

Distribution of assets.

SEC. 18. The corporation may acquire the assets of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, a corporation organized under the laws of the State of Illinois, upon discharging or satisfactorily providing for the payment and discharge of all the liability of such corporation and upon complying with all laws of the State of Illinois applicable thereto.

SEC. 19. Upon any dissolution or final liquidation of the corporation, its assets shall be applied and distributed as follows:

(a) All liabilities and obligations of the corporation shall be paid, satisfied, and discharged, or adequate provision shall be made therefor;

(b) Assets held by the corporation upon condition requiring return, transfer or conveyance, which condition occurs by reason of the dissolution, shall be returned, transferred or conveyed in accordance with such requirements;

(c) Assets received and held by the corporation subject to limitations permitting their use only for charitable, religious, eleemosynary, benevolent, educational, or similar purposes, but not held upon a condition requiring return, transfer or conveyance by reason of the dissolution, shall be transferred or conveyed to one or more domestic or foreign corporations, societies, or organizations engaged in activities of a charitable, religious, eleemosynary, benevolent, educational, or similar purpose, pursuant to a plan of distribution adopted as provided in this Act;

(d) Other assets, if any, shall be distributed in accordance with the provisions of the articles of incorporation or the bylaws to the extent that the articles of incorporation or bylaws determine the distributive rights of members, or any class or classes of members, or provide for distribution to others;

(e) Any remaining assets may be distributed to such persons, societies, organizations or domestic or foreign corporations engaged in activities not for profit, as may be specified in a plan of distribution adopted by the council of administration of the corporation in compliance with the constitution and bylaws of the corporation and all Federal, State, and District of Columbia laws applicable thereto.

SEC. 20. The right to alter, amend, or repeal this Act is expressly reserved.

Approved September 7, 1962.

Public Law 87-651

AN ACT

September 7, 1962
[H. R. 10433]

To amend title 10, United States Code, to codify recent military laws, and to improve the Code.

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

Armed Forces.

TITLE I. AMENDMENTS TO TITLE 10, UNITED STATES CODE TO INCORPORATE RECENT LAWS

70A Stat. 14.
10 USC 671-686.

SEC. 101. The second sentence of section 280 of title 10, United States Code, is amended by striking out "513," and "742,".

SEC. 102. (a) Chapter 39 of title 10, United States Code, is amended by adding after section 686:

“§ 687. Non-Regulars: readjustment payment upon involuntary release from active duty

“(a) Except for members covered by subsection (b), a member of a reserve component or a member of the Army or the Air Force without component who is released from active duty involuntarily, or because he was not accepted for an additional tour of active duty for which he volunteered after he had completed a tour of active duty, and who has completed, immediately before his release, at least five years of continuous active duty as a commissioned officer, warrant officer, or enlisted member, is entitled to a readjustment payment computed by multiplying his years of active service, but not more than 18, by one-half of one month's basic pay of the grade in which he is serving at the time of his release. For the purposes of this subsection—

“(1) a period of active duty is continuous if it is not interrupted by a break in service of more than 30 days;

“(2) a part of a year that is six months or more is counted as a whole year, and a part of a year that is less than six months is disregarded; and

“(3) a period for which the member concerned has received severance pay under another provision of law may not be included.

“(b) Subsection (a) does not apply to—

“(1) a member who is released from active duty at his request;

“(2) a member who is released from active duty for training;

“(3) under regulations to be prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a member who is released from active duty because of moral or professional dereliction;

“(4) a member who, upon release from active duty, is immediately eligible for retired pay or retainer pay based entirely on his military service;

“(5) a member who, upon release from active duty, is immediately eligible for severance pay based on his military service and who elects to receive that severance pay; or

“(6) a member who, upon release from active duty, is immediately eligible for disability compensation under a law administered by the Veterans' Administration and who elects to receive that disability compensation.

However, this subsection does not prevent a member who elects to receive a readjustment payment under this section from becoming entitled to disability compensation based on his service performed after he makes that election.

“(c) A member to whom a readjustment payment is made under this section is not entitled to mustering-out pay under the Mustering-Out Payment Act of 1944 (58 Stat. 8), the Veterans' Readjustment Assistance Act of 1952 (66 Stat. 663), or chapter 43 of title 38. If he was paid mustering-out pay under one of those provisions before he became entitled to a readjustment payment under this section, the amount of that mustering-out pay shall be deducted from the amount to which he is entitled under this section.

“(d) Any readjustment payment to which a member becomes entitled under this section shall be reduced by the amount of any previous payment made to him under this section that he has not repaid to the United States. If he has repaid that amount to the United States, the period covered by it shall be treated as a period for which a payment has not been made under this section.

72 Stat. 1272,
1273, 1222.
38 USC 2101-
2105.

"(e) A member's acceptance of a readjustment payment under this section does not affect his entitlement to retired pay, retainer pay, or other retirement benefits from the United States."

10 USC 671-686.

(b) Chapter 39 of title 10, United States Code, is further amended by adding at the end of the analysis:

"687. Non-Regulars: readjustment payment upon involuntary release from active duty."

10 USC 711-717.

SEC. 103. (a) Chapter 41 of title 10, United States Code, is amended by redesignating section 716, relating to the participation of members of the armed forces in international sports, as section "717".

(b) Chapter 41 of title 10, United States Code, is further amended by redesignating item 716 of the analysis, relating to the participation of members of the armed forces in international sports, as item "717".

70A Stat. 37.

72 Stat. 1444.

SEC. 104. Clauses (11) and (12) of section 802 of title 10, United States Code, are amended by inserting "Guam," after "Puerto Rico,".

SEC. 105. Section 1006(e) of title 10, United States Code, is amended by striking out "section 1391 of title 50" and inserting in place thereof "section 787 of title 14".

70A Stat. 89.

SEC. 106. (a) Section 1163 of title 10, United States Code, is amended by adding at the end:

"(d) Under regulations to be prescribed by the Secretary concerned, which shall be as uniform as practicable, a member of a reserve component who is on active duty and is within two years of becoming eligible for retired pay or retainer pay under a purely military retirement system, may not be involuntarily released from that duty before he becomes eligible for that pay, unless his release is approved by the Secretary."

10 USC 1161-1167.

(b) Chapter 59 of title 10, United States Code, is amended by adding after section 1167:

"§ 1168. Discharge or release from active duty: limitations

"(a) A member of an armed force may not be discharged or released from active duty until his discharge certificate or certificate of release from active duty, respectively, and his final pay or a substantial part of that pay, are ready for delivery to him or his next of kin or legal representative.

"(b) This section does not prevent the immediate transfer of a member to a Veterans' Administration facility for necessary hospital care."

(c) Chapter 59 of title 10, United States Code, is further amended by adding at the end of the analysis:

"1168. Discharge or release from active duty: limitations."

70A Stat. 91.

SEC. 107. (a) Sections 1201, 1202, and 1203 of title 10, United States Code, are amended by striking out "training) under section 270(b) of this title" and inserting in place thereof "training under section 270(b) of this title)".

70A Stat. 98.

