installation is deemed to be a permanent part of the Atomic Energy Commission establishment, and that there is no present intention to substantially curtail

activities at such installation. Notwithstanding the provisions of any other law, preference or priority of opportunity in the occupancy of the mortgaged property for such personnel and their immediate families shall be provided under such regulations and procedures as may be prescribed by the Commissioner. To effectuate the purpose of this title the Atomic Energy Commission or its designee is authorized to exercise all the authority granted to the Secretary of Defense or the Secretary of the Army, Navy, or Air Force pursuant to this title. Nothing herein contained shall impair the powers vested in the Atomic Energy Commission by the Atomic Energy Act of 1946."

SEC. 602. (a) Section 605 of the Defense Production Act of 1950, as amended, is amended by striking out the period in the first sentence and inserting in lieu thereof the following: "*And provided further*, That no more than 4 per centum down payment shall be required in connection with the loan on any home made or guaranteed by the Veterans' Administration pursuant to the Servicemen's Readjustment Act of 1944, as amended, and the sales price of which home does not exceed \$7,000; and no more than 6 per centum down payment shall be required in connection with any such loan where the sales price exceeds \$7,000 but does not exceed \$10,000; and no more than 8 per centum down payment shall be required in connection with any such loan where the sales price exceeds \$10,000 but does not exceed \$12,000."

(b) The Defense Production Act of 1950, as amended, is further amended by adding after section 605 the following new section:

"SEC. 606. Not more than 10 per centum down payment shall be required pursuant to section 602 or section 605 of this Act in connection with the loan on any home not made or guaranteed by the Veterans' Administration and the transaction price of which home does not exceed \$7,000; nor more than 15 per centum in connection with any such loan on any home the transaction price of which exceeds \$7,000 but does not exceed \$10,000; nor more than 20 per centum in connection with any such loan on any home the transaction price of which exceeds \$10,000 but does not exceed \$12,000. The term of any loan referred to in the preceding sentence or in the last proviso of section 605 shall not be required to be less than twenty-five years."

65 Stat. 313,
314.

SEC. 603. The Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is hereby amended—

(a) by repealing the following provisos at the end of section 604 thereof: "*And provided further*, That with respect to any temporary housing under the jurisdiction of the Administrator the maximum rental shall be that in effect on April 1, 1949, unless the Housing Expediter shall approve a petition for an increase in accordance with the fair net operating income formula in effect from time to time under the Housing and Rent Act of 1947, as amended, on grounds of hardship to the landlord: *Provided*, That if such housing is not in an area where rent control is in effect at the time pursuant to that Act, an increase may be granted by the Administrator on the basis of such formula";

(b) by inserting "plus 100 per centum of such value," in clause (2) of section 605 (b) thereof immediately following "Government's interest therein,";

(c) by striking out "is authorized" following "Administrator" in clause (2) of section 605 (b) thereof and substituting "shall", and by striking out "to increase" in such clause and substituting "increase"; and

(d) by adding at the end thereof the following new sections 611 and 612:

"SEC. 611. Notwithstanding any other provision of law, the President is authorized to extend, for such period or periods as he shall specify, the time within which any action is required or permitted to be taken by the Administrator or others under the provisions of this title (or any contract entered into pursuant to this title), upon a determination by him, after considering the needs of national defense and the effect of such extension upon the general housing situation and the national economy, that such extension is in the public interest.

"SEC. 612. The Administrator, notwithstanding any other provisions of this or any other law except provisions hereafter enacted expressly in amendment hereof, is authorized to establish income limitations for occupancy of any housing held by him under this Act and, giving consideration to the ability of such tenants to obtain other housing accommodations, to require tenants, admitted to occupancy prior to the establishment of such income limitations and who have incomes in excess of limitations established by him, to vacate such housing."

SEC. 604. The National Housing Act, as amended, is hereby amended—

(a) by striking out the period at the end of the second sentence of section 204 (d) and inserting a comma and the following: "except that debentures issued with respect to mortgages insured under section 213 shall mature twenty years after the date of such debentures."

(b) by striking out of the second sentence of section 207 (i) the words "and shall mature three years after the 1st day of July following the maturity date of the mortgage in exchange for which the debentures were issued" and inserting in lieu thereof "and shall mature twenty years after the date thereof".

SEC. 605. Section 207 (c) of the National Housing Act, as amended, is hereby amended (1) by striking out of clause "(i)" in paragraph numbered "(2)" the words "of the property or project" and inserting in lieu thereof the words "of the property or project attributable to dwelling use"; and (2) by striking out of clause "(ii)" in paragraph numbered "(2)" the words "and not in excess of \$10,000 per family unit" and inserting in lieu thereof the words "and not in excess of \$10,000 per family unit and (iii) 90 per centum of the estimated value of such part of such property or project as may be attributable to nondwelling use"; and (3) by striking out of paragraph numbered "(3)" the words "four and one-half per family unit" and substituting therefor the words "four per family unit".

SEC. 606. The first sentence of section 214 of the National Housing Act, as amended, is hereby amended by striking the word "one-third" and inserting the word "one-half".

SEC. 607. Title II of the National Housing Act, as amended, is hereby amended by adding at the end thereof the following new sections:

"WAIVER OF OCCUPANCY REQUIREMENTS FOR SERVICEMEN

"SEC. 216. The Commissioner is hereby authorized to insure any mortgage otherwise eligible for insurance under any of the provisions of this Act without regard to any requirement that the mortgagor be the occupant of the property at the time of insurance, where the Commissioner is satisfied that the inability of the mortgagor to occupy the property is by reason of his entry into military service subsequent to the filing of an application for insurance and the mortgagor expresses an intent to occupy the property upon his discharge from military service.

"GENERAL MORTGAGE INSURANCE AUTHORIZATION

"SEC. 217. Notwithstanding limitations contained in any other section of this Act on the aggregate amount of principal obligations of mortgages which may be insured under any title of this Act, such aggregate amount shall, with respect to any title of this Act (except title VI) be prescribed by the President, taking into consideration the needs of national defense and the effect of additional mortgage insurance authorizations upon conditions in the building industry and upon the national economy: *Provided*, That the aggregate dollar amount of the mortgage insurance authorization prescribed by the President with respect to title IX of this Act plus the aggregate dollar amount of all increases in mortgage insurance authorizations under other titles of this Act prescribed by the President pursuant to authority contained in this section shall not exceed \$1,500,000,000."

SEC. 608. (a) Notwithstanding any other provision of law or Reorganization Plan 22 of 1950, one of the five or more persons constituting the Board of Directors of the Federal National Mortgage Association shall be appointed by the Administrator of Veterans' Affairs from among the officers or employees of the Veterans' Administration.

(b) Subparagraph (G) of section 301 (a) (1) of the National Housing Act, as amended, is hereby amended by adding before the period at the end of said subparagraph the following proviso: "*Provided*, That this subparagraph shall not apply to commitments made by the Association on or after the effective date of this proviso and prior to December 31, 1951, which do not exceed \$200,000,000 outstanding at any one time, if such commitments relate to mortgages (1) covering defense housing programmed by the Housing and Home Finance Administrator in an area determined by the President or his designee to be a critical defense housing area, or (2) with respect to which the Federal Housing Commissioner has issued a commitment to insure pursuant to title VIII of this Act, as amended, or (3) covering housing intended to be made available primarily for families who are victims of a catastrophe which the President has determined to be a major disaster."

SEC. 609. (a) Section 702 of the National Housing Act, as amended, is hereby amended by adding the following new subsection at the end thereof:

"(c) After completion of the project the investor must establish in a manner satisfactory to the Commissioner that the project is free and clear of liens and that there are no other outstanding unpaid obligations contracted in connection with the construction of the project, except taxes and such other liens and obligations as may be approved or prescribed by the Commissioner. Debentures issued by the investor which are payable out of net income from the project and from the benefits of the insurance contract shall not be construed as 'unpaid obligations' as such term is used in this subsection."

(b) Section 707 of the National Housing Act, as amended, is hereby amended by adding the following new sentence at the end thereof: "Nothing contained in this title or any other provision of law shall be construed as preventing or restricting an investor from assigning, pledging, or otherwise transferring or disposing of, subject to rules and regulations of the Commissioner, any or all rights, claims, or other benefits under any insurance contract made pursuant to this title to an assignee, pledgee, or other transferee, including the holders (or the trustee for such holders) of any debentures issued by the investor in connection with the project to which such insurance contract relates, and the Commissioner is authorized to pay claims or issue debentures

65 Stat. 315,
316.

in accordance with the provisions of this section and section 708 of this title to any such assignee, pledgee, or other transferee."

SEC. 610. Section 713 (n) of the National Housing Act, as amended, is hereby amended by adding before the period at the end thereof the words "or such lesser amount as shall be agreed upon by the investor and the Commissioner".

SEC. 611. Upon a finding by the Housing and Home Finance Administrator that the acquisition of any real property for a defense installation or industry has resulted, or will result, in the displacement of persons from their homes on such property, he may (notwithstanding any other provision of this or any other law) issue regulations pursuant to which such persons may be permitted to occupy or purchase housing for which credit restrictions established pursuant to the Defense Production Act of 1950 have been relaxed or housing which has been provided or assisted under the provisions of this Act (including amendments to other Acts provided herein), subject to any conditions or requirements that he determines necessary for purposes of national defense.

SEC. 612. Section 713 (o) of the National Housing Act, as amended, is hereby amended by inserting before the period at the end thereof the words "and income taxes".

SEC. 613. (a) Section 504 of the Housing Act of 1950 is amended by striking out "builder, veteran, or other purchaser" wherever it appears therein and inserting in lieu thereof the following: "builder or other seller, or the veteran or other purchaser".

