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bia. Such agency shall establish such rules and regulations regarding the care, management, transfer, and sale of such property as it deems advisable and shall provide for the return of the balance of the claimant's property into his hands whenever the assistance is withdrawn or the claimant ceases to request it. Rules.

SEC. 13. Any person who attempts to obtain, or obtains, by false representation, fraud, or deceit, any allowance under this Act, or who receives any allowance knowing it to have been fraudulently obtained, or who aids or assists any person in obtaining or attempting to obtain an allowance by fraud, shall upon conviction in the police court of the District of Columbia be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both such fine and imprisonment. False representations, etc.

SEC. 14. In order to carry out the provisions of this Act there is authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of $75,000, payable from the revenues of the District of Columbia, and for the fiscal year ending June 30, 1937, and annually thereafter, the Commissioners of the District of Columbia shall include in the estimate of appropriations for said District of Columbia, such an amount as may be necessary for this purpose; and the Board shall assign such personnel in the employ of the District of Columbia as may be necessary to administer this Act; and said Board or its designated agency shall keep and render separate account of the funds expended and separate statistical reports of the persons aided, under the provisions of this Act: *Provided*, That whenever necessary said Board shall appoint an acceptable member of the personnel to stand in loco parentis to any minor qualifying for aid hereunder. Appropriation authorized.
Post, pp. 1115, 1881.
Personal services.
Proviso.
Appointment of member to stand in loco parentis to minor.

SEC. 15. The Board of Commissioners or its designated agency is hereby authorized and directed to cooperate in all necessary respects with the Social Security Board of the United States Government in the administration of this Act, and to accept any sums allotted or apportioned by such Board as are available under the provisions of the Social Security Act. Federal Social Security Board.
Cooperation with.

SEC. 16. The provisions of this Act are to be liberally construed to effect its objects and purposes, and if any section, subsection, or subdivision of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. Interpretation and separability provision.

Approved, August 24, 1935.

[CHAPTER 640.]

AN ACT

To amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want.

August 24, 1935.
[H. R. 6623.]
[Public, No. 319.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the care and assistance of aged persons who are in need and whose physical or other condition or disabilities seem to render permanent their inability to provide properly for themselves is hereby declared to be a special matter of public concern and a necessity in promoting the public health and welfare. To provide such care and assistance at public expense a system of old-age assistance is hereby established for the District of Columbia. The terms "assistance" whenever used in this Act shall be construed to include relief, aid, care, or support. The pronoun "he" or "his" when used herein shall be construed to include persons of either sex. District of Columbia.
Old-age assistance.
Establishment of system.
"Assistance" construed.

Requirements for grant of assistance.

SEC. 2. Assistance may be granted only to an applicant who (a) is a citizen of the United States; (b) has attained the age of sixty-five years or upward; (c) has resided in the District of Columbia for five years or more within the nine years immediately preceding application for assistance, and who has resided therein continuously for one year immediately preceding the said application; (d) is not at the time of making application an inmate of any prison, jail, workhouse, insane asylum, or any other public reformatory or correctional institution; (e) is not a habitual tramp or beggar; (f) has no child or other person financially able to support him and legally responsible for his support; and (g) has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance.

Recipient not to receive other relief.

During the continuance of the old-age assistance no recipient shall receive any other relief from the District of Columbia except for medical and surgical and nursing care.

Administration.

SEC. 3. The Board of Commissioners of the District of Columbia shall administer old-age assistance under this Act through such agent or agency as it may designate. It shall prescribe the form of and print and supply the blanks for applications, reports, and affidavits, and such other forms as it may deem advisable, and shall make rules and regulations necessary for the carrying out of the provisions of this Act, and shall make and render any and all reports required by the Federal Social Security Board or otherwise authorized or required by law. The amount of the assistance which any such person shall receive, and the manner of providing it, shall be determined by the Board of Commissioners or its designated agency, with due regard to the conditions existing in each case. The Board of Commissioners may, in lieu of the assistance herein provided, refer any applicant to the Board of Public Welfare for admission to the Home for Aged and Infirm, whenever, in the judgment of the said Commissioners, such action may be in the public interest or in the best interest of the applicant. Any applicant for old-age assistance whose claim for initial relief or modification of relief is denied may apply to the agency designated by the Commissioners for the administration of this Act for hearing and review of said claim and the determination of the designated agency on such appeal shall be final except that the Commissioners of the District of Columbia in their discretion may grant a further review of the matters embraced in the aforesaid application.

Forms, reports, etc.

Regulations.

Amount of assistance.

Admittance to Home for Aged in lieu of aid.

Refusals may be reviewed by Commissioners.

If, in the opinion of the Board of Commissioners or its designated agency, the recipient is incapable of taking care of himself or his money, it may direct the payment to any responsible person for the benefit of the pensioner, or may suspend payment if deemed advisable.

Payments; exemption from process, etc.

SEC. 4. All assistance given under this Act shall be inalienable by any assignment or transfer and shall be exempt from levy or execution under the laws of the United States and the District of Columbia.

Funeral expenses.

SEC. 5. On the death of a recipient of old-age assistance such reasonable funeral expenses as the Board of Commissioners or its designated agency may deem necessary may be paid for the burial of such person.

Applications for assistance.

SEC. 6. A person requesting assistance under this Act shall make his application therefor to the Board of Commissioners or its designated agency. The person requesting assistance may apply in person, or the application may be made by another in his behalf. The application shall be made in writing and under oath.

Investigation to be made.

SEC. 7. Upon the receipt of an application for assistance an investigation and record shall be promptly made of the circumstances of the applicant. The object of such investigation shall be to ascertain the facts supporting the application made under this Act and such other information as may be required by the rules hereunder formulated.

Periodic reviewals to ascertain recipient's circumstances.

