

When such officers and employees act under the direction of the Director, their acts done in the administration and enforcement of this Act shall be deemed to be fully authorized.

Personal services.

42 Stat. 1488.
5 U. S. C. §§ 661-674.
Ante, p. 613.

"SEC. 16. To administer this Act the Secretary of the Interior may employ such number of employees of the various classes recognized by the Classification Act of 1923 as may be appropriated for by the Congress. The Secretary may appoint as officers or employees persons who volunteer to serve without pay. The Secretary may delegate to subordinates the power to employ.

Unauthorized divulging of information.

"SEC. 17. Without authority from the applicant for a license, from the licensee or from the Director no officer or employee or licensing agent engaged in the administration or enforcement of this Act shall divulge any information obtained in the course of his duties under this Act regarding the business of any licensee or applicant for a license.

Rules and regulations.

"SEC. 18. The Director may issue rules and regulations to effectuate the purposes of this Act, subject to the approval of the Secretary of the Interior.

Penal provisions.

"SEC. 19. Any person violating any of the provisions of this Act or any rules or regulations made thereunder shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment not more than one year, or by both such fine and imprisonment.

Operation of provisions and regulations.

"SEC. 20. The provisions of this Act and the regulations issued hereunder shall become operative only upon a declaration of war or of the existence of a state of war by the Congress, or upon the issuance by the President of a proclamation declaring that there exists a state of war or a national emergency requiring the application of the provisions of this Act to provide for the national defense and security and shall remain operative until the termination of the war, or until such proclamation is revoked by the President.

Short title.

"SEC. 21. This Act shall be known as the Federal Explosives Act."

Approved, December 26, 1941.

[CHAPTER 634]

AN ACT

December 26, 1941
[H. R. 4692]
[Public Law 382]

Relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities.

Veterans' Administration facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 25, 1910 (36 Stat. 736, 24 U. S. C. 136), be amended to read as follows:

Disposition of personal property of certain deceased veterans.

"SECTION 1. Effective ninety days after the approval of this Act, whenever any veteran (admitted as a veteran) shall die while a member or patient in any facility, or any hospital while being furnished care or treatment therein by the Veterans' Administration, and shall not leave surviving him any spouse, next of kin, or heirs entitled, under the laws of his domicile, to his personal property as to which he dies intestate, all such property, including money and choses in action, owned by said decedent at the time of death and not disposed of by will or otherwise, shall immediately vest in and become the property of the United States as trustee for the sole use and benefit of the General Post Fund, a trust fund prescribed by section 20 (b) (45) of Public Law Numbered 473 of the Seventy-third Congress (31 U. S. C. 725s).

General Post Fund.
48 Stat. 1224, 1234.

Conditions precedent to care or treatment.

Acceptance of provisions after 90 days.

"The foregoing provisions are conditions precedent to the initial, and also to the further furnishing of care or treatment by the Veterans' Administration in a facility or hospital. The acceptance of care or treatment by any veteran admitted as such to any Veterans'

Administration facility or hospital after ninety days from the date of approval of this Act, and as well the continued acceptance of care or treatment furnished by the Veterans' Administration after said ninety days by any veteran who is then receiving the same shall constitute an acceptance of the provisions and conditions of this Act and have the effect of an assignment, effective at his death, of such assets in accordance with and subject to the terms and provisions of this Act and the regulations issued in accordance with and pursuant thereto. Said Act of June 25, 1910, shall be and remain in effect during such ninety-day period except as modified by sections 3 to 10 of this enactment, which sections shall be effective upon approval of this enactment.

"SEC. 2. The fact of death of the veteran (admitted as such) in a facility or hospital, while being furnished care or treatment therein by the Veterans' Administration, leaving no spouse, next of kin, or heirs, shall give rise to a conclusive presumption of a valid contract for the disposition in accordance with this Act, but subject to its conditions, of all property described in section 1 of this Act owned by said decedent at death and as to which he dies intestate.

