

(5) that the traffic in such offensive advertisements is so large that individual citizens will be helpless to protect their privacy or their families without stronger and more effective Federal controls over the mailing of such matter.

(b) On the basis of such findings, the Congress determines that it is contrary to the public policy of the United States for the facilities and services of the United States Postal Service to be used for the distribution of such materials to persons who do not want their privacy invaded in this manner or to persons who wish to protect their minor children from exposure to such material.

#### EFFECTIVE DATES

SEC. 15. (a) Except as provided in subsection (b) of this section, this section and sections 9 through 13 of this Act, and sections 202, 203, 205 (b) and (c), 206, and 401(2), and subchapter I of chapter 36 of title 39, United States Code, as enacted by section 2 of this Act, shall become effective on the date of enactment of this Act. Except as otherwise provided in this Act, the other provisions of this Act shall become effective within 1 year after the enactment of this Act on the date or dates established therefor by the Board of Governors and published by it in the Federal Register. References to the Postal Service in any provision of this Act (other than a provision referred to in the first sentence of this subsection) which becomes effective before the Postal Service commences operations shall be held and considered to refer to the Post Office Department until the Postal Service commences operations.

(b) Sections 3010 and 3011 of title 39, United States Code, as enacted by section 2 of this Act, and sections 1735, 1736, and 1737 of title 18, United States Code, as enacted by section 6(j) of this Act, shall become effective on the first day of the sixth month which begins after the date of enactment of this Act.

Approved August 12, 1970.

Ante, pp. 784,  
720, 722, 758.

Publication in  
Federal Register.

Ante, p. 749.  
Ante, p. 781.

### Public Law 91-376

#### AN ACT

To amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes.

August 12, 1970  
[S. 3348]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 214 of title 38, United States Code, is amended—

(1) by striking out “\$23” in subsection (a) and inserting in lieu thereof “\$25”;

(2) by striking out “\$43” in subsection (b) and inserting in lieu thereof “\$46”;

(3) by striking out “\$65” in subsection (c) and inserting in lieu thereof “\$70”;

(4) by striking out “\$89” in subsection (d) and inserting in lieu thereof “\$96”;

(5) by striking out “\$122” in subsection (e) and inserting in lieu thereof “\$135”;

(6) by striking out “\$147” in subsection (f) and inserting in lieu thereof “\$163”;

Veterans.  
Disability  
compensation,  
increase.  
82 Stat. 808.

(7) by striking out "\$174" in subsection (g) and inserting in lieu thereof "\$193";

(8) by striking out "\$201" in subsection (h) and inserting in lieu thereof "\$223";

(9) by striking out "\$226" in subsection (i) and inserting in lieu thereof "\$250";

(10) by striking out "\$400" in subsection (j) and inserting in lieu thereof "\$450";

(11) by striking out "\$500" and "\$700" in subsection (k) and inserting in lieu thereof "\$560" and "\$784", respectively;

(12) by striking out "\$500" in subsection (l) and inserting in lieu thereof "\$560";

(13) by striking out "\$550" in subsection (m) and inserting in lieu thereof "\$616";

(14) by striking out "\$625" in subsection (n) and inserting in lieu thereof "\$700";

(15) by striking out "\$700" in subsections (o) and (p) and inserting in lieu thereof "\$784";

(16) by striking out "\$300" in subsection (r) and inserting in lieu thereof "\$336"; and

(17) by striking out "\$450" in subsection (s) and inserting in lieu thereof "\$504".

(b) The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 2. Section 315(1) of title 38, United States Code, is amended—

(1) by striking out "\$25" in subparagraph (A) and inserting in lieu thereof "\$28";

(2) by striking out "\$43" in subparagraph (B) and inserting in lieu thereof "\$48";

(3) by striking out "\$55" in subparagraph (C) and inserting in lieu thereof "\$61";

(4) by striking out "\$68" and "\$13" in subparagraph (D) and inserting in lieu thereof "\$75" and "\$14", respectively;

(5) by striking out "\$17" in subparagraph (E) and inserting in lieu thereof "\$19";

(6) by striking out "\$30" in subparagraph (F) and inserting in lieu thereof "\$33";

(7) by striking out "\$43" and "\$13" in subparagraph (G) and inserting in lieu thereof "\$48" and "\$14", respectively;

(8) by striking out "\$21" in subparagraph (H) and inserting in lieu thereof "\$23"; and

(9) by striking out "\$40" in subparagraph (I) and inserting in lieu thereof "\$44".

SEC. 3. (a) Section 312 of title 38, United States Code, is amended by striking out "For" at the beginning of such section and inserting in lieu thereof "(a) For"; and by adding the following new subsections:

"(b) For the purposes of subsection (c) of this section, any veteran who, while serving in the active military, naval, or air service, was held as a prisoner of war for not less than six months by the Imperial Japanese Government or the German Government during World War II, by the Government of North Korea during the Ko-

Rate adjustments.

72 Stat. 1263.  
38 USC prec.  
101 note.  
38 USC 301.  
Additional  
compensation for  
dependents.  
79 Stat. 1154.

Certain diseases and disabilities, presumptions.

rean conflict, or by the Government of North Korea, the Government of North Vietnam or the Viet Cong forces during the Vietnam era, or by their respective agents, shall be deemed to have suffered from dietary deficiencies, forced labor, or inhumane treatment in violation of the terms of the Geneva Conventions of July 27, 1929, and August 12, 1949.

