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issuance of permits to operate motor vehicles, shall be deposited in a special account in the Treasury of the United States entirely to the credit of the District of Columbia and shall be appropriated and used solely and exclusively for the following purposes:

Use.

"(1) For construction, reconstruction, improvement, and maintenance of public highways, including the necessary administrative expenses in connection therewith;

"(2) For the expenses of the office of the director of vehicles and traffic incident to the regulation and control of traffic and the administration of the same; and

"(3) For the expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways: *Provided, however*, That the total amount to be expended under this item shall not exceed 15 per centum of the total amount appropriated for pay and allowances of officers and members of the Metropolitan Police force."

50 Stat. 682.
D. C. Code § 40-104 (a).

SEC. 7. That paragraph (a) of section 4 of such title, as amended, is amended to read:

Unlawful acts.

"(a) It shall be unlawful—

"(1) for any person to operate any motor vehicle or trailer upon any public highway of the District of Columbia (except motor vehicles or trailers operated by nonresidents exempted under the provisions of section 8 of the District of Columbia Traffic Act, 1925, as amended) (A) if such motor vehicle or trailer is not registered or covered by a dealer's registration or by a special use certificate as required by this title, (B) if such motor vehicle or trailer does not have attached thereto and displayed thereon the identification tags required therefor, or (C) if such person does not have in his possession or in the motor vehicle or trailer operated the registration certificate or special use certificate required therefor;

43 Stat. 1123.
D. C. Code § 40-308.

"(2) for the owner of any motor vehicle or trailer knowingly to permit the operation thereof contrary to any provision of paragraph (1);

"(3) to use a false or fictitious name or address in any application for registration or for a special use certificate, or any renewal or duplicate thereof, or knowingly to make any false statement or conceal any material fact in any such application."

Approved September 8, 1950.

[CHAPTER 922]

AN ACT

September 8, 1950
[S. 4071]
[Public Law 771]

To provide allowances for dependents of enlisted members of the uniformed services, to suspend certain provisions of the Career Compensation Act of 1949, and for other purposes.

Dependents Assistance Act of 1950.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the duration of this Act that part of the second sentence of section 102 (g) of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), which reads "* * * and actually resides in the household of said member" is suspended: *Provided*, That the dependency of the father or mother as required by said section 102 (g) shall be determined on the basis of an affidavit submitted by such father or mother, and such other evidence as the Secretary concerned may deem necessary under such regulations as he may prescribe, and no such father or mother shall be deemed dependent unless—

63 Stat. 804.
37 U. S. C., Sup. III, § 231 (g).
Dependency of father or mother.

(1) the member of the uniformed services claiming such dependency has provided over one-half of the support of such

father or mother for such period of time as the Secretary concerned may prescribe; or

(2) in the case of claimed dependency arising by reason of changed circumstances after the entrance of such member into active service subsequent to the effective date of this Act, such father or mother becomes in fact dependent upon such member for over one-half of his or her support.

SEC. 2. For the duration of this Act the proviso in section 302 (a) of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), is suspended. 63 Stat. 812. 37 U. S. C., Sup. III, § 252 (a).

SEC. 3. For the duration of this Act, section 302 (f) of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), is hereby amended by striking out that portion of the table appearing therein which prescribes monthly basic allowances for quarters for enlisted members in pay grades E–1 to E–7, inclusive, and inserting in lieu thereof the following new table: 63 Stat. 813. 37 U. S. C., Sup. III, § 252 (f).

	Not over 2 dependents	Over 2 dependents
E–7	$67.50	$85
E–6	67.50	85
E–5	67.50	85
E–4	67.50	85

	1 dependent	2 dependents	Over 2 dependents
E–3	$45	$67.50	$85
E–2	45	67.50	85
E–1	45	67.50	85

SEC. 4. For the duration of this Act section 302 of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), is hereby amended by adding the following new subsections: *Supra.*

"(g) Subject to the provisions of this section, enlisted members without dependents shall be entitled to a basic allowance for quarters at the rate of $45 per month. Basic allowance for quarters.