(b) Section 501 (b) of the Servicemen's Readjustment Act of 1944, as amended, is hereby amended to read as follows:

"(b) Any loan made under this title to a veteran who has not, after April 20, 1950, availed himself of the benefits of this title for the purpose of purchasing residential property or constructing a dwelling to be occupied as his home, the proceeds of which loan are to be used for that purpose, may, notwithstanding the provisions of subsection (a) of section 500 of this title relating to the percentage or aggregate amount of loan to be guaranteed, be guaranteed, if otherwise made pursuant to the provisions of this title, in an amount not exceeding sixty per centum of the loan: *Provided*, That the amount of any such guaranty shall not exceed \$7,500, less the amount with which the veteran's entitlement for real estate purposes is properly chargeable on account of prior loans, nor shall the gratuity payable under subsection (c) of section 500 of this title exceed that which is payable on loans guaranteed in accordance with the maxima provided for in subsection (a) of section 500 of this title."

65 Stat. 316,
317.

SEC. 614. (a) Section 512 (b) of the Servicemen's Readjustment Act of 1944 is amended (1) by striking out clause (C); and (2) by striking out "June 30, 1951" and inserting in lieu thereof "June 30, 1953".

(b) Section 512 (d) of the Servicemen's Readjustment Act of 1944 is amended to read as follows:

"(d) The Administrator is authorized to sell, and shall offer for sale, to any private lending institution evidencing ability to service loans, any loan made under this section at a price not less than par; that is, the unpaid balance plus accrued interest, and may guarantee any loan thus sold subject to the same conditions, terms, and limitations which would be applicable were the loan guaranteed under section 501 (b) of this title."

(c) The first sentence of section 513 (a) of the Servicemen's Readjustment Act of 1944 is amended to read as follows: "For the purposes of section 512 of this title, the Secretary of the Treasury is hereby authorized and directed to make available to the Administrator such

sums not in excess of \$150,000,000 (plus the amount of any funds which may have been deposited to the credit of miscellaneous receipts under subsections (a) and (c) hereof), as the Administrator shall request from time to time except that no sums may be made available after June 30, 1953."

(d) Section 513 (c) of the Servicemen's Readjustment Act of 1944 is amended by striking out "June 30, 1952" and inserting in lieu thereof "June 30, 1954".

SEC. 615. The Secretary of Defense or his designee shall hereafter be included in the membership of the National Housing Council in the Housing and Home Finance Agency, and the Chairman of the Board of Directors of the Reconstruction Finance Corporation or his designee shall not hereafter be included in the membership of said Council.

SEC. 616. During the period from the date of the approval of this Act to and including the expiration date specified in section 104 hereof, no project shall be initiated, and the income limitations contained in the United States Housing Act of 1937, as amended, shall not be waived or suspended, pursuant to the authorization therefor in title II of Public Law 671, Seventy-sixth Congress, approved June 28, 1940.

SEC. 617. Insofar as the provisions of any other law are inconsistent with the provisions of this Act, the provisions of this Act shall be controlling.

SEC. 618. Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. Notwithstanding any other evidence of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provisions of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances, but shall be confined in its operation to the provisions of this Act or the application thereof to the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

65 Stat. 317.

Approved September 1, 1951.

Public Law 214 - 82d Congress
Chapter 577 - 1st Session
S. 2244

AN ACT

To amend certain housing legislation to grant preferences to veterans of the Korean conflict.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (14) of section 2 of the United States Housing Act of 1937 (50 Stat. 388, as amended; 42 U. S. C. 1402) is amended to read as follows:

"(14) The term 'veteran' shall mean a person who has served in the active military or naval service of the United States at any time (i) on or after September 16, 1940, and prior to July 26, 1947, (ii) on or after April 6, 1917, and prior to November 11, 1918, or (iii) on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President, and who shall have been discharged or released therefrom under conditions other than dishonorable. The term 'serviceman' shall mean a person in the active military or naval service of the United States who has served therein at any time (i) on or after September 16, 1940, and prior to July 26, 1947, (ii) on or after April 6, 1917, and prior to November 11, 1918, or (iii) on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President."

Korean veterans, etc.
Housing preferences.
63 Stat. 424.
"Veteran."
65 Stat. 647.
65 Stat. 648.

"Serviceman."

SEC. 2. The Act of October 14, 1940, as amended (54 Stat. 1125, as amended; 42 U. S. C. 1521), is hereby amended (i) by striking out in paragraph (c) of section 505 and in paragraph (c) of section 602 the phrase "of World War II" wherever such phrase occurs; and (ii) by striking out in paragraph (b) of section 601 the phrase "during World War II", and substituting therefor the words "at any time on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President".

SEC. 3. Public Law 65, Eighty-first Congress (63 Stat. 68), is hereby amended by adding, after the phrase "July 26, 1947," in section 2 thereof, the phrase "or on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President,".

SEC. 4. The National Housing Act, as amended, is amended by striking out the phrase "of World War II" wherever it occurs in paragraph (b) of section 213, and by adding the following proviso before the period at the end of said paragraph: " : *Provided*, That for purposes of this section the word 'veteran' shall mean a person who has served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President".

64 Stat. 54.
12 U.S.C.
§ 1715e(b).

Approved October 26, 1951.

Public Law 429 - 82d Congress
Chapter 530 - 2d Session
S. 2594

AN ACT

To amend and extend the Defense Production Act of 1950 and the Housing and Rent Act of 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Defense Production Act Amendments of 1952".

TITLE I—AMENDMENTS TO DEFENSE PRODUCTION ACT
OF 1950, AS AMENDED

SEC. 116. (b) Title VI of the Defense Production Act of 1950, as amended, is amended by adding at the end thereof the following new section:

"SEC. 607. Notwithstanding the provisions of sections 602 and 605 of this title, the authority of the President which is derived from said sections to impose credit regulations relative to residential property shall not be exercised with respect to extensions of credit made during any 'period of residential credit control relaxation', as that term is herein defined, in such manner as to impose any down payment requirement in excess of 5 per centum of the transaction price. The President shall cause to be made estimates of the number of permanent, non-farm, family dwelling units, the construction of which has been started during each calendar month and, on the basis of such estimates, he shall cause to be made estimates of the annual rate of construction starts during each such month, after making reasonable allowance for seasonal variations in the rate of construction. If for any three consecutive months the annual rate of construction starts so found for each of the three months falls to a level below an annual rate of 1,200,000 starts per year, the President shall cause to be published in the Federal Register an announcement of the beginning of a 'period of residential credit control relaxation', which period shall begin not later than the first day of the second calendar month following such three consecutive months. Each such relaxation period may be terminated by the President at any time after the annual rate of construction starts thereafter estimated for each of any three consecutive months exceeds the level referred to in the preceding sentence."

50 U.S.C.
app. §§ 2132,
2135.

61 Stat. 798.

Publication
in Federal
Register.

TITLE II—AMENDMENTS TO HOUSING AND RENT ACT
OF 1947, AS AMENDED

SEC. 201. (a) Subsection (e) of section 4 of the Housing and Rent Act of 1947, as amended, is amended by striking out "June 30, 1952" and inserting in lieu thereof "April 30, 1953".

(b) Subsection (f) of section 204 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"(f) (1) The provisions of this title shall cease to be in effect at the close of September 30, 1952, except that they shall cease to be in effect at the close of April 30, 1953—

"(A) in any area which prior to or subsequent to September 30, 1952, is certified under subsection (1) of section 204 of this Act as a critical defense housing area;

"(B) in any incorporated city, town, or village which, at a time when maximum rents under this title are in effect therein, and prior to September 30, 1952, declares (by resolution of its governing body adopted for that purpose, or by popular referendum in accordance with local law) that a substantial shortage of housing

61 Stat. 193.
50 U.S.C.
app. § 1881 note.

50 U.S.C.
app. § 1884.

Termination.
50 U.S.C.
app. § 1894.

66 Stat. 306.

66 Stat. 307.

accommodations exists which requires the continuance of federal rent control in such city, town, or village; and

"(C) in any unincorporated locality in a defense-rental area in which one or more incorporated cities, towns, or villages constituting the major portion of the defense-rental area have made the declaration specified in subparagraph (B) at a time when maximum rents under this title were in effect in such unincorporated locality.

"(2) Any incorporated city, town, or village which makes the declarations specified in paragraph (1) (B) of this subsection shall notify the President in writing of such action promptly after it has been taken.

"(3) Notwithstanding any provision of paragraph (1) of this subsection, the provisions of this title shall cease to be in effect upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress, declaring that the further continuance of the authority granted by this title is not necessary because of the existence of an emergency, whichever date is the earlier.

"(4) Notwithstanding any provision of paragraph (1) or (3) of this subsection, the provisions of this title and regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of sustaining any proper suit or action with respect to any right or liability incurred prior to the termination date specified in such paragraph."

SEC. 202. Section 204 of the Housing and Rent Act of 1947, as amended, is amended by adding at the end thereof the following new subsections:

"(p) Except in the case of action taken after full compliance with subsection (k) of this section, the President shall not reestablish maximum rents in any defense-rental area, including any community owned and operated by the Federal Government, which has previously been decontrolled under this Act until a public hearing, after thirty days' notice, has been held in such area.

"(q) Consistent with the other provisions of this Act, all affected agencies, departments, and establishments of the Federal Government shall, by July 15, 1952, establish and administer rents and service charges for quarters supplied to Federal employees and members of the Uniformed Services furnished quarters on a rental basis in accordance with regulations promulgated by the Bureau of the Budget: *Provided, however,* That the provisions of this subsection shall not apply to housing units under the jurisdiction of the Atomic Energy Commission where Federal rent control is now in effect."

SEC. 203. The Director of Defense Mobilization is hereby authorized to appoint a Defense Areas Advisory Committee to advise him in connection with the exercise of any function or authority vested in him by section 204 (1) of the Housing and Rent Act of 1947, as amended, or section 101 of the Defense Housing and Community Facilities and Services Act of 1951, as amended, or by delegation thereunder, with respect to determining any area to be a critical defense housing area. Any committee so appointed shall consist, in addition to a chairman, of representatives of the Department of Defense, the Housing and Home Finance Agency, and the Office of Rent Stabilization. Any Federal agency shall, to the fullest practicable extent, furnish such information in its possession to the Defense Areas Advisory Committee as such Committee may request from time to time relevant to its operations.

