Hospitals & Asylums

HISTORY OF TITLE 24 UNITED STATES CODE - HOSPITALS AND ASYLUMS

Chapter 1 Navy Hospitals, Army and Navy Hospital, and Hospital Relief for Seamen and Others

Chapter 2 Soldiers' and Airmen's Home

Chapter 3 National Home for Disabled Volunteer Soldiers

Chapter 4 Saint Elizabeths Hospital

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Chapter 9 Hospitalization of Mentally Ill Nationals Returned From Foreign Countries

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Statutes at Large

As early as July 16, 1798, ch. 77, §4, 1 Stat. 606, contributions of 20 cents per month were taken from every active duty member for the relief of seamen. Paul Hamilton of South Carolina, secretary of the Navy under President James Madison legislated the Naval Hospital Act of Feb. 26, 1811 to provide for Naval Hospitals and the Naval Asylum. Distracted by the War of 1812 the Naval Asylum was not established until 1834, after the citizen's arrest, detention, trial by jury, lengthy appeal due to severe illness in re: *US v. Thomas Fillebrown, Secretary of Commissioners of Navy Hospitals* 32 US 28 7 Pet. 28 (1833). R.S. §4801 was derived from the act of Feb. 26, 1811. Abraham Lincoln wrote the Emancipation Proclamation at the Soldiers' Home, now called the Armed Forces Retirement Home, in Washington D.C. President Lincoln is also attributed with founding Freedmen's Hospital, and the Columbia Institution for the Deaf and Dumb. Legislation of the Soldier's and Airmen's Home is first attributed to R.S. §4815; Mar. 3, 1883, ch. 130, §10, 22 Stat. 565. R.S. §4825, related to organization of National Home for Disabled Volunteer Soldiers. R.S. §4838; related to Saint Elizabeths Hospital on July 1, 1916. R.S. §2038; related to Freedmen's Hospital act June 23, 1874. R.S. §4877 relating to National Cemeteries acts July 24, 1876. Gorgas Hospital is dated Mar. 24, 1928, ch. 240, §1, 45 Stat. 365. Hospitalization of Mentally Ill Nationals was legislated by Pub. L. 86–571, §1, July 5, 1960. The Armed Forces Retirement Home was legislated by Pub. L. 101–510, div. A, title XV, §1502, Nov. 5, 1990. Hospitals & Asylums has been amended many times, most recently so that section 302904 of title 54 was substituted for section 101(e)(3) of the National Historic Preservation Act (16 U.S.C.

470a(e)(3)) on authority of Pub. L. 113–287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs. This historical work is prepared for Veterans Day 11 November 2021 to consolidate the legislation with annotation regarding amendment and repeal.
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TITLE 24-HOSPITALS AND ASYLUMS CHAPTER 1-NAVY HOSPITALS, ARMY AND NAVY HOSPITAL, AND HOSPITAL RELIEF FOR SEAMEN AND OTHERS

§1 Word “seaman” defined

The term “seaman”, wherever employed in legislation relating to the Public Health Service, shall be held to include any person employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation.

(Mar. 3, 1875, ch. 156, §3, 18 Stat. 485; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309; Repealing Act of July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; was Renumbered title VI, §611, of act July 1, 1944, VII, §711, by act Aug. 13, 1946, ch. 958, §5, 60 Stat. 1049; §713, by act Feb. 28, 1948, ch. 83, §9(b), 62 Stat. 47; title VIII, §813, by act July 30, 1956, ch. 779, §3(b), 70 Stat. 721; title IX, §913, by Pub. L. 88–581, §4(b), Sept. 4, 1964, 78 Stat. 919; title X, §1013, by Pub. L. 89–239, §3(b), Oct. 6, 1965, 79 Stat. 931; title XI, §1113, by Pub. L. 91–572, §6(b), Dec. 24, 1970, 84 Stat. 1506; title XII, §1213, by Pub. L. 92–294, §3(b), May 16, 1972, 86 Stat. 137; title XIII, §1313, by Pub. L. 93–154, §2(b)(2), Nov. 16, 1973, 87 Stat. 604, and was repealed by Pub. L. 93–222, §7(b), Dec. 29, 1973, 87 Stat. 936 See Section 201 of Title 42)

§ 2 Gifts in aid of marine hospitals

The President is authorized to receive donations of real or personal property, in the name of the United States, for the erection or support of hospitals for sick and disabled seamen.

(R.S. §4801; derivation July 16, 1798, ch. 77, §4, 1 Stat. 606; Repealing Act Title XIII, §1313, formerly title VI, §611, of act July 1, 1944; was renumbered VI, §611, of act July 1, 1944; title VII, §711, by act Aug. 13, 1946, ch. 958, §5, 60 Stat. 1049; §713, by act Feb. 28, 1948, ch. 83, §9(b), 62 Stat. 47; title VIII, §813, by act July 30, 1956, ch. 779, §3(b), 70 Stat. 721; title IX, §913, by Pub. L. 88–581, §4(b), Sept. 4, 1964, 78 Stat. 919; title X, §1013, by Pub. L. 89–239, §3(b), Oct. 6, 1965, 79 Stat. 931; title XI, §1113, by Pub. L. 91–572, §6(b), Dec. 24, 1970, 84 Stat. 1506; title XII, §1213, by Pub. L. 92–294, §3(b), May 16, 1972, 86 Stat. 137; title XIII, §1313, by Pub. L. 93–154, §2(b)(2), Nov. 16, 1973, 87 Stat. 604, and was repealed by Pub. L. 93–222, §7(b), Dec. 29, 1973, 87 Stat. 936; See section 219 of Title 42)

§3 Deduction from pay of seamen for Navy hospital fund

The Secretary of the Navy shall deduct from the pay due each officer, seaman, and marine, in the Navy, at the rate of 20 cents per month for each person, to be applied to the fund for Navy hospitals.

(R.S. §1614, 4808; derived from R.S. §1614; Mar. 2 1799, ch. 36 §2. 1 Stat. 729; Feb. 26 1811, ch. 26, §1, 2 Stat. 650; Repealed. June 15, 1943, ch. 125, §3, 57 Stat. 153, eff. July 1, 1943)

§4 Fines on seamen appropriated for Navy hospitals

All fines imposed on Navy officers, seamen, and marines shall be paid to the Secretary of Navy for the maintenance of Navy hospitals.

(R.S. §4809; derived from Acts Feb. 26, 1811, ch. 26, §2; 2 Stat. 650, July 10, 1832, ch. 194, §5, 4 Stat. 573; Repealed. June 15, 1943, ch. 125, §3, 57 Stat. 153, eff. July 1, 1943)

§5 Forfeitures from desertion for naval hospital fund

All forfeitures on account of desertion shall be passed to the credit of the naval hospital fund.

(June 7, 1900, ch. 859, 31 Stat. 697; Repealed. June 15, 1943, ch. 125, §3, 57 Stat. 153, eff. July 1, 1943)

§6 Pension paid to fund for benefit of naval hospital

Whenever any officer, seaman, or marine entitled to a pension is admitted to a naval hospital, his pension, while he remains there, shall be deducted from his accounts and paid to the Secretary of the Navy for the benefit of the fund from which such hospital is maintained.

(R.S. §4813; May 4, 1898, ch. 234, 30 Stat. 377; Mar. 3, 1899, ch. 421, 30 Stat. 1027; June 30, 1914, ch. 130, 38 Stat. 398; R.S. §4813 derived from act Feb. 26, 1811, ch. 26, §5, 2 Stat. 650)

§6a Disposition of amounts deducted from pensions

Pensions of inmates of a naval hospital, required by law prior to July 1, 1943, to be deducted from the account of the pensioner and applied for the benefit of the fund from which such home or hospital is maintained, shall be deposited into the Treasury of the United States as miscellaneous receipts.

(June 15, 1943, ch. 125, §3, 57 Stat. 153; effective July 1, 1943; Pub. L. 101–510, div. A, title XV, §1533(c)(2), Nov. 5, 1990, 104 Stat. 1736 struck “naval” before home and hospital)

§7 Lease or sale of marine hospitals

The Federal Security Administration is authorized to lease, or to sell at public auction, to the highest and best bidder, for cash, after due notice in the public newspapers, such marine hospital buildings and lands appertaining thereto as he may deem advisable in the interests of the Public Health Service, and to make, execute, and deliver all needful conveyances to the lessees or purchasers thereof, respectively; and the proceeds of such leases and sales are appropriated for the said service. But the hospital at Portland in Maine shall not be sold or leased. And this section shall not be construed to authorize the Federal Security Administrator to lease or sell any such hospital where the relief furnished to sick mariners shall show an extent of relief equal to twenty cases a day on average for the last preceding four years, or where no other suitable and sufficient hospital accommodations can be procured upon reasonable terms for the comfort and convenience of the patients.

(R.S. §4806; derived from Apr. 20, 1866, ch. 63, §1, 14 Stat. 40; June 27, 1866, ch. 142, 14 Stat. 76; acts Mar. 3, 1875, ch. 156, §4, 18 Stat. 485; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309; July 26, 1916, ch. 256, 39 Stat. 390; 1939 Reorg. Plan No. I, §§201, 205(b), eff. July 1, 1939, 4 F.R. 2728, 2729, 53 Stat. 1424, 1425; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 248 of Title 42, The Public Health and Welfare)

§8 Coast Guard admitted to hospitals; relief for dependent members of family

Under such regulations as may be prescribed by the President, upon the recommendation of the Surgeon General with the approval of the Federal Security Administrator, all commissioned officers, chief warrant officers, warrant officers, cadets, and enlisted men of the Coast Guard, including those on shore duty and those on detached duty, whether on active duty or retired, shall be entitled to medical, surgical, and dental treatment and hospitalization by the Public Health Service; and the dependent members of families of officers and enlisted men of the Coast Guard shall be furnished medical advice and out-patient treatment by the Public Health Service at its first-, second-, and third-class relief stations, and such dependent members of families shall be furnished hospitalization at marine hospitals, if suitable accommodations are available, at a per-diem cost to the officer or enlisted man concerned equivalent to the uniform per-diem reimbursement rate for Government hospitals as approved by the President for each fiscal year. Collections of the Public Health Service for the hospitalization of such dependent members of families shall be credited to the applicable appropriation for the operation of marine hospitals and relief stations.

(Aug. 4, 1894, ch. 213, 28 Stat. 229; Jan. 28, 1915, ch. 20, §2, 38 Stat. 801; July 30, 1937, ch. 545, §2, 50 Stat. 548; 1939 Reorg. Plan No. I, §§201, 205(b), eff. July 1, 1939, 4 CFR 2728, 2729, 53 Stat. 1424, 1425. See section 253 of Title 42. Act Jan. 28, 1915, ch. 20, §2, 38 Stat. 801 was also repealed by act Aug. 4, 1949, ch. 393, §20, 63 Stat. 561; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title)

§9 Officers and employees of Public Health Service entitled to hospital relief

Commissioned officers and pharmacists, and those employees of the Public Health Service devoting all their time to field work, shall be entitled to hospital relief when taken sick or injured in the line of duty.

(June 23, 1913, ch. 3, §1, 38 Stat. 24; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See sections 249 and 253 of Title 42)

§10 Officers and crews of vessels of former Bureau of Fisheries admitted to benefits of Public Health Service

Officers and crews of the several vessels belonging to the former Bureau of Fisheries may be admitted to the benefits of the Public Health Service without charge upon the application of their respective commanding officers.

(July 1, 1918, ch. 113, §1, 40 Stat. 694; The Bureau was transferred to Department of Interior by

Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 1433, 53 Stat. 1433; Bureau of Fisheries was consolidated with Bureau of Biological Survey into Fish and Wildlife Service in Department of Interior, and offices of Commissioner and Deputy Commissioner of Fisheries were abolished by Reorg. Plan No. III,§ 3, eft. June 30, 1940, 5 Fed. Reg. 2108, 54 Stat. 1232; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 249 of Title 42)

§11 Care of foreign seamen

Sick and disabled seamen of foreign vessels and of vessels not subject to hospital dues may be cared for by the Public Health Service at such rates and under such regulations as the Federal Security Administration may prescribe.

(Mar. 3, 1875, ch. 156, §6, 18 Stat. 486; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309; 1939 Reorg. Plan No. I, §§201, 205(b), eff. July 1, 1939, 4 F.R. 2728, 2729, 53 Stat. 1424, 1425; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 249 of Title 42)

§11a Same; liability of foreign vessels for hospital charge

Each seaman admitted to the marine hospitals within the United States on application of the master of a foreign vessel shall be subject to the charge fixed by the Federal Security Administrator, which shall be paid by the master of such foreign vessel to the collector of the collection district in which the hospital is situated. And the collector shall not grant a clearance to any foreign vessel until the money so due from her master shall be paid. The officer in charge of each hospital is hereby directed, under penalty of $50, to make out the accounts against such foreign seaman that may be placed in the hospital under his direction, and render the same to the collector.

(R.S. §4805; Mar. 3, 1875, ch. 156, §6, 18 Stat. 486; derived from act May 3, 1802, ch 51, §5, 2 Stat. 193; 1939 Reorg. Plan No. I, §§201, 205(b), eff. July 1, 1939, 4 F.R. 2728, 2729, 53 Stat. 1424, 1425; . Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 249 of Title 42)

§12 Employees on canal boats in coasting trade excluded

No person employed in or connected with the navigation, management, or use of canal boats engaged in the coasting trade shall by reason thereof be entitled to any benefit or relief from the marine-hospital fund.

(R.S. §4804; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 249 of Title 42)

§13 Admission of cases for study

There may be admitted into marine hospitals for study persons with infectious or other diseases

affecting the public health, and not to exceed ten cases in any one hospital at one time.

(June 5, 1920, ch. 235, § 1, 41 Stat. 884)

§14 Establishment of Navy hospitals

The Secretary of the Navy shall procure at suitable places proper sites for Navy hospitals, and if the necessary buildings are not procured with the site, shall cause such to be erected, having due regard to economy, and giving preference to such plans as with most convenience and least cost will admit of subsequent additions, when the funds permit and circumstances require; and shall provide, at one of the establishments, a permanent asylum for disabled and decrepit Navy officers, seamen, and marines: Provided, That no sites shall be procured or hospital buildings erected or extensions to existing hospitals made unless authorized by Congress.

(R.S. §4810; Mar. 4, 1913, ch. 148, 37 Stat. 902. Codification R.S. §4810 derived from acts Feb. 26, 1811, ch. 26, §3, 2 Stat. 650; July 10, 1832, ch. 194, §5, 4 Stat. 573)

§14a Annual appropriations for maintenance, operation, and improvement of naval hospitals

Commencing with the fiscal year 1944, annual appropriations in such amounts as may be necessary are authorized from the general fund of the Treasury for the maintenance, operation, and improvement of naval hospitals.

(June 15, 1943, ch. 125, § 1(c), 57 Stat. 152)

§15 Superintendence of Navy hospitals

The Secretary of the Navy shall have the general charge and superintendence of Navy hospitals.

(R.S. §4807; derived from acts Feb. 26, 1811, ch. 26, §1, 2 Stat. 650; July 10, 1832, ch. 194, §5, 4 Stat. 573)

§16 Allowance of rations to Navy hospitals

For every Navy officer, seaman, or marine admitted into a Navy hospital, the institution shall be allowed one ration per day during his continuance therein, to be deducted from the account of the United States with such officer, seaman, or marine.

(R.S. §4812 derived from act Feb. 26, 1811, ch. 26, §5, 2 Stat. 650)

§16a Additional personnel for patients of Department of Veterans Affairs in naval hospitals

On and after May 29, 1945, additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the Department of Veterans Affairs in naval hospitals, may be employed in addition to the numbers annually appropriated for.

(June 26, 1943, ch. 147, §101, 57 Stat. 204; June 22, 1944, ch. 269, §1, 58 Stat. 308; May 29, 1945, ch. 130, §1, 59 Stat. 208; Pub. L. 102–54, §13(i)(1), June 13, 1991, 105 Stat. 276, substituted "Department of Veterans Affairs" for "United States Veterans' Administration")

§17 Government of Naval Asylum

The asylum for disabled and decrepit Navy officers, seamen, and marines shall be governed in accordance with the rules and regulations prescribed by the Secretary of the Navy.

(R.S. §4811; derived from act Feb. 26, 1811, ch. 26, §4, 2 Stat. 650)

§18 Rules and regulations for Army and Navy Hospital

The Army and Navy General Hospital at Hot Springs, Arkansas, shall be subject to such rules, regulations, and restrictions as shall be provided by the President of the United States and shall remain under the jurisdiction and control of the Department of the Army.

(June 30, 1882, ch. 254, §1, 22 Stat. 121; June 18, 1930, ch. 525, §2, 46 Stat. 781; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641. Section 1 of act Aug. 10, 1956 enacted "Title 10, Armed Forces", which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army. Ex. Ord. No. 10272. Delegation of Authority to the Secretary of the Army. Ex. Ord. No. 10272, July 10, 1951, 16 F.R. 6711, provided: By virtue of the authority vested in me by section 1 of the act of August 8, 1950, c. 646, 64 Stat. 419 [section 301 of Title 3 The President], and as President of the United States, it is hereby ordered that the Secretary of the Army be, and he is hereby, designated and empowered to exercise the authority vested in the President by section 1 of the act of June 30, 1882, 22 Stat. 117, 121, as amended, to provide rules, regulations, and restrictions with respect to the Army and Navy hospital at Hot Springs, Arkansas: Provided, That the rules, regulations, and restrictions prescribed under the authority of this order shall, so far as feasible, be uniform with those obtaining with respect to other hospitals under the jurisdiction of the Department of the Army, and that those prescribed by the Executive order of August 25, 1892, as amended by Executive Order No. 6885 of October 23, 1934, shall continue in force and effect until amended, modified, or revoked by the Secretary of the Army in action taken pursuant to this order. Harry S. Truman)

§19 Tubercular hospital at Fort Bayard

The hospital at Fort Bayard, New Mexico, for the treatment of tuberculosis, shall be opened to the treatment of the officers and men of the Navy and Marine Corps.

(Mar. 2, 1907, ch. 2511, 34 Stat. 1172)

§20 Discipline of patients at Army and Navy Hospital

All persons admitted to treatment in the Army and Navy General Hospital at Hot Springs, Arkansas, shall, while patients in said hospital, be subject to the rules and articles for the government of the armies of the United States.

(Mar. 3, 1909, ch. 252, 35 Stat. 748. Repeals. Act July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714, as amended and renumbered by acts Aug. 13, 1946, ch. 958, §5, 60 Stat. 1049; Feb. 28, 1948, ch. 83, §9(b), 62 Stat. 47; July 30, 1956, ch. 779, §3(b), 70 Stat. 721; Pub. L. 88–581, §4(b), Sept. 4, 1964, 78 Stat. 919; Pub. L. 89–239, §3(b), Oct. 6, 1965, 79 Stat. 931; Pub. L. 91–572, §6(b), Dec. 24, 1970, 84 Stat. 1506; Pub. L. 92–294, §3(b), 86 Stat. 137; repealed act Mar. 3, 1919, ch. 98, §3, 40 Stat. 1303)

§21 Limitation on cost of Army hospital buildings

No building or structure of a permanent nature the cost of which shall exceed $30,000, shall be erected for use as an Army hospital unless by special authority of Congress.

(May 12, 1917, ch. 12, 40 Stat. 58; Repealed June 12, 1948, ch. 450, §4, 62 Stat. 380)

§21a Naval Home; maintenance and operation

The Secretary of the Navy is authorized to provide for the maintenance and operation of the Naval Home, including the transportation, admission, entertainment, support, and care of beneficiaries, hospitalization of beneficiaries in naval hospitals, transportation and subsistence of attendants of beneficiaries where required, and the burial and care of graves of deceased patients.

(Aug. 2, 1946, ch. 756, §11, 60 Stat. 854; Repealed. Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732)

§21b Navy Pension Fund abolished; appropriations authorized for maintenance, operation and improvement of Naval Home

Effective July 1, 1935, (a) the Naval Pension Fund (7t982) is abolished, any unobligated balance therein, as of that date, shall be covered into the surplus fund of the Treasury, and interest on such fund shall cease; (b) moneys theretofore required by law to be paid into such fund shall be deposited into the Treasury of the United States as miscellaneous receipts; and (c) commencing with the fiscal year 1936 annual appropriations in such amounts as may be necessary are authorized from the general fund of the Treasury for the maintenance, operation, and improvement of the Naval Home.