"(h) The payment of the basic allowance for quarters provided in subsection (f) of this section for enlisted members with dependents shall be made only for such period as the enlisted member has in effect an allotment of pay not less than the sum of the basic allowance for quarters to which he is entitled plus $40 (or in the case of enlisted members in pay grades E–4 and E–5, $60; or in the case of enlisted members in pay grades E–6 and E–7, $80), for the support of the dependent or dependents on whose account the allowance is claimed: *Provided*, That such allotment shall not be required, (1) for the calendar month in which such member enters on active duty in a pay status if the allotment is effective from the following month; (2) for the calendar month in which such member is discharged, if not immediately reenlisted; (3) for the calendar month in which such member is released from active duty; (4) for the calendar month in which dependency ceases; (5) for the calendar month in which dependency commences if the allotment is effective from the following month; (6) for the calendar month in which such member is assigned to quarters for himself and his dependents or for the calendar month in which such assignment is terminated: *Provided further*, That such allotment may be initiated, continued, modified, or discontinued in accordance with such regulations as may be prescribed by the Secretary of the Department concerned: *And provided further*, That the minimum allotment required for any month shall be based on the *Supra.*

lowest rate of basic allowance for quarters to which the member is entitled and the lowest pay grade in which the member is serving during such month.

Ante, p. 795.

"(i) The allotment required by subsection (h) of this section shall be paid to or on behalf of such dependent or dependents as may be specified by the enlisted member concerned, subject to such regulations as the Secretary concerned may prescribe.

"(j) Any delay in initiating an allotment as required by this section shall not invalidate entitlement to basic allowance for quarters, provided that such allotment is made retroactive for such period as the member may elect to claim the allowance for his dependent or dependents. If the Secretary concerned finds that such delay was caused by the exigencies of the service he may waive the allotment requirement, or the additional increment thereto, as applicable, for such retroactive period.

"(k) The entitlement to the basic allowance for quarters provided for by this section shall be substantiated in such manner and in accordance with such regulations as the Secretary concerned may prescribe."

SEC. 5. Notwithstanding any other provision of law, the basic allowance for quarters to which an enlisted member may be entitled as a member with dependents shall not, for such period as the Secretary concerned may prescribe, be contingent on the right of such member to receive pay.

SEC. 6. The Secretary concerned may, at his discretion, with or without the consent of the enlisted member concerned, authorize and direct the payment of the basic allowance for quarters and the establishment and payment of such allotment or allotments as he shall determine to be in conformity with the provisions of this Act for any enlisted member with dependents in any case in which such member does not claim such allowance.

Nonapplicability.

SEC. 7. Notwithstanding any other provision of law, the provisions of this Act shall not apply to enlisted members on training duty, to enlisted men entitled to pay and allowances pursuant to the provisions of section 507 of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), to any member of the Samoan Native Guard or Band of the Navy, or the Samoan Reserve Force of the Marine Corps. Such persons shall continue to be entitled to the appropriate allowances prescribed by the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), on the day prior to the effective date of this Act.

63 Stat. 828.
37 U. S. C., Sup. III, § 307.

63 Stat. 804.
37 U. S. C., Sup. III, § 231 note.
Ante, p. 794.

SEC. 8. For the purposes of this Act, personnel enumerated in sections 527 and 528 of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), with dependents as defined in section 102 (g) of said Act, as amended, shall be entitled to a basic allowance for quarters under the conditions and at the rates prescribed for members in pay grade E–4.

63 Stat. 836 837, 804.
34 U. S. C., Sup. III, § 850c; 10 U. S. C., Sup. III, §§ 303, 304, 304b; 37 U. S. C., Sup. III, § 231 (g).
Ante, p. 794.

