

Public Law 86-260

AN ACT

To revise eligibility requirements for burial in national cemeteries, and for other purposes.

September 14, 1959
[S. 825]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 14, 1948 (ch. 289, 62 Stat. 234), is amended to read as follows:

“(a) Under such regulations as the Secretary of the Army may, with the approval of the Secretary of Defense, prescribe, the remains of the following persons may be buried in national cemeteries:

“(1) Any member or former member of the Armed Forces who served on active duty (other than for training) and whose last such service terminated honorably.

“(2) Any member of a reserve component of the Armed Forces, and any member of the Army National Guard or the Air National Guard, whose death occurs under honorable conditions while he is—

“(A) on active duty for training, or performing full-time service under section 316, 503, 504, or 505 of title 32, United States Code;

“(B) performing authorized travel to or from that duty or service;

“(C) on authorized inactive duty training, including training performed as a member of the Army National Guard or the Air National Guard; or

“(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

“(i) on that duty or service;

“(ii) performing that travel or inactive duty training; or

“(iii) undergoing that hospitalization or treatment at the expense of the United States.

“(3) Any member of the Reserve Officers' Training Corps of the Army, Navy, or Air Force whose death occurs under honorable conditions while he is—

“(A) attending an authorized training camp or on an authorized practice cruise;

“(B) performing authorized travel to or from that camp or cruise; or

“(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while he is—

“(i) attending that camp or on that cruise;

“(ii) performing that travel; or

“(iii) undergoing that hospitalization or treatment at the expense of the United States.

“(4) Any citizen of the United States who, during any war in which the United States is or has been engaged, served in the armed forces of any government allied with the United States during that war, and whose last such service terminated honorably.

“(5) The wife, husband, surviving spouse, minor child, and, in the discretion of the Secretary of the Army, unmarried adult child of any of the persons listed in clauses (1)–(4).

National cemeteries.
Burial eligibility.
24 USC 281 note.

70A Stat. 605,
610, 611.

Interment and removal.

“(b) The remains of any person listed in subsection (a) (5) may, in the discretion of the Secretary of the Army, be removed from a national cemetery proper and interred in the post section of a national cemetery or in a post cemetery if, upon death, the related person named in subsection (a) (1)–(4) is not buried in the same or an adjoining gravesite. However, the remains of a person listed in subsection (a) (5) may not be removed from a national cemetery proper if the related person is—

- “(1) lost or buried at sea;
- “(2) officially determined to be permanently absent in a status of missing or missing in action;
- “(3) officially determined to be dead for the purpose of terminating his status of missing or missing in action; or
- “(4) one whose remains have not been recovered.”

Approved September 14, 1959.

Public Law 86-261

September 14, 1959
[S. 53]

AN ACT

To amend the Acts approved April 16 and June 27, 1906 (34 Stat. 116 and 519), so as to authorize the Secretary of the Interior to convey certain lands on the Huntley reclamation project, Yellowstone County, Montana, to school district numbered 24, Huntley Project Schools, Yellowstone County, Montana.

Huntley reclamation project,
Mont.
Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions, terms, and conditions of any other Act of Congress, the Secretary of the Interior shall, upon payment of \$115 to the United States, cause to be conveyed without restriction, save as hereinafter set forth, to school district numbered 24, Huntley Project Schools, Yellowstone County, Montana, its successors and assigns, the following described land and premises located and situated in Yellowstone County, Montana: Lot 3 of block 3 of the original townsite of Ballantine, Montana, block 14 of the original townsite of Pompeys Pillar, Montana, and block 15 of the original townsite of Huntley, Montana, subject to reservation from said land of a right-of-way thereon for ditches and canals constructed by the authority of the United States in accordance with the provisions of the Act of August 30, 1890 (26 Stat. 391), and any and all existing easements on said lands; reserving to the United States, and its assigns, all coal, oil, gas, and other minerals, including, without being limited by enumeration, sand, gravel, stone, clay and similar materials, together with the usual mining rights, powers, and privileges, including the right at any and all times to enter upon said land and use such part of the surface thereof as may be necessary in prospecting for, mining, saving, and removing said minerals and materials, upon payment of damages caused by said surface use to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages.

SEC. 2. The Secretary of the Interior is hereby authorized and empowered to execute and deliver to school district numbered 24, Huntley Project Schools, Yellowstone County, Montana, any documentary evidence which he may determine to be necessary to carry out the intent of this Act.

Approved September 14, 1959.