Certain
defense-
rental areas.
65 Stat. 145.
50 U.S.C.
app. § 1894.

Quarters
supplied
to Federal
employees,
etc.

Defense Areas
Advisory Com-
mittee.

65 Stat. 293.
42 U.S.C.
§ 1591.

66 Stat. 307.
66 Stat. 308.

TITLE III—MISCELLANEOUS

PUBLIC CONTRACTS

SEC. 301. The Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (41 U. S. C. 35-45), is amended (1) by redesignating sections 10 and 11 as sections 11 and 12, respectively, and (2) by inserting immediately following section 9 a new section 10 as follows:

60 Stat. 238. "SEC. 10. (a) Notwithstanding any provision of section 4 of the Administrative Procedure Act, such Act shall be applicable in the administration of sections 1 to 5 and 7 to 9 of this Act.

5 U.S.C.

§ 1003.

Wage deter-

minations.

41 U.S.C.

§ 35.

"(b) All wage determinations under section 1 (b) of this Act shall be made on the record after opportunity for a hearing. Review of any such wage determination, or of the applicability of any such wage determination, may be had within ninety days after such determination is made in the manner provided in section 10 of the Administrative Procedure Act by any person adversely affected or aggrieved thereby, who shall be deemed to include any manufacturer of, or regular dealer in, materials, supplies, articles or equipment purchased or to be purchased by the Government from any source, who is in any industry to which such wage determination is applicable.

Judicial re-
view.

"(c) Notwithstanding the inclusion of any stipulations required by any provision of this Act in any contract subject to this Act, any interested person shall have the right of judicial review of any legal question which might otherwise be raised, including, but not limited to, wage determinations and the interpretation of the terms 'locality', 'regular dealer', 'manufacturer', and 'open market'."

Approved June 30, 1952, 9:36 a.m., E. D. T.

Public Law 531 - 82d Congress
Chapter 723 - 2d Session
S. 3066

AN ACT

To amend defense housing laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Housing Act of 1952".

SEC. 2. Section 217 of the National Housing Act, as amended, is hereby amended to read as follows:

"SEC. 217. Notwithstanding limitations contained in any other section of this Act on the aggregate amount of principal obligations of mortgages or loans which may be insured (or insured and outstanding at any one time) and on the aggregate amount of contingent liabilities which may be outstanding at any one time under insurance contracts, or commitments to insure, pursuant to any section or title of this Act, any such aggregate amount shall, with respect to any section or title of this Act (except section 2), be prescribed by the President from time to time taking into consideration the needs of national defense and the effect of additional insurance authorizations upon conditions in the building industry and upon the national economy: *Provided*, That the dollar amount of the insurance authorization prescribed by the President at any time with respect to any provision of title VI shall not be greater than authorized by provisions of that title: *And provided further*, That, at any time, the aggregate dollar amount of the mortgage insurance authorization prescribed by the President with respect to title IX of this Act, plus the aggregate dollar amount of all increases in insurance authorizations under other titles of this Act prescribed by the President pursuant to authority contained in this section, less the aggregate dollar amount of all decreases in insurance authorizations under this Act prescribed by the President pursuant to authority contained in this section shall not exceed \$1,900,000,000: *And provided further*, That \$400,000,000 of said sum shall be available only for the insurance of mortgages for which no insurance contract or commitment to insure under this Act was outstanding on June 30, 1952, and which mortgages (1) cover defense housing programed by the Housing and Home Finance Agency in an area determined by the President or his designee to be a critical defense housing area, or (2) are insured under title VIII of this Act, or (3) cover housing intended to be made available primarily for families who are victims of a catastrophe which the President has determined to be a major disaster."

SEC. 3. (a) Section 301 (a) (1) of said Act, as amended, is hereby amended—

(1) by striking the words beginning with "insured after April 30, 1948" and ending with the colon at the end of the first proviso thereof and inserting the words: "insured under this Act, as amended, or insured or guaranteed under the Servicemen's Readjustment Act of 1944, as amended: *Provided*, That no such mortgage, except defense or disaster mortgages as defined in subparagraph (G) hereof, shall be purchased by the Association unless insured or guaranteed after February 29, 1952, or purchased pursuant to a commitment made by the Association:";

(2) by striking from subparagraph (E) "pursuant to authority contained herein, exceeds 50 per centum of the original principal amount of all mortgages made by such mortgagee" and inserting "after February 29, 1952, pursuant to authority contained herein, exceeds 50 per centum of the original principal amount of all mortgage loans made by such mortgagee that are insured or guaranteed after February 29, 1952";

Housing Act
of 1952.

65 Stat. 315.

12 U.S.C.

§ 1715h.

General
mortgage
insurance
authorization.

48 Stat. 1246.

12 U.S.C.

§ 1703.

55 Stat. 55.

12 U.S.C.

§ 1736 et seq.

65 Stat. 295.

12 U.S.C.

§§ 1750a-1750g.

66 Stat. 601.

66 Stat. 602.

63 Stat. 571.

12 U.S.C.

§§ 1748-

1748g-1.

48 Stat. 1252.

12 U.S.C.

§ 1716.

58 Stat. 284.

38 U.S.C.

§ 693 note.

(3) by striking the proviso in subparagraph (E) and inserting "*Provided*, That this clause (2) shall not apply to (nor shall any terms therein include) any defense or disaster mortgages as defined in subparagraph (G)"; and

(4) by striking from the proviso in subparagraph (G) "which do not exceed \$252,000,000 outstanding at any one time, if applications for such commitments were received by the Association prior to December 28, 1951, or, in the case of title VIII mortgages, if the Federal Housing Commissioner issued his commitment to insure prior to December 31, 1951, but subsequent to December 27, 1951, and if such commitments of the Association relate to" and inserting "and prior to July 1, 1953, which do not exceed \$1,152,000,000 outstanding at any one time, if such commitments of the Association relate to defense or disaster mortgages. As used in this title III, 'defense or disaster mortgages' means".

12 U.S.C.
§1748-1748g-1.

12 U.S.C.
§1717.

(b) Section 302 of said Act, as amended, is hereby amended (1) by striking "\$2,750,000,000" and inserting "\$3,650,000,000"; and (2) by adding before the period at the end of the first sentence of said section "*Provided*, That not more than \$2,750,000,000 of such total amount outstanding at any one time shall relate to mortgages other than defense or disaster mortgages as defined in section 301 (a) (1) (G)".

65 Stat. 308.
42 U.S.C.
§15921.

SEC. 4. Section 313 of the Defense Housing and Community Facilities and Services Act of 1951 is hereby amended by striking out "\$60,000,000" in paragraph (a) thereof and substituting "\$100,000,000" and by striking out "\$50,000,000" in paragraph (b) thereof and substituting "\$100,000,000".

65 Stat. 304.
42 U.S.C.
§1592a.

SEC. 5. The first sentence of section 302 (b) of the Defense Housing and Community Facilities and Services Act of 1951 is hereby amended by adding after the words "for reuse at other locations" the words "or existing housing built or acquired by the United States under authority of other law".

66 Stat. 602.
66 Stat. 603.
65 Stat. 314.
42 U.S.C.
§1589a.

SEC. 6. Section 611 of the Act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is hereby amended by inserting "or section 313 of this Act" immediately preceding the parenthetical clause, and by striking out "to this title" at the end of the parenthetical clause and inserting in lieu thereof "thereto".

63 Stat. 58.
48 U.S.C.
§484.

SEC. 7. The first sentence of section 3 (b) and the first sentence of section 3 (d) of the Alaska Housing Act, approved April 23, 1949, as amended, are hereby amended by striking "\$15,000,000" and inserting "\$20,000,000".

12 U.S.C.
§§1707-
1715h.

SEC. 8. Title II of the National Housing Act, as amended, is hereby amended by adding the following new section:

12 U.S.C.
§1743.

"SEC. 218. In any case where an application for mortgage insurance under section 608 of this Act was received by the Federal Housing Commissioner on or before March 1, 1950, and a commitment to insure was issued by said Commissioner in accordance therewith any mortgagee who, prior to the expiration of such commitment, applied for insurance of a mortgage under section 207 of this Act with respect to the same property or project shall receive credit for all application fees paid in connection with the prior application: *Provided*, That nothing therein shall constitute a waiver of any requirements otherwise applicable to the insurance of mortgages under section 207 of this Act."

12 U.S.C.
§1713.

SEC. 9. The Secretary of the Treasury is hereby authorized and directed from time to time to credit and cancel the note or notes of the Housing and Home Finance Administrator executed and delivered in connection with loans transferred from the Reconstruction Finance

Corporation to the Housing and Home Finance Agency pursuant to Reorganization Plan Numbered 23 of 1950 (64 Stat. 1279), to the extent of the net loss, as determined by the Secretary of the Treasury, sustained by said Agency in the liquidation of defaulted loans. The net loss shall be the sum of the unpaid principal and advances for care and preservation of collateral, together with accrued and unpaid interest on said principal and advances, and all expenses and costs (other than those subject to administrative expense limitations) in connection with the liquidation of defaulted loans, less the amount actually realized by the Housing and Home Finance Agency on account of such defaulted loans.