(June 26, 1934, ch. 756, §9, 48 Stat. 1229; Repealed. Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732)

§22 Disposition of moneys of deceased inmates of Naval Home

All moneys belonging to a deceased beneficiary of the Naval Home or derived from the sale of his personal effects, not claimed from the sale of his personal effects, not claimed by his legal heirs or next of kin, shall be deposited with the pay officer of the Naval Home, and if any sum so deposited shall be unclaimed for a period of two years form the death of such beneficiary it shall be deposited in the Treasury to the credit of the naval pension fund: *Provided*, That the governor of the Naval Home is authorized and directed, under such regulations as may be prescribed by the Secretary of the Navy, to make diligent inquiry in every instance after the death of an inmate to ascertain the whereabouts of his heirs or next of kin: *Provided further*, That claims may be presented at any time within five years after

moneys have been so deposited in the Treasury, and, when supported by competent proof in any case after such deposit in the Treasury, shall be certified to Congress for consideration.

(June 30, 1914, ch. 130, 38 Stat. 398; Repealed. Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732)

§23 Disposition of pension of beneficiary in Naval Home

The pensions of beneficiaries of the Naval Home shall be disposed of in the same manner as prescribed for inmates of the Soldiers' Home, as provided for in section 52 of this title, under such regulations as the Secretary of Navy may prescribe, except that in the case of death of any beneficiary leaving no heirs at law nor next of kin any pension due him shall, subject to the foregoing provisions, escheat to the naval pension fund.

(June 30, 1914, ch. 130, 38 Stat. 398; Repealed. Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732)

§24 Moneys derived from Naval Home turned into pension fund

All moneys derived from the sale of material at the Naval Home, which was originally purchased from moneys appropriated from the income from the naval pension fund, and all moneys derived from the rental of Naval Home property, shall be turned into the naval pension fund.

(Mar. 4, 1917, ch. 180, 39 Stat. 1175; Repealed. Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732)

§25 Employment of beneficiaries in service of Naval Home

For the performance of such additional services in and about the Naval Home as may be necessary the Secretary of the Navy is authorized to employ, on the recommendation of the governor, beneficiaries in said home whose compensation shall be fixed by the Secretary and paid from the appropriations for the support of the home.

(Aug. 22, 1912, ch. 335, 37 Stat. 334; Repealed. Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732; effective Nov. 5, 1991)

§26 Additional hospital and sanatorium facilities for various groups authorized

The Secretary of the Treasury is authorized to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged sick and disabled soldiers, sailors, and marine, Army and Navy nurses (male and female), patients of the Veterans' Administration who were patients of the former War Risk Insurance Bureau and the following persons only: Merchant marine seamen, seamen on boats in the Mississippi River Commission, officers and enlisted men of the United States Coast Guard, officers and employees of the Public Health Service, certain keepers and assistant keepers of the United States Lighthouse Service, seamen of the Engineer Corps of the United States Army, officers and enlisted men of the United States Coast and Geodetic Survey, civilian employees entitled to treatment under sections 751-791, inclusive, and section 793 of Title 5, and employees on Army

transports not officers or enlisted men of the Army, entitled by law on March 3, 1919, to treatment by the Public Health Service.

(Mar. 3, 1919, ch. 98, §1, 40 Stat. 1302; Aug. 9, 1921, ch. 57, §7, 42 Stat. 149; July 3, 1930, ch. 863, §1, 46 Stat. 1016; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 249, 251 and 253 of Title 42, The Public Health and Welfare, and section 763c of Title 33, Navigation and Navigable Waters)

§26a Beneficiaries of fund for relief of sick and disabled seamen

The "fund for the relief of sick and disabled seamen", of which separate accounts shall be kept in the Treasury, is appropriated for the expenses of the Public Health Service, and shall be employed, under the direction of the Federal Security Administrator, for the care and relief of sick and disabled seamen employed in registered enrolled, and licensed vessels of the United States.

(R.S. §4803; derived from June 29, 1870, ch. 160, §3-5, 16 Stat. 170; June 26, 1884, ch. 121, §15, 23 Stat. 57; Mar. 3, 1905, ch. 1484, §1, 33 Stat. 1217; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309; Reorg. Plan No. I, §201, 205 (b), eff. July 1, 1939, 4 Fed. Reg. 2728, 2729, 53 Stat. 1424, 1425; Public Health Service and its functions and personnel were transferred to Federal Security Agency, and functions of Secretary of Treasury, other than those relating to acceptance and Investment of gifts, were transferred to administrator of said agency by Reorg. Plan No. I . Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these sections, see note set out under sections 1, 2 of this title; See section 249 of Title 42 Public Health and Welfare)

§27 Hospital properties transferred to Treasury Department for Public Health Service

This section, Act Mar, 3, 1919, ch. 98, §2, 40 Stat. 1302, transferred hospital properties to the Treasury Department for use of Public Health Service. All hospital properties which previously had been under the jurisdiction of the Public Health Service or of the Treasury Department were inter transferred to the Veterans' Administration by section 434 and Title 38, Pensions, Bonuses, and Veterans' Relief.

(Mar, 3, 1919, ch. 98, §2, 40 Stat. 1302; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714)

§28 Hospital equipments, etc., transferred from Army

The Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of Treasury for the use of the Public Health Service such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals, and the President is authorized to direct the transfer to the Treasury Department of the use of such lands or parts of lands, buildings, fixtures, appliances, furnishings, or furniture under the control of any other department of the Government not required for the purpose of such department and suitable for the uses of the Public Health Service.

(Mar. 3, 1919, ch. 98, §3, 40 Stat. 1303; Mar. 4, 1921, ch. 156, 41 Stat. 1365; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed these

sections, see note set out under sections 1, 2 of this title; See sections 43, 44 and 45 of Title 42)

§29 Disposal of surplus material for the Public Health Service

That the Secretary of War be, and he is hereby, authorized and directed to transfer such motor-propelled vehicles and motor equipment, including spare parts, pertaining to the Military Establishment as are or may hereafter be found to be surplus and no longer required for military purposes, to (a) the Department of Agriculture, for use in the improvement of highways and roads under the provisions of section 7 of the Act approved February 28, 1919, entitled, "An Act making appropriations for the service of the Post Office Department, for the fiscal year 1920, and for other purposes:: Provided, however, That no more motor-propelled vehicles, motor equipment, and other war material, equipment and supplies, the transfer of which is authorized in this Act, shall be transferred to the Department of Agriculture for the purposes named in section 7 of said Act than said Department of Agriculture shall certify can be efficiently used for such purposes within a reasonable time after such transfer; (b) the Post Office for use in the transmission of mails; and (c) the Treasury Department, for the use of the Public Health Service under the provisions of section 3 of the Act approved March 3, 1919, entitled "An Act to authorize the Secretary of Treasury to provide hospital and sanatorium facilities for discharge sick and disabled soldiers, sailors and marines.

(Mar. 15, 1920, ch. 100, §1, 41 Stat. 530; Mar. 4, 1921, ch. 156, 41 Stat. 1365; Repealed. Oct. 31, 1951, ch. 654, §1(45), 65 Stat. 703)

§29a Charges incurred in the disposal of surplus material

That freight charges incurred in the transfer of the property provided for in this Act To authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making material to various services and departments of the Government, and for the use of the States, shall not be defrayed by the War Department, and if the War Department shall load any of said property for any other department, the expense of said loading shall be reimbursed the War Department by the department to which the property is transferred by an adjustment of the appropriations of the two departments. *Provided however*, That any State receiving any of said property for the improvement of the public highways shall, as to the property received, pay to the Department of Agriculture the amount of 20 per centum of the estimated value of said property, as fixed by the Secretary of Agriculture or under his direction, against which sum said State may set off all freight charges paid by it on the shipment of said property, not to exceed, however, said 20 per centum.

(Mar. 15, 1920, ch. 100, §4, 41 Stat. 531; Mar. 4, 1921, ch. 156, 41 Stat. 1365; Repealed. Oct. 31, 1951, ch. 654, §1(45), 65 Stat. 703)

§30 Payments to donors of blood for persons undergoing treatment at Government expense

Any person, whether or not in the employ of the United States, who shall furnish blood from his or her veins for transfusion into the veins of a person entitled to and undergoing treatment at Government expense, whether in a Federal hospital or institution or in a civilian hospital or institution, or who shall furnish blood for blood banks or for other scientific and research purposes in connection with the care of any person entitled to treatment at Government expense, shall be entitled to be paid therefor such reasonable sum, not to exceed $50, for each blood withdrawal as may be determined by the head of the

department or independent agency concerned, from public funds available to such department or independent agency for medical and hospital supplies: Provided, That no payment shall be made under this authority to any person for blood withdrawn for the benefit of the person from whom it is withdrawn.

(Feb. 9, 1927, ch. 91, 44 Stat. 1066; June 2, 1939, ch. 173, 53 Stat. 803; July 30, 1941, ch. 332, 55 Stat. 609; Amendments. 1941—Act July 30, 1941, struck out requirement that donor had to be in the Military Establishment or a Government employee and that patient had to be in a Government hospital to have donor qualify for payment. 1939—Act June 2, 1939, included the furnishing of blood by employees of the United States Government)

§31 Care of naval patients in other Government hospitals where naval hospital facilities are not available; members of Naval Reserve and Marine Corps Reserve included

The Secretary of the Navy may provide for the care and treatment of naval patients on the active or retired list and members of the Naval Reserve or Marine Corps Reserve entitled to treatment in naval hospitals in other Government hospitals when appropriate naval hospital facilities are not available and the Government agencies having control of such other hospitals consent thereto. All expenses incident to such care and treatment received by naval patients in other Government hospitals, excepting Saint Elizabeths Hospital, shall be chargeable to the same appropriation or fund as would be chargeable with the care and treatment of such patients in a naval hospital: *Provided*, That the deductions authorized by sections 6 and 16 of this title, shall apply to such are and treatment in other Government hospitals, except Saint Elizabeths Hospital, and shall be credited to said appropriation or fund.

(Jan. 19, 1929, ch. 85, 45 Stat. 1090, Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641; See section 6201 of Title 10, Armed Forces)

§32 Hospitalization of dependents of naval and Marine Corp personnel

The hospitalization of dependents of naval and marine corp personnel at any naval hospital shall be at such per-diem or other rate as may be prescribed from time to time by the President, and all sums received in payment of such hospital charges shall be deposited to the credit of the appropriation or fund for the maintenance and operation of naval hospitals.

(May 10, 1943, ch. 95, §2, 57 Stat. 80; Repealed June 7, 1956, ch. 374, §306(2), 70 Stat. 254; eff. Dec. 7, 1956; See section 1071 *et seq*. of Title 10, Armed Forces)

§33 Dependents defined

The term "dependents" shall include a lawful wife, unmarried dependent child (or children) under twenty-one years of age, and the mother and father of the Navy or Marine Corps if in fact such mother or father is dependent on such member. The term "child (or children" shall include natural or adopted child or stepchild. The widows of deceased naval and Marine Corps personnel shall be entitled to hospital care in like manner as dependents.

(Section 33, act May 10, 1943, ch. 95, §3, 57 Stat. 81; Repealed June 7, 1956, ch. 374, §306(2), 70 Stat. 254; eff. Dec. 7, 1956; See section 1071 *et seq*. of Title 10)

§34 Hospitalization of persons outside continental limits of United States; persons entitled; availability of other facilities; rate of charges; disposition of payments

In addition to those persons, including the dependents of naval and Marine Corps personnel, now authorized to receive hospitalization at naval hospitals, hospitalization and dispensary service may be provided at naval hospitals and dispensaries outside of the continental limits of the United States and in Alaska, to the officers and employees of any department or agency of the Federal Government, to employees of a contractor with the United States or his subcontractor, to the dependents of such persons, and in emergencies to such other persons as the Secretary of the Navy may prescribe: Provided, That such hospitalization and dispensary service to other than the dependents of naval and Marine Corps personnel shall be permitted only where facilities are not otherwise available in reasonably accessible and appropriate non-Federal hospitals. The charge for hospitalization or dispensary service for persons other than dependents of naval and Marine Corps personnel as specified in this section shall be at such rates as the President shall from time to time prescribe, and shall be deposited as provided in section 321 of this title.

(May 10, 1943, ch. 95, §4, 57 Stat. 81; Section 32 of this title, referred to in text, was repealed by act June 7, 1956, ch. 374, §306(2), 70 Stat. 254. See section 1071 et seq. of Title 10, Armed Forces; Delegation of Functions. Authority of President under this section to prescribe from time to time uniform rates of charges for hospitalization and dispensary services delegated to Secretary of Defense, provided, that authority hereby delegated may not be redelegated to any officer in Department of the Navy, Department of the Air Force, or Department of the Army, see Ex. Ord. No. 11609, §5, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President. Executive Order No. 11116. Ex. Ord. No. 11116, Aug. 5, 1963, 28 F.R. 8075, as amended by Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, which provided rates of charges for hospitalization and dispensary services, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237)

§35 Limitation of medical, surgical or hospital services

Hospitalization of the dependents of naval and Marine Corps personnel and of the persons outside the naval service mentioned in section 34 of this title shall be furnished only for acute medical and surgical conditions, exclusive of nervous, mental, or contagious diseases or those requiring domiciliary care. Routine dental care, other than dental prosthesis and orthodontia, may be furnished to such persons who are outside the naval service under the same conditions as are prescribed in section 34 of this title for hospital and dispensary care for such persons.

(May 10, 1943, ch. 95, §5, 57 Stat. 81; Pub. L. 99–251, title III, §304, Feb. 27, 1986, 100 Stat. 26; Partial Repeal. Act June 7, 1956, ch. 374, §306(2), 70 Stat. 254, repealed this section except insofar as it relates to persons outside the Naval Service mentioned in section 34 of this title. See Effective Date of Partial Repeal note below. Amendments. 1986—Pub. L. 99–251 amended second sentence generally. Prior to amendment, second sentence read as follows: "Dental treatment shall be administered only as an adjunct to inpatient hospital care and shall not include dental prosthesis or orthodontia." Effective Date of Partial Repeal. Partial repeal of section by act June 7, 1956, effective six months after June 7, 1956, see section 307 of act June 7, 1956, ch. 374, 70 Stat. 254)

§36 Application of sections 32-36 to dependents of personnel of Coast Guard

During such periods as the Coast Guard may operate as part of the Navy, the provisions of sections 32-36 of this title shall apply to dependents of personnel of the Coast Guard in like manner and to the same extent as to dependents of personnel of the Navy and Marine Corps.

(May 10, 1943, ch. 95, §6, 57 Stat. 41, made sections 32 to 36 of this title applicable to dependents of personnel of the Coast Guard; Repeal effective six months section 307 of act June 7, 1956, ch. 374, 70 Stat. 254)

§37 Manufacture of products by patients at naval hospitals; ownership of products

The Secretary of the Navy is authorized to furnish materials for the manufacture or production by patients of products incident to the convalescence and rehabilitation of such patients in naval hospitals and other naval medical facilities, and ownership thereof shall be vested in the patients manufacturing or producing such products, except that the ownership of items manufactured or produced specifically for the use of a naval hospital or other naval medical facility shall be vested in the Government and such items shall be accounted for and disposed of accordingly.

(Aug. 2, 1946, ch. 756, §27, 60 Stat. 856; Delegation of Powers and Authority Act Aug. 2, 1946, ch. 756, §39, 60 Stat. 858, authorized Secretary of the Navy to delegate to such persons in Naval Establishment and to such extent as he may deem proper, with or without authority to make successive redelegations, authority conferred upon Secretary by this section, except authority to prescribe regulations; Section 39 was repealed by act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641, less its applicability to this section and section 21a of this title)

CHAPTER 2—SOLDIERS' AND AIRMEN'S HOME

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§41 Board of Commissioners; composition

The Surgeon General, The Adjutant General, the Quartermaster General, the Chief of Engineers, the Judge Advocate General, the Chief of Finance, and the Governor of the Soldiers' Home shall constitute a board of commissioners for the Soldiers' Home, and the senior in rank of the members thereof shall be the president of said board of commissioners any four of whom shall be quorum for the transaction of business, whose duty it shall be to examine and audit the accounts of the treasurer quarter-yearly, and to visit and inspect the Soldiers' Home at least once in every month. The majority shall also have the power to establish, from time to time, regulations for the general and internal direction of the institution, to be submitted to the Secretary of the Army for approval; and may do any other acts necessary for the Government and interests of the same, as authorized by this chapter.

(R.S. §4815; derived from Mar. 3, 1851, ch. 25 §1, 9 Stat. 595; Mar. 3, 1859, ch. 83, §4, 11 Stat. 434; Mar. 3, 1883, ch. 130, §10, 22 Stat. 565; Mar. 4, 1909, ch. 299, §1, 35 Stat. 1004; May 11, 1926, ch. 285, 44 Stat. 499; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1)–(3), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991) (The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by section 205 (a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205 (a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956. ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3011-3013 continued the military Department of the Army under the administrative supervision of a Secretary of

the Army; For transfer of certain membership functions, insofar as they pertain to the Air Force, which functions were not previously transferred from the Secretary of the Army to the Secretary of the Air Force, see Secretary of Defense Transfer Order No. 40 App. C(3) 1 July 22, 1949)

§42 Report of the President

The president of the board of commissioners shall submit annually to the Secretary of the Army, for transmission to Congress, a full statement of the financial and other affairs of the home for the preceding fiscal year.

(Mar. 4, 1909, ch. 299, §1, 35 Stat. 1004; May 11, 1926, ch. 285, 44 Stat. 499; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1)–(3), Nov. 5, 1990, 104 Stat. 1733, eff. Nov. 5, 1991)

§43 Officers

The officers of the Soldiers' Home shall consist of a governor, a deputy governor, and a secretary, for each separate site of the home, the latter to be also treasurer; and the officers shall be taken from the Army, and appointed or removed, from time to time, as the interests of the institution may require. The governor and all other officers of the home shall be selected by the President of the United States, and the treasurer of the home shall be required to give a bond to the penal sum of $20,000 for the faithfull performance of his duty.

(R.S. §4816; Mar. 3, 1883, ch. 130, §7, 22 Stat. 565; June 6, 1972, Pub. L. 92–310, title II, §228(a), 86 Stat. 207; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1)–(3), Nov. 5, 1990, 104 Stat. 1733, eff. Nov. 5, 1991; eff. Nov. 5, 1991)

§44 Funds

For the support of the Soldiers' Home the following funds are set apart and appropriated: All stoppages or fines adjudged against soldiers by sentence of courts martial, over and above any amount that may be due for the reimbursement of Government, or of individuals; all forfeitures on account of desertion; and all moneys belonging to the estates of deceased soldiers, which may be unclaimed for the period of three years subsequent to the death of such soldiers, to be repaid by the commissioners of the institution, upon the demand of the heirs or legal representatives of the deceased.

(R.S. §4818; derived from Mar. 3, 1851, ch. 25, §7, 9 Stat. 596; July 5, 1862, ch. 133, §2, 12 Stat. 508; Sept. 24, 1980, Pub. L. 96–357, §7(a), 94 Stat. 1183; Repealed. Pub. L. 101–189, div. A, title III, §347(1), Nov. 29, 1989, 103 Stat. 1422; See section 2772 of Title 10, Armed Forces)

§44a Same; deductions from pay of enlisted men and warrant officers

Beginning with March 1936, there shall be deducted each month from the pay of each enlisted man and warrant officer on the active list of the Regular Army, exclusive of the Philippine Scouts, a sum not to exceed 25 cents, which sum shall be passed to the credit of the permanent fund, United States Soldiers Home (trust fund) in the Treasury of the United States; the exact sum to be so deducted to be fixed from time to time by the Secretary of the Army, within the limit prescribed above, on the

recommendation of the Board of Commissioners of said Home as to the amount required to meet the needs of the Home.

(Feb. 13, 1936, ch. 66, 49 Stat. 1137; Repealed. Pub. L. 94–454, §2(b), Oct. 2, 1976, 90 Stat. 1518)

§44b Collection of fees from members of Soldiers' and Airmen's Home

The Board of Commissioners of the Soldiers' and Airmen's Home shall collect from members of the home a fee which may be used solely for the operation of the home. The amount of the fee shall be determined by the Board of Commissioners on the basis of financial needs of the home and the ability of the members to pay, but in no case may the fee collected in any month in the case of any member exceed an amount equal to 25 per centum of the monthly -

(1) military retired pay paid to such member;
(2) civil service pay paid to such member;
(3) disability compensation or pension paid to such member by the Veterans' Administration; or
(4) military retired pay and disability compensation or pension where such member is receiving both retired pay and disability compensation or pension.

(Pub. L. 94–454, §1, Oct. 2, 1976, 90 Stat. 1518; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(4), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991)

§44c Enlisted men and warrant officers pay deductions

There shall be deducted each month from the pay of each enlisted man and warrant officer on the active list of the Regular Army and Regular Air Force a sum not to exceed 50 cents which shall be deposited to the credit of the permanent fund, United States Soldiers' and Airmen's Home (trust fund) in the Treasury of the United States. The sums to be deducted shall be fixed from time to time, within the limit prescribed above, by the Secretary of the Army and the Secretary of the Air Force in consultation with the Board of Commissioners of such home so as to meet the annual operating requirements of such home. Such sums may be fixed at different amounts for such enlisted men and warrant officers on the basis of grade or time in service, or both, except that the sums fixed shall be the same for both the Army and Air Force.