47 Stat. 2021.  
6 UST 3316.

72 Stat. 1119.

“(c) For the purposes of section 310 of this title and subject to the provisions of section 313 of this title, in the case of any veteran who, while serving in the active military, naval, or air service and while held as a prisoner of war by an enemy government, or its agents during World War II, the Korean conflict, or the Vietnam era, suffered from dietary deficiencies, forced labor, or inhumane treatment (in violation of the terms of the Geneva Conventions of July 27, 1929, and August 12, 1949), the disease of—

- “(1) Avitaminosis,  
Beriberi (including beriberi heart disease),  
Chronic dysentery,  
Helminthiasis,  
Malnutrition (including optic atrophy associated with malnutrition),  
Pellagra, or  
Any other nutritional deficiency,

which became manifest to a degree of 10 per centum or more after such service; or

- “(2) Psychosis which became manifest to a degree of 10 per centum or more within two years from the date of separation from such service;

shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of such disease during the period of service.”

(b) The catchline of section 312 of such title is amended to read as follows:

**“§ 312. Presumptions relating to certain diseases and disabilities”**

(c) The table of sections at the beginning of chapter 11 of such title is amended by striking out

“312. Presumptions relating to certain diseases.”

and inserting in lieu thereof the following:

“312. Presumptions relating to certain diseases and disabilities.”

SEC. 4. Subsection (d) of section 103 of title 38, United States Code, is amended by inserting “(1)” immediately after “(d)” and by adding at the end thereof the following:

Widows, marital  
state, benefit  
provisions.  
72 Stat. 1109;  
76 Stat. 558.

“(2) The remarriage of the widow of a veteran shall not bar the furnishing of benefits to her as the widow of the veteran if the remarriage has been terminated by death or has been dissolved by a court with basic authority to render divorce decrees unless the Veterans' Administration determines that the divorce was secured through fraud by the widow or collusion.

“(3) If a widow ceases living with another man and holding herself out openly to the public as his wife, the bar to granting her benefits as the widow of the veteran shall not apply.”

SEC. 5. (a) If a widow terminates a relationship or conduct which resulted in imposition of a prior restriction on payment of benefits, in the nature of inference or presumption of remarriage, or relating to open and notorious adulterous cohabitation or similar conduct, she shall

Denial of bene-  
fits, exception.

not be denied any benefits by the Veterans' Administration, other than insurance, solely because of such prior relationship or conduct.

Effective date.

(b) The effective date of an award of benefits resulting from enactment of subsection (a) of this section shall not be earlier than the date of receipt of application therefor, filed after termination of the particular relationship or conduct and after December 31, 1970.

Duplication,  
prohibition.  
72 Stat. 1230.

SEC. 6. Subsection (b) of section 3104 of title 38, United States Code, is amended by striking out "paragraph (2)" in paragraph (1) thereof and inserting in lieu thereof "paragraphs (2) and (3)", and by adding at the end thereof the following new paragraph:

"(3) Benefits other than insurance under laws administered by the Veterans' Administration may not be paid to any person by reason of the death of more than one person to whom he or she was married; however, the person may elect one or more times to receive benefits by reason of the death of any one spouse."

Awards, effective dates.  
75 Stat. 948.

SEC. 7. Section 3010 of title 38, United States Code, is amended by adding at the end thereof the following new subsections:

"(1) The effective date of an award of benefits to a widow based upon termination of a remarriage by death or divorce shall be the date of death or the date the judicial decree or divorce becomes final, if an application therefor is received within one year from such termination.

"(m) The effective date of an award of benefits to a widow based upon termination of actions described in subsection 103(d)(3) of this title shall not be earlier than the date of receipt of application therefor filed after termination of such actions and after December 31, 1970."

Supra.

Decisions by  
Administrator.  
72 Stat. 1115.

SEC. 8. (a) Subsection 211(a) of title 38, United States Code, is amended to read as follows:

79 Stat. 886.  
38 USC 1801-  
1827.

"(a) On and after October 17, 1940, except as provided in sections 775, 784, and as to matters arising under chapter 37 of this title, the decisions of the Administrator on any question of law or fact under any law administered by the Veterans' Administration providing benefits for veterans and their dependents or survivors shall be final and conclusive and no other official or any court of the United States shall have power or jurisdiction to review any such decision by an action in the nature of mandamus or otherwise."

72 Stat. 1229.  
38 USC 3101-  
3110.

(b) Chapter 53 of title 38, United States Code, is amended by adding at the end the following:

**"§ 3111. Prohibition of certain benefit payments**

"There shall be no payment of dependency and indemnity compensation, death compensation, or death pension which, because of a widow's relationship with another man before enactment of Public Law 87-674, would not have been payable by the Veterans' Administration under the standard for determining remarriage applied by that agency before said enactment."

76 Stat. 558.

(c) The analysis of such chapter 53 is amended by adding at the end the following:

"3111. Prohibition of certain benefit payments."

Effective  
dates.

SEC. 9. The first two sections of this Act take effect July 1, 1970. Sections 4, 5, 6, and 7 take effect January 1, 1971.

Approved August 12, 1970.