SEC. 10. (a) The National Housing Act, as amended, is hereby amended—

(1) by adding at the end of section 8 the following new section

9:

"SEC. 9. The provisions of sections 2 and 8 shall be applicable in the several States and Alaska, Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.";

"(2) by adding "Guam," after the words "District of Columbia," in each place where they appear in sections 201 (d), 207 (a) (7), 301 (c) (4), 601 (d), and 801 (f);

(3) by inserting in section 214—

(A) the words "or in Guam" after the word "Alaska" in each place where it appears in said section,

(B) the words "or maxima" after the word "maximum", and

(C) the words "or the Government of Guam or any agency or instrumentality thereof" after the words "Alaska Housing Authority" in each place where they appear in said section;

(4) by adding at the end of section 713 the following new subsection (q):

"(q) 'State' shall include the several States and Alaska, Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands."; and

(5) by deleting the words "or Territory" in section 403 (a) and inserting in lieu thereof the words "Territory, or possession".

(b) The Home Owners' Loan Act of 1933, as amended, is hereby amended by adding a comma and "Guam," after the words "Puerto Rico" in section 7 thereof.

(c) The Federal Home Loan Bank Act, as amended, is hereby amended by adding "Guam," after "District of Columbia," in section 2 (3) and after "Virgin Islands," in section 3 thereof.

(d) The Defense Housing and Community Facilities and Services Act of 1951 is hereby amended by adding at the end of section 401 the following: "This title shall be applicable in the several States, the District of Columbia, and the Territories and possessions of the United States."

(e) Section 102b of the Housing Act of 1948, as amended, is hereby amended by adding at the end thereof the following: "Such powers, functions, and duties may be exercised in the several States, the District of Columbia, and the Territories and possessions of the United States."

SEC. 11. Title V of the Housing Act of 1949, as amended, is hereby amended as follows:

(a) In the first sentence of section 511 immediately following the phrase "July 1, 1951" strike the word "and" and insert at the end of the sentence just before the period a comma and the language "and an additional \$100,000,000 on and after July 1, 1953".

(b) In section 512, (i) strike "and 1952" and insert "1952, and 1953", and (ii) strike "and \$2,000,000" and insert "\$2,000,000 and \$2,000,000".

64 Stat. 48.

12 U.S.C.

§ 1706c.

12 U.S.C.

§§ 1707, 1713,

1716, 1736,

1748.

12 U.S.C.

§ 1715d.

62 Stat. 1281.

12 U.S.C.

§ 17471.

66 Stat. 603.

66 Stat. 604.

12 U.S.C.

§ 1726.

48 Stat. 134.

12 U.S.C.

§ 1466.

47 Stat. 725.

12 U.S.C.

§§ 1422, 1423.

65 Stat. 310.

42 U.S.C.

§ 1593.

65 Stat. 312.

12 U.S.C.

§ 1701g-2.

63 Stat. 438.

42 U.S.C.

§ 1481.

42 U.S.C.

§ 1482.

42 U.S.C.
§ 1483.

(c) In section 513, strike "and \$10,000,000 on July 1 of each of the years 1950, 1951, and 1952" and insert "\$10,000,000, and \$10,000,000 on July 1 of each of the years 1950, 1951, 1952, and 1953".

48 Stat. 132.
12 U.S.C.
§ 1464.

SEC. 12. The first paragraph of subsection (c) of section 5 of the Home Owners' Loan Act of 1933, as amended, is hereby amended by adding at the end thereof the following new sentence: "In addition to the loans and investments otherwise authorized, such associations may purchase, subject to all the provisions of this paragraph except the area restriction, loans secured by first liens on improved real estate which are insured under the provisions of the National Housing Act, as amended, or insured as provided in the Servicemen's Readjustment Act of 1944, as amended."

65 Stat. 297.
12 U.S.C.
§ 1750b.

SEC. 13. Section 903 (c) of the National Housing Act, as amended, is hereby amended by adding at the end thereof the following new sentence: "Upon application of the mortgagee with the consent of the mortgagor of a mortgage for which a commitment to insure has been issued pursuant to section 203 of this Act covering property on which the construction of the dwellings thereon was begun prior to the enactment of this title and the determination of prevailing wages in the locality in accordance with section 212, the Commissioner is authorized, notwithstanding such beginning of construction, to convert such commitment to a commitment under section 908; any charges or fees paid to the Commissioner with respect to such insurance under section 203 shall be credited to charges or fees due the Commissioner with respect to such insurance under section 908; and the determination of prevailing wages in the locality for purposes of section 212 may be made by the Secretary of Labor at any time prior to the insurance under section 908: *Provided*, That such mortgage, or the mortgage covering the same property executed in substitution therefor, is otherwise eligible for insurance under section 908."

66 Stat. 604.
66 Stat. 605.

61 Stat. 777.
12 U.S.C.
§ 1745.

12 U.S.C.
§ 1743.

SEC. 14. Section 610 of the National Housing Act, as amended, is amended by adding at the end thereof the following new paragraph:

"The Commissioner is further authorized to insure or to make commitments to insure under section 608 of this title in accordance with the provisions of this section any mortgage executed in connection with the sale by a State or municipality, or an agency, instrumentality, or body politic of either, of any permanent housing (including any property acquired, held, or constructed in connection therewith or to serve the inhabitants thereof), constructed by or on behalf of such State, municipality, agency, instrumentality, or body politic, for the occupancy of veterans of World War II, their families, and others: *Provided*, That the principal obligation of any such mortgage does not exceed either 85 per centum of the appraised value of the mortgage property as determined by the Commissioner or \$8,100 per family unit for such part of such property as may be attributable to dwelling use."

Approved July 14, 1952.

Public Law 6 - 82d Congress
Chapter 9 - 1st Session
H. R. 1090

AN ACT

To extend the period for the admission of alien spouses and minor children of citizen members of the United States Armed Forces.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 717, Eighty-first Congress, is hereby amended to read: "Notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended (8 U. S. C. 213 (c)), alien spouses or unmarried minor children of United States citizens serving in, or having an honorable discharge certificate from the Armed Forces of the United States during World War II shall, if otherwise admissible under the immigration laws, be eligible to enter the United States with nonquota immigration visas issued under the provisions of section 4 (a) of the Immigration Act of 1924, as amended (8 U. S. C. 204 (a)) : *Provided*, That in the cases of such alien spouses of United States citizens serving in, or having an honorable discharge certificate from the Armed Forces of the United States during World War II the marriage shall have occurred before twelve months after the enactment of this Act, as hereby amended."*

65 Stat. 5,
6.

Approved March 19, 1951.

(Public Law 717 extends until 6 months after enactment of this Act period for admission of racially ineligible alien spouses and minor children of citizen members of Armed Forces as provided in PL 213, 80th Cong.)

Public Law 23 - 82d Congress
Chapter 39 - 1st Session
H. R. 1
AN ACT

To authorize the payment by the Administrator of Veterans' Affairs of a gratuitous indemnity to survivors of members of the Armed Forces who die in active service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PART I—SERVICEMEN'S INDEMNITY

SEC. 1. This part may be cited as the "Servicemen's Indemnity Act of 1951".

SEC. 2. Except as hereinafter provided, on and after June 27, 1950, any person in the active service of the Army, Navy, Air Force, Marine Corps, Coast Guard, or the Reserve components thereof, including the National Guard when called or ordered to active duty or active training duty for fourteen days or more; cadets and midshipmen at the United States Military, Naval, and Coast Guard Academies; commissioned officers of the Public Health Service while entitled to full military benefits as provided in section 212 (a) of the Act of July 1, 1944 (58 Stat. 689), as amended (42 U. S. C. 213); and commissioned officers of the Coast and Geodetic Survey while assigned to duty during a period of war or an emergency as proclaimed by the President or the Congress on projects for the Army, Navy, or Air Force in areas outside the continental United States or in Alaska or in coastal areas of the United States determined by the Department of Defense to be of immediate military hazard, shall be automatically insured by the United States, without cost to such person, against death in such service in the principal amount of \$10,000: *Provided*, That any person called to extended active service for a period exceeding thirty days shall continue to be so protected for a period of one hundred and twenty days after separation or release from such active service: *Provided further*, That persons in the Reserve components, including the National Guard, while engaged in aerial flights in Government owned or leased aircraft for any period, with or without pay, as an incident to their military or naval training, shall be deemed to be in the active service for the purposes of this Act: *And provided further*, That for the purposes of this part, any person, who, on or after June 27, 1950, was or shall be provisionally accepted and directed or ordered to report to a place for final acceptance or for entry upon active duty in the military or naval service and who died or shall die as the result of disability incurred while en route to such place and within one hundred and twenty days after the incurrence of such disability, or any registrant under the Selective Service Act of 1948, as amended, who on or after June 27, 1950, in response to an order to report for induction into the Armed Forces and who, after reporting to a local draft board, died or dies as the result of disability incurred while en route from such draft board to a designated induction station and within one hundred and twenty days after the incurrence of such disability shall be deemed to have died in active service.

65 Stat. 33.

SEC. 3. Upon certification by the Secretary of the service department concerned of the death of any person deemed to have been automatically insured under this part, the Administrator of Veterans' Affairs shall cause the indemnity to be paid as provided in section 4 only to the surviving spouse, child or children (including a stepchild, adopted child, or an illegitimate child if the latter was designated as beneficiary by the insured), parent (including a stepparent, parent by adoption, or person who stood in loco parentis to the insured at

any time prior to entry into the active service for a period of not less than one year), brother, or sister of the insured, including those of the half-blood and those through adoption. The insured shall have the right to designate the beneficiary or beneficiaries of the indemnity within the classes herein provided; to designate the proportion of the principal amount to be paid to each; and to change the beneficiary or beneficiaries without the consent thereof but only within the classes herein provided. If the designated beneficiary or beneficiaries do not survive the insured, or if none has been designated, the Administrator shall make payment of the indemnity to the first eligible class of beneficiaries according to the order set forth above, and in equal shares if the class is composed of more than one person. Unless designated otherwise by the insured, the term "parent" shall include only the mother and father who last bore that relationship to the insured.

Any installments of an indemnity not paid to a beneficiary during such beneficiary's lifetime shall be paid to the named contingent beneficiary, if any; otherwise, to the beneficiary or beneficiaries within the permitted class next entitled to priority: *Provided*, That no payment shall be made to the estate of any deceased person.