(b) Section 1211(d) of title 10, United States Code, is amended by striking out " (2), or (3)" in clause (1) and inserting "or (2)" in place thereof and by striking out "(5)" in clause (2) and inserting "(4)" in place thereof.

71 Stat. 160.

(c) Sections 1218 and 1219 of title 10, United States Code, are amended to read as follows:

“§ 1218. Discharge or release from active duty: claims for compensation, pension, or hospitalization

“(a) A member of an armed force may not be discharged or released from active duty because of physical disability until he—

“(1) has made a claim for compensation, pension, or hospitalization, to be filed with the Veterans’ Administration, or has refused to make such a claim; or

“(2) has signed a statement that his right to make such a claim has been explained to him, or has refused to sign such a statement.

“(b) A right that a member may assert after failing or refusing to sign a claim, as provided in subsection (a), is not affected by that failure or refusal.

“(c) This section does not prevent the immediate transfer of a member to a Veterans’ Administration facility for necessary hospital care.

“§ 1219. Statement of origin of disease or injury: limitations

“A member of an armed force may not be required to sign a statement relating to the origin, incurrence, or aggravation of a disease or injury that he has. Any such statement against his interests, signed by a member, is invalid.”

(d) Section 1220 of title 10, United States Code, is repealed.

(e) Chapter 61 of title 10, United States Code, is amended by striking out of the analysis:

10 USC 1201-1221.

“1218. Explanation of rights before discharge.

“1219. Statement against interest void.

“1220. Location of accredited representatives at military installations.”

and inserting in place thereof:

“1218. Discharge or release from active duty: claims for compensation, pension, or hospitalization.

“1219. Statement of origin of disease or injury: limitations.”

SEC. 108. Section 1334(b) of title 10, United States Code, is amended to read as follows:

70 A Stat. 104.

“(b) Time spent after retirement (without pay) for failure to conform to standards and qualifications prescribed under section 1001 of this title may not be credited in a computation of years of service under this chapter.”

SEC. 109. Section 1405 of title 10, United States Code, is amended by striking out “6391(h), 6394(g)(2)” and inserting in place thereof “6394(h)”.

72 Stat. 130.

SEC. 110. (a) Sections 1553 and 1554 of title 10, United States Code, are amended to read as follows:

72 Stat. 1267.

“§ 1553. Review of discharge or dismissal

“(a) The Secretary concerned shall, after consulting the Administrator of Veterans’ Affairs, establish a board of review, consisting of five members, to review the discharge or dismissal (other than a discharge or dismissal by sentence of a general court-martial) of any former member of an armed force under the jurisdiction of his department upon its own motion or upon the request of the former member or, if he is dead, his surviving spouse, next of kin, or legal representative. A motion or request for review must be made within 15 years after the date of the discharge or dismissal.

"(b) A board established under this section may, subject to review by the Secretary concerned, change a discharge or dismissal, or issue a new discharge, to reflect its findings.

"(c) A review by a board established under this section shall be based on the records of the armed forces concerned and such other evidence as may be presented to the board. A witness may present evidence to the board in person or by affidavit. A person who requests a review under this section may appear before the board in person or by counsel or an accredited representative of an organization recognized by the Administrator of Veterans' Affairs under chapter 59 of title 38.

72 Stat. 1238.
38 USC 3401-
3405.

"§ 1554. Review of retirement or separation without pay for physical disability

"(a) The Secretary concerned shall from time to time establish boards of review, each consisting of five commissioned officers, two of whom shall be selected from officers of the Army Medical Corps, officers of the Navy Medical Corps, Air Force officers designated as medical officers, or officers of the Public Health Service, as the case may be, to review, upon the request of an officer retired or released from active duty without pay for physical disability, the findings and decisions of the retiring board, board of medical survey, or disposition board in his case. A request for review must be made within 15 years after the date of the retirement or separation.

"(b) A board established under this section has the same powers as the board whose findings and decision are being reviewed. The findings of the board shall be sent to the Secretary concerned, who shall submit them to the President for approval.

"(c) A review by a board established under this section shall be based upon the records of the armed forces concerned and such other evidence as may be presented to the board. A witness may present evidence to the board in person or by affidavit. A person who requests a review under this section may appear before the board in person or by counsel or an accredited representative of an organization recognized by the Administrator of Veterans' Affairs under chapter 59 of title 38."

10 USC 1551-
1554.

(b) Chapter 79 of title 10, United States Code, is amended by striking out of the analysis:

"1553. Review of discharges and dismissals.

"1554. Review of decisions of retiring boards and similar boards."

and inserting in place thereof:

"1553. Review of discharge or dismissal.

"1554. Review of retirement or separation without pay for physical disability."

71 Stat. 45.

SEC. 111. (a) Section 2633 of title 10, United States Code, is amended to read as follows:

"§ 2633. Stevedoring and terminal services: vessels carrying cargo or passengers sponsored by military department

"(a) Notwithstanding section 628 of title 31, the Secretary of a military department may, under such regulations as he may prescribe, furnish stevedoring and terminal services and facilities to vessels carrying cargo, or passengers, or both, sponsored by his department.

"(b) The furnishing of services and facilities under this section shall be at fair and reasonable rates.

"(c) The proceeds from furnishing services and facilities under this section shall be paid to the credit of the appropriation or fund out of which the services or facilities were supplied."

10 USC 2631-
2633.

(b) Chapter 157 of title 10, United States Code, is amended by adding after section 2633:

"§ 2634. Motor vehicles: for members on permanent change of station

"When a member of an armed force is ordered to make a permanent change of station, one motor vehicle owned by him and for his personal use may be transported to his new station at the expense of the United States—

"(1) on a vessel owned by the United States; or

"(2) by privately owned American shipping services."

(c) Chapter 157 of title 10, United States Code, is further amended by striking out of the analysis:

10 USC 2631-2633.

"2633. Terminal Services, furnish to commercial steamship companies."

and inserting in place thereof:

"2633. Stevedoring and terminal services: vessels carrying cargo or passengers sponsored by military department.

"2634. Motor vehicles: for members on permanent change of station."

SEC. 112. (a) Section 2672 of title 10, United States Code, is amended—

72 Stat. 1459.

(1) by striking out "\$5,000" in the catchline and wherever it appears in the text and inserting in place thereof "\$25,000"; and

(2) by striking out "determines is urgently" in clause (1) and inserting in place thereof "or his designee determines is".

(b) Section 2674(a) of title 10, United States Code, is amended by adding at the end: "However, a determination that a project is urgently needed is not required for a project costing not more than \$5,000."

(c) Chapter 159 of title 10 of United States Code, is amended by adding at the end after section 2678:

10 USC 2661-2678.

"§ 2679. Representatives of veterans' organizations: use of space and equipment

"(a) Upon certification to the Secretary concerned by the Administrator of Veterans' Affairs, the Secretary shall allow accredited, paid, full-time representatives of the organizations named in section 3402 of title 38, or of other organizations recognized by the Administrator, to function on military installations under the jurisdiction of that Secretary that are on land and from which persons are discharged or released from active duty.