(Pub. L. 94–454, §2(a), Oct. 2, 1976, 90 Stat. 1518; Repealed. Pub. L. 101–189, div. A, title III, §347(4), Nov. 29, 1989, 103 Stat. 1422; See section 1007(i) of Title 37, Pay and Allowances of the Uniformed Services)

§45 Donations

The commissioners are authorized to receive all donations of money or property made by any person for the benefit of the institution, and hold the same for its sole and exclusive use.

(R.S. §4819; June 12, 1906, ch. 3078, 34 Stat. 242; derived from Mar. 3, 1851, ch. 25 §7, 9 Stat. 596; Mar. 3, 1859, ch. 82, §7, 11 Stat. 434; May 11, 1908, ch. 163, 35 Stat. 110; The Civil Functions Appropriation Act, 1949, act June 25, 1948, ch. 655, 1 1, 62 Stat. 1023, provided in part: "That any owning or disposal agency is authorized to transfer surplus property, other than real estate, to the

United States Soldiers' Home without reimbursement or transfer of funds"; Similar provisions were carried in the War Department Civil Appropriation Act, 1948, act July 31, 1947, ch. 411, I 1, 61 Stat. 691, and in the First Deficiency Appropriation Act, 1946, act Dec. 28, 1945, ch. 589, title I, 59 Stat. 641; Nov. 29, 1989, Pub. L. 101–189, div. A, title III, §347(1), 103 Stat. 1422; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1), (2), (5), (6), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5 1991)

§46 Deposit of funds; interest; principal

All funds of the home not needed for current use, and not on March 3, 1883, invested in United States registered bonds, shall, as soon as received, or as soon as investments of that date can be converted into money without loss, be deposited in the Treasury of the United States to the credit of the home, as a permanent fund, and shall draw interest at the rate of 3 per centum per annum, which shall be paid quarterly to the treasurer of the home, and the proceeds of such registered bonds, as they are paid, shall be deposited in like manner. No part of the principal sum so deposited shall be withdrawn for use except upon a resolution of the board of commissioners stating the necessity and approved by the Secretary of the Army.

(Mar. 3, 1883, ch. 130, §8, 22 Stat. 565; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Dec. 15, 1973, Pub. L. 93–185, 87 Stat. 712; Repealed. Pub. L. 101–510, div. A, title XV, §1541(a), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5 1991)

§46a Deposit of interest on funds; when expendable

Effective July 1, 1935, interest earned pursuant to law on funds of the United States Soldiers' Home deposited in the Treasury of the United States shall be credited to the trust fund 'Soldiers' Home Permanent Fund", and shall not be expendable except in consequence of an appropriation made by Congress.

(Apr. 9, 1935, ch. 54, title II, 49 Stat. 147; Repealed. Pub. L. 101–510, div. A, title XV, §1541(a), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5 1991)

§46b Laws governing administration of funds appropriated from Permanent Fund

Notwithstanding any other provision of law, the administration, control, procurement, expenditure, accounting, audit, and methods thereof, of funds appropriated from the Soldiers' Home Permanent Home (trust fund) shall be according to the laws governing and in effect prior to July 1, 1935, relating specifically to the United States Soldiers' Home, and in accordance with procedures followed prior to such date.

(July 19, 1937, ch. 511, 50 Stat. 519; Repealed. Pub. L. 101–510, div. A, title XV, §1541(a), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5 1991)

§47 Custodian of funds; transfer of funds for outdoor relief

The Treasurer of the United States is authorized and directed to receive and keep on deposit, subject to the checks or drafts of the treasurer of the Soldiers' Home in the District of Columbia, all funds which may be furnished the said treasurer of the Soldiers' Home or in any manner come into his possession

for use in defraying the current expenses of maintaining the said Soldiers' Home, and, upon the request of said treasurer of the Soldiers' Home, there shall be transferred, from funds to his credit with the United States Treasurer, and placed to his credit with the designated depository of the United States in New York City, New York, such sums as he may require monthly or quarterly for payments on account of "outdoor relief" to members of said Soldiers' Home residing at a distance therefrom.

(Jan. 16, 1891, ch. 74, 26 Stat. 718; May 29, 1920, ch. 214, 41 Stat. 655; Repealed. Pub. L. 101–189, div. A, title III, §347(3), Nov. 29, 1989, 103 Stat. 1422)

§48 Borrowing money on credit of home

No officers of the home shall borrow any money on the credit of the home for any purpose, nor shall any pledge of any of its property or securities for any purpose be valid.

(Mar. 3, 1883, ch. 130, §9, 22 Stat. 565; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1), (2), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991)

§49 Persons entitled to membership in and benefits of home

The following persons shall be members of the Soldiers' Home, and entitled to the rights and benefits conferred, in this chapter and no others:

First. Every soldier of the Army of the United State who has served, or may serve, honestly and faithfully twenty years in the same.

Second. Every soldiers and every discharged soldiers, whether regular or volunteer, who has suffered, or may suffer, by reason of disease or wounds incurred in the service and in the line of his duty, rendering him incapable of further military service, if such disability was not occasioned by his own misconduct.

Third. The invalid and disabled soldier, whether regulars or volunteers, of all wars.

(R.S. §4814; derived from Mar. 3, 1851, ch. 25, §1, 9 Stat. 595; Mar. 3, 1859, ch. 83, §5, 7, 11 Stat. 434; R.S. §4821 derived from Mar. 3, 1851, ch. 25, §5, 9 Stat. 595; Mar. 3, 1859, ch. 83, §5, 11 Stat. 434; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1), (2), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991)

§50 Persons excluded

The benefits of the Soldiers' Home shall not be extended to any soldier in the regular or volunteer service, convicted of felony or other disgraceful or infamous crimes of a civil nature after his admission into the service of the United States; nor shall any one who has been a deserter, mutineer, or habitual drunkard be received, without such evidence of subsequent service, good conduct, and reformation of character as is satisfactory to the commissioners.

(R.S. §4822; derived from Mar. 3, 1851, ch. 25 §6, 9 Stat. 596; Repealed. Pub. L. 101–510, div. A, title XV, §1541(a), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991)

§51 Rights of pensioners and surrender of pensions

The fact that one to whom a pension has been granted for wounds or disability received in the military service has not contributed to the funds of the Soldiers' Home shall not preclude him from admission thereto. But all such pensioners shall surrender their pensions to the Soldiers' Home during the time they remain therein and voluntarily receive its benefits.

(R.S. §4820; derived from Mar. 3, 1851, ch. 25, §5, 9 Stat. 595; Mar. 3, 1859, ch. 83, §6, 11 Stat. 434; Repealed. Pub. L. 101–189, div. A, title III, §347(1), (2), Nov. 29, 1989, 103 Stat. 1422)

§52 Allotment of pensions

Any inmate of the home who is receiving a pension from the Government, and who has a child, wife, or parent living, shall be entitled, by filing with the Veterans' Administration a written direction to that effect, to have his pension, or any part of it, paid to such child, wife, or parent. The pensions of all inmates of the home, except such as shall be assigned as aforesaid, shall be paid to the treasurer of the home. The money thus derived shall not become a part of the funds of the home, but shall be held by the treasurer in trust for the pensioner to whom it would otherwise have been paid, and such part of it as shall not sooner have been paid to him shall be paid to him on his discharge from the institution. The board of commissioners may from time to time pay over to any inmate such part of his pension money as they think best for his interest and consistent with the discipline and good order of the home, but such pensioner shall not be entitled to demand or have the same so long as he remains an inmate of the home. In case of the death of any pensioner, any pension money due him and remaining in the hands of the treasurer shall be paid to his legal heirs, if demand is made within three years; otherwise the same shall escheat to the home.

(Mar. 3, 1883, ch. 130, §4, 22 Stat. 564; Aug. 17, 1912, ch. 301, §1, 37 Stat. 312; July 3, 1930, ch. 863, §1, 46 Stat. 1016; "Veterans' Administration" was substituted for "Bureau of Pensions" in view of act July 3, 1930, ch. 883, 1 1, 48 Stat. 1018, which consolidated the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau into an establishment to be known as the "Veterans' Administration"; Act July 3, 1930, was repealed by section 2202 (125) of Pub. L. 85-56, title XXII, June 17,1957, 71 Stat. 183; Section 201 of Pub. L. 85-56 continued the Veterans' Administration as an independent establishment in the executive branch of the Government; Nov. 8, 1985, Pub. L. 99–145, title XIII, §1301(f), 99 Stat. 737; Repealed. Pub. L. 101–189, div. A, title III, §347(1), (2), Nov. 29, 1989, 103 Stat. 1422; See section 201 of Title 38, Veterans' Benefits)

§53 Discharge

Any soldier admitted to the Soldiers' Home for disability who recovers his health, so as to become fit again for military service, if under fifty years of age, shall be discharged.

(R.S. §4823, derived from Mar. 3, 1851, ch. 25, §5, 9 Stat. 596; Repealed. Pub. L. 101–189, div. A, title III, §347(1), (2), Nov. 29, 1989, 103 Stat. 1422)

§54 Inmates subject to Articles of War (omitted)

(R.S. §4824; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(1), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991; See section 801 et seq. of Title 10, Armed Forces)

§55 Uniform for inmates

A suitable uniform shall be furnished to every inmate of the home, without cost to him.

(Mar. 3, 1883, ch. 130, §5, 22 Stat. 565; Repealed. Pub. L. 101–189, div. A, title III, §347(2), Nov. 29, 1989, 103 Stat. 1422)

§56 Outdoor relief of persons entitled to admission

The board of commissioners are authorized to aid persons who are entitled to admission to the home, by outdoor relief, in such manner and to such an extent as they may deem proper, but such relief shall not exceed the average cost of maintaining an inmate of the home.

(Mar, 3, 1883, ch. 130, §6, 22 Stat. 565; Repealed. Pub. L. 101–189, div. A, title III, §347(2), Nov. 29, 1989, 103 Stat. 1422)

§57 Limitation of expenditures; purchase of supplies

No new building shall be erected or new grounds purchased, not shall nay expenditure of more than $5,000 be made, until the action of the board thereon shall be approved by the Secretary of the army. All supplies that can be purchased upon contract shall e so purchased, after due notice by advertisement, of the lowest responsible bidder. Such bidder shall give bond, with proper security for the performance of his contract.

(Mar. 3, 1883, ch. 130, §3, 22 Stat. 564; Repealed. Pub. L. 101–189, div. A, title III, §347(2), Nov. 29, 1989, 103 Stat. 1422)

§58 Medical supplies

Upon proper application therefor, the Medical Department of the Army is authorized to sell medical and hospital supplies at its contract prices to the Soldiers' Home in the District of Columbia.

(June 4, 1897, ch. 2, §1, 30 Stat. 54; June 28, 1950, ch. 383, title IV, §402(d), 64 Stat. 272; Repealed. Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641; See sections 4624 and 9624 of Title 10, Armed Forces)

§59 Annual report of board; transmission to Congress

The board of commissioners of the Soldiers' Home shall every year report in writing to the Secretary of the Army, giving a full statement of all receipts and disbursements of money, of the manner in which the funds are invested of any changes in the investments, and the reasons therefor, of all admissions and discharges, and generally of all facts that may be necessary to a full understanding of the condition and management of the home. The Secretary of the Army together with the report of the inspecting officer provided for in section 60 of this title, transmitted to Congress at the first session thereafter, and he shall also cause the same to be published in orders to the Army, a copy thereof to be deposited in

each garrison and post library.

(Mar. 3, 1883, ch. 130, §1, 22 Stat. 564; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Repealed. Pub. L. 101–510, div. A, title XV, §1532(b)(2), Nov. 5, 1990, 104 Stat. 1733; eff. Nov. 5, 1991)

§60 Inspection; report

The Inspector General of the Army shall designate officers of the Inspector General's Department, under his jurisdiction to inspect thoroughly, once each year, the United States Soldiers' Home, Washington, District of Columbia, its records, accounts, management, discipline, and sanitary condition, and shall report thereon in writing to the Secretary of the Army, including in his report such suggestions as he desires to make.

(Mar. 3, 1883, ch. 130, §2, 22 Stat. 564; Jan. 27, 1948, ch. 35, 62 Stat. 5; Repealed. Pub. L. 101–189, div. A, title III, §347(2), Nov. 29, 1989, 103 Stat. 1422)

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SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT

§71 Organization of home

The President, Secretary of War, Chief Justice, and such other persons as from time to time may be associated with them, shall constitute a Board of Managers of an establishment for the care and relief of the disabled volunteers of the United States Army, to be known by the name and style of "The National Home for Disabled Volunteer Soldiers," and have perpetual succession, with powers to take, hold, and convey real and personal property, establish a common seal, and to sue and be sued in courts of law and equity; and to make by-laws, rules, and regulations, not inconsistent with law, for carrying on the business and government of the home, and to affix penalties thereto.

(R. S. § 4825; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§72 Headquarters of Home

The headquarters of the National Home for Disabled Volunteer Soldiers shall be established and maintained at the central branch, National Military Home, Ohio, and shall occupy for offices, without expenditure for rent, any general or post fund building.

(July 1, 1910, c. 209, § 1, 89 Stat. 297; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§73 Election of citizen managers

Seven managers of the National Home for Disabled Volunteer Soldiers shall be elected from time to time, as vacancies occur, by joint resolution of Congress. They shall all be citizens of the United States and no two of them shall be residents of the same State. The terms of office of these managers shall be for six years and until a successor is elected.

(R. S. § 4820; June 7, 1024, c. 291, Title II, 43 Stat. 518. Acts Mar. 2, 1887, ch. 316, §4, 24 Stat. 44; Mar. 3, 1891, No. 21, 26 Stat. 117; June 23, 1913, ch. 3, §1, 38 Stat. 43; Oct. 19, 1914, No. 49, 38 Stat. 780, related to number of citizen managers of National Home for Disabled Volunteer Soldiers; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§74 Election of officers of Board of Managers

The ten (or seven) managers of the National Home for Disabled Volunteer Soldiers shall elect from their own number a president, who shall be the chief executive officer of the board, two vice presidents, and a secretary. Six of the board, of whom the president or one of the vice presidents shall be one, shall form a quorum for the transaction of business at any meeting of the board.

(R. S. 4827; June 7, 1024, c. 201, Title II, 43 Stat 518; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§75 Expenses and salaries of managers and officers

No member of the Board of Managers of the National Home for Disabled Volunteer Soldiers shall receive any compensation or pay for any services or duties connected with the home; but the traveling and other actual expenses of a member, incurred while upon the business of the home, may be reimbursable to each member: Provided, That the president and secretary of the Board of Managers may receive a reasonable compensation for their services as such officers, not exceeding $1,000 and $2,000, respectively, per annum.

(Aug. 18, 1891, c. 3101, § 1, 28 Stat. 112; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§76 Duties of Board of Managers

The Board of Managers shall make an annual report of the condition of the National Home for Disabled Volunteer Soldiers to Congress on the first Monday of every January, which shall include detailed statement of the expenses of the board; and the board shall examine and audit the accounts of the treasurer and visit the home quarterly.

(R. S. § 4834; Mar. 3, 1885, c. 360, 23 Stat. 510; Mar. 3, 1887, c. 362, 24 Stat. 539; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§77 Sites for homes; purchase and erection of buildings

The Board of Managers shall have authority to procure from time to time, at suitable places, sites for military homes for all persons serving in the Army of the United States at any time in the War of the Rebellion, not otherwise provided for, who have been or may be disqualified for procuring their own support by reason of wounds received or sickness contracted while in the line of their duty during the rebellion; and to have the necessary buildings erected, having due regard to the health of location, facility of access, and capacity to accommodate the persons entitled to the benefits thereof.

(R. S. § 4830; Repealed. Pub. L. 85–857, §14(1), (6), (9), (16), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272)

§77a Same; Dayton, Ohio [Executed]

This section

§78 Condemnation of land

The provisions of sections 257 and 258 of Title 40, shall be construed to apply to the Board of Managers of the National Home for Disabled Volunteer Soldiers.

(July 19, 1897, c. 9, 30 Stat. 121; Repealed Pub. L. 85–56, title XXII, §2202(58), June 17, 1957, 71 Stat. 164; Repeal effective Jan. 1, 1958, see section 2301 of Pub. L. 85–56, title XXIII, June 17, 1957, 71 Stat. 172)

§79 Jurisdiction over sites of branch homes ceded to States

The Jurisdiction over the places purchased and used for the location of the branches of the National Home for Disabled Volunteer Soldiers, In Milwaukee County, State of Wisconsin, and in the county of Leavenworth, State of Kansas, and upon which said branch homes are located, is ceded to the respective States in which said branches are located and relinquished by the United States, and the United States shall claim or exercise no Jurisdiction over said places after March 8, 1901: Provided, That nothing contained in this section shall be construed to impair the powers or rights theretofore conferred upon or exercised by the Board of Managers of the National Home for Disabled Volunteer Soldiers in and on said places.

(Mar. 8, 1901, e. 853, § 1, 31 Stat. 1175)

§80 Purchase of supplies and expenditures for new buildings

All purchases of supplies exceeding the sum of $1,000 at any one time shall be made upon public tender after due advertisement, and the expenditure for new buildings shall be expressly authorized in writing.

(Mar. 8, 1870, c. 182, § 1, 20 Stat. 890; Repealed. Pub. L. 85–857, §14(3), (18), (19), Sept. 2, 1958, 72 Stat. 1268, 1270)

§81 Supplies

All supplies for the National Home for Disabled Volunteer Soldiers shall be purchased, shipped, and distributed as may be directed by the Board of Managers.

(July 1, 1898, c. 546, § 1, 30 Stat. 640; Repealed. Pub. L. 85–857, §14(3), (18), (19), Sept. 2, 1958, 72 Stat. 1268, 1270)

§82 Medical supplies

Upon proper application therefor, the Medical Department of the Army is authorized to sell medical and hospital supplies at its contract prices to the National Home for Disabled Volunteer Soldiers.

(June 11, 1800, c. 120, 29 Stat. 445; Repealed. Pub. L. 85–857, §14(3), (18), (19), Sept. 2, 1958, 72 Stat. 1268, 1270; Repeal effective Jan. 1, 1959, section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§83 Issue of obsolete cannon or ordnance

The Secretary of War is authorized and directed, subject to such regulations as he may prescribe, to deliver to any of the "National Homes for Disabled Volunteer Soldiers" and to any of the State homes for soldiers and sailors, or either, now or hereafter duly established and maintained under State authority, such obsolete serviceable cannon, bronze or iron, suitable for firing salutes, as may be on hand undisposed of, not exceeding two to any one home. The Chief of Ordnance is authorized to issue such obsolete or condemned ordnance, gun carriages, and ordnance stores as may be needed for ornamental purposes to the Homes for Disabled Volunteer Soldiers, the homes to pay for transportation out of any appropriation for current expenses.

(Feb. 8, 1889, c. 110, 25 Stat. 657; May 20, 1000, c. 580, 31 Stat. 216; Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641; see sections 4686 and 9686 of Title 10, Armed Forces)

§84 Annual inspection; report

Once in each fiscal year, the Secretary of War shall cause a thorough inspection to be made of the National Home for Disabled Volunteer Soldiers, its records, disbursements, management, discipline, and condition, such inspection to be made by an officer of the Inspector General's Department, who

shall report thereon in writing, and said report shall be transmitted to Congress at the first session thereafter.

(Aug. 18, 1894, c. 301, § 1, 28 Stat. 412; Repealed. Pub. L. 85–857, §14(16), Sept. 2, 1958, 72 Stat. 1269; Effective Date of Repeal. Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

SUBCHAPTER II—OFFICERS AND EMPLOYEES

§91 Officers of home; medical officers

The officers of the national home shall consist of a governor, a deputy governor, a secretary, a treasurer, and such other officers as the managers may deem necessary. They shall be appointed from honorably discharged soldiers who served as mentioned in section 77 of this title and they may be appointed and removed, from time to time, as the interests of the institution may require, by the Board of Managers: Provided, That surgeons, assistant surgeons, and other medical officers of the National Home for Disabled Volunteer Soldiers, and the several branches thereof, many be appointed from others than those who have been disabled in the military service of the United States.

(R. S. § 4829; Apr. 11, 1892, c. 40, 27 Stat. 15; Feb. 0, 1807, c. 205, 29 Stat. 517; Repealed. Pub. L. 85–857, §14(1), Sept. 2, 1958, 72 Stat. 1268; Effective Date of Repeal. Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§92 Qualifications of officers

The officers of the National Home for Disabled Volunteer Soldiers, and officers under the Board of Managers thereof, shall be appointed, so far as may be practicable, from persons whose military or naval service would render them eligible, if disabled and not otherwise provided for, for admission to the home, and they may be appointed, removed, and transferred, from time to time, as the interests of the institution may require, by the Board of Managers.