SEC. 4. The indemnity shall be payable in equal monthly installments of one hundred and twenty in number with interest at the rate of $2\frac{1}{4}$ per centum per annum.

SEC. 5. The automatic indemnity coverage authorized by section 2 shall apply to any person in the active service of the named Armed Forces who, upon death in such active service, or within one hundred and twenty days after separation or release from such active service as prescribed in section 2, is insured against such death under a contract of national service life insurance or United States Government life insurance, but only with respect to a principal amount of indemnity equal to the difference between the amount of insurance in force at the time of death and \$10,000. Any person in active service, who is insured under a permanent plan of national service life insurance or United States Government life insurance, may elect to surrender such contract for its cash value. In any such case the person, upon application in writing made within one hundred and twenty days after separation from active service, may be granted, without medical examination, permanent plan insurance on the same plan not in excess of the amount surrendered for cash, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month. Any person in the active service having United States Government life insurance or national service life insurance on the five-year level premium term plan, the term of which expires while such person is in active service after the date of this enactment, shall, upon application made within one hundred and twenty days after separation from service, payment of premiums and evidence of good health satisfactory to the Administrator, be granted an equivalent amount of insurance on the five-year level premium term plan at the premium rate for his then attained age. Waiver of premiums under the National Service Life Insurance Act of 1940, as amended, shall not be denied in any case of issue or reinstatement of insurance on a permanent plan under this section in which it is shown to the satisfaction of the Administrator that total disability of the applicant commenced prior to the date of his application.

SEC. 6. The Administrator of Veterans' Affairs is authorized to promulgate such rules and regulations, not inconsistent with the provisions of this part, as are necessary or appropriate to carry out its purposes.

SEC. 7. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may

be necessary to carry out the provisions of this part, to be known as the servicemen's indemnity appropriation, for the payment of liabilities under this part.

SEC. 8. Any person guilty of mutiny, treason, spying, or desertion, or who, because of conscientious objections refuses to perform services in the land or naval forces of the United States or refuses to wear the uniform of such force, shall forfeit all rights to an indemnity under this Act: *Provided*, That restoration to active duty after commission of any such offense shall restore all rights to an indemnity under this Act. No indemnity shall be payable for death inflicted as a lawful punishment for crime or for military or naval offense, except when inflicted by an enemy of the United States.

SEC. 9. The provisions of Public Law Numbered 262, Seventy-fourth Congress, approved August 12, 1935 (49 Stat. 607), as amended, titles II and III of Public Law Numbered 844, Seventy-fourth Congress, approved June 29, 1936 (49 Stat. 2031), as amended, and section 15 of Public Law Numbered 2, Seventy-third Congress, March 20, 1933, insofar as they are applicable, shall apply to the provisions of this part: *Provided*, That assignments of all or any part of the beneficiary's interest may be made by a beneficiary to any other person or persons within the permitted class of beneficiaries, as specified in section 3, if all other persons having contingent rights of equal or greater priority to those of the assignee join in the assignment: *Provided further*, That such assignment shall not affect any payments made prior to its receipt by the Veterans' Administration.

65 Stat. 35,
36.

PART II—PROVISIONS RELATING TO UNITED STATES GOVERNMENT LIFE INSURANCE AND NATIONAL SERVICE LIFE INSURANCE

SEC. 10. The National Service Life Insurance Act of 1940, as amended, is hereby amended by adding the following new sections:

"SEC. 619. On and after the date of enactment of the Insurance Act of 1951, except as otherwise provided in section 12 thereof, section 5 of the Servicemen's Indemnity Act of 1951, and sections 620 and 621 hereof, no National Service life insurance or United States Government life insurance shall be granted to any person under the provisions of the National Service Life Insurance Act of 1940, as amended, or the World War Veterans' Act, 1924, as amended, nor shall any United States Government life insurance or National Service life insurance, on which the United States is authorized by law to pay the premium, be issued or granted to any person under any provision of law, nor shall the United States pay premiums on insurance issued prior to this enactment under the provisions of Public Law Numbered 289, Seventy-seventh Congress, November 5, 1941, Public Law Numbered 571, Seventy-seventh Congress, June 5, 1942, Public Law Numbered 658, Seventy-seventh Congress, July 8, 1942, Public Law Numbered 698, Seventy-seventh Congress, August 4, 1942, Public Law Numbered 729, Seventy-ninth Congress, August 13, 1946, or any other law for any period subsequent to the end of the second calendar month following the date of this enactment: *Provided*, That the foregoing shall not be construed to prohibit the granting or issuing of National Service life insurance or United States Government life insurance in cases in which acceptable applications accompanied by proper and valid remittances or authorizations for the payment of premiums have, on or before the date of approval of this amendatory Act, been received by the Veterans' Administration, or which have, on or before said date, been placed in the mails properly directed to the Veterans' Administration, or been delivered to an authorized representative of any of the uniformed services.

"Sec. 620. Any person who is released from active service under other than dishonorable conditions on or after the date of enactment of the Insurance Act of 1951, and is found by the Administrator to be suffering from a disability or disabilities for which compensation would be payable if 10 per centum or more in degree and except for which such person would be insurable according to the standards established by the Administrator for qualifying under the good health provisions of this Act, as amended, shall, upon application in writing made within one year from the date service connection of such disability is determined by the Veterans' Administration and payment of premiums as provided in this Act, as amended, be granted insurance by the United States against the death of such person occurring while such insurance is in force: *Provided*, That insurance granted under this section shall be issued upon the same terms and conditions as are contained in the standard policies of national service life insurance except (1) the premium rates for such insurance shall be based on the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of $2\frac{1}{4}$ per centum per annum; (2) all cash, loan, paid-up, and extended values shall be based upon the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of $2\frac{1}{4}$ per centum per annum; (3) all settlements on policies involving annuities shall be calculated on the basis of The Annuity Table for 1949, and interest at the rate of $2\frac{1}{4}$ per centum per annum; (4) insurance granted under the provisions of this section shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited directly to a revolving fund in the Treasury of the United States, and any payments on such insurance shall be made directly from such fund. Appropriations to such fund are hereby authorized. Except as herein provided, the provisions of this Act other than those contained in section 621 shall be for application to such insurance: *Provided*, That as to insurance issued under this section waiver of premiums pursuant to section 602 (n) shall not be denied on the ground that the service-connected disability became total prior to the effective date of such insurance. All persons granted indemnity protection under section 2 of the Servicemen's Indemnity Act of 1951 shall be deemed to be in the active service for the purpose of applying for insurance under this section: *Provided*, That as to persons incurring disability under the conditions stated in the last proviso of section 2 of the Servicemen's Indemnity Act of 1951, application for insurance must be filed within one year after the incurrence of such disability.

"SEC. 621. (a) Any person entitled to indemnity protection under section 2 of the Servicemen's Indemnity Act of 1951 who is ordered into active service for a period exceeding thirty days, shall, upon application in writing made within one hundred and twenty days after separation from such active service and payment of premiums as hereinafter provided, and without medical examination, be granted insurance by the United States against the death of such person occurring while such insurance is in force. Insurance granted under this section shall be issued upon the same terms and conditions as are contained in the standard policies of national service life insurance on the five-year level premium term plan except (1) all such insurance may be renewed for successive five-year term periods at the attained ages, but may not be exchanged for or converted to insurance on any other plan; (2) the premium rates for such insurance shall be based on the Commissioners 1941 Standard Ordinary Table of Mortality and interest at the rate of $2\frac{1}{4}$ per centum per annum; (3) all settlements on policies involving annuities shall be calculated on the basis of The Annuity Table for 1949, and interest at the rate of

2¼ per centum per annum; (4) insurance issued hereunder shall be on a nonparticipating basis and all premiums and other collections therefor shall be credited to a revolving fund in the Treasury of the United States and the payments on such term insurance shall be made directly from such fund. Appropriations to such fund are hereby authorized.

"(b) The Administrator is authorized to invest in, and the Secretary of the Treasury is authorized to sell and retire, special interest-bearing obligations of the United States for the account of the revolving fund with a maturity date as may be agreed upon by the Administrator and Secretary: *Provided*, That the rate of interest on such obligations shall be fixed by the Secretary of the Treasury at a rate not exceeding the average interest rate on all marketable obligations of the United States Treasury outstanding as of the end of the month preceding the date of issue of this special obligation.

"SEC. 622. After the date of enactment of this section, any person while in active service for a continuous period in excess of thirty days who is insured under national service life insurance or United States Government life insurance shall be entitled, upon written application, to a waiver of all premiums on five-year level premium term insurance and that portion of any permanent insurance premiums representing the cost of the pure insurance risk, as determined by the Administrator, becoming due after the first day of the second calendar month following the date of enactment of this section, or the first day of the second calendar month following entry into active service, whichever is the later date, and during the remainder of such continuous active service and 120 days thereafter: *Provided*, That no premium shall be waived under this section for any period prior to the date of application therefor: *Provided*, That if the term of any five-year level premium term insurance on which premiums have been waived under this section expires while the insured is in active service, such term shall be automatically renewed for an additional five-year period and the premiums due at the then attained age shall be waived as provided above: *Provided further*, That the election by an insured of the premium waiver benefits of this section shall thereby render his contract of insurance nonparticipating during the period such premium waiver is in effect: *Provided further*, That whenever benefits under such insurance become payable because of the maturity of such policy of insurance while the insured is in active service or within one hundred and twenty days thereafter, liability for payment of such benefits shall be borne by the United States in an amount which, when added to any reserve of the policy at the time of maturity, will equal the then value of such benefits under such policy. Where life contingencies are involved in the calculation of the value of such benefits, the calculation of such liability or liabilities shall be based upon such mortality table or tables as the Administrator may prescribe with interest at the rate of 2¼ per centum per annum as to insurance issued under sections 620 and 621, at the rate of 3 per centum per annum as to other national service life insurance, and 3½ per centum per annum as to United States Government life insurance. The Administrator is authorized and directed to transfer from time to time from the national service life insurance appropriation to the National Service Life Insurance Fund and from the military and naval insurance appropriation to the United States Government Life Insurance Fund such sums as may be necessary to carry out the provisions of this section."