72 Stat. 1238.

"(b) The commanding officer of each of those military installations shall allow the representatives described in subsection (a) to use available space and equipment at that installation."

"(c) The regulations prescribed to carry out this section that are in effect on January 1, 1958, remain in effect until changed by joint action of the Secretary concerned and the Administrator.

"(d) This section does not authorize the violation of measures of military security.

"§ 2680. Reimbursement of owners of property acquired for public works projects for moving expenses

"(a) Under regulations approved by the Secretary of Defense and without regard to sections 1001 and 1003-1011 of title 5, the Secretary of a military department, or his designee, may, upon application by the owners and the tenants of land to be acquired for a public works project of his department, reimburse those owners and tenants for those expenses, losses, or damages that he determines to be fair and reasonable and that are incurred by them as a direct result of moving themselves and their families and possessions because of that acquisition. However, application for reimbursement must be made within one year after that acquisition or within one year after the property is vacated, whichever date is later, and be accompanied by an itemized statement of the expenses, losses, and damages incurred.

60 Stat. 237.

“(b) The total payments under this section with respect to a parcel of land may not be more than 25 percent of the fair value of that land, as determined by the Secretary of the military department concerned. They are in addition to, but may not duplicate, any other payments that may be made under law as a result of acquisition of that land.

“(c) Any funds appropriated for civil or military public works may be used to make payments under this section.”

10 USC 2661-
2678.

(d) Chapter 159 of title 10, United States Code, is further amended by striking out of the analysis:

“2672. Acquisition: interests in land when cost is not more than \$5,000.”

and inserting in place thereof:

“2672. Acquisition: interests in land when cost is not more than \$25,000.”

and by adding the following at the end of the analysis:

“2679. Representatives of veterans' organizations: use of space and equipment.

“2680. Reimbursement of owners of property acquired for public works projects for moving expenses.”

10 USC 2731-
2736.

SEC. 113. (a) Chapter 163 of title 10, United States Code, is amended by inserting after section 2734:

“§ 2734a. Property loss; personal injury or death: incident to noncombat activities of armed forces; foreign countries; international agreements

“(a) Under an international agreement to which the United States is a party that provides that claims against the United States arising out of the acts or omissions in the performance of official duty in a foreign country of a civilian employee, or a member, of an armed force may be adjudicated by that country under its laws and regulations, the Secretary of Defense may—

“(1) reimburse that country for the agreed pro rata share of such amounts as are spent by that country to pay those claims, including the costs of settlement or arbitration; or

“(2) pay that country the agreed pro rata share of claims arising out of damage to the property of that country, including the costs of settlement or arbitration.

“(b) A claim arising out of an act of an enemy of the United States or arising, directly or indirectly, from an act of the armed forces, or a member thereof, while engaged in combat may not be considered or paid under this section.

“(c) A reimbursement or payment under this section shall be made by the Secretary of Defense out of appropriations for that purpose. Those appropriations may be used to buy foreign currencies needed for the reimbursement.

“§ 2734b. Property loss; personal injury or death: incident to activities of armed forces of foreign countries in United States; international agreements

“(a) Where an international agreement to which the United States is a party provides that claims against a foreign country arising out of the acts or omissions in the performance of official duty in the United States, or a Territory, Commonwealth, or possession, of a civilian employee, or member, of the armed forces of that country, be adjudicated by the United States under its laws and regulations subject to an agreed pro rata reimbursement, those claims may be prosecuted against the United States, or settled by the United States, under then existing laws and regulations as if the acts or omissions upon which they are based were the acts or omissions in the performance of official duty of a civilian employee, or a member, of an armed force.

"(b) When a dispute arises in the settlement or adjudication of a claim under this section whether an act or omission was in the performance of official duty, or whether the use of a vehicle of the armed forces was authorized, the dispute shall be decided under the international agreement with the foreign country concerned. Such a decision is final and conclusive. The Secretary of Defense may pay that part of the cost of obtaining such a decision that is chargeable to the United States under that agreement.

"(c) A claim arising out of an act of an enemy of the United States may not be considered or paid under this section.

"(d) A payment under this section shall be made by the Secretary of Defense out of appropriations for that purpose."

(b) Chapter 163 of title 10, United States Code, is amended by inserting in the analysis: 10 USC 2731-2736.

"2734a. Property loss; personal injury or death: incident to noncombat activities of armed forces: foreign countries; international agreements.

"2734b. Property loss; personal injury or death: incident to activities of armed forces of foreign countries in United States; international agreements."

SEC. 114. Sections 3034(d)(4), 5081(c), 5201(d), and 8034(d)(4) of title 10, United States Code, are amended by striking out "pursuant to section 202(j) of the National Security Act of 1947, as amended" and inserting in place thereof "under section 124 of this title". 72 Stat. 516.

SEC. 115. Section 3853(1) of title 10, United States Code, is amended by striking out "23" and inserting in place thereof "22". 72 Stat. 1486.

SEC. 116. Chapter 373 of title 10, United States Code, is amended— 10 USC 4022-4025.
 (1) by repealing section 4023; and 70A Stat. 233.
 (2) by striking out of the analysis:

"4023. Service club and library services."

SEC. 117. The last two sentences of sections 4337 and 9337 of title 10, United States Code, are amended to read as follows: "The chaplain is entitled to the same allowances for public quarters as are allowed to a captain, and to fuel and light for quarters in kind. The chaplain may be reappointed."

SEC. 118. Sections 4621(a) and (b) and 9621(a) and (b) of title 10, United States Code, are amended by striking out "sections 172-172j of title 5" and inserting in place thereof "section 2208 of this title".

SEC. 119. Chapter 447 of title 10, United States Code, is amended— 10 USC 4741-4749.
 (1) by repealing section 4748; and 70A Stat. 268.
 (2) by striking out of the analysis:

"4748. Motor vehicles: for members on permanent change of station."

SEC. 120. Section 5081 of title 10, United States Code, is amended by striking out subsection (e).

SEC. 121. Section 5082 of title 10, United States Code, is amended—

(1) by inserting the designation "(a)" before the words "In order that";

(2) by striking out of clauses (1)(A) and (2)(A) "as defined in section 5081 of this title"; and

(3) by adding at the end:

"(b) As used in this section, 'operating forces' means the several fleets, sea-going forces, sea-frontier forces, district forces, and such of the shore establishment of the Navy and other forces and activities as may be assigned thereto by the President or the Secretary of the Navy."

SEC. 122. Section 6033(a) of title 10, United States Code, is amended by striking out "Except for the purposes of sections 231-319 of title 37" and inserting in place thereof "Except as otherwise specifically provided".

72 Stat. 1507.

SEC. 123. (a) Section 6148(e) (2) of title 10, United States Code, is amended to read as follows:

“(2) section 331 of title 38;”.

70A Stat. 387.

(b) Section 6157 of title 10, United States Code, is repealed.

10 USC 6141-6161.

(c) Chapter 561 of title 10, United States Code, is amended by striking out of the analysis:

“6157. Motor vehicles: transportation on permanent change of station.”

70A Stat. 429.