SEC. 8. All assistance under this Act shall be reviewed from time to time as frequently as may be required by the rules hereunder formulated. After such further investigation as may be deemed necessary the amount and manner of assistance may be changed or the assistance may be withdrawn if it is found that the recipient's circumstances have changed sufficiently to warrant such action, and all cases in which relief is being extended shall be reviewed every six months. It shall be within the power of the Board of Commissioners or its designated agency at any time to cancel and revoke assistance and to suspend payments for such periods as it may deem proper.

Authority to cancel or suspend payments.

Assistance improperly obtained.

SEC. 9. If at any time the Board of Commissioners or its designated agency has reason to believe that any assistance has been improperly obtained, it shall cause special inquiry to be made. If, on inquiry, it appears that it was improperly obtained, it shall be canceled.

False representations, deemed a misdemeanor.

SEC. 10. Any person, who by means of a willfully false statement or representation, or by impersonation, or other fraudulent device, obtains or attempts to obtain, or aids or abets any person to obtain (a) assistance to which he is not justly entitled; (b) a larger amount of assistance than that to which he is justly entitled; (c) payment of any forfeited installment grant; (d) or aids or abets in the buying or in any way disposing of the property of an old-age assistance recipient, without the consent of the Board of Commissioners or its designated agency, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than $500 or imprisoned for a period not to exceed six months, or both.

Punishment for.

Responsibility of kindred.

SEC. 11. The kindred of any persons otherwise entitled to old-age assistance under the provisions of this Act, in line and degree of spouse, father, child, or grandchild living in the District of Columbia and of sufficient ability so to do shall be bound to support such person, in the order above named and in proportion to their respective ability. If at any time during the continuance of old-age assistance the Board of Commissioners or its designated agency has reason to believe that a spouse, father, child, or grandchild is reasonably able to assist him, it shall be empowered to bring suit, after notifying such person of the amount of old-age assistance, against such spouse, father, child, or grandchild to recover the amount of assistance provided under the Act, or such part thereof as such spouse, father, child, or grandchild was reasonably able to pay.

Suit to recover amount of assistance.

Estate of recipient, etc.

Aid received to be a preferred claim against.

SEC. 12. At the death of recipient of a old-age assistance, or of the last survivor of a recipient married couple, the total amount of assistance since the first grant, together with simple interest at the rate of 3 per centum per annum, shall be deducted and allowed by the proper courts out of the proceeds of his property as a preferred claim against the estate of the person so assisted, and refunded to the Treasurer of the United States to the credit of the District of Columbia, leaving the balance for distribution among the lawful heirs in accordance with law: *Provided*, That upon sufficient cause, such as mismanagement, failure to keep in repair, or the inability of any recipient of assistance properly to manage his property, the designated agency of the Commissioners may demand the assignment or transfer of

Proviso.
Conservation of property, etc.

such property, or a proper part thereof, upon the first grant of such assistance, or at any time thereafter that it deems advisable for the purpose of safeguarding the interest of an applicant or for the protection of the funds of the District of Columbia. Such agency shall establish such rules and regulations regarding the care, management, transfer, and sale of such property as it deems advisable and shall provided [1] for the return of the balance of the claimant's property into his hands whenever the assistance is withdrawn or the claimant ceases to request it. If the District of Columbia collects from the estate of any recipient of old-age assistance any amount with respect to old-age assistance furnished him under this Act, one half of the net amount so collected shall be paid to the United States in accordance with the provisions of Title I of the Social Security Act.

Rules.

Division of refunds.

Ante, p. 620.

Annual appropriations authorized.
Post, pp. 1115, 1881.

SEC. 13. Congress shall appropriate annually and make available to the order of the Board of Commissioners of the District of Columbia such sums as may be needed to pay the share of the District of Columbia for old-age assistance, provided under this Act together with a sufficient sum to defray its share [1] administrative expenses to be incurred in connection therewith, and include such sums in the annual District of Columbia appropriation Act. Should the sums so appropriated, however, be expended or exhausted during the year for the purposes for which it was appropriated, additional sums shall be appropriated by Congress as occasion demands to carry out the provisions of this Act.

Administrative expenses.

SEC. 14. All necessary expenses incurred by the District of Columbia in carrying out the provision [1] of this Act shall be paid in the same manner as other expenses of the District of Columbia are paid.

Federal Social Security Board.
Local cooperation with, directed.

SEC. 15. The Board of Commissioners or its designated agency is hereby authorized and directed to cooperate in all necessary respects with the Social Security Board of the United States Government in the administration of this Act, and to accept any sums allotted or apportioned by such Board as are available under the provisions of the Social Security Act.

Effective date.

SEC. 16. This Act shall take effect ninety days after its passage.

Approved, August 24, 1935.

[CHAPTER 641.]

AN ACT

To amend the Agricultural Adjustment Act, and for other purposes.

August 24, 1935.
[H. R. 8492.]
[Public, No. 320.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of subsection (1) of section 2 of the Agricultural Adjustment Act, as amended, is amended by striking out the first word and inserting in lieu thereof the following: " Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to ", and by inserting before the period at the end thereof a semicolon and the following: " and, in the case of all commodities for which the base period is the pre-war period, August 1909 to July 1914, will also reflect current interest payments per acre on farm indebtedness secured by real estate and tax payments per acre on farm real estate, as contrasted with such interest payments and tax payments during the base period ".

Agricultural Adjustment Act, amendments.
Vol. 48, p. 32; U. S. C., p. 155.

Declaration of policy; base periods for commodity prices.

(b) Section 2 of the Agricultural Adjustment Act, as amended, is amended by striking out subsections (2) and (3) and inserting in lieu thereof the following:

Vol. 48, p. 32; U. S. C., p. 156.

[1] So in original.