65 Stat. 37,
38.

SEC. 11. The first sentence of section 602 (m) (2) of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

"(2) In any case in which the insured provided for the payment of premiums on his insurance by authorizing in writing the deduction of premiums from his service pay, such insurance shall be deemed not to have lapsed or not to have been forfeited because of desertion under section 612, so long as he remained in active service prior to the date of enactment of the Insurance Act of 1946, notwithstanding the fact that deduction of premiums was discontinued because—

"(A) the insured was discharged to accept a commission; or

"(B) the insured was absent without leave, if restored to active duty; or

"(C) the insured was sentenced by court martial, if he was restored to active duty, required to engage in combat, or killed in combat."

SEC. 12. Nothing contained in part I or part II of this Act shall be construed to cancel or restrict any rights under insurance contracts issued on or prior to the date of this enactment.

SEC. 13. This part may be cited as the "Insurance Act of 1951".

Approved April 25, 1951.

Public Law 36 - 82d Congress
Chapter 94 - 1st Session
H. R. 321

AN ACT

To provide that on and after January 1, 1952, dividends on national service life insurance shall be applied in payment of premiums unless the insured has requested payment of dividends in cash.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602 (f) of the National Service Life Insurance Act of 1940, as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: "*Provided further*, That until and unless the Veterans' Administration has received from the insured a request in writing for payment in cash, any dividend accumulations and unpaid dividends shall be applied in payment of premiums becoming due on insurance subsequent to the date the dividend is payable after January 1, 1952."

65 Stat. 43,
44.

Approved May 18, 1951.

Public Law 101 - 82d Congress
Chapter 286 - 1st Session
H. R. 1072

AN ACT

65 Stat. 151.

To amend the existing law to provide the privilege of renewing expiring five-year level-premium-term policies of United States Government life insurance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of the first paragraph of section 301 of the World War Veterans' Act, 1924, as amended, is hereby amended to read as follows: "*Provided further,* That at the expiration of any five-year period a five-year level-premium-term policy may be renewed for a successive five-year period at the premium rate for the attained age without medical examination."

Approved August 2, 1951.

Public Law 104 - 82d Congress
Chapter 289 - 1st Session
H. R. 4000

AN ACT

65 Stat. 153.

To amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewals of level premium term insurance for successive five-year periods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso of subsection (f) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows: "*Provided*, That at the expiration of any term period any national service life insurance policy which has not been exchanged or converted to a permanent plan of insurance, may be renewed as level premium term insurance for a successive period of five years at the premium rate for the then attained age without medical examination, provided the required premiums are tendered prior to the expiration of such term".

Approved August 2, 1951.

Public Law 462 - 82d Congress
Chapter 585 - 2d Session
H. J. Res. 418

JOINT RESOLUTION

All 66 Stat. 441.

To amend the Act of July 1, 1947 (61 Stat. 242).

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of July 1, 1947 (61 Stat. 242), is amended by striking out "Marine Corps League, Incorporated," and inserting "Marine Corps War Memorial Foundation". Marine Corps
memorial
in D.C.
36 U.S.C.
§ 57b note.

That section 3 of said Act be amended by striking out "five years" and inserting "ten years".

Approved July 7, 1952.

Public Law 181 - 82d Congress
Chapter 519 - 1st Session
H. J. Res. 289

JOINT RESOLUTION

All 65 Stat. 451.

To terminate the state of war between the United States and the Government
of Germany.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war declared to exist between the United States and the Government of Germany by the joint resolution of Congress approved December 11, 1941, is hereby terminated and such termination shall take effect on the date of enactment of this resolution: *Provided, however,* That notwithstanding this resolution and any proclamation issued by the President pursuant thereto, any property or interest which prior to January 1, 1947, was subject to vesting or seizure under the provisions of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, or which has heretofore been vested or seized under that Act, including accruals to or proceeds of any such property or interest, shall continue to be subject to the provisions of that Act in the same manner and to the same extent as if this resolution had not been adopted and such proclamation had not been issued. Nothing herein and nothing in such proclamation shall alter the status, as it existed immediately prior hereto, under that Act, of Germany or of any person with respect to any such property or interest.

War between
U.S. and Ger-
many.
Termination.
55 Stat. 796.
50 U.S.C. app.,
note prec. § 1.

50 U.S.C. § 1.

Approved October 19, 1951.

Public Law 187 - 82d Congress
Chapter 532 - 1st Session
S. 1864

AN ACT

All 65 Stat. 574.

To authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the conditions hereinafter set forth, the Administrator of Veterans' Affairs is authorized and directed, under such regulations as he shall prescribe, to provide or assist in providing an automobile or other conveyance by paying not to exceed \$1,600 on the purchase price, including equipment with such special attachments and devices as the Administrator may deem necessary, for each veteran of World War II or of service on or after June 27, 1950, and prior to such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress, who is entitled to compensation under the laws administered by the Veterans' Administration for any of the following due to disability incurred in or aggravated by active military, naval, or air service of the United States during either of such periods:

- (a) Loss or permanent loss of use of one or both feet;
- (b) Loss or permanent loss of use of one or both hands;
- (c) Permanent impairment of vision of both eyes of the following status: Central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye.

SEC. 2. No payment shall be made under this Act for the repair, maintenance, or replacement of any such automobile or other conveyance and no veteran shall be given an automobile or other conveyance until it is established to the satisfaction of the Administrator that such veteran will be able to operate such automobile or other conveyance in a manner consistent with his own safety and the safety of others and will be licensed to operate such automobile or other conveyance by the State of his residence or other proper licensing authority: *Provided*, That a veteran who cannot qualify to operate a vehicle shall nevertheless be entitled to the payment of not to exceed \$1,600 on the purchase price of an automobile or other conveyance, as provided in section 1 of this Act, to be operated for him by another person, provided such veteran meets the other eligibility requirements set forth in this Act.

SEC. 3. The furnishing of such automobile or other conveyance, or the assisting therein, shall be accomplished by the Administrator paying the total purchase price, if not in excess of \$1,600, or the amount of \$1,600, if the total purchase price is in excess of \$1,600, to the seller from whom the veteran is purchasing under sales agreement between the seller and the veteran.

SEC. 4. No veteran shall be entitled to receive more than one automobile or other conveyance under the provisions of this Act and no veteran who has received or who hereafter receives an automobile or other conveyance under the provisions of the paragraph under the heading "Veterans' Administration" in the First Supplemental Appropriation Act, 1947, as extended, or the Act of September 21, 1950 (Public Law 798, Eighty-first Congress), shall be entitled to receive an automobile or other conveyance under the provisions of this Act.

Automobiles
for certain
disabled vet-
erans.

Restrictions.

Veterans not
qualified to
operate vehi-
cles.

Payment of
purchase price.

60 Stat. 915.
64 Stat. 894.
38 U.S.C. § 252.

All 65 Stat. 575.

Time limitation for application. SEC. 5. The benefits provided in this Act shall not be available to any veteran who has not made application for such benefits to the Administrator within three years after the effective date of this Act, or within three years after the date of the veteran's discharge or release from active service if the veteran is not discharged or released until on or after said effective date.

Appropriation authorized. SEC. 6. There is hereby authorized to be appropriated to the Veterans' Administration, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry into effect the provisions of this Act.

SAM RAYBURN

Speaker of the House of Representatives.

ALBEN W BARKLEY

*Vice President of the United States and
President of the Senate.*

In the Senate of the United States,

October 19 (*legislative day, October 1*), 1951.

The Senate having proceeded to reconsider the bill (S. 1864) entitled "An Act to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

Resolved, That the said bill do pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

LESLIE L BIFFLE

Secretary.

I certify that this Act originated in the Senate.

LESLIE L BIFFLE

Secretary.

In the House of Representatives, U.S.

October 20, 1951.

The House having proceeded to reconsider the bill (S. 1864) entitled "An Act to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes", returned by the President of the United States with his objections, to the Senate, in which it originated, and passed by the Senate on reconsideration of the same, it was

Resolved, That the said bill do pass, two-thirds of the Representatives present having voted in the affirmative.

Attest:

RALPH R ROBERTS

Clerk.

Public Law 108 - 82d Congress
Chapter 294 - 1st Session
H. R. 315

AN ACT

To liberalize the service pensions laws relating to veterans of the war with Spain, the Philippine Insurrection, or the Boxer Rebellion, and their dependents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in determining eligibility to service pension for veterans of the war with Spain, the Philippine Insurrection, or the Boxer Rebellion, and dependents of such veterans, which are payable under the laws reenacted by the Act of August 13, 1935 (49 Stat. 614; 38 U. S. C. 368, 369), or under Acts amendatory or supplemental to such laws, the following additional rules shall obtain:

(a) The delimiting dates of the war with Spain, the Philippine Insurrection, or the Boxer Rebellion shall be from April 21, 1898, to July 4, 1902, inclusive: *Provided*, That if the person was serving with the United States military forces engaged in the hostilities in the Moro Province the period herein stated shall extend to July 15, 1903.

(b) In computing active service there shall be counted continuous active service which commenced prior to and extended into the applicable period specified in (a) hereof or which commenced within such applicable period.

(c) A discharge or release from active service under conditions other than dishonorable shall be a prerequisite to entitlement to service pension.