SEC. 124. Section 6954(a) (8) of title 10, United States Code, is amended by striking out “Railroad” and inserting in place thereof “Canal”.

71 Stat. 44.

SEC. 125. Section 7230 of title 10, United States Code, is amended to read as follows:

“§ 7230. Sale of degaussing equipment

“(a) To promote the installation, repair, and maintenance of degaussing equipment on vessels registered under the laws of the United States, the Secretary of the Navy may, under such regulations as he may prescribe, sell degaussing equipment that is available from Navy stocks, but that is not readily available commercially, to owners or operators of privately owned merchant ships of United States registry.

“(b) Sales under this section shall be at prices representing the current or estimated replacement cost to the Navy.

“(c) The proceeds of sales under this section shall be paid to the credit of the current appropriation or fund concerned.”

70A Stat. 520.

SEC. 126. Section 8352(a) of title 10, United States Code, is amended by striking out the second sentence.

72 Stat. 129.

SEC. 127. The table in section 8991 of title 10, United States Code, is amended by striking out “8962(c)” in footnote 1 and inserting in place thereof “8962(b)”.

10 USC 9022-9025.

SEC. 128. Chapter 873 of title 10, United States Code, is amended—

(1) by repealing section 9023; and

(2) by striking out of the analysis:

“9023. Service club and library services.”

10 USC 9741-9748.

SEC. 129. Chapter 947 of title 10, United States Code, is amended—

(1) by repealing section 9748; and

(2) by striking out of the analysis:

“9748. Motor vehicles: for members on permanent change of station.”

SEC. 130. Section 674(a) of title 10, United States Code, is amended to read as follows:

“(a) Units and members in the Standby Reserve may be ordered to active duty (other than for training) only as provided in section 672 of this title.”

SEC. 131. Section 2276(b) of title 10, United States Code, is amended to read as follows:

“(b) Any committee of Congress may inspect audits and reports of inspection made under subsection (a).”

TITLE II. TRANSFER TO TITLE 10 OF PROVISIONS IN TITLE 5 RELATING TO ORGANIZATION OF DEPARTMENT OF DEFENSE

10 USC 121-123.

SEC. 201. (a) Chapter 3 of title 10, United States Code, is amended by inserting after section 123:

“§ 124. Combatant commands: establishment; composition; functions; administration and support

“(a) With the advice and assistance of the Joint Chiefs of Staff, the President, through the Secretary of Defense, shall—

“(1) establish unified combatant commands or specified combatant commands to perform military missions; and

"(2) shall prescribe the force structure of those commands.

"(b) The military departments shall assign forces to combatant commands established under this section to perform the missions of those commands. A force so assigned is under the full operational command of the commander of the command to which it is assigned. It may be transferred from the command to which it is assigned only by authority of the Secretary and under procedures prescribed by the Secretary with the approval of the President. A force not so assigned remains, for all purposes, in the military department concerned.

"(c) Combatant commands established under this section are responsible to the President and to the Secretary for such military missions as may be assigned to them by the Secretary with the approval of the President.

"(d) Subject to the authority, direction, and control of the Secretary, each military department is responsible for the administration of forces assigned by that department to combatant commands established under this section. The Secretary shall assign the responsibility for the support of forces assigned to those commands to one or more of the military departments.

"§ 125. Functions, powers, and duties: transfer, reassignment, consolidation, or abolition

"(a) Subject to section 401 of title 50, the Secretary of Defense shall take appropriate action (including the transfer, reassignment, consolidation, or abolition of any function, power, or duty) to provide more effective, efficient, and economical administration and operation, and to eliminate duplication, in the Department of Defense. However, except as provided by subsections (b) and (c), a function, power, or duty vested in the Department of Defense, or an officer, official, or agency thereof, by law may not be substantially transferred, reassigned, consolidated, or abolished unless the Secretary reports the details of the proposed transfer, reassignment, consolidation, or abolition to the Committees on Armed Services of the Senate and House of Representatives. The transfer, reassignment, consolidation, or abolition concerned takes effect on the first day after the expiration of the first 30 days that Congress is in continuous session after the Secretary so reports, unless either of those Committees, within that period, reports a resolution recommending that the proposed transfer, reassignment, consolidation, or abolition be rejected by the Senate or the House of Representatives, as the case may be, because it—

"(1) proposes to transfer, reassign, consolidate, or abolish a major combatant function, power, or duty assigned to the Army, Navy, Air Force, or Marine Corps by section 3062(b), 5012, 5013, or 8062(c) of this title; and

"(2) would, in its judgment, tend to impair the defense of the United States.

If either of those Committees, within that period, reports such a resolution and it is not adopted by the Senate or the House of Representatives, as the case may be, within the first 40 days that Congress is in continuous session after that resolution is so reported, the transfer, reassignment, consolidation, or abolition concerned takes effect on the first day after the expiration of that forty-day period. For the purposes of this subsection, a session may be considered as not continuous only if broken by an adjournment of Congress sine die. However, in computing the period that Congress is in continuous session, days that the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain are not counted.

72 Stat. 514.

70A Stat. 166,
277, 493.

70A Stat. 166,
277, 493.

“(b) Notwithstanding subsection (a), if the President determines it to be necessary because of hostilities or an imminent threat of hostilities, any function, power, or duty, including one assigned to the Army, Navy, Air Force, or Marine Corps by section 3062(b), 5012, 5013, or 8062(c) of this title, may be transferred, reassigned, or consolidated. The transfer, reassignment, or consolidation remains in effect until the President determines that hostilities have terminated or that there is no longer an imminent threat of hostilities, as the case may be.

“(c) Notwithstanding subsection (a), the Secretary of Defense may assign or reassign the development and operational use of new weapons or weapons systems to one or more of the military departments or one or more of the armed forces.

“(d) In subsection (a) (1), ‘major combatant function, power, or duty’ does not include a supply or service activity common to more than one military department. The Secretary of Defense shall, whenever he determines it will be more effective, economical, or efficient, provide for the performance of such an activity by one agency or such other organizations as he considers appropriate.

“§ 126. Transfer of funds and employees

“(a) When a function, power, or duty or an activity of a department or agency of the Department of Defense is transferred or assigned to another department or agency of that department, balances of appropriations that the Secretary of Defense determines are available and needed to finance or discharge that function, power, duty, or activity, as the case may be, may, with the approval of the President, be transferred to the department or agency to which that function, power, duty, or activity, as the case may be, is transferred, and used for any purpose for which those appropriations were originally available. Balances of appropriations so transferred shall—

“(1) be credited to any applicable appropriation account of the receiving department or agency; or

“(2) be credited to a new account that may be established on the books of the Department of the Treasury; and be merged with the funds already credited to that account and accounted for as one fund. Balances of appropriations credited to an account under clause (1) are subject only to such limitations as are specifically applicable to that account. Balances of appropriations credited to an account under clause (2) are subject only to such limitations as are applicable to the appropriations from which they are transferred.