(June 28, 1902, c. 1301, § 1, 32 Stat. 472; Repealed. Pub. L. 85–56, title XXII, §2202(66), June 17, 1957, 71 Stat. 162; Repeal effective Jan. 1, 1958, see section 2301 of Pub. L. 85–56, title XXIII, June 17, 1957, 71 Stat. 172)

§93 Classification and compensation of officers and employees; traveling expenses

The Board of Managers shall classify all the officers and employees of the National Home for Disabled Volunteer Soldiers and establish a rate of pay and allowance for each class, and the rate so established shall not be increased by fees, perquisites, allowances, or advantages under any pretense whatever; and no employee shall be borne on more than one pay roll or voucher. When an officer of the National Home for Disabled Volunteer Soldiers, not a member of the Board of Managers thereof, travels under orders on business for the home he shall be allowed 7 cents in lieu of all other expenses for each mile actually traveled, distance to be computed by the most direct through route.

(Aug. 18, 1894, c. 301, § 1, 28 Stat. 412; Repealed. Pub. L. 85–857, §14(16), (23), (25), Sept. 2, 1958, 72 Stat. 1269, 1270; Effective Date of Repeal. Repeal effective Jan. 1, 1959, see section 2 of Pub. L.

85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§94 Bonds of general treasurer and treasurers of branch homes

The general treasurer shall give good and sufficient bond to the United States in a sum not less than $100,000, as the Secretary of War may direct, and to be approved by him, faithfully to account for all public moneys and property which he may receive, and the treasurers of the several branch homes shall give good and sufficient bonds to the general treasurer in such sums as he may require, and to be approved by him, faithfully to account for all public moneys and property which they may receive.

(Aug. 18, 1894, c. 801, 1 1, 28 Stat. 412; Repealed. Pub. L. 85–857, §14(16), (23), (25), Sept. 2, 1958, 72 Stat. 1269, 1270; Effective Date of Repeal. Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§95 General treasurer; performance of duties by assistant treasurer and assistant inspector general; bond; liability

The assistant general treasurer and assistant inspector general shall, in the necessary absence or inability of the general treasurer, from any cause whatever, perform his duties and give bond to the general treasurer for the faithful performance of such duties, but the general treasurer shall in every respect be responsible, on his bond, to time United States for any default on the part of such assistant general treasurer and assistant inspector general.

(June 6, 1900, c. 791, § 1, 31 Stat. 636; Repealed. Pub. L. 85–857, §14(16), (23), (25), Sept. 2, 1958, 72 Stat. 1269, 1270; Effective Date of Repeal. Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§96 Officer to act in absence of treasurer or quartermaster at branch homes; bond

The Board of Managers of the National Home for Disabled Volunteer Soldiers may, in their discretion, designate and authorize an officer at each or any of the several branches of the National Home for Disabled Volunteer Soldiers to perform such duties in connection with the offices of the treasurer and quartermaster at any such branch as they may direct, and in the necessary absence or inability of either of said officers from any cause whatever to have power to act in their places and performing all of the duties connected with the said respective offices. All officers so designated and authorized to act as provided in this section shall give bond to the general treasurer of the National Home for Disabled Volunteer Soldiers in such amount as lie may require, and to be approved by hm, faithfully to account for all public moneys and property which they may receive.

(Mar. 3, 1901, c. 853, § 1, 31 Stat. 1178; Repealed. Pub. L. 85–857, §14(16), (23), (25), Sept. 2, 1958, 72 Stat. 1269, 1270; Effective Date of Repeal. Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§97 Omitted

Codification. Section, act Mar. 3, 1887, ch. 362, 24 Stat. 540, related to compensation and expenses of officers and employees, and was omitted because of dissolution of National Home for Disabled

Volunteer Soldiers.

SUBCHAPTER III—FUNDS AND ACCOUNTS

§111 Donations for home

The Board of Managers are authorized to receive all donations of money or property made by any person or persons for the benefit of the home, and to hold or dispose of the same for its sole and exclusive use.

(R. S. § 4831; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§112 Receipts from sales

All sums received from sales of subsistence stores or other property of the National Home for Disabled Volunteer Soldiers shall be taken up by the disbursing officer under the proper current appropriation and be available for disbursement on account of that appropriation.

(Aug. 18, 1891, e. 301, § 1, 28 Stat. 412; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§113 Money allotted by Veterans' Bureau for support, etc., of World War veterans not to be used for support of home

Moneys allotted to the Board of Managers of the National Home for Disabled Volunteer Soldiers by the Veterans' Bureau for support, maintenance, and care of World War veterans shall not be used to augment or reimburse the appropriations made for the support of the National Home for Disabled Volunteer Soldiers, but shall be covered into the surplus fund of Treasury, and the Budget shall contain annual itemized estimates covering the entire cost of the operation and maintenance of the National Home for Disabled Volunteer Soldiers, including the cost of the maintenance, support, and care of beneficiaries of the United States Veterans' Bureau in such homes.

(Mar. 2, 1923, e. 178, Title II, 42 Stat. 1424; repealed by Pub. L. 85–857, §14(44), (46), Sept. 2, 1958, 72 Stat. 1271)

§114 Appropriations for buildings; available until expended

Appropriations made for the construction of buildings at any of the branches of the National Home for Disabled Volunteer Soldiers shall continue available until expended.

(June 6, 1900, c. 785, § 1, 31 Stat. 294; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§115 Appropriations for branch homes immediately available

Appropriations made for construction of buildings and appurtenances at any of the branches of the National Homo for Disabled Volunteer Soldiers, shall be available immediately after the approval of the Act containing the same.

(Mar. 3, 1903, c. 1007, § 1, 32 Stat. 1137; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§116 Appropriations for repairs of branch homes not used for new building

No part of the appropriation for repairs for any of the branch homes shall be used for the construction of any new building.

(Mar. 3, 1915, c. 75, § 1, 38 Stat. 850; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§117 Security for deposits

It shall be the duty of the Secretary of the Treasury to require from the president and cashier of all banks used as depositories by the treasurer of the home a deposit of bonds sufficient in amount to fully secure all moneys pertaining to said home left on deposit with any such bank.

(July 9, 1880, c. 750, § 2, 24 Stat. 129; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§118 Supervision of accounts

The Secretary of War shall exercise the same supervision over all receipts and disbursements on account of the volunteer soldiers' homes as he is required by law to apply to the accounts of disbursing officers if the Army.

(Mar. 3, 1893, c. 210, 27 Stat: 653; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§119 Disbursements; accounts; supplies; posthumous fund

All amounts disbursed from the appropriation of a branch home shall be disbursed and accounted for monthly to the general treasurer by the treasurer of that branch, except such expenditures for services, stationery, tableware, clothing and bedding as may be required by the Board of Managers to be legally made by the general treasurer, and all such stationery, tableware, clothing and bedding as may be required for each branch home shall be shipped directly from the place of purchase or manufacture to such branch home; and all disbursements shall be made in conformity with sections 628 and 665 of

Title 31. All receipts on account of the effects of deceased members shall be credited to the appropriation for "current expenses" of the fiscal year during which such amounts were received, and all repayments of such amounts shall be made from and charged to the like appropriation for the fiscal year in which such repayments shall lie made.

(Aug. 18, 1894, c. 301, § 1, 28 Stat. 411; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§120 Expenditures subject to laws on disbursements; audit

All of the expenditures of the National Home for Disabled Volunteer Soldiers, Including the expenses of the Board of Managers, shall be made subject to the general laws governing the disbursement of public moneys, so far as the same can be made applicable thereto, and shall be audited by the General Accounting Office.

(Mar. 3, 1897, c. 362, 24 Stat. 539; June 10, 1921, c. 18, § 304, 42 Stat. 24; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§121 Auditing and settlement of accounts

The accounts relating to the expenditure of all public moneys appropriated for the support and maintenance of the National Home for Disabled Volunteer Soldiers shall be audited by the Board of Managers of said home in the same manner as is provided for the accounts of the various departments of the United States Government, and thereupon immediately transmitted directly to the General Accounting Office for final audit and settlement.

(Mar. 3, 1901, c. 853, § 1, 31 Stat. 1178; June 10, 1921, c. 18, § 304, 42 Stat. 24; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§122 Employment of clerks; appropriations; estimates; requisitions; accounts

No clerk shall be employed or paid in any department of the Government for services rendered under any provision of this chapter. No money shall be appropriated or drawn for the support and maintenance of the National Home for Disabled Volunteer Soldiers, except by direct and specific annual appropriations by law and except as provided in section 112. And no moneys shall be drawn from the Treasury for the use of said home, except in pursuance of quarterly estimates, and upon quarterly requisitions by the managers thereof upon the Secretary of War, based upon such quarterly estimates for the support of said home for not more than three months next succeeding such requisition. And no money shall be drawn or paid upon any such requisition while any balance drawn or received by said home, or for its use, from the Treasury, and held under investment or otherwise, shall remain unexpended. And the managers of said home shall, at the commencement of each quarter of the year, render to the Secretary of War an account of all their receipts and expenditures for the quarter

immediately preceding, with the vouchers for such expenditures; and all such accounts and vouchers shall be authenticated by the officers of said home thereunto duly appointed by said managers, and audited, and allowed, as required by law for the general appropriations and expenditures of the War Department.

(Mar. 3, 1875, c. 129 § 1, 18 Stat. 359; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§123 Statement of expenses in Budget

The statement of expenses of the Board of Managers of the National Home for Disabled Volunteer Soldiers shall each year be submitted in the annual budget and shall be made to show the amount of salary or compensation paid to each of the officers and employees of said board, and there shall also be submitted therewith a statement, showing the number of officers appointed at each of the branch homes under section 91 of this title, the amount of salary or compensation paid to each, and the amount of allowance to each, if any, for contingent or other expenses.

(Aug. 5, 1892, c. 380, § 1, 27 Stat. 384; June 10, 1921, c. 18, 42 Stat 20; Repealed. Pub. L. 85–857, §14(1), (2), (7), (9), (14)–(16), (22), (25), (27), (34), (46), Sept. 2, 1958, 72 Stat. 1268–1271; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

SUBCHAPTER IV—BENEFICIARIES AND PENSIONS

§131 Persons entitled to benefits of home

The following persons shall be entitled to benefits of the National Home for Disabled Volunteer Soldiers, and may be admitted thereto upon the order of a member of the Board of Managers, namely: Honorably discharged officers, soldiers, sailors, or marines who served in the Regular, Volunteer, or other forces of the United States, or in the Organized Militia or National Guard when called into Federal service, and who are disabled by diseases or wounds and who have no adequate means of support and by reason of such disability are either temporarily or permanently incapacitated from earning a living.

(Acts May 26, 1900, ch. 586, 31 Stat. 217; Jan. 28, 1901, ch. 184, §5, 31 Stat. 745; May 27, 1908, ch. 200, §1, 35 Stat. 372; Mar. 4, 1909, ch. 209, §1, 35 Stat. 212; Mar. 3, 1915, ch. 75, §1, 38 Stat. 853; Oct. 6, 1917, ch. 79, §1, 40 Stat. 368; June 5, 1920, ch. 235, §1, 41 Stat. 905; June 7, 1924, c. 291, Title II, 43 Stat. 519; Repealed. Pub. L. 85–857, §14(49), Sept. 2, 1958, 72 Stat. 1271; Repeal effective Jan. 1, 1959, see section 2 and 14 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits).

§131a Same; Dayton, Ohio

In addition to the persons by law entitled on February 20, 1929, to the privileges of treatment in the hospital at Dayton, Ohio, provided for in the Act of February 20, 1929, c. 272, § 1, 45 Statutes 1248, there shall be admitted and treated honorably discharged nurses (female) who have served with the

armed forces of the United States in any war and who are disabled by diseases or wounds and by reason of such disability are either temporarily or permanently incapacitated from earning a living.

(Feb. 20, 1929, ch. 272, §2, 45 Stat. 1248; July 3, 1930, c. 863 § 2, 46 Stat. 1016; See act July 3, 1939, ch. 863, §§1, 2, 5, 46 Stat. 1016; Omitted)

131b Same; Marion, Indiana

Upon the order of the Administrator of Veterans' Affairs the following persons shall be admitted to the cottages and hospital annex at Marion, Indiana, provided for in the Act of March 4, 1927, c. 504, § 1, 44 Statutes 1421, for the purpose of receiving medical treatment and the other benefits of such home: All persons who served in the military or naval forces of the United States, including the Organized Militia, the National Guard, and the Naval Militia, when called into the Federal service, and were separated therefrom under honorable conditions, who have no adequate means of support and by reason of diseases or wounds, are either temporarily or permanently incapacitated from earning a living.

(Mar. 4, 1927, ch. 504, §2, 44 Stat. 1421; July 3, 1930, c. 863, § 2, 46 Stat. 1016; Omitted)

§132 Assignment to different branches of classes eligible to admission

To increase the comfort of the members, the Board of Managers, National Home for Disabled Volunteer Soldiers, is authorized to make such rules governing the assignment to the different branches of the home as it deems advisable and best for the public service.

(June 5, 1920, ch. 235, §1, 41 Stat. 905, Repealed. Pub. L. 85–56, title XXII, §2202(100), June 17, 1957, 71 Stat. 166; Repeal effective Jan. 1, 1958, see section 2301 of Pub. L. 85–56, title XXIII, June 17, 1957, 71 Stat. 172)

§133 Outdoor relief; transfers from branch homes

The managers of the National Home for Disabled Volunteer Soldiers are authorized to aid persons who are entitled to its benefits by outdoor relief, in such manner and to such extent as they may deem proper, but such relief shall not exceed the average cost of maintaining an inmate of the home. In the event that buildings at any branch of the home shall be destroyed by fire or rendered unfit for habitation because of pestilence or by the elements, then and in that event the Board of Managers shall have the authority to remove the members of said branch so afflicted or destroyed to any other branch not so affected, and to do this they may use any funds appropriated for the home, notwithstanding they may have been specifically appropriated for other purposes, to the extent that such funds shall be necessary to effect such transfer and the maintenance and support thereafter of said members so transferred, and shall report their doings therein to the Congress and their expenditures as in other cases of expenditures: *Provided*, That the appropriations for any fiscal year shall not be exceeded.

(R.S. § 4833; Aug. 23, 1894, c. 316, 28 Stat. 492; May 29, 1928, ch. 901, §1(123), 45 Stat. 995; Repealed. Pub. L. 85–857, §14(1), (10), (12), (50), (52), (64), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§134 Aid to State or Territorial home

All States or Territories which have established, or which shall establish, State home for disabled soldiers and sailors of the United States who served in the Civil War or in any previous or subsequent war who are disabled by age, disease or otherwise, and by reason of such disability are incapable of earning a living, provided such disability was not incurred in service against the United States, shall be paid for every such disabled soldier or sailor who may be admitted and cared for in such home at the rate of $120 per annum.

The number of such persons for whose care any State or Territory shall receive the said payment under this section shall be ascertained by the Board of Managers of the National Home for Disabled Volunteer Soldiers under such regulations as it may prescribe, but the said State or Territorial homes shall be exclusively under the control of the respective State or Territorial authorities, and the Board of Managers shall not have nor assume any management or control of said State or Territorial homes.

The Board of Managers of the national home shall, however, have power to have the said State or Territorial homes inspected at such times as it may consider necessary, and shall report the result of each inspections to Congress in its annual report: *Provided*, That no State shall be paid a sum exceeding one-half the cost of maintenance of each soldier or sailor by such State: *Provided further*, That one-half of any sum or sums retained by State homes on account of pensions received from inmates shall be deducted from the aid provided for in this section: *Provided further*, That for any sum or sums collected in any manner from inmates of such State or Territorial homes to be used for the support of said homes a like amount shall be deducted from the aid provided for in this section, but this proviso shall not apply to any State or Territorial home into which the wives or widows of soldiers are admitted and maintained.

(Aug. 27, 1888, c. 914 § 1, 25, State. 450; Mar. 2, 1889, c. 411, 25 Stat. 975; Jan. 27, 1920, c. 56, 41 Stat. 399; Feb. 12, 1925, ch. 225, 43 Stat. 933; Apr. 15, 1926, ch. 146, 44 Stat. 294; Feb. 23, 1927, c. 167, 44 Stat. 1145; Dec. 22, 1927, c. 5, §1, 45 Stat. 39; Mar. 23, 1928, c. 232, §1, 45 Stat. 363; Feb. 28, 1929, c. 366, 45 Stat. 1385; May 28, 1930, c. 348, 46 Stat. 466; July 3, 1930, c. 863, §2, 46 Stat. 1016; Feb. 23, 1931, c. 281, §1, 46 Stat. 1375; June 30, 1932, c. 330, §1, 47 Stat. 472; Aug. 1, 1939, c. 408, §1, 53 Stat. 1145; Dec. 17, 1943, c. 347, §1, 57 Stat. 603; Dec. 17, 1943, c. 347, §2, 57 Stat. 603; May 18, 1948, ch. 299, §2, 62 Stat. 237; Sept. 23, 1950, c. 1003, 64 Stat. 981; Aug. 21, 1954, ch. 782, §2, 68 Stat. 757; Repealed by Pub. L. 85–857, §14(74), (85), (95), (106), Sept. 2, 1958, 72 Stat. 1272, 1273; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits).

§135 Persons entitled to admission to hospital at Pacific branch

The persons who shall be entitled to the privileges of treatment in the hospital erected at the Pacific branch of the National Home for Disabled Volunteer Soldiers at Santa Monica, California, and who may be admitted thereto upon the order of a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers, shall be the following: Honorably discharged officers, soldiers, sailors and marines who served in the Regular, Volunteer, or other forces of the United States in the War with Mexico, the Civil War, the War with Spain, and the World War, or in any war in which the country has been engaged, in campaigns against hostile Indians, or who served in any of the extraterritorial possessions of the United States in foreign countries, including Mexican border service, or in the

Organized Militia or National Guard when called into the Federal service, and who are disabled by diseases or wounds and by reason of such disability are either temporarily or permanently incapacitated from earning a living.

(June 7, 1924, c. 295, § 2, 43 Stat. 534; Repealed. Pub. L. 85–857, §14(1), (10), (12), (50), (52), (64), Sept. 2, 1958, 72 Stat. 1268, 1269, 1271, 1272; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§136 Disposition of personal property of deceased members

The application of any person for membership in the National Home for Disabled Volunteer Soldiers and the admission of the applicant thereunder shall be and constitute a valid and binding contract between such applicant and the Board of Managers of said home that on the death of said applicant while a member of such home, leaving no heirs at law nor next of kin, all personal property owned by said applicant at the time of his death, including money or choses in action held by him, and not disposed of by will, whether such property be the proceeds of pensions or otherwise derived, shall vest in and become the property of said Board of Managers for the sole use and benefit of the post fund of said home, the proceeds to be disposed of and distributed among the several branches as may be ordered by said Board of Managers, and that all personal property of said applicant shall, upon his death, while a member, at once pass to and vest in said Board of Managers, subject to be reclaimed by any legatee or person entitled to take the same by inheritance at any time within five years after the death of such member. The Board of Managers is directed to so change the form of application for membership as to give reasonable notice of this provision to each applicant, and as to contain the contain the consent of the applicant to accept membership upon the conditions provided in this section

(June 25, 1910, c. 384, ·§ 1, 36 Stat. 736; Dec. 26, 1941, ch. 634, 55 Stat. 868, related to disposition of deceased veterans' personal property; Repealed. Pub. L. 85–56, title XXII, §2202(1), (85), June 17, 1957, 71 Stat. 162, 165; Repeal effective Jan. 1, 1958, see section 2301 of Pub. L. 85–56, title XXIII, June 17, 1957, 71 Stat. 172; See section 8520 et seq. of Title 38, Veterans' Benefits)

§137 Inmates subject to Articles of War

All inmates of the National Home for Disabled Volunteers Soldiers shall be subject to the Articles of War, and in the same manner as if they were in the Army.

(R.S. § 4835; Repealed. July 3, 1930, ch. 863, §7, 46 Stat. 1018)

§138 Payment of pensions of inmates of home

All pensions and arrears of pensions payable or to be paid to pensioners who are or may become inmates of the National Home for Disabled Volunteer Soldiers shall be paid to the treasurers of said home, to be disbursed for the benefit of the pensioners without deduction or fines or penalties, under the rules and regulations of said home. Said payments shall be made by the Bureau of Pensions upon a certificate of the proper officer of the home that the pensioner is an inmate thereof on the day to which said pension is drawn. The treasurers of said home, respectively, shall give security, to the satisfaction of the managers of said home, for the payment an application by them of all arrears of pension and pension moneys they may receive under the aforesaid provision. Any balance of the pension which

may remain at the date of the pensioner's discharge shall be paid over to him.