"SEC. 3. Any assets heretofore or hereafter accruing to the benefit of the said General Post Fund, other than money, but including jewelry and other personal effects, may be sold at the times and places and in the manner prescribed by regulations to be issued by the Administrator of Veterans' Affairs. Upon receipt of the purchase price he is authorized to deliver at the place of sale, said property sold, and upon request to execute and deliver appropriate assignments or other conveyances thereof in the name of the United States, which shall pass to the purchaser such title as decedent had at date of death. The net proceeds after paying any proper sales expenses as determined by the Administrator of Veterans' Affairs shall forthwith be paid to the Treasurer of the United States to the credit of said General Post Fund; and may be disbursed as other moneys in said fund by the Division of Disbursements, Treasury Department, upon order of said Administrator: *Provided*, That articles of personal adornment which are obviously of sentimental value, shall be retained and not sold or otherwise disposed of until the expiration of five years from the date of death of the veteran, without a claim therefor, unless for sanitary or other proper reasons it is deemed unsafe to retain same, in which event they may be destroyed forthwith. Any other articles coming into possession of the Administrator of Veterans' Affairs or his representatives by virtue of this Act which, under regulations to be promulgated by said Administrator, are determined to be unsalable may be destroyed forthwith or at the time prescribed by regulations, or may be used for the purposes for which disbursements might properly be made from said fund, or if not usable, otherwise disposed of in accordance with regulations.

"SEC. 4. Disbursements from the General Post Fund shall be made by the Division of Disbursements, Treasury Department, upon the order and within the discretion of the Administrator of Veterans' Affairs for the benefit of members and patients while being supplied care or treatment by the Veterans' Administration in any facility or hospital, and this authority is not limited to facilities or hospitals under direct administrative control of the Veterans' Administration: *Provided, however*, That there shall be paid out of the assets of the decedent so far as may be the valid claims of creditors against his estate that would be legally payable therefrom in the absence of this Act and without the benefit of any exemption statute, and which may be presented to the Veterans' Administration within one year from the date of death, or within the time, to the person, and in the manner required or permitted by the law of the State wherein admin-

Effect.

Presumption of contract for disposition of property.

Sale of accrued assets.

Delivery of property sold.

Credit of proceeds.

Proviso. Articles of personal adornment.

Unsalable articles.

Disbursements from General Post Fund.

Provisos. Creditors' claims.

Distribution to
creditors of insolvent
estate.

Remainder of assets.

Administration of
estate.

In absence of ad-
ministration.

Acquittance of
transferor.

Legal proceedings to
obtain assets.

Claims of entitle-
ment to property of
decendent.
Five-year period of
limitation.

Payment upon re-
ceipt of due proof.

Provisos.
Legal disability.

Legal proceedings to
determine entitle-
ment.

Service of notice
upon Administrator.

istration, if any, is had upon the estate of the deceased veteran; and also the proper expenses and costs of administration, if any: *And provided further*, That if the decedent's estate be insolvent the distribution to creditors shall be in accordance with the laws of his domicile, and the preferences and priorities prescribed thereby shall govern, subject to any applicable law of the United States.

"SEC. 5. The remainder of such assets or their proceeds shall become assets of the United States as trustee for said Post Fund and disposed of in accordance with this Act. If there be administration upon the decedent's estate such assets, other than money, upon claim therefor within the time required by law, shall be by the administrator of the estate delivered to the Administrator of Veterans' Affairs or his authorized representative, as upon final distribution; and upon the same claim there shall be paid to the Treasurer of the United States for credit to said Post Fund any such money available for final distribution. In the absence of administration, any money, chose in action, or other property of the deceased veteran held by any person shall be paid or transferred to the Administrator of Veterans' Affairs upon demand by him or his duly authorized representative, who shall deliver itemized receipt therefor. Such payment or transfer shall constitute a complete acquittance of the transferor with respect to any claims by any administrator, creditor, or next of kin of such decedent.

"SEC. 6. If necessary to obtain such assets the Administrator of Veterans' Affairs, through his authorized attorneys, may bring and prosecute appropriate actions at law or other legal proceedings, the costs and expenses thereof to be paid as other administrative expenses of the Veterans' Administration.