“(b) When a function, power, or duty or an activity of a department or agency of the Department of Defense is transferred to another department or agency of that department, those civilian employees of the department or agency from which the transfer is made that the Secretary of Defense determines are needed to perform that function, power, or duty, or for that activity, as the case may be, may, with the approval of the Director of the Bureau of the Budget, be transferred to the department or agency to which that function, power, duty, or activity, as the case may be, is transferred. The authorized strength in civilian employees of a department or agency from which employees are transferred under this section is reduced by the number of employees so transferred. The authorized strength in civilian employees of a department or agency to which employees are transferred under this section is increased by the number of employees so transferred.”

(b) Chapter 3 of title 10, United States Code, is further amended by adding at the end of the analysis: 10 USC 121-123.

"124. Combatant commands: establishment; composition; functions; administration and support.

"125. Functions, powers, and duties: transfer, reassignment, consolidation, or abolition.

"126. Transfer of funds and employees."

SEC. 202. Subtitle A of title 10, United States Code, is amended by adding after Chapter 3: 10 USC 101 et seq.

"CHAPTER 4.—DEPARTMENT OF DEFENSE

"Sec.

"131. Executive department.

"132. Seal.

"133. Secretary of Defense: appointment; powers and duties; delegation by.

"134. Deputy Secretary of Defense: appointment; powers and duties; precedence.

"135. Director of Defense Research and Engineering: appointment; powers and duties; precedence.

"136. Assistant Secretaries of Defense: appointment; powers and duties; precedence.

"137. General Counsel: appointment; powers and duties.

"§ 131. Executive department

"The Department of Defense is an executive department of the United States.

"§ 132. Seal

"The Secretary of Defense shall have a seal for the Department of Defense. The design of the seal is subject to approval by the President. Judicial notice shall be taken of the seal.

"§ 133. Secretary of Defense: appointment; powers and duties; delegation by

"(a) There is a Secretary of Defense, who is the head of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Secretary of Defense within 10 years after relief from active duty as a commissioned officer of a regular component of an armed force.

"(b) The Secretary is the principal assistant to the President in all matters relating to the Department of Defense. Subject to the direction of the President and to this title and section 401 of title 50, he has authority, direction, and control over the Department of Defense.

"(c) The Secretary shall report annually in writing to the President and the Congress on the expenditures, work, and accomplishments of the Department of Defense during the period covered by the report, together with—

"(1) a report from each military department on the expenditures, work, and accomplishments of that department;

"(2) itemized statements showing the savings of public funds, and the eliminations of unnecessary duplications, made under section 125 of this title;

"(3) a report from the Reserve Forces Policy Board on the reserve programs of the Department of Defense, including a review of the effectiveness of chapters 51, 337, 361, 363, 549, 573, 837, 861, and 863 of this title, as far as they apply to reserve officers; and

"(4) such recommendations as he considers appropriate.

"(d) Unless specifically prohibited by law, the Secretary may, without being relieved of his responsibility, perform any of his functions or duties, or exercise any of his powers through, or with the aid of, such persons in, or organizations of, the Department of Defense as he may designate.

Ante, p. 515.

“§ 134. Deputy Secretary of Defense: appointment; powers and duties; precedence

“(a) There is a Deputy Secretary of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as Deputy Secretary of Defense within 10 years after relief from active duty as a commissioned officer of a regular component of an armed force.

“(b) The Deputy Secretary shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Deputy Secretary shall act for, and exercise the powers of, the Secretary when the Secretary is absent or disabled.

“(c) The Deputy Secretary takes precedence in the Department of Defense immediately after the Secretary.

“§ 135. Director of Defense Research and Engineering: appointment; powers and duties; precedence

“(a) There is a Director of Defense Research and Engineering, appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(b) The Director performs such duties relating to research and engineering as the Secretary of Defense may prescribe, including—

“(1) being the principal adviser to the Secretary on scientific and technical matters;

“(2) supervising all research and engineering activities in the Department of Defense; and

“(3) directing, controlling, assigning, and reassigning research and engineering activities that the Secretary considers need centralized management.

“(c) The Director takes precedence in the Department of Defense after the Secretary of Defense, the Deputy Secretary of Defense, and the Secretaries of the military departments.

“§ 136. Assistant Secretaries of Defense: appointment; powers and duties; precedence

“(a) There are seven Assistant Secretaries of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

“(b) The Assistant Secretaries shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. In addition, one of the Assistant Secretaries shall be the Comptroller of the Department of Defense and shall, subject to the authority, direction, and control of the Secretary—

“(1) advise and assist the Secretary in performing such budgetary and fiscal functions and duties, and in exercising such budgetary and fiscal powers, as are needed to carry out the powers of the Secretary;

“(2) supervise and direct the preparation of budget estimates of the Department of Defense;

“(3) establish and supervise the execution of principles, policies, and procedures to be followed in connection with organizational and administrative matters relating to—

“(A) the preparation and execution of budgets;

“(B) fiscal, cost, operating, and capital property accounting;

“(C) progress and statistical reporting; and

“(D) internal audit;

“(4) establish and supervise the execution of policies and procedures relating to the expenditure and collection of funds administered by the Department of Defense; and

"(5) establish uniform terminologies, classifications, and procedures concerning matters covered by clauses (1)-(4).

"(c) Except as otherwise specifically provided by law, an Assistant Secretary may not issue an order to a military department unless—

"(1) the Secretary of Defense has specifically delegated that authority to him in writing; and

"(2) the order is issued through the Secretary of the military department concerned, or his designee.

"(d) In carrying out subsection (c) and sections 3010, 3012(b) (last two sentences), 5011 (first two sentences), 5031(a) (last two sentences), 8010, and 8012(b) (last two sentences) of this title, the Secretary of each military department, his civilian assistants, and members of the armed forces under the jurisdiction of his department shall cooperate fully with personnel of the Office of the Secretary of Defense to achieve efficient administration of the Department of Defense and to carry out effectively the authority, direction, and control of the Secretary of Defense.

Post, p. 524.

"(e) The Assistant Secretaries take precedence in the Department of Defense after the Secretary, the Deputy Secretary of Defense, the Secretaries of the military departments and the Director of Defense Research and Engineering.

"§ 137. General Counsel: appointment; powers and duties

"(a) There is a General Counsel of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(b) The General Counsel is the chief legal officer of the Department of Defense. He shall perform such functions as the Secretary of Defense may prescribe.

"(c) The General Counsel shall receive compensation at the rate prescribed by law for assistant secretaries of executive departments."

SEC. 203. The chapter analysis of subtitle A and the chapter analysis of part I of subtitle A of title 10, United States Code, are amended by inserting the following new item:

10 USC 101 et seq.

"4. Department of Defense----- 131"

SEC. 204. Section 141 of title 10, United States Code, is amended by adding at the end:

70A Stat. 6.

"(e) After first informing the Secretary of Defense, a member of the Joint Chiefs of Staff may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate."

SEC. 205. (a) Chapter 41 of title 10, United States Code, is amended by adding after section 717:

10 USC 711-717.

"§ 718. Secretary of Defense: detail of officers to assist

"Officers of the armed forces may be detailed for duty as assistants or personal aides to the Secretary of Defense. However, the Secretary may not establish a military staff other than that established by section 141(a) of this title."