(Feb. 26, 1881, ch. 80, §2, 21 Stat. 350; Aug. 7, 1882, ch. 433, §1, 22 Stat. 322; Aug. 17, 1912, ch. 301, §1, 37 Stat. 312, Repealed. Pub. L. 85–857, §14(4), (5), (26), Sept. 2, 1958, 72 Stat. 1269, 1270; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

§139 Disposition of balance of pension money due deceased inmate

Any balance of pension money due a member of the National Home for Disabled Volunteer Soldiers at the time of his death shall be paid to his widow, minor children or dependent mother or father in the order named, and should not widow, minor child, or dependent parent be discovered within one year from the time of the death of the pensioner, said balance shall be paid to the post fund of the branch of said national home of which the pensioner was a member at the time of his death, to be used for the common benefit of the members of the home under the direction of the Board of Managers, subject to future reclamation by the relatives designated in this section upon application filed with the Board of Managers within five years after the pensioner's death.

(July 1, 1902, ch. 1351, §1, 32 Stat. 564; Repealed. Pub. L. 85–857, §14(4), (5), (26), Sept. 2, 1958, 72 Stat. 1269, 1270; Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85–857, set out as a note preceding Part I of Title 38, Veterans' Benefits)

SUBCHAPTER V—BATTLE MOUNTAIN SANITARIUM RESERVE

§151 Battle Mountain Sanitarium Reserve; establishment; rights to lands, not affected

There are reserved from settlement, entry, sale, or other disposal all those certain tracts, pieces, or parcels of land lying and being situated in the State of South Dakota and within the boundaries particularly described as follows: Beginning at the southwest corner of section 18, township 7 south, range 6 east, Black Hills meridian; thence east to the southeast corner of said section 18; thence south to the southwest corner of the northwest quarter of section 20; thence east to the southeast corner of the northeast quarter of section 21; thence north to the northeast corner of the southeast quarter of section 9; thence west to the center of section 7; thence south to the southwest corner of the southeast quarter of section 7; thence west to the northwest corner of section 18; thence south to the place of beginning, all in township 7 south, range 6 east, Black Hills meridian, in Fall River County, South Dakota: Provided, That nothing herein contained shall be construed to affect any valid rights acquired in connection with any of the lands embraced within the limits of said reserve.

(Mar. 22, 1906, ch. 1127, §1, 34 Stat. 83)

§152 Name; control, rules and regulations

Said reserve shall be known as the Battle Mountain Sanitarium Reserve, and shall be under the exclusive control of the Secretary of Veterans Affairs in connection with the Battle Mountain Sanitarium at Hot Springs, South Dakota, whose duty it shall be to prescribe such rules and regulations and establish such service as the Secretary may consider necessary for the care and management of the same.

(Mar. 22, 1906, ch. 1127, §2, 34 Stat. 83; Pub. L. 102–54, §13(i)(2), June 13, 1991, 105 Stat. 276 substituted "Secretary of Veterans Affairs" for "Board of Managers of the National Home for Disabled Volunteer Soldiers" and "as the Secretary may consider necessary" for "as they may deem necessary")

§153 Perfecting bona fide claims to lands; exchange of private lands

In all cases of unperfected bona fide claims lying within the said boundaries of said reserve, which claims have been properly initiated prior to September 2, 1902, said claims may be perfected upon compliance with the requirements of the laws respecting settlement, residence, improvements, and so forth, in the same manner in all respects as claims are perfected to other Government lands: Provided, That to the extent that the lands within said reserve are held in private ownership the Secretary of the Interior is authorized in his discretion to exchange therefor public lands of like area and value, which are surveyed, vacant, unappropriated, not mineral, not timbered, and not required for reservoir sites or other public uses or purposes. The private owners must, at their expense and by appropriate instruments of conveyance, surrender to the Government a full and unencumbered right and title to the private lands included in any exchange before patents are issued for or any rights attached to the public lands included therein, and no charge of any kind shall be made for issuing such patents. Upon completion of any exchange the lands surrendered to the Government shall become a part of said reserve in a like manner as if they had been public lands at the time of the establishment of said reserve. Nothing contained in this section shall be construed to authorize the issuance of any land scrip, and the State of South Dakota is granted the privilege of selecting from the public lands in said State an equal quantity of land in lieu of such portions of section sixteen included within said reserve as have not been sold or disposed of by said State and are not covered by an unperfected bona fide claim as above mentioned.

(Mar. 22, 1906, ch. 1127, §3, 34 Stat. 83)

§154 Unlawful intrusion, or violation of rules and regulations

All persons who shall unlawfully intrude upon said reserve, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall, upon conviction, be fined in a sum not more than $1,000, or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court.

(Mar. 22, 1906, ch. 1127, §4, 34 Stat. 83)

CHAPTER 4—SAINT ELIZABETHS HOSPITAL

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SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT; PENSIONS, MONEYS, AND APPROPRIATIONS

§161 Establishment

There shall be in the District of Columbia a Government for the insane, which shall be known and designated as Saint Elizabeths Hospital, and its objects shall be the most humane care and enlightened curative treatment of the insane of the army and Navy of the United States and of the District of Columbia.

(R.S. §4838; July 1, 1916, ch. 209, 39 Stat. 309; 1946 Reorg. Plan No. 3, §201, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1098; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§162 Board of Visitors

Nine citizens of the District of Columbia, to be appointed by the President, shall constitute a Board of

Visitors of Saint Elizabeths Hospital. The term office of three visitors shall expire biennially on the 30th day of June in every alternate odd numbered year. Should any vacancy occur by death, resignation, or otherwise, it shall be filled by appointments of the unexpired term of such visitor. The office of visitor shall be honorary and without compensation.

(R.S. §4840; July 1, 1916, ch. 209, §1, 39 Stat. 309; Repealed. Pub. L. 89–554, §8(a), Sept. 6, 1966, 80 Stat. 632)

§163 President of the Board of Visitors

The Board of Visitors shall select from their number, a president, to preside at their meetings for one year, or until a successor is elected.

(R.S. §4841; July 1, 1916, ch. 209, §1, 39 Stat. 309; Repealed. Pub. L. 89–554, §8(a), Sept. 6, 1966, 80 Stat. 632)

§164 Powers and duties of Board of Visitors

The Board of Visitors, subject to the approval of the Secretary of the Interior, may make any needful by-laws for the government of themselves, and of the superintendent and his employees, and of the patients, not inconsistent with law; they shall visit the hospital at stated periods, and exercise so careful a supervision over its expenditures and general operations that the Government and community may have confidence in the correctness of its management; they shall make annually to the Secretary of the Interior a report on the preceding fiscal year setting forth the condition and wants of the institution.

(R.S. §4842; July 1, 1916, ch. 209, 39 Stat. 309; Reorg. Plan No. IV of 1940, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379, eff. Oct. 1, 1987)

§165 Superintendent; disbursing agent; pension money of inmates

The chief executive officer of St. Elizabeths Hospital shall be a superintendent, who shall be appointed by the Secretary of the Interior, and shall give bond for the faithful performance of his duties in such a sum and with such securities as may be required by the Secretary of the Interior. The superintendent shall be a well-educated physician, possessing competent experience in the care and treatment of the insane; he shall reside on the premises and devote his whole time to the welfare of the institution; he shall, subject to the approval of the board of visitors, appoint a responsible disbursing agent for the institution, who shall give a bond satisfactory to the Secretary of the Interior, and the said superintendent shall engage and discharge all needful and useful employees in the care of the insane and all laborers on the farm and determine their wages and duties; he shall also be an ex officio secretary of the Board of Visitors. The said disbursing agent, under the direction of the superintendent, shall have the custody of and pay out all moneys appropriated by Congress for Saint Elizabeths Hospital, or otherwise received for the purposes of the hospital, and all moneys received by the superintendent in behalf of the hospital or its patients, and keep an accurate account or accounts thereof. The said disbursing agent shall deposit in the Treasury of the United States, under the direction of the superintendent, all funds which may be entrusted to the latter by or for the use of patients, which shall be kept in a separate account; and the said disbursing agent is authorized to draw

therefrom, under the direction of the said superintendent, from time to time, under such regulations as the Secretary of the Interior may prescribe, for the care of such patients, but not to exceed for any one patient the amount entrusted to the superintendent on account of such patient. During the time that any pensioner shall be an inmate of Saint Elizabeths Hospital, all money due or becoming due upon his or her pension shall be paid by the Bureau of Pensions to the superintendent or disbursing agent of the hospital, upon a certificate by such superintendent that the pensioner is an inmate of the hospital and is living, and such pension money shall be by said superintendent or disbursing agent disbursed and used, under regulations to be prescribed by the Secretary of the Interior, for the benefit of the pensioner, and, in the case of a male pensioner, his wife, minor children, and dependent parents, or, if a female pensioner, her minor children, if any, in the order named, and to pay his or her board and maintenance in the hospital, the remainder of such pension money, if any, to be placed to the credit of the pensioner and to be paid to the pensioner or the guardian of the pensioner in the event of his or her discharge from the hospital; or, in the event of the death of said pensioner while an inmate of said hospital, shall if a female pensioner, be paid to her minor children, and, in the case of a male pensioner, be paid to his wife, if living; if no wife survives him, then to his minor children; and in case there is no wife nor minor children, then the said unexpended balance to his or her credit shall be applied to the general uses of said hospital: *Provided*, That in the case of any pensioner transferred to the hospital from the National Home for Disabled Volunteer Soldiers any pension money to his credit at said home at the time of his said transfer shall be transferred with him to said hospital and placed to his credit therein, to be expended as provided in this section, and in case of his return from said hospital to the home any balance to his credit at said hospital shall in like manner be transferred to said home, to be expended in accordance with the rules established in regard thereto.

(R.S. §4839, §165; Feb. 2, 1909, ch. 58, §1, 35 Stat. 592; Mar. 4, 1911, ch. 285, 36 Stat. 1422; Aug. 17, 1912, ch. 301, 37 Stat. 312; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1946 Reorg. Plan No. 2, §9, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1096; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; June 6, 1972, Pub. L. 92–310, title II, §228(b), 86 Stat. 207; Dec. 19, 1977, Pub. L. 95–215, §9, 91 Stat. 1508; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§165a Superintendent; authority to reside off premises

On and after October 1, 1983, the superintendent of Saint Elizabeths Hospital may reside off the premises of the hospital, notwithstanding section 165 of this title.

(Pub. L. 98–139, title II, Oct. 31, 1983, 97 Stat. 881; omitted on Oct. 1, 1987, by Pub. L. 98–621, Nov. 8, 1984, 98 Stat. 3369)

§166 Deputy disbursing agent; appointment; bond; powers

Authority is granted to appoint a deputy disbursing agent who shall give a bond satisfactory to the Secretary of the Interior, and who shall have the same power as the disbursing agent during the absence of that officer.

(June 5, 1920, ch. 235, 41 Stat. 920; June 6, 1972, Pub. L. 92–310, title II, §228(c), 86 Stat. 207; Repealed. Pub. L. 98–621, §10(b), Nov. 8, 1984, 98 Stat. 3379, eff. Oct. 1, 1987)

§167 Adjustment of compensation of officers and employees

The Secretary of the Interior is authorized, as of July 9, 1919, to adjust the compensation of officers and employees at Saint Elizabeths Hospital.

(July 19, 1919, ch. 24, 41 Stat. 205; Repealed. Pub. L. 89–554, §8(a), Sept. 6, 1966, 80 Stat. 644)

§168 Readjustment of salaries; credit to accounts of disbursing agent

The General Accounting Office is authorized to credit the accounts of the special disbursing agent of Saint Elizabeths Hospital with such amounts as he may pay in carrying out the provision of the preceding section relating to the readjustment of salaries at the hospital, and the schedule of salaries and allowances for maintenance, where the latter is not provided by the hospital, approved by the Secretary of the Interior August 1 and November 25, 1919, respectively, or as may be modified by him, notwithstanding the provisions of section 55 of Title 5 or section 165 of this title.

(Mar. 6, 1920, ch. 94, 41 Stat. 513; June 10, 1921, ch. 18, title III, §304, 42 Stat. 24; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(c), Nov. 8, 1984, 98 Stat. 3379; eff. Oct 1, 1987)

§168a Payment by executive departments for care of patients for whom responsible

Any executive department of the Federal Government (including any agency, independent establishment, or wholly owned instrumentality thereof, and including the District of Columbia) requiring Elizabeths Hospital to care for patients for whom such department is responsible, shall, except to the extent that the expense of such care is authorized to be paid from appropriations from the hospital for the care of patients, pay by check to Saint Elizabeths Hospital, upon the Superintendent's request, either in advance or by way of reimbursement at the end of each calendar month or calendar quarter, such amounts as the Superintendent calculates to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget. Bills rendered by the Superintendent on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of the hospital and the executive department concerned.

(Aug. 4, 1947, ch. 478, §2, 61 Stat. 751; 1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085; Repealed. Pub. L. 98–621, §10(d)(1), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§168b Computation of maximum amount available from Federal sources

Amounts chargeable to and available from Federal sources for inpatient and outpatient services provided through Saint Elizabeths Hospital as authorized by 24USC§191, §196, §211, §212, §222, §253, and §324; 31USC§1535; and 42USC§249 and §251 shall not exceed the estimated total cost of such services as computed using only the proportionate amount of the direct Federal subsidy appropriated under this heading.

(Pub. L. 100–436, title II, Sept. 20, 1988, 102 Stat. 1693; References in Text. Sections 191, 196, 211, 212, and 222 of this title, referred to in text, were repealed by Pub. L. 98–621, §10(a), (f)(2), (m), Nov. 8, 1984, 98 Stat. 3379, 3380; Similar provisions were contained in the following prior appropriation acts: Pub. L. 100–202, §101(h) [title II], Dec. 22, 1987, 101 Stat. 1329–256, 1329–268. Pub. L. 99–500, §101(i) [H.R. 5233, title II], Oct. 18, 1986, 100 Stat. 1783–287, and Pub. L. 99–591, §101(i) [H.R. 5233, title II], Oct. 30, 1986, 100 Stat. 3341–287. Pub. L. 99–178, title II, Dec. 12, 1985, 99 Stat. 1113. Pub. L. 98–619, title II, Nov. 8, 1984, 98 Stat. 3314. Pub. L. 98–139, title II, Oct. 31, 1983, 97 Stat. 881. Pub. L. 97–377, title I, §101(e)(1) [title II], Dec. 21, 1982, 96 Stat. 1878, 1887)

§169 Disposition of money paid for care of patients

All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of the patients that he is authorized by law to receive, shall be deposited to the credit on the books of the Treasury Department, of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition by the disbursing agent of Saint Elizabeths Hospital, upon the approval of the Secretary of the Interior.

(June 5, 1924, ch. 264, 43 Stat. 429; Mar. 3, 1925 ch,. 462, 43 Stat. 1182; Aug. 4, 1947, ch. 478, §3, 61 Stat. 751; Similar provisions were contained in the following acts: July 8, 1947, ch. 210, title II, 61 Stat. 272; July 26, 1946, ch. 672, title II, 60 Stat. 693; July 3, 1945, ch. 263, title II, 59 Stat. 372. June 28, 1944, ch. 302, title II, 58 Stat. 561; July 12, 1943, ch. 221, title II, 57 Stat. 509. July 2, 1942, ch. 475, title II, 56 Stat. 585; July 1, 1941, ch. 269, title II, 55 Stat. 493. June 18, 1940, ch. 395, 54 Stat. 460. May 10, 1939, ch. 119, 53 Stat. 737; May 9, 1938, ch. 187, 52 Stat. 341; Aug. 9, 1937, ch. 570, 50 Stat. 615; June 22, 1936, ch. 691, 49 Stat. 1802; May 9, 1935, ch. 101, 49 Stat. 215; Mar. 2, 1934, ch. 38, 48 Stat. 394; Feb. 17, 1933, ch. 98, 47 Stat. 856; Apr. 22, 1932, ch. 125, 47 Stat. 131; Feb. 14, 1931, ch. 187, 46 Stat. 1159; May 14, 1930, ch. 273, 46 Stat. 324; Mar. 4, 1929, ch. 705, 45 Stat. 1605; Mar. 7, 1928, ch. 137, 45 Stat. 242; Jan. 12, 1927, ch. 27, 44 Stat. 970; May 10, 1926, ch. 277, 44 Stat. 494; Mar. 3, 1925, ch. 462, 43 Stat. 1183;l June 5, 1924, ch. 264, 43 Stat. 429; Section 169a, acts Aug. 4, 1947, ch. 478, §4, 61 Stat. 751; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed Pub. L. 98-621, §10(d)(1), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title)

§169a Facilities for feeding employees and others; disposition of proceeds

The Superintendent of Saint Elizabeths Hospital is authorized to operate and maintain at the hospital necessary facilities for feeding employees and others (at not less than cost, as determined by the Federal Security Administrator), and the proceeds from such operation shall be deposited in the Treasury to the credit of the appropriation for the operation of Saint Elizabeths Hospital.

(Aug. 4, 1947, ch. 478, §4, 61 Stat. 751; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed Pub. L. 98-621, §10(d)(1), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title)

§170 Disbursement of appropriations for the insane

All appropriations of money by Congress for the support of Saint Elizabeths Hospital shall be drawn from the Treasury on the requisition of the Secretary of the Interior, and shall be disbursed and accounted for in all respects according to the laws regulating ordinary disbursements of public money.

(R.S. §4858; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; Effective Date of Repeal, Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621, set out as an Effective Date note under section 225 of this title)

§170a Maximum amount available from Federal sources

In fiscal year 1989 and thereafter, the maximum amount available to Saint Elizabeths Hospital from Federal sources shall not exceed the total of the following amounts: the appropriations made under this heading, amounts billed to Federal agencies and entities by the District of Columbia for services provided at Saint Elizabeths Hospital, and amounts authorized by titles XVIII and XIX of the Social Security Act [42USC§1395 et seq., §1396 et seq.]. This maximum amount shall not include Federal funds appropriated to the District of Columbia under "Federal Payment to the District of Columbia" and payments made pursuant to section 9(c) of Public Law 98–621.

(Pub. L. 100–436, title II, Sept. 20, 1988, 102 Stat. 1693; References in Text. The appropriations made under this heading, referred to in text, refers to appropriations under the headings "Alcohol, Drug Abuse, and Mental Health Administration" and "federal subsidy for saint elizabeths hospital" of title II, "Department of Health and Human Services", of the Departments of Labor, Health and Human Services, and Education and Related Agencies Appropriation Act, 1989, Pub. L. 100–436. The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Titles XVIII and XIX of the Act are classified generally to subchapters XVIII (§1395 et seq.) and XIX (§1396 et seq.), respectively, of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables. Section 9(c) of Public Law 98–621, referred to in text, is section 9(c) of Pub. L. 98–621, Nov. 8, 1984, 98 Stat. 3378, par. (1) of which is classified to section 225g(c) of this title. Section is from the appropriation act cited as the credit to this section. Similar provisions were contained in the following prior appropriation acts: Pub. L. 100–202, §101(h) [title II], Dec. 22, 1987, 101 Stat. 1329–256, 1329–267. Pub. L. 99–500, §101(i) [H.R. 5233, title II], Oct. 18, 1986, 100 Stat. 1783–287, and Pub. L. 99–591, §101(i) [H.R. 5233, title II], Oct. 30, 1986, 100 Stat. 3341–287. Pub. L. 99–178, title II, Dec. 12, 1985, 99 Stat. 1113; Repealed Pub. L. 98-621, §10(a), Nov. 8, 1984, 98 Stat. 3379, eff, Oct. 1, 1987)

§171 Determining per capita cost of patients

In determining the per capita cost of maintenance and treatment of patients in Saint Elizabeths Hospital the expenditures for repair of building, roadways, and walks shall be included.

(Aug. 24, 1912, ch. 355, 37 Stat. 461; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(e), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§172 Sale of surplus products and waste materials

The surplus products and waste material of the hospital may be sold or exchanged for the benefit of the hospital, and proceeds to be used and accounted for the same as its other funds.

(Aug. 7, 1882, ch. 433, 22 Stat. 330; Repealed. Pub. L. 98–621, §10(f)(1), Nov. 8, 1984, 98 Stat. 3380, eff. Oct. 1, 1987)

§173 Sale or exchange of typewriting machines and other equipment

Authority is granted to sell or exchange condemned typewriting machines, laundry machinery, and other equipment, applying the proceeds therefrom to replacing new equipment for Saint Elizabeths Hospital.

(Aug. 1, 1914, ch. 223, 38 Stat. 649; Repealed. Pub. L. 98–621, §10(f)(1), Nov. 8, 1984, 98 Stat. 3380, eff. Oct. 1, 1987)

§174 Exchange of laundry machines and other equipment

Authority is granted to exchange laundry machinery and other equipment in purchasing new equipment of the same or like character.

(June 12, 1917, ch. 27, 40 Stat. 153; Repealed. June 30, 1949, ch. 288, title VI, §602(a)(20), (21), formerly title V, §602(a)(20), (21), 63 Stat. 400, 401, eff. July 1, 1949; renumbered Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583)

§175 Telephone system

Rental for a system of telephones connecting the superintendent's, physicians', and employees' quarters at the hospital with other locations on the hospital grounds may be paid from the appropriations for the support of the hospital.