SEC. 9. For the duration of this Act, the fourth proviso of section 515 (b) of the Act of October 12, 1949 (Public Law 351, Eighty-first Congress), is hereby amended to read as follows:

63 Stat. 831, 832.
37 U. S. C., Sup. III, § 315 (b).

"*Provided further*, That when a member is furnished Government quarters adequate for himself and his dependents, the total sum saved for him by this subsection shall be reduced at the rate of $45 per month for members in pay grades E–1, E–2, E–3, and E–4 (less than seven years' service), and $67.50 per month for members in pay grades E–4 (seven or more years' service), E–5, E–6, and E–7."

Regulations, etc.

SEC. 10. The Secretaries of the Departments concerned are authorized to prescribe such regulations for the administration of this Act as may be deemed necessary to enable them to carry out the provisions of this Act and such regulations shall, as far as practicable, be uniform.

All waivers and determinations, including determinations of dependency and relationship shall be made by the Secretary of the Department concerned or such other person or persons as he may designate, and the Secretary of the Department concerned or his designee is authorized to delegate or redelegate such authority: *Provided*, That the authority granted in this section to the several Secretaries of the Departments concerned may by joint agreement be exercised by any one of the Secretaries for any other Department or Departments concerned.

Finality of waivers and determinations.

SEC. 11. Any determinations or waivers made under this Act shall be final and conclusive for all purposes and shall not be subject to review in any court or by any accounting officer of the Government, except for cases involving fraud or gross negligence. The Secretary of the Department concerned may at any time on the basis of new evidence or for other good cause reconsider or modify any such determination, and may waive the recovery of any money erroneously paid under this Act whenever he finds that such recovery would be against equity and good conscience.

Credit for erroneous payment.

SEC. 12. The General Accounting Office shall not refuse to allow credit in the accounts of any disbursing officer for any erroneous payment or overpayment made by him in carrying out the provisions of this Act unless such erroneous payment or overpayment was made by him as the result of his gross negligence or with the intent to defraud the United States, and no recovery shall be made from any officer authorizing any erroneous payment or overpayment under this Act unless such payment was authorized by him as the result of his gross negligence or with the intent to defraud the United States.

63 Stat. 832.
37 U. S. C., Sup. III, § 315 (c).

SEC. 13. Notwithstanding the provisions of section 515 (c) of the Career Compensation Act of 1949, the Comptroller General, upon the recommendations of the heads of the departments concerned, or such subordinates as they may designate, and a showing that collection would be against equity and good conscience, may waive indebtednesses growing out of erroneous payments of allowances under the authority of the Servicemen's Dependents Allowance Act of 1942, as amended, and authorize payments based thereon, on applications filed by enlisted and former enlisted members of the Army, Navy, Marine Corps, Air Force, and Coast Guard, or their dependents, and not finally acted upon prior to October 1, 1949: *Provided*, That in cases where no deductions have been made from the pay of enlisted or former enlisted members the allowances paid hereunder may be limited to the amount of the Government's contribution to such allowances: *And provided further*, That appropriations available for current pay of enlisted members of the services concerned shall be available for payments authorized to be made hereunder.

56 Stat. 381; 63 Stat. 841.
37 U. S. C., Sup. III, § 231 note.

Discharge for hardship.

SEC. 14. The Secretary of the Department concerned shall take cognizance of the provisions of this Act and shall establish policies, under which enlisted members with dependents may be discharged for hardship.

Effective date.

SEC. 15. This Act shall be effective from August 1, 1950, except that the allotment requirements of this Act shall not be a condition precedent to the entitlement to a basic allowance for quarters prior to the second month following the month in which this Act is enacted.

Termination.

SEC. 16. This Act, except sections 10, 11, and 12 hereof, shall terminate on April 30, 1953.

Short title.

SEC. 17. This Act may be cited as the "Dependents Assistance Act of 1950".

Approved September 8, 1950.