SEC. 2. The minimum monthly rates of pension payable to veterans by virtue of the laws referred to in section 1 as modified by this Act shall be \$90 in cases where the veteran served ninety days or more or was discharged for disability incurred in service in line of duty unless such veteran is now or hereafter becomes on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the monthly rate shall be \$120; and \$60 in cases where the veteran served seventy days or more unless such veteran is now or hereafter becomes on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the monthly rate shall be \$78.

SEC. 3. Except as provided in section 4 hereof, where eligibility for pension or increase of pension is established by virtue of this Act, pension shall be paid from date of receipt of application therefor in the Veterans' Administration, but in no event prior to the first day of the second calendar month following the enactment of this Act: *Provided*, That payment of death pension may be made from date of death of a veteran where claim therefor is filed within one year after date of death of the veteran, but no payment shall cover a period prior to the first day of the second calendar month following the enactment of this Act.

SEC. 4. All persons receiving pensions on the day prior to the effective date of this Act under the laws referred to in sections 1 and 5 of this Act shall, effective the first day of the second calendar month following the enactment of this Act, receive the benefits of this Act without the necessity of filing a claim therefor.

SEC. 5. Subparagraphs I (g), I (h), and III (a) of part III, Veterans Regulation Numbered 1 (a), as amended (38 U. S. C., ch. 12), are hereby repealed: *Provided*, That in the event any person

65 Stat. 174,
175.

receiving pension on the day prior to the effective date of this Act under the provisions of any of the laws mentioned in this section is not entitled to receive a higher rate of pension by reason of the enactment of this Act, pension shall continue to be paid to such person under such laws.

Sec. 6. The provisions of this Act shall be effective the first day of the second calendar month following its enactment.

65 Stat. 175.

Approved August 4, 1951.

Public Law 149 - 82d Congress
Chapter 406 - 1st Session
H. R. 3193

AN ACT

To establish a rate of pension for aid and attendance under part III of Veterans Regulation Numbered 1 (a), as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph 1 (f), part III, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows: 65 Stat. 324,
325.

"(f) The amount of pension payable under the terms of part III shall be \$60 monthly, except—

"(1) That where an otherwise eligible person shall have been rated permanent and total and in receipt of pension for a continuous period of ten years or reaches the age of sixty-five years, the amount of pension shall be \$72 monthly;

"(2) That where an otherwise eligible person is or hereafter becomes, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the amount of pension shall be \$120 monthly."

(b) The provisions of subsection (a) of this section shall apply to veterans of both World War I and World War II.

SEC. 2. Where eligibility for pension or increase of pension is established by virtue of this Act, pension shall be paid from date of receipt hereafter of an application in the Veterans' Administration, but in no event prior to the first day of the second calendar month following the enactment of this Act.

SAM RAYBURN

Speaker of the House of Representatives.

ALBEN W BARKLEY

*Vice President of the United States and
President of the Senate.*

In the House of Representatives, U. S.

August 17, 1951

The House of Representatives having proceeded to reconsider the bill (H.R. 3193) entitled "An Act to establish a rate of pension for aid and attendance under Part 3 of Veterans Regulation No. 1 (A), as amended," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

RALPH R ROBERTS

Clerk.

I certify that this Act originated in the House of Representatives.

RALPH R ROBERTS

Clerk.

In the Senate of the United States,
September 18 (legislative day, September 13), 1951.

The Senate having proceeded to reconsider the bill (H.R. 3193) "An Act to establish a rate of pension for aid and attendance under part III of Veterans Regulation Numbered 1 (a), as amended", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

LESLIE L. BIFFLE

Secretary.

Public Law 357 82d Congress
Chapter 324 - 2d Session
H. R. 4387

AN ACT

All 66 Stat. 91.

To increase the annual income limitations governing the payment of pension to certain veterans and their dependents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph II (a), part III, Veterans Regulation Numbered 1 (a), as amended, is hereby amended to read as follows:

"II. (a) Payment of pension provided by part III shall not be made to any unmarried person whose annual income exceeds \$1,400 or to any married person or any person with minor children whose annual income exceeds \$2,700."

Veterans'
pensions.
38 U.S.C.
note foll. ch.
12.
Income limi-
tations.

SEC. 2. The first sentence of section 1 (c) of the Act of June 28, 1934, as added by section 1 of the Act of July 19, 1939 (53 Stat. 1068), and as amended (38 U. S. C. 503 (c)), is further amended to read as follows: "Payment of pension under the provisions of this Act shall not be made to any widow without child, or to a child, whose annual income exceeds \$1,400, or to a widow with a child or children whose annual income exceeds \$2,700."

SEC. 3. This Act shall take effect on the first day of the second calendar month after its enactment. Pension shall not be paid for any period prior to the effective date of this Act to any person whose eligibility for pension is established solely by virtue of this Act.

Approved May 23, 1952.

Public Law 21 - 82d Congress
Chapter 37 - 1st Session
S. 82

AN ACT

To provide reimbursement of expenses incurred in connection with the burial of those who served in the military forces of the Commonwealth of the Philippines while such forces were in the Armed Forces of the United States pursuant to the military order of the President of the United States, dated July 26, 1941.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to furnish a flag to drape the casket and to pay a sum not exceeding 150 Philippine pesos for the burial and funeral expenses and transportation of the body (including preparation of the body) of any person who served in the organized military forces of the Commonwealth of the Philippines while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President of the United States, dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, and who dies, or has died, after separation from such service under conditions other than dishonorable. Payments under this Act shall be subject to the applicable provisions of Veterans Regulation Numbered 9 (a), as amended, except that in case any such person has died heretofore, the time for filing claim for reimbursement of such expenses shall be extended until two years after the date of this enactment.

65 Stat. 32,
33.

Approved April 25, 1951.

Public Law 311 - 82d Congress
Chapter 175 - 2d Session
H. R. 1216

AN ACT

To authorize the President to convey and assign all equipment contained in or appertaining to the United States Army Provisional Philippine Scout Hospital at Fort McKinley, Philippines, to the Republic of the Philippines and to assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain Philippine Scouts hospitalized therein.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized, subject to such terms as may be prescribed in an agreement between the United States of America and the Republic of the Philippines, to convey and assign, without cost to the Republic of the Philippines, all right, title, and interest of the United States in and to all equipment contained in or appertaining to the hospital formerly known as the United States Army Provisional Philippine Scout Hospital located at Fort McKinley, Philippine Islands, which hospital heretofore was transferred to the Republic of the Philippines pursuant to authorization contained in Public Law 381, Seventy-eighth Congress (58 Stat. 626), for the use of the Republic of the Philippines in providing medical care, treatment, and hospitalization to (a) persons who on the effective date of this Act are Philippine Scouts under treatment in such hospital, until such persons shall be discharged therefrom, and (b) such other persons as shall be determined by the Republic of the Philippines: *Provided*, That such agreement shall include appropriate provision that—

(1) persons who on the effective date of this Act are Philippine Scouts undergoing treatment at such hospital shall, until discharge therefrom, have priority of medical care, treatment, and hospitalization over all other individuals; and

(2) such hospital shall continue to be operated for the purpose of providing medical care, treatment, and hospitalization to such persons until their discharge therefrom unless the Republic of the Philippines elects to provide such medical care, treatment, and hospitalization in other hospitals.

SEC. 2. The President is authorized, subject to the provisions of this Act, for a period of not to exceed five years, to furnish aid in the form of grants to reimburse the Republic of the Philippines for moneys expended incident to the medical care, treatment, and hospitalization of persons who on the effective date of this Act are Philippine Scouts under treatment at the United States Army Provisional Philippine Scout Hospital, until they are discharged from hospitalization pursuant to section 1.

SEC. 3. The President may from time to time prescribe such rules and regulations, and impose such conditions and limitations on the grant of financial aid, as may be necessary to carry out the provisions of this Act; and he may delegate in whole or in part the authority conferred upon him by this Act to any officer or officers of the United States.

SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

Approved April 9, 1952.

Philippines.
Conveyance.

66 Stat. 52.
66 Stat. 53.

48 U.S.C.
§ 1243 and
note.

Agreement
provisions.

Grants-in-aid.

Rules and
regulations.

Delegation
of authority.

Appropriation
authorized.

PREFERENCES

Public Law 536 - 82d Congress
Chapter 728 - 2d Session
H. R. 7721

AN ACT

To extend the benefits of the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the United States after the termination of the state of war between the United States and the Government of Japan and prior to July 2, 1955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2 of the Veterans' Preference Act of 1944, as amended, is amended by inserting before the period at the end thereof a semicolon and the following: "and (6) those ex-service men and women who have served on active duty in any branch of the Armed Forces of the United States during the period beginning April 28, 1952, and ending July 1, 1955 (the period after the termination of the state of war between the United States and the Government of Japan during which persons may be inducted under existing law for training and service in the Armed Forces), and have been separated from such Armed Forces under honorable conditions". Veterans
preference.
58 Stat. 387;
62 Stat. 3.
5 U.S.C.
§ 851.

(b) Clauses (3) and (5) of such section 2, as amended, are amended by inserting after "has been authorized" a comma and the following: "or during the period specified in clause (6) of this section". 66 Stat. 626.
66 Stat. 627.

SEC. 2. Section 3 of the Veterans' Preference Act of 1944, as amended, is amended by inserting after "section 2 (4)" the following: "and (6)". 5 U.S.C.
§ 852.

SEC. 3. (a) The rate of compensation of any employee who was changed from a position, the rate of pay of which was fixed in accordance with prevailing local wages upon recommendation of wage boards or other similar authority, to a position under the Classification Act of 1949, as amended, and placed in the appropriate step of the grade during the period between the effective date and the date of enactment of Public Law 201, approved October 24, 1951, shall be adjusted retroactively in accordance with the new rate provided by section 1 (a) of Public Law 201, Eighty-second Congress, for the step in which he was placed at the time of such assignment. Retroactive
adjustment of
certain pay
rates.
63 Stat. 954.
5 U.S.C.
§ 1071 note.
65 Stat. 612.
5 U.S.C.
§ 1113(b),(c).