"SEC. 7. Notwithstanding the crediting to said Post Fund of the assets, or proceeds thereof, of any decedent, whether upon determination by a court or the Veterans' Administration pursuant to the provisions of section 1 hereof, any person claiming a right to such assets may within five years after the death of the decedent file a claim on behalf of himself and any others claiming with the Administrator of Veterans' Affairs who, upon receipt of due proof that any person was at date of death of the veteran entitled to his personal property, or a part thereof, under the laws of the State of domicile of the decedent, may pay out of the Post Fund, but not to exceed the net amount credited thereto from said decedent's estate less any necessary expenses, the amount to which such person, or persons, was or were so entitled, and upon similar claim any assets of the decedent which shall not have been disposed of shall be delivered in kind to the parties legally entitled thereto: *Provided*, That if any person so entitled be under legal disability at the date of death of such decedent said five-year period of limitation shall run from the termination or removal of legal disability. In the event of doubt as to entitlement the Administrator of Veterans' Affairs may cause administration or other appropriate proceedings to be instituted in any court having jurisdiction. In determining questions of fact or law involved in the adjudication of claims made under this section no judgment, decree or order entered in any action at law, suit in equity, or other legal proceeding of any character purporting to determine entitlement to said assets or any part thereof, shall be binding upon the United States or the Administrator of Veterans' Affairs or determinative of any fact or question involving entitlement to any such property or the proceeds thereof, or any part of said Post Fund, unless the Administrator of Veterans' Affairs has been seasonably served with notice and permitted to become a party to such suit or proceeding if he make request therefor within thirty days after such notice. Notice may be served in person or by registered mail upon said Administra-

tor of Veterans' Affairs, or upon his authorized attorney in the State wherein the action or proceedings may be pending: *Provided, however*, That notice may be waived by the Administrator of Veterans' Affairs or by his authorized attorney, in which event the finding, judgment, or decree shall have the same effect as if said Administrator were a party and served with notice. Any necessary court costs or expenses if authorized by the Administrator may be paid as are other administrative expenses of the Veterans' Administration.

"SEC. 8. The Administrator of Veterans' Affairs shall prescribe a form of application for hospital treatment and domiciliary care which shall include notice of the provisions of this Act. Within ninety days after approval hereof similar notice shall be given to each veteran then receiving care in any facility or hospital as described in this Act: *Provided, however*, That this requirement shall be met by posting of said notice with a copy of the prescribed form in a prominent place in each building wherein patients or members are housed.

"SEC. 9. Moneys in the General Post Fund not required for current disbursement may be invested and reinvested by the Secretary of the Treasury in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

"SEC. 10. Any provision of law in conflict with this Act is modified accordingly, but nothing herein shall be construed to repeal or modify Public Law Numbered 262, approved August 12, 1935 (49 Stat. 607; 38 U. S. C. 450), or any amendments thereto, or Public Law Numbered 734, approved June 25, 1938 (52 Stat. 1189; 38 U. S. C. 16).

"SEC. 11. The Administrator of Veterans' Affairs shall have power to issue rules or regulations necessary or appropriate to carry out the purposes of this Act."

Approved, December 26, 1941.

[CHAPTER 635]

AN ACT

Increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1951.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tax of 2 cents per gallon on motor-vehicle fuels within the District of Columbia, sold or otherwise disposed of by an importer, or used by him in a motor vehicle operated for hire or for commercial purposes, imposed by the Act of April 23, 1924, as amended, is hereby increased 1 cent per gallon effective January 1, 1942, and extending to and including June 30, 1951. When, pursuant to section 14 of such Act, gasoline or other motor-vehicle fuel is sold by an agency of the United States within the District of Columbia, for use in privately owned vehicles, such agency of the United States shall, by agreement with the Commissioners of the District of Columbia, arrange for the collection of the full amount of the tax per gallon herein authorized to be imposed and as increased by this section for the period January 1, 1942, to and including June 30, 1951, and shall account to the collector of taxes of the District of Columbia for the proceeds of such tax collections.

SEC. 2. The Act of Congress entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended, is hereby further amended by striking out the word "last" wherever the same occurs in sections 4, 5, and 6 of said Act and by inserting in lieu thereof the words "twenty-fifth".

Approved, December 26, 1941.

Waiver of notice.

Court costs.

Application form.
Notice of provisions
of this Act.

Proviso.
Posting of notices.

Investment of
moneys.

Modification of con-
flicting provisions.

Rules and regula-
tions.

December 26, 1941
[H. R. 5558]
[Public Law 383]

District of Colum-
bia.
Increase of motor-
vehicle-fuel taxes.

43 Stat. 106.
D. C. Code §§ 47-
1901 to 47-1916.
Sales by U. S. agency
for private use.
43 Stat. 109.
D. C. Code §§ 47-1912.

Amendments.

43 Stat. 107.
D. C. Code §§ 47-
1904 to 47-1906.