(Apr. 17, 1917, ch. 3, 40 Stat. 19; Repealed. Pub. L. 98–621, §10(g), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§176 Disposition of articles made by patients

The Secretary of the Interior is authorized to make regulations governing the disposal of articles produced by patients of Saint Elizabeths Hospital in the course of their curative treatment, either by allowing the patient to retain same or by selling the articles and depositing the money received to the credit of the appropriation from which the materials for making the articles were purchased.

(Mar. 6, 1920, ch. 94, 41 Stat. 513; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(c), Nov. 8, 1984, 98 Stat. 3379)

§177 Disposition of money belonging to deceased inmates; claims thereto

All moneys belonging to deceased inmates of Saint Elizabeths Hospital and deposited in the Treasury by the disbursing agent as agent, shall be covered into the Treasury unless claimed by his or her legal heirs within five years from the death of the inmate. And the Superintendent of Saint Elizabeths Hospital is authorized and directed, under such regulations as may be prescribed by the Secretary of the Interior to make diligent inquiry in every instance after the death of an inmate to ascertain the whereabouts of his or her legal heirs. Claims may be presented at any time, and when established by competent proof in any case more than five years after the death of an inmate shall be certified to Congress for consideration.

(June 30, 1906, ch. 3914, 34 Stat. 730; Feb. 2, 1909, ch. 58, §1, 35 Stat. 592; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(h), Nov. 8, 1984, 98 Stat. 3380)

§178 Revocable permit to hospital to use certain lands

The Secretary of War is authorized to grant a revocable permit to the Saint Elizabeths Hospital for the use of such portions of land as were on October 6, 1917, not under lease and such other portions thereof as leases thereof expire, of that portion of land lying along Anacostia Flats which has been reclaimed by the War Department and is valuable for farming purposes.

(Oct. 6, 1917, ch. 79, 40 Stat. 373; Repealed. Oct. 31, 1951, ch. 654, §1(46), 65 Stat. 703)

§179 Report of superintendent

The Superintendent of Saint Elizabeths Hospital shall make a report to Congress annually at the beginning of each regular session, which shall show in detail the receipts and expenditures for all purposes connected with the hospital for the fiscal year preceding such session.

(June 4, 1880, ch. 121, 21 Stat. 156; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Aug. 7, 1946, ch. 770, §1(59), 60 Stat. 871; Prior to this repeal, 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236, set out in the Appendix to Title 5, Government Organization and Employees, directed that the annual report required by this section be submitted through the Federal Security Administrator)

§180 American Red Cross buildings on hospital reservation

The Administrator of the Federal Security Agency is hereby authorized to permit the American Red Cross to construct or have constructed upon the Saint Elizabeths Hospital reservation in the District of Columbia such building or buildings as he may deem advisable to be used by the American Red Cross in cooperation with the superintendent of such hospital in providing recreational facilities and activities for the patients and personnel of such hospital. Any amounts hereafter appropriated and any other moneys made available for the operation and maintenance of the Saint Elizabeth Hospital may be used for the provision of necessary heat, light, water, telephone, and other facilities incidental to the work of the American Red Cross among the patients of the institution.

(May 9, 1941, ch. 101, 55 Stat. 186; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(i), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§181 Gifts; acceptance by Federal Security Administrator

The Federal Security Administrator is authorized to accept on behalf of the United States gifts made unconditionally by will or otherwise for the improvement, maintenance, or operation of Saint Elizabeths Hospital in the District of Columbia. Conditional gifts may be so accepted if recommended by the Surgeon General of the Public Health Service, and the principal of and income from any such conditional gift shall be held, invested, reinvested, and used in accordance with its conditions but no gift shall be accepted which is conditioned upon any expenditure not to be met therefrom or from the income thereof unless such expenditure has been approved by Act of Congress.

(Nov. 7, 1941, ch. 469, §1, 55 Stat. 760; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(j), Nov. 8, 1984, 98 Stat. 3380; eff. Nov. 8, 1984)

§182 Same; money; deposit, investment, and expenditure of income

Any unconditional gift of money accepted pursuant to the authority granted in section 181 of this title, the net proceeds from the liquidation (pursuant to section 183 or section 184 of this title) of any other property so accepted, and the proceeds of insurance on any such gift property not used for its restoration, shall be deposited in the Treasury of the United States and are hereby appropriated and shall be held in trust by the Secretary of the Treasury for the benefit of Saint Elizabeths Hospital, and he may invest and reinvest such funds in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The income from such investments shall be available for expenditure in the improvement, maintenance, or operation of Saint Elizabeths Hospital, subject to the same examination and audit as provided for appropriations made for Saint Elizabeths Hospital by Congress.

(Nov. 7, 1941, ch. 469, §2, 55 Stat. 760; Repealed. Pub. L. 98–621, §10(j), Nov. 8, 1984, 98 Stat. 3380; eff. Nov. 8, 1984)

§183 Same; intangible personality; deposit, liquidation, and expenditure of income

The evidence of any unconditional gift of intangible personal property, other than money, accepted pursuant to the authority granted in section 181 of this title shall be deposited with the Secretary of the Treasury and he, in his discretion, may hold them or may liquidate them whenever in his judgment the purposes of the gifts will be served thereby. The income from any such property held by the Secretary of the Treasury shall be available for expenditure as is provided in section 182 of this title.

(Nov. 7, 1941, ch. 469, §3, 55 Stat. 761; Repealed. Pub. L. 98–621, §10(j), Nov. 8, 1984, 98 Stat. 3380; eff. Nov. 8, 1984) related to deposit and liquidation of, and expenditure of income from gifts of intangible property accepted under section 181 of this title.)

§184 Same; realty or tangible personality; use, lease, liquidation, etc.

The Federal Security Administrator shall hold any real property or any tangible personal property accepted unconditionally pursuant to the authority granted in section 181 of this title and he shall permit such property to be used for the improvement, maintenance, or operation of Saint Elizabeths Hospital or he may lease or hire such property, and may insure such property, and deposit the income thereof with the Secretary of the Treasury to be available for expenditure as provided in section 182 of this title: *Provided*, That the income from any such real property or tangible personal property shall be available for expenditure in the discretion of the Federal Security Administrator for the maintenance, preservation, or repair and insurance of such property and that any proceeds from insurance may be used to restore the property insured. Any such property when not required for the improvement or operation of the Saint Elizabeths Hospital may be liquidated by the Federal Security Administrator whenever in his judgment the purposes of the gifts will be served thereby.

(Nov. 7, 1941, ch. 469, §4, 55 Stat. 761; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(j), Nov. 8, 1984, 98 Stat. 3380; eff. Nov. 8, 1984)

§185 Appropriations, availability for various expenditures

Appropriations for the care of persons in Saint Elizabeths Hospital shall be available for expenditure for furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the superintendent of the hospital, for use by employees in the performance of their official duties; reimbursing employees, subject to regulations of the Secretary of Health, Education, and Welfare, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such employees are engaged in the performance of their official duties; expenses incurred pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of such patients; expenses incurred in ascertaining the residence of patients whose care is not, or or whose care is no longer, authorized at the hospital, and in returning such patients to their places of residence; expenses incurred in the removal of patients to their friends and repairs, replacements, and minor improvements to the buildings and grounds of the hospital.

(Aug. 4, 1947, ch. 478, §5, 61 Stat. 751; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(d)(1), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

SUBCHAPTER II—INMATES; BURDEN OF EXPENSES THEREOF; DETENTION OF INSANE

§191 Admission; Insane persons of Army, Navy, Marine Corps, and Coast Guard

The superintendent, upon the order of the Secretary of War, of the Secretary of the Navy, and the Secretary of the Treasury, respectively, shall receive and keep in custody until they are cured, or removed by the same authority which ordered their reception, insane persons of the following descriptions:

First. Insane persons belonging to the Army, Navy, Marine Corps and Coast Guard.
Second. Civilians employed in the Quartermaster Corps of the Army who may become insane while in such employment.

Third. Men who, while in the service of the United States, in the Army, Navy, or Marine Corps, have been admitted to the hospital, and have been thereafter discharged from it on the supposition that they have recovered their reason, and have, within three years after such discharge, become again insane from causes existing at the time of such discharge, and have no adequate means of support.
Fourth. Indigent insane person who have become insane within three years after their discharge from such service, from causes which arose during and were produced by said service.

(R.S. §4843; Feb. 9, 1900, ch. 13, 31 Stat. 7; Aug. 24, 1912, ch. 391, §3, 37 Stat. 591; Oct. 15, 1966, Pub. L. 89–670, §6(b), 80 Stat. 938; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Nov. 8, 1984)

§191a Admission of Foreign Service personnel adjudged insane in foreign country

Upon application of the Secretary of State, the Federal Security Administrator is authorized to admit to Saint Elizabeths Hospital in the District of Columbia, for treatment, American citizens who are Foreign Service officers, as defined in section 2 of Title 22, or who are clerks in the Foreign Service classified as provided in section 23a of Title 22, or who are employees in the Foreign Service and stationed outside the United States, and who are legally adjudged insane in any foreign country and whose legal residence in one of the States, Territories, or the District of Columbia, it has been impossible to establish. Upon the ascertainment of the legal residence of persons so admitted to the hospital, the superintendent of the hospital shall thereupon transfer such persons to their respective places of residence, and the expenses attendant thereon shall be paid from the appropriation for the support of the hospital. Upon the request of any such patient, his relative or friends, he shall have a hearing in the District Court of the United States for the District of Columbia upon his mental condition and the right of the superintendent of Saint Elizabeths Hospital to hold him for treatment.

(Oct. 29, 1941, ch. 462, 55 Stat. 756; Repealed. Pub. L. 86–571, §10(a), July 5, 1960, 74 Stat. 310; See section 321 et seq. of this title)

§192 Admission; insane prisoners of war and interned persons

Interned persons and prisoners of war, under the jurisdiction of the Navy Department or the War Department who are or may be insane, shall be entitled to admission for treatment to Saint Elizabeths Hospital.

(July 1, 1916, ch. 209, 39 Stat. 309; Aug. 29, 1916, ch. 417, 39 Stat. 558; Oct. 6, 1917, ch. 79, 40 Stat. 373; Repealed. Pub. L. 98–621, §10(k), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§193 Admission; insane patients of Public Health Service

Insane patients of the Public Health Service shall be admitted into Saint Elizabeths Hospital upon the order of the Secretary of the Treasury, and shall be cared for therein until cured or until removed by the same authority. The Public Health Service shall pay to Saint Elizabeths Hospital the actual per capita cost of maintenance in the said hospital of patients committed by that service.

(Mar. 3, 1875, ch. 156, §5, 18 Stat. 486; July 1, 1902, ch. 1370, §1, 32 Stat. 712; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309; July 1, 1916, ch. 209, 39 Stat. 309; July 1, 1918, ch. 113, 40 Stat. 644; 1939

Reorg. Plan No. I, §§201, 205, eff. July 1, 1939, 4 F.R. 2728, 2729, 53 Stat. 1424, 1425; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; Repealed. July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714; For renumbering of act July 1, 1944, which repealed this section, see note set out under sections 1, 2 of this title; See section 222 of Title 42, The Public Health and Welfare)

§194 Admission; insane inmates of Soldiers' Home

Any inmate of the Soldiers' Home who may become insane shall, upon an order of the president of the Board of Commissioners of the Soldiers' Home, be admitted to Saint Elizabeths Hospital and treated therein; and the expenses of maintaining any such person shall be paid from the Soldiers' Home fund.

(July 7, 1884, ch. 332, 23 Stat. 213; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(l), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§195 Admission; insane inmates of National Home for Disabled Volunteers

Any inmate of the National Home for Disabled Volunteer Soldiers who may become insane shall, upon an order of the president of the Board of Managers of the said National Home, be admitted to Saint Elizabeths Hospital and treated therein.

(Aug. 7, 1882, ch. 433, 22 Stat. 330; Feb. 20, 1905, ch. 593, 33 Stat. 731; July 1, 1916, ch. 209, 39 Stat. 309; July 3, 1930, ch. 863, §2, 46 Stat. 1016; Repealed. Pub. L. 98–621, §10(f)(2), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§195a Same; beneficiary of the Bureau of Indian Affairs

The Federal Security administrator is authorized to admit to Saint Elizabeths Hospital in the District of Columbia for care and treatment, upon application of the Secretary of the Interior, beneficiaries of the Bureau of Indian Affairs. The cost of such care and treatment shall be paid for by the Bureau of Indian Affairs.

(Aug. 4, 1947, ch. 478, §1, 61 Stat. 751; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(d)(1), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§196 Transfer of American citizens adjudged insane in Canal Zone

Upon the application of the Governor of the Panama Canal the Secretary of the Interior is authorized to transfer to Saint Elizabeths Hospital, in the District of Columbia, for treatment, all American citizens legally adjudged insane in the Canal Zone whose legal residence in one of the States and Territories or the District of Columbia it has been impossible to establish. Upon the ascertainment of the legal residence of persons so transferred to the hospital, the superintendent of the hospital shall thereupon transfer such persons to their respective places of residence, and the expenses attendant thereon shall be paid from the appropriation for the support of the hospital.

(June 12, 1917, ch. 27, 40 Stat. 179; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 18,

1962, Pub. L. 87–845, §6, 76A Stat. 699; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(m), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§196a Transfer of American citizens adjudged insane in Canada

Upon application of the Secretary of State the Federal Security Administrator is authorized to transfer to Saint Elizabeths Hospital, in the District of Columbia, for treatment, all American citizens legally adjudged to be insane in the Dominion of Canada, whose legal residence is in of the States, Territories, or the District of Columbia it has been impossible to establish. Upon the ascertainment of the legal, residence of persons so transferred to the hospital, the superintendent of the hospital shall thereupon transfer such persons to their respective places of residence, and the expenses attendant thereon shall be paid from the appropriation for the support of the hospital.

Upon the request of any such patient, his relatives or friends, he shall have a hearing in the district court of the United States for the District of Columbia upon his mental condition and the right of the superintendent of Saint Elizabeths Hospital to hold him for treatment.

(Mar. 2, 1929, ch. 509, 45 Stat. 1495; June 25, 1936, ch. 804, 49 Stat. 1921; Repealed. Pub. L. 86–571, §10(b), July 5, 1960, 74 Stat. 310; See section 321 et seq. of this title)

§196b Transfer of persons adjudged insane in Virgin Islands

Upon application of the Governor of the Virgin Islands, the Secretary of Health, Education, and Welfare is authorized to transfer to Saint Elizabeths Hospital in the District of Columbia for treatment (1) Persons who are permanent residents of the Virgin Islands of the United States and who (A) are citizens or nationals of the United States or non-deportable aliens and (B) have been legally adjudged to be insane in the Virgin Islands or while temporarily in another insular possession or a Territory of the United States or in the continental United States or in the continental United States; and (2) persons who are present in but not permanent residents of the Virgin Islands and (A) have been legally adjudged to be insane in the Virgin Islands, (B) are citizens or nationals of the United States or non-deportable aliens, and (C) are persons who legal residence in one of the States or Territories of the United States or the District of Columbia it has been impossible to establish. The expense of treatment and care may be paid from the appropriation for the support of the hospital.

(July 18, 1940, ch. 638, 54 Stat. 766; July 18, 1950, ch. 464, §1, 64 Stat. 343; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(n), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§197 Care of Army Insane and of inmates of National Home for Disabled Volunteer Soldiers on Pacific coast

The Secretary of War may, in his discretion contract for the care, maintenance, and treatment of the insane of the Army, and inmates of the National Home for Disabled Volunteer Soldiers on the Pacific coast at any State asylum in California, in all cases which he was, on March 3, 1901, authorized by law to cause to be sent to Saint Elizabeths Hospital in the District of Columbia.

(Mar. 3, 1901, ch. 853, 31 Stat. 1163; July 1, 1916, ch. 209, 39 Stat. 309; Sept. 2, 1958, Pub. L. 85–

857, §13(b), 72 Stat. 1264; Repealed. Pub. L. 98–621, §10(o), Nov. 8, 1984, 98 Stat. 3380; Oct. 1, 1987)

§198 Care of insane natives of Philippine Islands serving in Army

The Secretary of War may, in his discretion, contract for the care, maintenance, and treatment of the insane natives of the Philippine Islands serving in the Army of the United States at any asylum in the Philippine Islands in all cases which he was, on May 11, 1908, authorized by law to cause to be sent to Saint Elizabeths Hospital in the District of Columbia.

(May 11, 1908, ch. 163, 35 Stat. 122; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(p), Nov. 8, 1984, 98 Stat. 3381; eff. Oct. 1, 1987)

§199 Transfer of inmates from military hospitals to nearest public hospitals

The Secretary of War is authorized to transfer from any military hospital to the nearest available public hospital for the care of the insane any insane patient who is in need of treatment, preference being given to the hospital nearest the place of the patient's enlistment. The superintendent of such public hospital shall possess the right to retain the aforementioned class of patients in his hospital in the same manner and to the same extent as was, on October 5, 1917, possessed by the superintendent of Saint Elizabeths Hospital.

(Oct. 6, 1917, ch. 79, 40 Stat. 373; Repealed. Pub. L. 98–621, §10(k)(2), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§200 Transfer of part of appropriation to public hospitals for support of patients

The superintendent of Saint Elizabeths Hospital, with the approval of the Secretary of the Interior, shall transfer to the various public hospitals out of the various appropriations made by Congress for the support and treatment of patients in Saint Elizabeths Hospital a sum sufficient to pay for the support and treatment of patients sent to public hospitals as provided in the preceding section, based upon the per capita cost of maintenance in Saint Elizabeths Hospital, said payment not to exceed at any time the exact cost of support and treatment of such patients.

(Oct. 6, 1917, ch. 79, 40 Stat. 373; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953, Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(k)(2), Nov. 8, 1984, 98 Stat. 3380; eff. Oct. 1, 1987)

§201 Admission of indigent insane in District of Columbia

All indigent insane persons residing in the District of Columbia at the time they became insane shall be entitled to the benefits of Saint Elizabeths Hospital. An indigent insane person within the meaning of this section shall be one who is insane and unable to support himself and family, or himself, if he has not family, under the visitation of insanity.

(R.S. §4844; act July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984,

98 Stat. 3379; eff. Oct. 1, 1987)

§202 Expenses of indigent insane admitted form District of Columbia

One half of the expense of the indigent persons whom may be admitted to Saint Elizabeths Hospital from the District of Columbia shall be paid from the treasury of said District.

(Mar. 3, 1877, ch. 105, 19 Stat. 347; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(u), Nov. 8, 1984, 98 Stat. 3381; eff. Oct. 1, 1987)

§203 Payment of part of expense from appropriations for District

One half of the expense of the indigent patients admitted to Saint Elizabeths Hospital from the District of Columbia shall be reported to the Treasury Department, and charged against the appropriations to be paid toward the expenses of the District by the General Government, without regard to the date of their admission.

(Mar. 3, 1879, ch. 182, 20 Stat. 395; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(v), Nov. 8, 1984, 98 Stat. 3381; eff. Oct. 1, 1987)

§204 Private patients

Whenever there are vacancies, private patients from the District may be receive at a rate of board to be determined by the visitors, to be in no case less than the actual cost of their support, and may remain until restored to reason.

The friends of the patient shall comply with the regulations of the hospital in respect to payment of board and in all other respects.

(R.S. §4853, 4854; act July 1, 1916, ch. 209, 39 Stat. 309;l Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§205 Insane persons having property

Whenever it appears in the case of any insane person whose insanity commenced while he was a resident of the District of Columbia that he is able to defray a portion, but not the whole of the expenses of his support and treatment in Saint Elizabeths Hospital, the board of visitors of the hospital is authorized to inquire into the facts of the case; and if it appears to the board, upon such inquiry, that such insane person has property and no family, or has more property than is required for the support of his family, then, as a condition upon which such insane person, admitted or to be admitted as provided in this chapter, shall receive or continue to receive the benefits of the hospital, there shall be paid to the superintendent from the income, property, or estate of such insane person such portion of his expenses in the hospital as a majority of the board shall determine to be just and reasonable, under all the circumstances.

(R.S. §4849; act July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 88–597, §19(d), Sept. 15, 1964, 78 Stat. 953; Prior to repeal, section was set out as D.C. Code, §21–319)

§206 Admission of nonresidents of District

Any indigent insane person who did not reside in the District of Columbia at the time he became insane may be admitted into the hospital at the expense of the District during the continuance of such insane person therein.

(R.S. §4850; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§207 Return of nonresident indigent person

It shall be the duty of the Commissioners of the District of Columbia, so soon as practicable, to return to their places of residence or to their friends all indigent insane persons not residing in the District at the time they became insane who shall be committed to Saint Elizabeths Hospital to be temporarily cared for, as provided in this chapter, and all necessary expenses incurred by the Commissioners in ascertaining the locality where such persons or their friends belong and in returning them to such locality shall be defrayed by the District of Columbia.