(b) This section shall become effective as of the first day of the first pay period which began after June 30, 1951.

(c) Retroactive compensation or salary shall be paid under this section only in the case of an individual in the service of the United States (including service in the Armed Forces of the United States) or the municipal government of the District of Columbia on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid a retired officer or employee for services rendered during the period beginning with the first day of the first pay period which began after June 30, 1951, and ending with the date of his retirement, or the person or persons specified in section 1 of the Act entitled "An Act to facilitate the settlement of the accounts of certain deceased civilian officers and employees of the Government", approved August 3, 1950 (Public Law 636, Eighty-first Congress), in the case of a deceased officer or employee for services rendered during the period beginning with the first day of the first pay period which began after June 30, 1951, and ending with the date of said officer or employee's death. Retroactive
compensation.
64 Stat. 395.
5 U.S.C.
§ 61f.

Approved July 14, 1952.

Public Law 34 - 82d Congress
Chapter 92 - 1st Session
H. R. 2654

AN ACT

To amend section 10 of Public Law 378, Eighty-first Congress.

65 Stat. 43.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 10 of the Act entitled "An Act to amend certain provisions of the Internal Revenue Code", approved October 25, 1949 (Public Law 378), is hereby amended (1) by striking out "within one year from such date" and inserting in lieu thereof "at any time prior to January 1, 1952", and (2) by striking out "within one year from the date of the enactment of this Act" and inserting in lieu thereof "prior to January 1, 1952".

Approved May 17, 1951.

Public Law 401 - 82d Congress
Chapter 450 - 2d Session
S. 2390

AN ACT

All 66 Stat. 151.

To amend section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940,
as amended, relating to penalties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302 (4) of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (56 Stat. 772, 50 U. S. C. War App. 532 (4)), is amended to read as follows:

"Any person who shall knowingly make or cause to be made any sale, foreclosure, or seizure of property, defined as invalid by subsection (3) hereof, or attempts so to do, shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000, or both."

Approved June 23, 1952.

Public Law 437 - 82d Congress
Chapter 540 - 2d Session
S. 1537

AN ACT

All 66 Stat. 321.

To amend the Act entitled "An Act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II", approved June 30, 1950 (Public Law 598, Eighty-first Congress), is amended by adding at the end thereof the following new section:

Extension of
certain pat-
ents.

64 Stat. 316.
35 U.S.C.
§§ 115-118.

"SEC. 5. (a) No person shall be held not to be the sole owner of a patent within the meaning of this Act, by reason of any interest of his spouse in such patent.

"(b) Notwithstanding the provisions of the first section fixing the time for filing application for an extension under this Act, such application, in the case of any patent held by the applicant and his spouse may be filed at any time within six months following the date of enactment of this section."

Approved July 1, 1952.

Public Law 183 - 82d Congress
Chapter 521 - 1st Session
H. R. 4473

AN ACT

To provide revenue, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) SHORT TITLE.—This Act, divided into titles and sections according to the following table of contents, may be cited as the “Revenue Act of 1951”:

* * * * *

SEC. 305. COMPENSATION OF CERTAIN MEMBERS OF THE ARMED FORCES.

(a) AMENDMENT OF SECTION 22 (b) (13).—Section 22 (b) (13) (relating to exclusion from gross income of compensation of certain members of the armed forces) is hereby amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

“(A) Enlisted Personnel.—Compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member—

“(i) served in a combat zone after June 24, 1950, and prior to January 1, 1954, or

“(ii) was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone prior to January 1, 1954; but this clause shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under subparagraph (C) (iii) of this paragraph.

“(B) Commissioned Officers.—So much of the compensation as does not exceed \$200 received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer—

“(i) served in a combat zone after June 24, 1950, and prior to January 1, 1954, or

“(ii) was hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone prior to January 1, 1954; but this clause shall not apply for any month during any part of which there are no combatant activities in any combat zone as determined under subparagraph (C) (iii) of this paragraph.”

(b) DEFINITION OF SERVICE IN COMBAT ZONE.—Clause (iii) of section 22 (b) (13) (C) is hereby amended by striking out “such zone; and” and inserting in lieu thereof “such zone, except that June 25, 1950, shall be considered the date of the commencing of combatant activities in the combat zone designated in Executive Order 10195; and”.

(c) WITHHOLDING ON WAGES.—Section 1621 (a) (1) (relating to definition of the term “wages”) is hereby amended to read as follows:

“(1) for active service as a member of the armed forces of the United States performed prior to January 1, 1954, in a month for which such member is entitled to the benefits of section 22 (b) (13), or”.

(d) EFFECTIVE DATES.—The amendments made by subsections (a) and (b) shall be applicable to taxable years ending after June 24, 1950. The amendment made by subsection (c) shall be applicable with respect to wages paid after the tenth day following the date of the enactment of this Act.

SEC. 334. ABATEMENT OF INCOME TAX FOR CERTAIN MEMBERS OF ARMED FORCES UPON DEATH.

65 Stat. 454.

Supplement D of chapter 1 of the Internal Revenue Code (relating to returns and payment of tax) is hereby amended by adding at the end thereof the following new section:

"SEC. 154. INCOME TAXES OF MEMBERS OF ARMED FORCES UPON DEATH.

"In the case of any individual who dies after June 24, 1950, and prior to January 1, 1954, while in active service as a member of the Armed Forces of the United States, if such death occurred while serving in a combat zone (as determined under section 22 (b) (13)) or as a result of wounds, disease, or injury incurred while so serving—

"(a) the tax imposed by this chapter shall not apply with respect to the taxable year in which falls the date of his death, or with respect to any prior taxable year ending on or after the first day he so served in a combat zone after June 24, 1950; and

"(b) the tax under this chapter and under the corresponding title of each prior revenue law for taxable years preceding those specified in clause (a) which is unpaid at the date of his death (including interest, additions to the tax, and additional amounts) shall not be assessed, and if assessed the assessment shall be abated, and if collected shall be credited or refunded as an overpayment."

SEC. 345. ABATEMENT OF TAX ON CERTAIN TRUSTS FOR MEMBERS OF ARMED FORCES DYING IN SERVICE.

In the case of a trust which accumulated income for a beneficiary who died on or after December 7, 1941, and before January 1, 1948, while in active service as a member of the military or naval forces of the United States or of any of the other United Nations, there shall be allowed as a deduction in computing the net income of such trust (in addition to other deductions allowable under sections 23 and 162 of the Internal Revenue Code) income of the trust for any taxable year (before diminution for income tax) which was accumulated for such beneficiary if—

65 Stat. 455.

(1) the income accumulated was for a taxable year of the trust which ended with or within a taxable year (ending on or after December 7, 1941) of such beneficiary during any part of which he was a member of such military or naval forces, or, in the case of the taxable year of the trust during which such beneficiary died, the income accumulated was for the period in such taxable year prior to the death of such beneficiary; and

(2) the amount of such accumulated income was, without regard to this section, taxable to the trust, and

(3) the income for such taxable year accumulated for the beneficiary, if not distributed to him prior to his death, was payable by the trust at or after his death only to his estate, spouse, or lineal ancestors or descendants.

65 Stat. 458. **SEC. 606. EXEMPTION FROM ADDITIONAL ESTATE TAX OF MEMBERS OF ARMED FORCES UPON DEATH.**

Section 939 (relating to the estate tax treatment of certain members of the armed forces) is hereby amended as follows:

(1) By inserting before the first sentence thereof the following:

“(a) **DEATHS AFTER DECEMBER 6, 1941, AND BEFORE JANUARY 1, 1947.—**”

(2) By adding at the end thereof the following:

“(b) **DEATHS AFTER JUNE 24, 1950, AND BEFORE JANUARY 1, 1954.—**The tax imposed by section 935 shall not apply to the transfer of the net estate of a citizen or resident of the United States dying after June 24, 1950, and before January 1, 1954, while in active service as a member of the armed forces of the United States, if such decedent—

“(1) was killed in action while serving in a combat zone, as determined under section 22 (b) (13); or

“(2) died as a result of wounds, disease, or injury suffered, while serving in a combat zone (as determined under section 22 (b) (13)) and while in line of duty, by reason of a hazard to which he was subjected as an incident of such service.”

Public Law 227 - 82d Congress
 Chapter 602 - 1st Session
 H. R. 3548

AN ACT

All 65 Stat. 661.

To provide that payment to States and Territories for care given to certain disabled soldiers and sailors of the United States shall be effective from the date such care commenced.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso to section 2 of the Act entitled "An Act to increase temporarily the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States", approved May 18, 1948, is hereby amended to read as follows: "*Provided further,* That no such payment to a State or Territory shall be made until the Administrator of Veterans' Affairs determines that the veteran, on whose account such payment is requested, is eligible for such care in a Veterans' Administration facility, and after such determination of eligibility such payment shall be made covering the period of eligibility from the date such care commenced, except that no such payment shall be made effective prior to the date of receipt by the Veterans' Administration of an appropriate request for determination of eligibility in the case of any eligible veteran with respect to whom such request is not received within ten days following the date such care commenced".

Disabled soldiers and sailors. Support.

62 Stat. 237.
 24 U.S.C. § 134 note.

SEC. 2. The amendment made by this Act shall apply to payments with respect to care given to disabled soldiers and sailors on and after the first day of the month next following the month during which this Act is enacted.

Effective date.

Approved October 29, 1951.

Public Law 170 - 82d Congress
Chapter 493 - 1st Session
H. R. 3932

AN ACT

All 65 Stat. 404.

To provide vocational rehabilitation training for veterans with compensable service-connected disabilities who served on or after June 27, 1950.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 894, Eighty-first Congress, approved December 28, 1950, is hereby amended by substituting for the words "subparagraph I (c), part II" the words "part I". 64 Stat. 1121.
38 U.S.C. § 701a.

Approved October 11, 1951.

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