.(b) Chapter 41 of title 10, United States Code, is further amended by adding at the end of the analysis:

"718. Secretary of Defense: detail of officers to assist."

SEC. 206. (a) Chapter 81 of title 10, United States Code, is amended by inserting before section 1581:

10 USC 1581-1586.

"§ 1580. Appointment generally

"Subject to civil service laws, the Secretary of Defense may appoint, and fix the compensation of, such civilian employees as may be necessary to perform the functions and duties, and exercise the powers, of the Department of Defense, other than those of the military departments."

10 USC 1581-
1586.

(b) Chapter 81 of title 10, United States Code, is further amended by inserting at the beginning of the analysis:

"1580. Appointment generally."

10 USC 2202.

SEC. 207. (a) Chapter 131 of title 10, United States Code, is amended by adding after section 2202:

"§ 2203. Budget estimates

"To account for, and report, the cost of performance of readily identifiable functional programs and activities, with segregation of operating and capital programs, budget estimates of the Department of Defense shall be prepared, presented, and justified, where practicable, and authorized programs shall be administered, in such form and manner as the Secretary of Defense, subject to the authority and direction of the President, may prescribe. As far as practicable, budget estimates and authorized programs of the military departments shall be uniform and in readily comparable form.

"§ 2204. Obligation of appropriations

"To prevent overdrafts and deficiencies in the fiscal year for which appropriations are made, appropriations made to the Department of Defense or to a military department, and reimbursements thereto, are available for obligation and expenditure only under scheduled rates of obligation, or changes thereto, that have been approved by the Secretary of Defense. This section does not prohibit the Department of Defense from incurring a deficiency that it has been authorized by law to incur.

"§ 2205. Availability of reimbursements

47 Stat. 417.

"Reimbursements made to appropriations of the Department of Defense or a department or agency thereof under section 686 of title 31, or other amounts paid by or on behalf of a department or agency of the Department of Defense to another department or agency of the Department of Defense, or by or on behalf of personnel of any department or organization, for services rendered or supplies furnished, may be credited to authorized accounts. Funds so credited are available for obligation for the same period as the funds in the account so credited. Such an account shall be accounted for as one fund on the books of the Department of the Treasury.

"§ 2206. Disbursement of funds of military department to cover obligation of another agency of Department of Defense

"As far as authorized by the Secretary of Defense, a disbursing officer of a military department may, out of available advances, make disbursements to cover obligations in connection with any function, power, or duty of another department or agency of the Department of Defense and charge those disbursements on vouchers, to the appropriate appropriation of that department or agency. Disbursements so made shall be adjusted in settling the accounts of the disbursing officer.

"§ 2207. Expenditure of appropriations: limitation

"Money appropriated to the Department of Defense may not be spent under a contract other than a contract for personal services unless that contract provides that—

"(1) the United States may, by written notice to the contractor, terminate the right of the contractor to proceed under the contract if the Secretary concerned or his designee finds, after notice and hearing, that the contractor, or his agent or other representative, offered or gave any gratuity, such as entertainment or a gift, to an officer, official, or employee of the United States to obtain a contract or favorable treatment in the awarding, amending, or

making of determinations concerning the performance, of a contract; and

“(2) if a contract is terminated under clause (1), the United States has the same remedies against the contractor that it would have had if the contractor had breached the contract and, in addition to other damages, is entitled to exemplary damages in an amount at least three, but not more than 10, as determined by the Secretary or his designee, times the cost incurred by the contractor in giving gratuities to the officer, official, or employee concerned.

The existence of facts upon which the Secretary makes findings under clause (1) may be reviewed by any competent court.

“§ 2208. Working-capital funds

“(a) To control and account more effectively for the cost of programs and work performed in the Department of Defense, the Secretary of Defense may require the establishment of working-capital funds in the Department of Defense to—

“(1) finance inventories of such supplies as he may designate; and

“(2) provide working capital for such industrial-type activities, and such commercial-type activities that provide common services within or among departments and agencies of the Department of Defense, as he may designate.

“(b) Upon the request of the Secretary of Defense, the Secretary of the Treasury shall establish working-capital funds established under this section on the books of the Department of the Treasury.

“(c) Working-capital funds shall be charged, when appropriate, with the cost of—

“(1) supplies that are procured or otherwise acquired, manufactured, repaired, issued, or used; and

“(2) services or work performed;

including applicable administrative expenses, and be reimbursed from available appropriations or otherwise credited for those costs, including applicable administrative expenses and costs of using equipment.

“(d) The Secretary of Defense may provide capital for working-capital funds by capitalizing inventories. If this method does not, in the determination of the Secretary of Defense, provide adequate amounts of working capital, such amounts as may be necessary may be appropriated for that purpose.

“(e) Subject to the authority and direction of the Secretary of Defense, the Secretary of each military department shall allocate responsibility for its functions, powers, and duties to accomplish the most economical and efficient organization and operation of the activities, and the most economical and efficient use of the inventories, for which working-capital funds are authorized by this section.

“(f) The requisitioning agency may not incur a cost for supplies drawn from inventories, or services or work performed by industrial-type or commercial-type activities for which working-capital funds may be established under this section, that is more than the amount of appropriations or other funds available for those purposes.

“(g) The appraised value of supplies returned to working-capital funds by a department, activity, or agency may be charged to that fund. The proceeds thereof shall be credited to current applicable appropriations and are available for expenditure for the same purposes that those appropriations are so available. Credits may not be made to appropriations under this subsection as the result of capitalization of inventories under subsection (d).

“(h) The Secretary of Defense shall prescribe regulations governing the operation of activities and use of inventories authorized by

this section. The regulations may, if the needs of the Department of Defense require it and it is otherwise authorized by law, authorize supplies to be sold to, or services to be rendered or work performed for, persons outside the Department of Defense. Working-capital funds shall be reimbursed for supplies so sold, services so rendered, or work so performed by charges to applicable appropriations or payments received in cash.

"(i) Reports annually shall be made to the President and to Congress on the condition and operation of working-capital funds established under this section.

"§ 2209. Management funds

"(a) To conduct economically and efficiently the operations of the Department of Defense that are financed by at least two appropriations but whose costs cannot be immediately distributed and charged to those appropriations, there is the Army Management Fund, the Navy Management Fund, and the Air Force Management Fund, each within its respective department and under the direction of the Secretary of that department. Each such fund shall consist of a corpus of \$1,000,000 and such amounts as may be appropriated thereto from time to time. An account for an operation that is to be financed by such a fund may be established only with the approval of the Secretary of Defense.

"(b) Under such regulations as the Secretary of Defense may prescribe, expenditures may be made from a management fund for material (other than for stock), personal services, and services under contract. However, obligation may not be incurred against that fund if it is not chargeable to funds available under an appropriation of the department concerned or funds of another department or agency of the Department of Defense. The fund shall be promptly reimbursed from those funds for expenditures made from it.