(Jan. 31, 1899, ch. 78, §7, 30 Stat. 811; July 1, 1916, ch. 209, 39 Stat. 309, related to return of nonresident indigent insane in District of Columbia. Section, which had been set out as section 17 of Title 16 of the 1929 edition of the D.C. Code, was omitted from the 1940 edition of the D.C. Code as superseded by section 8 of act Aug. 9, 1939, ch. 620, 53 Stat. 1297 (D.C. Code, §21–317). The act of Aug. 9, 1939, was repealed by Pub. L. 88–597, §19(a), Sept. 15, 1964, 78 Stat. 953)

§208 Proceedings to determine mental conditions

Proceedings to determine the mental condition of alleged indigent insane persons and persons alleged to be insane, with homicidal or otherwise dangerous tendencies shall be instituted upon petition of the Commissioners of the District of Columbia, shall be in the equity court of said District and shall be according to the provisions of the code of law for the said District relating to lunacy proceedings.

(Mar. 3, 1903, ch. 1006, 32 Stat. 1043; Feb. 23, 1905, ch. 738, §1, 33 Stat. 740; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§209 Jury in lunacy proceedings; costs

The jury to be used in case the Commissioners of the District of Columbia are the petitioners shall be impaneled by the United States marshal for said District, upon order of the court, from the jurors in attendance upon the criminal courts of said District, who shall perform such services in addition to and as part of their duties in said criminal courts: *Provided*, That during such time as jurors are not in attendance upon said criminal courts the court may direct the said marshal to impanel the jurors in attendance upon the police court of said District, who shall perform such duties in addition to and as part of their duties in said police court; or in the said court may direct a special jury to be summoned for such inquisitions. In case any such person adjudged to be of unsound mind has property, real, or personal, the equity court of said District shall have full power in the same cause to appoint a committee or trustee of the person and estate of such person, according to the provisions of the code of law for the District of Columbia relating to lunacy proceedings, and such committee or trustee shall

reimburse, out of the funds of the lunatic, the District of Columbia or all court costs expended or costs incurred in caring for and treating such insane person up to the time of such appointment.

(Feb. 23, 1905, ch. 738, §1, 33 Stat. 740; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan 1, 1966)

§210 Discharge as cured

In case any person adjudged to be of unsound mind in the District of Columbia who is committed to Saint Elizabeths Hospital, or any other institution, recovers his or her reason, and who is discharged from such institutions as cured, the superintendent of said Saint Elizabeths Hospital, or the official in charge of any such other institution where such person has been under treatment and has been so discharged, shall immediately thereafter file with the clerk of the supreme court of the District of Columbia his sworn statement shall be sufficient to authorize the court to pass an order declaring such person to be restored to his or her former legal status as a person of sound mind.

(Feb. 23, 1905, ch. 738, §2, 33 Stat. 740; July 1, 1916, ch. 209, 39 Stat. 309; June 25, 1936, ch. 804, 49 Stat. 1921; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§210a Commitment of certain persons from Virginia and Maryland for observation and diagnosis; jurisdiction; hearing; notification

Any United States commissioner specially designated for that purpose by the United States District Court for the Eastern District of Virginia or by the United States District Court for the District of Maryland shall have jurisdiction and authority to commit to Saint Elizabeths Hospital in the District of Columbia, for observation and diagnosis, any person found in any place over which the United States has exclusive or concurrent jurisdiction in Arlington County, Fairfax County, or the city of Alexandria in the State of Virginia, or in Montgomery County or in Prince George County, in the State of Maryland, who is alleged, and is believed by the commissioner, to be of unsound mind. Any United States commissioner specially designated for that purpose by the United States District Court for the District of Columbia shall have like jurisdiction and authority in the case of any person temporarily detained in Saint Elizabeths Hospital, pursuant to section 210b of this title. Any such commitment shall be for a period not exceeding thirty days and may be made only after a hearing before the commissioner upon the testimony under oath of at least two witnesses who shall testify as to their belief that the said person is of unsound mind and, in addition, upon the testimony under oath or affidavit of two physicians, at least one of whom is skilled in the treatment and diagnosis of nervous and mental disorders who shall testify or certify in writing that they have examined the said person alleged to be of unsound mind and not fit to remain at liberty and go unrestrained, and that such person should be in custody in a hospital for the treatment of mental or nervous disorders for his own safety and welfare and for the preservation of the peace and good order. It shall be the duty of the head of the agency of the United States in control of the place where such person is apprehended to forthwith notify the husband or wife or some near relative or friend of the person so apprehended whose address may be known to said agency head or whose address can by reasonable inquiry be ascertained by him: *Provided further*, That in the case of any person described in section 210e of this title, the agency head shall notify the head of the department having jurisdiction over the service to which the individual belongs. The agency of the United States in control of the place where such person is apprehended is authorized to employ physicians for the aforesaid purpose and to pay compensation for their services

and to pay expenses of witnesses in such proceedings out of funds available therefore. Physicians who are officers or employees of the United States or who are members of the armed forces of the United States are authorized to render such services without additional compensation.

(Oct. 11, 1949, ch. 672, §1, 63 Stat. 759; Aug. 30, 1964, Pub. L. 88–505, 78 Stat. 638; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§210b Same; apprehension and detention; hearing

Any officer or employee of the United States authorized to make arrests, and any guard or watchman employed by the United States is authorized and empowered to apprehend and detain any person whom he believes to be of unsound mind and found in any of the aforesaid places and, except as provided in section 210c of this title, to bring such person for a hearing before a United States commissioner for the district court where such person was apprehended and designated as provided in section 210a of this title. If an immediate hearing before a commissioner cannot be had such officer or employee is authorized and empowered to take such person to Saint Elizabeths Hospital and the Superintendent of Saint Elizabeths Hospital is authorized to detain such person pending a hearing before a United States commissioner for the District of Columbia, designated as provided in section 210a of this title, for a period not exceeding seventy-two hours. Such commissioner shall hold a hearing as promptly as practicable after the apprehension of such person and in any event not later than seventy-two hours thereafter. Such hearing shall be conducted at Saint Elizabeths Hospital if the Superintendent thereof shall certify that in his opinion it would be prejudicial to the health of the patient or unsafe to produce the patient at a hearing elsewhere. If, after any hearing at a place other than Saint Elizabeths Hospital, the commissioner commits a person to Saint Elizabeths Hospital, any officer, employee, guard, or watchman above-mentioned is authorized to transport such person to Saint Elizabeths Hospital in accordance with the order of the commissioner.

(Oct. 11, 1949, ch. 672, §2, 63 Stat. 760; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§210c Admission upon written application; release

Any person in any of the places described in section 210a of this title may, upon his written application be admitted for observation and diagnosis to Saint Elizabeths Hospital in the discretion of the Superintendent thereof for a period not exceeding 30 days. Any such person expressing a desire for release from Saint Elizabeths Hospital shall be released within 72 hours thereafter, unless proceedings for his adjudication as a person of unsound mind shall have been instituted as provided for in section 210e of this title.

(Oct. 11, 1949, ch. 672, §3, 63 Stat. 761; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§210d Authorization to receive persons for observation and diagnosis

The Superintendent of Saint Elizabeths Hospital is authorized and directed to receive for observation and diagnosis any person apprehended or committed as provided in sections 210a and 210b of this title for the periods therein prescribed, unless such person is sooner discharged or returned to his home or to

the State of his residence.

(Oct. 11, 1949, ch. 672, §4, 63 Stat. 761; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§210e Examination; proceedings for adjudication; jurisdiction; expense of care and treatment

The Superintendent of Saint Elizabeths Hospital shall promptly examine any person committed as provided in section 210a and 210b of this title and (a) if found to be of sound mind, shall forthwith discharge said person, or (b) if found to be of unsound mind shall return such person to the State of his residence or to his relatives, if practicable. Proceedings for the adjudication of such person, or of any person admitted to the hospital pursuant to section 210c of this title, as a person of unsound mind and for the appointment of a committee of his person or property may be instituted in the United States District Court for the District of Columbia by the Secretary of Health, Education, and Welfare or by any party interested. The laws of the District of Columbia shall be applicable to such proceedings. Nothing in sections 210a-210h of this title shall be construed as imposing upon the District of Columbia the expense of care and treatment of any person apprehended, detained, or committed under section 210a-210j of this title unless such person be a resident of the District of Columbia as defined in section 8 of the Act entitled "An Act to provide for insanity proceedings in the District of Columbia", approved August 9, 1939.

(Oct. 11, 1949, ch. 672, §5, 63 Stat. 761; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787, eff. Jan. 1, 1966)

§210f Transfer of military personnel

Any person belonging to the Army, Navy, Air Force, Marine Corps, or Coast Guard arrested, apprehended, detained, or committed under the provisions of sections 210a-210h of this title shall upon the request of the head of the department having jurisdiction over the service to which the individual belongs, be transferred forthwith to the custody of such department.

(Oct. 11, 1949, ch. 672, §6, 63 Stat. 761; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§210g Persons entitled to care and treatment in a Veterans' Administration facility

If any person adjudicated to be of unsound mind under the provisions of section 210a-210h of this title is entitled to care and treatment in a Veterans' Administration facility, he may be committed by the United States District Court for the District of Columbia to the custody of the Administrator of Veterans' Affairs for placement in an available facility or may be transferred by the Superintendent of Saint Elizabeths Hospital to any such facility; *Provided*, That nothing in section 210a-210h of this title shall limit, restrict, or deprive the courts of any State or the District of Columbia of jurisdiction to commit to the Veterans' Administration any insane person entitled to care and treatment by the Veterans' Administration in accordance with the laws so made and provided by such States or the District of Columbia.

(Oct. 11, 1949, ch. 672, §7, 63 Stat. 761; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784,

785, 787; eff. Jan. 1, 1966)

§210h Payment of expenses of transfer

The Superintendent of Saint Elizabeths Hospital is authorized to arrange for and pay the expenses of the transfer of any person committed to his custody pursuant to the provisions of sections 210a-210h of this title or admitted to the Hospital pursuant to section 210c of this title, to his relatives or to a hospital in the State of his residence and in connection with such transfer is authorized to pay the transportation and expenses of attendants necessary to insure safe travel.

(Oct. 11, 1949, ch. 672, §8, 63 Stat. 761; Repealed. Pub. L. 89–183, §8, Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966)

§211 Admission of insane person accused of crime

If any person, charged with crime be found, in the court before which he is so charged, to be an insane person, such court shall certify the same to the Secretary of the Interior, who may order such person to be confined in Saint Elizabeths Hospital, and, if he be not indigent he and his estate shall be charged with expenses of his support in the hospital.

(R.S. §4851; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§211a Admission of insane convicts

Any person becoming insane during the continuance of his sentence in the United States penitentiary shall have the same privilege of treatment in Saint Elizabeths Hospital during the continuance of his mental disorder as is granted in section 211 of this title to persons who escape the consequences of criminal acts by reason of insanity, unless it be the opinion, both of the physician to the penitentiary and the superintendent of the hospital, that such insane convict is so depraved and furious in his character as to render his custody in the hospital insecure, and his example pernicious.

(R.S. §4852; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§211b Insane persons accused of crime; delivery to court on restoration to sanity

When any person confined in Saint Elizabeths Hospital charged with crime and subject to be tried therefor, or convicted of crime and undergoing sentence therefor, shall be restored to sanity, the superintendent of the hospital shall give notice thereof to the judge of the criminal court, and deliver him to the court in obedience to the proper precept.

(R.S. §4855; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§212 Transfer of insane convicts

Upon the application of the Attorney General the Secretary of the Interior is authorized and directed to transfer to Saint Elizabeths Hospital in the District of Columbia all persons who, having been charged with offenses against the United States, are in the actual custody of its officers, and all persons who have been or shall be convicted of any offense in a court of the United States and are imprisoned in any State prison or penitentiary of any State or Territory, and who during the term of their imprisonment have or shall become insane.

(June 23, 1874, ch. 465, §1, 18 Stat. 251; Aug. 7, 1882, ch. 433, 22 Stat. 330; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1953 Reorg. Plan No. 1, §5, PDFPage:15 eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695; Repealed. Pub. L. 98–621, §10(q), Nov. 8, 1984, 98 Stat. 3381; eff. Oct. 1, 1987)

§213 Accommodation of insane convict in State asylums; compensation

In all cases where any person convicted in a court of the United States shall, while imprisoned under such conviction in any State prison or penitentiary, become and be insane, and there shall not be accommodation for such insane person at Saint Elizabeths Hospital, or if for other reasons the Attorney General is of opinion that such insane person should be placed at a State insane asylum rather than at said hospital, then the Attorney General shall have power in his discretion to contract with any State insane or lunatic asylum within the State in which convict is imprisoned, for his care and custody while remaining so insane; and in all cases where such convicts shall be transferred to a State asylum for insane convicts in accordance with the laws of such State, the Attorney General is authorized and directed to compensate the said asylum, or the proper authorities controlling the same, for the care and custody of such insane convicts, until their removal or discharge, in such amounts as he shall deem just and reasonable; but no contract shall be made or compensation paid for the care of such insane person beyond their respective terms of imprisonment.

(June 23, 1874, ch. 465, §2, 18 Stat. 251; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 98–621, §10(q), Nov. 8, 1984, 98 Stat. 3381; eff. Oct. 1, 1987)

§214 Return to prison on restoration to sanity

Whenever such insane convict shall be restored to sanity, after he or she shall have been transferred under the provisions of the two preceding sections, he or she shall be returned to the prison or penitentiary from which the transfer was made, provided the term of imprisonment shall not have expired. The questions of sanity in all cases arising under this section and the two preceding sections shall be determined in accordance with the rules and regulations of existing laws, State or national, on that subject, applicable to the prison, penitentiary, or asylum where such convict shall be confined.

(June 23, 1874, ch. 465, §3, 18 Stat. 252; Repealed. Pub. L. 98–621, §10(q), Nov. 8, 1984, 98 Stat. 3381; eff. Oct. 1, 1987)

§215 Apprehension and detention of certain insane persons; in District of Columbia

Any member of the Metropolitan police in the District of Columbia or any other officer in said District authorized to make arrests is authorized and empowered to apprehend and detain without warrant, any insane person or person of unsound mind found on any street, avenue, alley, or other public highway, or found in any public building or other public place within the District of Columbia; and it shall be the duty of the policeman or officer so apprehending or detaining any such person to immediately file his affidavit with the major and superintendent of said Metropolitan police that he believes said person to be insane or of unsound mind, incapable of taking care of himself or herself or his or her property, and if permitted to remain at large or to go unrestrained in the District of Columbia the rights of persons and of property would be jeopardized or the preservation of public peace imperiled and the commission of crime rendered probable: *Provided, however*, That it shall be the duty of the major and superintendent of the said Metropolitan police to forthwith notify the husband or wife or some near relative or friend of the person so apprehended and detained whose address may be known to the said major and superintendent or whose address can by reasonable inquiry be ascertained by him.

(Apr. 27, 1904, ch. 1618, §1, 33 Stat. 316; Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953)

§216 Arrest at other than public places

The major and superintendent of said Metropolitan police is authorized to order the apprehension and detention, without warrant, of any indigent person alleged to be insane or of unsound mind or any alleged insane person of homicidal or otherwise dangerous tendencies found elsewhere in the District of Columbia than in the places mentioned in the preceding section whenever two or more responsible residents of the District of Columbia shall make and file affidavits with said major and superintendent of the Metropolitan police setting forth that they believe the person therein named to be insane or of unsound mind, the length of time they have known such person, that they believe such person to be incapable of managing his or her own affairs, and that such person is not fit to be at large or go unrestrained, and if such person is permitted to remain at liberty in the District of Columbia the rights of persons and of property will be jeopardized or the preservation of public peace imperiled and the commission of crime rendered probable, and that such person is a fit subject for treatment on account of his or her mental condition: *Provided, however*, That before the major or superintendent of the said Metropolitan police shall order the apprehension and detention of any person upon the affidavits of the aforesaid residents or in case of arrest as provided in the preceding section, he shall, in addition thereto, require the certification of at least two physicians who shall certify that they have examined the person alleged to be insane or of unsound mind, and that such person should not be allowed to remain at liberty and go unrestrained, and that such person is a fit subject for treatment on account of his or her mental condition.

(Apr. 27, 1904, ch. 1618, §2, 33 Stat. 317; Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953)

§217 Temporary detention of alleged insane person

The Commissioners of the District of Columbia are authorized to place in Saint Elizabeths Hospital in said District, and the superintendent of said hospital is authorized to receive, upon the written request of the said commissioners, for a period of time not exceeding thirty days, indigent persons alleged to be insane or of unsound mind, residents of or found within the District of Columbia, and alleged insane

persons of homicidal or otherwise dangerous tendencies, residents of or found within the said District, so apprehended and detained as provided in the preceding two sections, pending the formal commitment of such persons to said hospital as provided by law, or their transportation to their homes when their places of residence are ascertained by the property officials charged by law with that duty.

(Apr. 27, 1904, ch. 1618, §3, 33 Stat. 317; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953)

§218 Temporary commitment of person to other hospital, or detention in police station; discharge of person certified not insane

The Commissioners of the District of Columbia may authorize the temporary commitment of any of the insane persons or persons of unsound mind mentioned in the three preceding sections and apprehended and detained as provided in sections 215 and 216 (for a period of time not exceeding thirty days) in any other hospital in said District which, in the judgment of the health officer of said District, is properly constructed and equipped for the reception and care of such persons and the official in charge of which for the time being, is willing to receive such persons pending the temporary commitment or the formal commitment of such persons, as provided by law, to Saint Elizabeths Hospital or to any other hospital or insane asylum; or any such alleged insane person or person of unsound mind apprehended under sections 215 and 216 may be detained in any police station or house of detention in said District pending the completion of arrangements for his or her temporary detention in Saint Elizabeths Hospital or any other hospital or insane asylum; and such persons may be detained in any police station or house of detention in said District until formally committed to Saint Elizabeths Hospital or any other hospital or asylum, in the manner provided by law, in case he or she cannot be provided for by the said Saint Elizabeths Hospital and no arrangement can be made for his or her temporary detention in any other hospital or asylum: *Provided, however*: That if, pending the formal commitment of such alleged insane person or person of unsound mind to Saint Elizabeths Hospital or to any other hospital or asylum, the superintendent of said Saint Elizabeths Hospital, in the case of the commitment of a person to said hospital under the provisions of sections 215 to 220, inclusive, or if two or more physicians in regular attendance at any other hospital or asylum where any person is committed under the provisions of sections 215 to 220, inclusive, shall certify in writing to the Commissioners of the District of Columbia that such person is not insane or that he or she has recovered his or her reason, the official in charge of Saint Elizabeths Hospital, or the hospital or asylum in which such person is confined, or the major and superintendent of said Metropolitan police, if such person be confined in a police station house or in a house of detention, shall discharge such alleged insane person or person of unsound mind forthwith and immediately report such action to the Commissioners of the District of Columbia.

(Apr. 27, 1904, ch. 1618, §4, 33 Stat. 317; July 1, 1916, ch. 209, 39 Stat. 309; Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953)

§219 Certificate by physician as to sanity or insanity; qualification of physician

For the purposes of sections 215 to 220, inclusive, no certificate as to the sanity or the insanity of any person shall be valid which has been issued (a) by a physician who has not been regularly licensed to practice medicine in the District of Columbia unless he be a commissioned surgeon of the United States Army, Navy or Public Health Service; or (b) by a physician who is not a permanent resident of the District of Columbia; or (c) by a physician who has not been actively engaged in the practice of his

profession for at least three years; or (d) by a physician who is related by blood or by marriage to the person whose mental condition is in question. Nor shall any certificate alleging the insanity of any person be valid which has been issued by a physician who is financially interested in the hospital or asylum in which the alleged insane person is to be confined, or who is professionally or officially connected therewith.

(Apr. 27, 1904, ch. 1618, §5, 33 Stat. 318; Aug. 14, 1912, ch. 288, §1, 37 Stat. 309; Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953)

§220 Making false affidavit or certificate; penalty

Any person who makes an affidavit, as required by sections 215 and 215, by which he or she secures or attempts to secure the apprehension, detention or restraint of any other person in the District of Columbia without probable cause for believing such person to be insane or of unsound mind, or any physician who knowingly makes any false certificate as to the sanity or insanity of any other person shall, upon conviction thereof, be fined not more than $500 or imprisoned not more tan three years, or both.

(Apr. 27, 1904, ch. 1618, §6, 33 Stat. 318; Repealed. Pub. L. 88–597, §19(c), Sept. 15, 1964, 78 Stat. 953)

§221 Discharge of patients on bond

If any person will give bond with sufficient security, to be approved by the Supreme Court of the District of Columbia, or by any judge thereof in vacation, payable to the United States, with condition to restrain and take care of any independent or indigent insane person not charged with breach of the peace, whether in the hospital or not until the insane person is restored to sanity, such court or judge thereof may deliver such insane person to the party giving such bond.