"(c) Notwithstanding any other provision of law, advances, by check or warrant, or reimbursements, may be made from available appropriations to a management fund on the basis of the estimated cost of a project. As adequate data becomes available, the estimated cost shall be revised and necessary adjustments made. Final adjustment shall be made with the appropriate funds for the fiscal year in which the advances or reimbursements are made. Except as otherwise provided by law, amounts advanced to management funds are available for obligation only during the fiscal year in which they are advanced.

"§ 2210. Proceeds of sales of supplies: credit to appropriations

"(a) Current applicable appropriations of the Department of Defense may be credited with proceeds of the disposals of supplies that are not financed by stock funds established under section 2208 of this title.

"(b) Obligations may, without regard to fiscal year limitations, be incurred against anticipated reimbursements to stock funds in such amounts and for such period as the Secretary of Defense, with the approval of the Director of the Bureau of the Budget, may determine to be necessary to maintain stock levels consistently with planned operations for the next fiscal year.

"§ 2211. Reimbursement for equipment, material, or services furnished members of the United Nations

"Amounts paid by members of the United Nations for equipment or materials furnished, or services performed, in joint military operations shall be credited to appropriate appropriations of the Department of Defense in the manner authorized by section 2392(d) of title 22."

(b) Chapter 131 of title 10, United States Code, is further amended by adding at the end of the analysis:

- "2203. Budget estimates.
- "2204. Obligation of appropriations.
- "2205. Availability of reimbursements.
- "2206. Disbursement of funds of military department to cover obligation of another agency of Department of Defense.
- "2207. Expenditure of appropriations: limitation.
- "2208. Working-capital funds.
- "2209. Management funds.
- "2210. Proceeds of sales of supplies: credit to appropriations.
- "2211. Reimbursement for equipment, material, or services furnished members of the United Nations."

SEC. 208. (a) Chapter 139 of title 10, United States Code, is amended by adding after section 2357: 10 USC 2352-2357.

"§ 2358. Research projects

"Subject to approval by the President, the Secretary of Defense or his designee may engage in basic and applied research projects that are necessary to the responsibilities of the Department of Defense in the field of basic and applied research and development and that relate to weapons systems and other military needs. Subject to approval by the President, the Secretary or his designee may perform assigned research and development projects—

- "(1) by contract with educational or research institutions, private businesses, or other agencies of the United States;
- "(2) through one or more of the military departments; or
- "(3) by using employees and consultants of the Department of Defense."

(b) Chapter 139 of title 10, United States Code, is further amended by adding at the end of the analysis:

"2358. Research projects."

SEC. 209. (a) Chapter 159 of title 10, United States Code, is amended by adding after section 2680:

Ante, p. 511.

"§ 2681. Construction or acquisition of family housing and community facilities in foreign countries

"(a) In addition to family housing and to community facilities that otherwise may be constructed or acquired by the Department of Defense, the Secretary of Defense may, with the approval of the Director of the Bureau of the Budget, construct, or acquire by lease or otherwise, family housing to be occupied as public quarters, and community facilities, in foreign countries by using foreign currencies that have a value of not more than \$250,000,000 and that were acquired under sections 1691-1724 of title 7 or through other commodity transactions of the Commodity Credit Corporation.

68 Stat. 454.

"(b) The Department of Defense shall pay the Commodity Credit Corporation, from appropriations otherwise available for payment of quarters allowances for members of the armed forces and from appropriate allotments or rental charges for civilian employees, amounts equal to quarters allowances or allotments otherwise payable to, or rental charges collected from, persons occupying housing constructed or acquired under this section, less amounts equal to the costs of maintenance and operation of that housing. However, the total payments so made may not be more than the dollar value of the foreign currencies used for housing constructed or acquired under this section.

"(c) The Secretary of Defense shall report to the Committees on Armed Services of the Senate and House of Representatives on the fifteenth day of January, April, July, and October of each year—

- "(1) the cost, number, and location of housing units constructed or acquired under this section during the three-month period covered by the report; and

"(2) the cost, number, and location of housing units that are intended to be constructed or acquired under this section during the following three-month period."

10 USC 2661-
2680.

(b) Chapter 159 of title 10, United States Code, is further amended by adding at the end of the analysis:

"2681. Construction or acquisition of family housing and community facilities in foreign countries."

10 USC 3011-
3018.

SEC. 210. (a) Chapter 303 of title 10, United States Code, is amended by inserting before section 3011:

"§ 3010. Organization

"The Department of the Army is separately organized under the Secretary of the Army. It operates under the authority, direction, and control of the Secretary of Defense."

(b) Chapter 303 of title 10, United States Code, is further amended by inserting at the beginning of the analysis:

"3010. Organization."

70A Stat. 157,
278, 488.

SEC. 211. Sections 3012(b), 5031(a), and 8012(b) of title 10, United States Code, are amended by adding the following at the end thereof: "The Secretary is responsible to the Secretary of Defense for the operation and efficiency of the Department. After first informing the Secretary of Defense, the Secretary may make such recommendations to Congress relating to the Department of Defense as he may consider appropriate."

70A Stat. 277.

SEC. 212. The first sentence of section 5011 of title 10, United States Code, is amended to read as follows: "The Department of the Navy is separately organized under the Secretary of the Navy. It operates under the authority, direction, and control of the Secretary of Defense. It is composed of the executive part of the Department of the Navy; the Headquarters, United States Marine Corps; the entire operating forces, including naval aviation, of the United States Navy and of the United States Marine Corps, and the reserve components of those operating forces; and all field activities, headquarters, forces, bases, installations, activities, and functions under the control or supervision of the Secretary of the Navy."

10 USC 8011-
8018.

SEC. 213. (a) Chapter 803 of title 10, United States Code, is amended by inserting before section 8011:

"§ 8010. Organization

"The Department of the Air Force is separately organized under the Secretary of the Air Force. It operates under the authority, direction, and control of the Secretary of Defense."

(b) Chapter 803 of title 10, United States Code, is further amended by inserting at the beginning of the analysis:

"8010. Organization."

TITLE III—TECHNICAL PROVISIONS

AMENDMENT TO UNIVERSAL MILITARY TRAINING AND SERVICE ACT

70A Stat. 630.

SEC. 301. Section 4(d) (3) of the Universal Military Training and Service Act, as amended (50 App. U.S.C. 454(d) (3)), is amended to read as follows:

"(3) Each person who, subsequent to June 19, 1951, and on or before August 9, 1955, is inducted, enlisted, or appointed, under any provision of law, in the Armed Forces, including the reserve components thereof, or in the National Security Training Corps, prior to attaining the twenty-sixth anniversary of his birth, shall be required to serve on active training and service in the Armed Forces or in training in the National Security Training Corps,

and in a reserve component, for a total period of eight years, unless sooner discharged on the grounds of personal hardship, in accordance with regulations and standards prescribed by the Secretary of Defense (or the Secretary of the Treasury with respect to the United States Coast Guard). Each such person, on release from active training and service in the Armed Forces or from training in the National Security Training Corps, if physically and mentally qualified, shall be transferred to a reserve component of the Armed Forces, and shall serve therein for the remainder of the period which he is required to serve under this paragraph and shall be deemed to be a member of the reserve component during that period. If the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or the Secretary of the Treasury with respect to the United States Coast Guard, determines that enlistment, enrollment, or appointment in, or assignment to, an organized unit of a reserve component or an officers' training program of the armed force in which he served is available to, and can, without undue personal hardship, be filled by such a person, that person shall enlist, enroll, or accept appointment in, or accept assignment to, the organized unit or officers' training program, and serve satisfactorily therein."

SEPARATION PAY OR READJUSTMENT PAY FOR RESERVES ON ACTIVE DUTY
ON JULY 9, 1956

SEC. 302. A member of a reserve component who was serving on active duty on July 9, 1956, under an agreement entered into under section 235 of the Armed Forces Reserve Act of 1952 (66 Stat. 491), if he is involuntarily released from active duty before the expiration of that agreement, may elect to receive either—

- (1) the separation pay provided by that section; or
- (2) any readjustment payment to which he is entitled under section 687 of title 10, United States Code.

70A Stat. 682.
50 USC 963.

Ante, p. 507.

RESOLUTIONS RELATING TO TRANSFERS, REASSIGNMENTS, CONSOLIDATIONS,
OR ABOLITIONS OF COMBATANT FUNCTIONS UNDER SECTION 125 OF TITLE
10, UNITED STATES CODE

SEC. 303. (a) For the purposes of this section, any resolution reported to the Senate or the House of Representatives pursuant to the provisions of section 125 of title 10, United States Code, shall be treated for the purpose of consideration by either House, in the same manner as a resolution with respect to a reorganization plan reported by a committee within the meaning of the Reorganization Act of 1949 as in effect on July 1, 1958 (5 U.S.C. 133z and the following), and shall be governed by the provisions applicable to the consideration of any such resolution by either House of the Congress as provided by sections 205 and 206 of that Act.

Ante, p. 515.

63 Stat. 203.

(b) The provisions of this section are enacted by the Congress—

(1) as an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, and supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (as far as relating to the procedure in that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

COMPENSATION OF ASSISTANT SECRETARIES OF NAVY

SEC. 304. The compensation of each of the Assistant Secretaries of the Navy is \$20,000 a year.

EFFECTIVE DATES

Ante, p. 509.

SEC. 305. Section 108 of this Act is effective as of August 10, 1956, for all purposes. Section 304 of this Act is effective as of February 6, 1959.

SAVING AND SEVERABILITY CLAUSES

SEC. 306. (a) Laws becoming effective after January 9, 1962, that are inconsistent with this Act shall be considered as superseding it to the extent of the inconsistency.

(b) References made by other laws, regulations and orders to the laws shall be considered to be made to the corresponding provisions of this Act.

(c) Actions taken under the replaced law shall be considered to have been taken under the corresponding provisions of this Act.

(d) The enactment of this Act, except section 108, does not increase or decrease the pay or allowances, including retired and retainer pay, of any person.

REPEALS

SEC. 307. The following laws are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act:

SCHEDULE OF LAWS REPEALED

A. STATUTES AT LARGE

Date	Chapter	Section	Volume	Page
1942—July 3	484		56	645.
1947—July 26	343	201-204, 302, 308(a) (less applicability to §§ 2, 101-103, 303).	61	499, 500, 507, 509.
1949—Aug. 10	412	4 (1st 2 pars.), 5, 6, 10(b), 11 (less § 411)	63	579-581, 585-590.
1951—Jan. 6	1213	703	64	1235.
1952—July 9	638	257(e)	66	497.
July 14	726	401(b)	66	624.
1953—Aug. 1	335	645 (provisos)	67	357.
1954—June 30	432	719	68	353.
July 27	579	509(b)	68	582.
Aug. 31	1152		68	1006.
Sept. 1	1210	407	68	1125.
Sept. 3	1257	702(c)	68	1189.
1955—July 15	368	507, 513(b)	69	350, 352.
1956—July 9	534		70	517.
Aug. 1	852	23	70	911.
Aug. 3	939	411(a)	70	1017.
Aug. 10	1041	21 (less 1st sentence of § 302)	70A	629.

Date	Public Law	Section	Volume	Page
1957—Aug. 30	85-241	405	71	556.
1958—Aug. 6	85-599	3 (a), (b), 5(b), 9(a) (less last sentence of § 203(b)(1)).	72	514-516, 518, 521.
Aug. 20	85-685	510, 511	72	662.
1959—Sept. 21	86-317	1	73	589.
Sept. 21	86-324	1	73	596.

B. SECTION OF TITLE 14, UNITED STATES CODE

Section 471a

C. REORGANIZATION PLAN

Year	Plan No.	Section	Volume	Page
1953	6	4, 5	67	639.

SEC. 308. The analysis of chapter 13 of title 14, United States Code, is amended by striking out the following item:

14 USC 461-511.

"471a. Motor vehicles; transportation on permanent change of station."

Approved September 7, 1962.

Public Law 87-652

AN ACT

To authorize the Secretary of the Interior to convey certain lands in the State of Maryland to the Prince Georges County Hospital, and for other purposes.

September 10, 1962

[H. R. 7782]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to convey to the Prince Georges County Hospital, upon payment of 50 per centum of the fair market value as determined by the Secretary plus the cost of making the conveyance, all right, title, and interest of the United States of America in and to the following described parcel of land which comprises a portion of the Baltimore-Washington Parkway, being situated in Prince Georges County, Maryland:

Maryland.
Prince Georges
County Hospital.
Land convey-
ance.

Beginning at a stone at the end of the second line of tract numbered 121, a conveyance from Einar Mortenson and Vera Mortenson to the United States of America recorded in liber 794, folio 197, among the land records of Prince Georges County, Maryland;

thence with the third line of said conveyance, south 18 degrees 18 minutes 50 seconds west 439.37 feet to a stone, a corner common to the United States of America and Prince Georges County Hospital properties and formerly a corner common to the properties of Prince Georges County Hospital, Einar and Vera Mortenson and Elbertie Foudray;

thence with the second line of tract numbered 120-B, a conveyance from Elbertie Foudray to the United States of America recorded in liber 794, folio 197, among the land records of Prince Georges County, Maryland, south 21 degrees 31 minutes 10 seconds west 230.54 feet to an iron pipe a corner common to the United States of America, Prince Georges County Hospital and now or formerly Louis and William Smallwood properties and formerly a corner common to the properties of Prince Georges County Hospital, Louis and William Smallwood and Elbertie Foudray;

thence with the third line of tract numbered 120-B, north 88 degrees 04 minutes 30 seconds west 431.10 feet to an iron pipe, a corner common to the United States of America and now or formerly Louis and William Smallwood properties and formerly a corner common to the properties of Louis and William Smallwood and Elbertie Foudray;

thence through the lands of the United States of America, formerly the lands of Elbertie Foudray and Einar Mortenson and Vera Mortenson, north 46 degrees 38 minutes 27 seconds east 898.82 feet to the point of beginning, and containing 3.225620 acres, more or less and as shown on the plat bearing drawing numbered NCP 123-395, dated May 22, 1961, and filed among the land records of National Capital Parks.

Approved September 10, 1962.