(R.S. §4856; June 25, 1936, ch. 804, 49 Stat. 1921; June 25, 1948, ch. 646, §32(b), 62 Stat. 991; May 24, 1949, ch. 139, §127, 63 Stat. 107; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§222 Insane person not to be confined in jail

No insane person not charged with any breach of the peace shall ever be confined in the United States jail in the District of Columbia.

(R.S. §4857; Repealed. Pub. L. 98–621, §10(a), Nov. 8, 1984, 98 Stat. 3379; eff. Oct. 1, 1987)

§225 Findings and purposes

(a) The Congress makes the following findings:
(1) Governmentally administered mental health services in the District of Columbia are currently provided through two separate public entities, the federally administered Saint Elizabeths Hospital and the Mental Health Services Administration of the District of Columbia Department of Human Resources.

(2) The District of Columbia has a continuing responsibility to provide mental health services to its residents.
(3) The Federal Government, through its operation of a national mental health program at Saint Elizabeths Hospital, has for over 100 years assisted the District of Columbia in carrying out that responsibility.
(4) Since its establishment by Congress in 1855, Saint Elizabeths Hospital has developed into a respected national mental health hospital and study, training, and treatment center, providing a range of quality mental health and related services, including—
(i) acute and chronic inpatient psychiatric care;
(ii) outpatient psychiatric and substance abuse clinical and related services;
(iii) Federal court system forensic psychiatry referral, evaluation, and patient treatment services for prisoners, and for individuals awaiting trial or requiring post-trial or post-sentence psychiatric evaluation;
(iv) patient care and related services for designated classes of individuals entitled to mental health benefits under Federal law, such as certain members and employees of the United States Armed Forces and the Foreign Service, and residents of American overseas dependencies;
(v) District of Columbia court system forensic psychiatry referral, evaluation, and patient treatment services for prisoners, and for individuals awaiting trial or requiring post-trial or postsentence psychiatric evaluation;
(vi) programs for special populations such as the mentally ill deaf;
(vii) support for basic and applied clinical psychiatric research and related patient services conducted by the National Institute of Mental Health and other institutions; and
(viii) professional and paraprofessional training in the major mental health disciplines.

(5) The continuation of the range of services currently provided by federally administered Saint Elizabeths Hospital must be assured, as these services are integrally related to—
(i) the availability of adequate mental health services to District of Columbia residents, nonresidents who require mental health services while in the District of Columbia, individuals entitled to mental health services under Federal law, and individuals referred by both Federal and local court systems; and
(ii) the Nation's capacity to increase our knowledge and understanding about mental illness and to facilitate and continue the development and broad availability of sound and modern methods and approaches for the treatment of mental illness.

(6) The assumption of all or selected functions, programs, and resources of Saint Elizabeths Hospital from the Federal Government by the District of Columbia, and the integration of those functions, resources, and programs into a comprehensive mental health care system administered solely by the District of Columbia, will improve the efficiency and effectiveness of the services currently provided through those two separate entities by shifting the primary focus of care to an integrated community-based system.
(7) Such assumption of all or selected functions, programs, and resources of Saint Elizabeths Hospital by the District of Columbia PDFPage:16 would further the principle of home rule for the District of Columbia.

(b) It is the intent of Congress that—
(1) the District of Columbia have in operation no later than October 1, 1993, an integrated coordinated mental health system in the District which provides—
(A) high quality, cost-effective, and community-based programs and facilities;

(B) a continuum of inpatient and outpatient mental health care, residential treatment, and support services through an appropriate balance of public and private resources; and
(C) assurances that patient rights and medical needs are protected;

(2) the comprehensive District mental health care system be in full compliance with the Federal court consent decree in Dixon v. Heckler;
(3) the District and Federal Governments bear equitable shares of the costs of a transition from the present system to a comprehensive District mental health system;
(4) the transition to a comprehensive District mental health system provided for by this subchapter be carried out with maximum consideration for the interests of employees of the Hospital and provide a right-of-first-refusal to such employees for employment at comparable levels in positions created under the system implementation plan;
(5) the Federal Government have the responsibility for the retraining of Hospital employees to prepare such employees for the requirements of employment in a comprehensive District mental health system;
(6) the Federal Government continue high quality mental health research, training, and demonstration programs at Saint Elizabeths Hospital;
(7) the District government establish and maintain accreditation and licensing standards for all services provided in District mental health facilities which assure quality care consistent with appropriate Federal regulations and comparable with standards of the Joint Commission on Accreditation of Hospitals; and
(8) the comprehensive mental health system plan include a component for direct services for the homeless mentally ill.

(Pub. L. 98–621, §2, Nov. 8, 1984, 98 Stat. 3369; Pub. L. 102–150, §3(a), Oct. 31, 1991, 105 Stat. 980)

References in Text. This subchapter, referred to in subsec. (b)(4), was in the original "this Act", meaning Pub. L. 98–621, Nov. 8, 1984, 98 Stat. 3369, known as the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act. For complete classification of this Act to the Code, see Short Title note below and Tables. Amendments. 1991—Subsec. (b)(1). Pub. L. 102–150 substituted "October 1, 1993" for "October 1, 1991". Effective Date. Pub. L. 98–621, §12, formerly §11, Nov. 8, 1984, 98 Stat. 3382, renumbered §12, Pub. L. 102–150, §4(1), Oct. 31, 1991, 105 Stat. 981, provided that: "(a) Except as provided in subsection (b), this Act [see Short Title note below] shall take effect on October 1, 1985." "(b) Section 10 [amending section 324 of this title and repealing sections 161, 164 to 166, 168, 168a, 169, 169a, 170 to 172, 175 to 177, 180 to 185, 191, 192, 194, 195, 195a, 196, 196b, 197 to 204, 206, 211 to 214, 221, and 222 of this title and section 300aa–3 of Title 42, The Public Health and Welfare] shall take effect on October 1, 1987." Short Title of 1991 Amendment. Pub. L. 102–150, §1, Oct. 31, 1991, 105 Stat. 980, provided that: "This Act [enacting section 225h of this title, amending this section and sections 225b and 225f of this title, and renumbering provisions set out as a note under this section] may be cited as the 'District of Columbia Mental Health Program Assistance Act of 1991'." Short Title Pub. L. 98–621, §1, Nov. 8, 1984, 98 Stat. 3369, provided that: "This Act [enacting this subchapter, amending section 324 of this title, repealing sections 161, 164 to 166, 168, 168a, 169, 169a, 170 to 172, 175 to 177, 180 to 185, 191, 192, 194, 195, 195a, 196, 196b, 197 to 204, 206, 211 to 214, 221, and 222 of this title and section 300aa–3 of Title 42, The Public Health and Welfare] may be cited as the 'Saint Elizabeths Hospital and District of Columbia Mental Health Services Act'."

§225a Definitions

For the purpose of this subchapter:
(1) The term "Hospital" means the institution in the District of Columbia known as Saint Elizabeths Hospital operated on November 8, 1984, by the Secretary of Health and Human Services.
(2) The term "Secretary" means the Secretary of Health and Human Services.
(3) The term "Mayor" means the Mayor of the District of Columbia.
(4) The term "District" means the District of Columbia.
(5) The term "Federal court consent decree" means the consent decree in Dixon v. Heckler, Civil Action No. 74–285.
(6) The term "service coordination period" means a period beginning on October 1, 1985, and terminating on October 1, 1987.
(7) The term "financial transition period" means a period beginning on October 1, 1985, and terminating on October 1, 1991.
(8) The term "system implementation plan" means the plan for a comprehensive mental health system for the District of Columbia to be developed pursuant to this subchapter.
(9) The term "Council" means the Council of the District of Columbia.

(Pub. L. 98–621, §3, Nov. 8, 1984, 98 Stat. 3371)

§225b Development of plan for mental health system for the District

(a) Responsibility for mental health services; effective date; final system implementation plan; comprehensive mental health program
(1) Subject to subsection (g) of this section and section 225g(b)(1) of this title, effective October 1, 1987, the District shall be responsible for the provision of mental health services to residents of the District.
(2) Not later than October 1, 1993, the Mayor shall complete the implementation of the final PDFPage:17 system implementation plan reviewed by the Congress and the Council in accordance with the provisions of this subchapter for the establishment of a comprehensive District mental health system to provide mental health services and programs through community mental health facilities to individuals in the District of Columbia.
(b) Mayor; preliminary system implementation plan; final implementation plan; submission to and review by Council and Congressional committees
(1) The Mayor shall prepare a preliminary system implementation plan for a comprehensive mental health system no later than 3 months from October 1, 1985, and a final implementation plan no later than 12 months from October 1, 1985.
(2) The Mayor shall submit the preliminary system implementation plan to the Council no later than 3 months from October 1, 1985. The Council shall review such plan and transmit written recommendations to the Mayor regarding any revisions to such plan no later than 60 days after such submission. The Mayor shall submit the revised preliminary plan to the Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate for review and comment in accordance with the provisions of this subchapter.
(3) The final system implementation plan shall be considered by the Council consistent with the provisions of section 422(12) of the District of Columbia Home Rule Act.
(4) After the review of the Council pursuant to paragraph (3), the Mayor shall submit the final implementation plan to the Committee on the District of Columbia of the House of Representatives and

the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate for review and comment in accordance with the provisions of this subchapter.
(c) Contents of system implementation plan
The system implementation plan shall—
(1) propose and describe an integrated, comprehensive, and coordinated mental health system for the District of Columbia;
(2) identify the types of treatment to be offered, staffing patterns, and the proposed sites for service delivery within the District of Columbia comprehensive mental health system;
(3) identify mechanisms to attract and retain personnel of appropriate number and quality to meet the objectives of the comprehensive mental health system;
(4) be in full compliance with the Federal court consent decree in Dixon v. Heckler and all applicable District of Columbia statutes and court decrees;
(5) identify those positions, programs, and functions at Saint Elizabeths Hospital which are proposed for assumption by the District, those facilities at Saint Elizabeths Hospital which are proposed for utilization by the District under a comprehensive District mental health system, and the staffing patterns and programs at community facilities to which the assumed functions are to be integrated;
(6) identify any capital improvements to facilities at Saint Elizabeths Hospital and elsewhere in the District of Columbia proposed for delivery of mental health services, which are necessary for the safe and cost effective delivery of mental health services; and
(7) identify the specific real property, buildings, improvements, and personal property to be transferred pursuant to section 225f(a)(1) of this title needed to provide mental health and other services provided by the Department of Human Services under the final system implementation plan.
(d) Consultation; labor-management advisory committee; public comments
(1) The Mayor shall develop the system implementation plan in close consultation with officials of Saint Elizabeths Hospital, through working groups to be established by the Secretary and the Mayor for that purpose.
(2) The Mayor and the Secretary shall establish a labor-management advisory committee, requesting the participation of Federal and District employee organizations affected by this subchapter, to make recommendations on the system implementation plan. The committee shall consider staffing patterns under a comprehensive District mental health care system, retention of Hospital employees under such system, Federal retraining for such employees, and any other areas of concern related to the establishment of a comprehensive District system. In developing the system implementation plan the Mayor shall carefully consider the recommendations of the committee. Such advisory committee shall not be subject to the Federal Advisory Committee Act.
(3) The Mayor and such working groups shall, in developing the plan, solicit comments from the public, which shall include professional organizations, provider agencies and individuals, and mental health advocacy groups in the District of Columbia.
(e) Shift of selected program responsibilities and staff resources; commercial activity proposals; exemption of certain studies
(1) The Mayor and the Secretary may, during the service coordination period, by mutual agreement and consistent with the requirements of the system implementation plan direct the shift of selected program responsibilities and staff resources from Saint Elizabeths Hospital to the District. The Secretary may assign staff occupying positions in affected programs to work under the supervision of the District. The Mayor shall notify the Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate in writing of any planned shift in program responsibilites 1 or staff resources not less than 30 days prior to the implementation of such shift.

(2)(A) Except as provided in subparagraph (B), after October 1, 1984, and during the service coordination period, no request for proposals may be issued by the Secretary for any areas of commercial activity at the Hospital pursuant to Office of Management and Budget circular A–76.
(B) The limitation under subparagraph (A) shall not apply to studies initiated pursuant to such circular prior to October 1, 1984.
(f) Financial and physical plant audits; repairs and renovations; maintenance of facilities and infrastructure
(1) To assist the Mayor in the development of the system implementation plan, the Secretary shall contract for a financial audit and a physical plant audit of all existing facilities at the Hospital to be completed by January 1, 1986. The financial audit shall be conducted according to generally accepted accounting principles. The physical plant audit shall recognize any relevant national and District codes and estimate the useful life of existing facility support systems.
(2)(A) Pursuant to such physical plant audit, the Secretary shall initiate not later than October 1, 1987, and, except as provided under an agreement entered into pursuant to subparagraph (C), complete not later than October 1, 1993, such repairs and renovations to such physical plant and facility support systems of the Hospital as are to be utilized by the District under the system implementation plan as part of a comprehensive District mental health system, as are necessary to meet any applicable code requirements or standards.
(B) At a minimum until October 1, 1987, the Secretary shall maintain all other facilities and infrastructure of the Hospital not assumed by the District in the condition described in such audit.
(C) The Secretary may enter into an agreement with the Mayor under which the Secretary shall provide funds to the Mayor to complete the repairs and renovations described in subparagraph (A) and to make other capital improvements that are necessary for the safe and cost effective delivery of mental health services in the District, except that $7,500,000 of the funds provided to the Mayor under such an agreement shall be used to make capital improvements to facilities not located at Saint Elizabeths Hospital. Of the $7,500,000 provided for improvements to facilities not located at the Hospital, not less than $5,000,000 shall be used to make capital improvements to housing facilities for seriously and chronically mentally ill individuals.
(g) Service coordination period; responsibility for providing services
During the service coordination period, the District of Columbia and the Secretary, to the extent provided in the Federal court consent decree, shall be jointly responsible for providing citizens with the full range and scope of mental health services set forth in such decree and the system implementation plan. No provision of this subchapter or any action or agreement during the service coordination period may be so construed as to absolve or relieve the District or the Federal Government of their joint or respective responsibilities to implement fully the mandates of the Federal court consent decree.

(Pub. L. 98–621, §4, Nov. 8, 1984, 98 Stat. 3371; Pub. L. 102–150, §§2, 3(a), Oct. 31, 1991, 105 Stat. 980; Pub. L. 105–33, title XI, §11717(b), Aug. 5, 1997, 111 Stat. 786)

References in Text. Section 422 of the District of Columbia Home Rule Act, referred to in subsec. (b)(3), is section 422 of Pub. L. 93–198, title IV, Dec. 24, 1973, 87 Stat. 790, as amended, which is not classified to the Code. The Federal Advisory Committee Act, referred to in subsec. (d)(2), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in Title 5, Appendix, Government Organization and Employees.

Amendments. 1997—Subsec. (b)(3). Pub. L. 105–33 substituted "District of Columbia Home Rule Act" for "District of Columbia Self-Government and Governmental Reorganization Act".

1991—Subsec. (a)(2). Pub. L. 102–150, §3(a), substituted "October 1, 1993" for "October 1, 1991". Subsec. (f)(2)(A). Pub. L. 102–150, §§2(1), 3(a), substituted "and, except as provided under an agreement entered into pursuant to subparagraph (C), complete" for "and complete" and "October 1, 1993" for "October 1, 1991". Subsec. (f)(2)(C). Pub. L. 102–150, §2(2), added subpar. (C).

Change of Name. Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004. Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Effective Date of 1997 Amendment. Amendment by Pub. L. 105–33 effective Oct. 1, 1997, except as otherwise provided in title XI of Pub. L. 105–33, see section 11721 of Pub. L. 105–33, set out as a note under section 4246 of Title 18, Crimes and Criminal Procedure.

Abolition of House Committee on the District of Columbia. Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

Termination of Claims. Pub. L. 109–396, title I, §102, Dec. 15, 2006, 120 Stat. 2712, provided that: "(a) In General.—Notwithstanding any other provision of law, the United States is not required to perform, or to reimburse the District of Columbia for the cost of performing, any of the following services: "(1) Repairs or renovations pursuant to section 4(f) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24USC§225b(f); sec. 44–903(f), D.C. Official Code). "(2) Preservation, maintenance, or repairs pursuant to a use permit executed on September 30, 1987, under which the United States (acting through the Secretary of Health and Human Services) granted permission to the District of Columbia to use and occupy portions of the Saint Elizabeths Hospital property known as the 'West Campus'. "(3) Mental health diagnostic and treatment services for referrals as described in section 9(b) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24USC§225g(b); sec. 44–908(b), D.C. Official Code), but only with respect to services provided on or before the date of the enactment of this Act [Dec. 15, 2006]. "(b) Effect on Pending Claims.—Any claim of the District of Columbia against the United States for the failure to perform, or to reimburse the District of Columbia for the cost of performing, any service described in subsection (a) which is pending as of the date of the enactment of this Act shall be extinguished and terminated."

§225c Congressional review of system implementation plan

(a) The Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate shall review the preliminary system implementation plan transmitted by the Mayor pursuant to section 225b of this title to determine the extent of its compliance with the provisions of section 225(b) of this title and section 225b of this title, and transmit written recommendations regarding any revisions to the

preliminary plan to the Mayor not later than 60 days after receipt of such plan.
(b) The Committee on the District of Columbia of the House of Representatives and the Committee on Labor and Human Resources and the Committee on Governmental Affairs of the Senate shall, within 90 days of submission of the final system implementation plan by the Mayor pursuant to section 225b of this title, review such plan to determine the extent to which it is in compliance with the provisions of section 225(b) of this title and section 225b of this title.

(Pub. L. 98–621, §5, Nov. 8, 1984, 98 Stat. 3374)

Change of Name. Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004. Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Abolition of House Committee on the District of Columbia. Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§225d Transition provisions for employees of Hospital

(a) Retirement opportunity
Employees of the Hospital directly affected by the assumption of programs and functions by the District government who meet the requirements for immediate retirement under the provisions of section 8336(d) of title 5 shall be accorded the opportunity to retire during the 30-day period prior to the assumption of such programs and functions.
(b) Specific number and types of positions; transfer to District employment
(1) The system implementation plan shall prescribe the specific number and types of positions needed by the District government at the end of the service coordination period.
(2) Notwithstanding section 3503 of title 5, employees of the Hospital shall only be transferred to District employment under the provisions of this section.
(c) Retention list; reemployment priority list; right-of-first-refusal; retention registers; employee appeals
(1) While on the retention list or the District or Federal agency reemployment priority list, the system implementation plan shall provide to Hospital employees a right-of-first-refusal to District employment in positions for which such employees may qualify, (A) created under the system implementation plan in the comprehensive District mental health system, (B) available under the Department of Human Services of the District, and (C) available at the District of Columbia General Hospital.
(2) In accordance with Federal regulations, the Secretary shall establish retention registers of Hospital employees and provide such retention registers to the District government. Employment in positions identified in the system implementation plan under subsection (b) shall be offered to Hospital employees by the District government according to each such employee's relative standing on the retention registers.

(3) Employee appeals concerning the retention registers established by the Secretary shall be in accordance with Federal regulations.
(4) Employee appeals concerning employment offers by the District shall be in accordance with the District of Columbia Government Comprehensive Merit Personnel Act of 1978.
(d) Federal agency reemployment priority list; right-of-first-refusal; Department of Health and Human Services; separation; maintenance of lists; District agency reemployment priority list; refusal of employment offer; acceptance of non-temporary employment
(1) Notwithstanding any other provision of law, employees of the Hospital, while on the Federal agency reemployment priority list, shall have a right-of-first-refusal to employment in comparable available positions for which they qualify within the Department of Health and Human Services in the Washington metropolitan area.
(2) If necessary to separate employees of the Hospital from Federal employment, such employees may be separated only under Federal reduction-in-force procedures.
(3) A Federal agency reemployment priority list and a displaced employees program shall be maintained for employees of the Hospital by the Secretary and the Office of Personnel Management in accordance with Federal regulations for Federal employees separated by reduction-in-force procedures.

(4) The Mayor shall create and maintain, in consultation with the Secretary, a District agency reemployment priority list of those employees of the Hospital on the retention registers who are not offered employment under subsection (c). Individuals who refuse an offer of employment under subsection (c) shall be ineligible for inclusion on the District agency reemployment priority list. Such reemployment priority list shall be administered in accordance with procedures established pursuant to the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139).
(5) Acceptance of non-temporary employment as a result of referral from any retention list or agency reemployment priority list shall automatically terminate an individual's severance pay as of the effective date of such employment.
(e) Contracts; mental health services; preferences
Any contract entered into by the District of Columbia for the provision of mental health services formerly provided by or at the Hospital shall require the contractor or provider, in filling new positions created to perform under the contract, to give preference to qualified candidates on the District agency reemployment priority list created pursuant to subsection (d) of this section. An individual who is offered nontemporary employment with a contractor shall have his or her name remain on the District agency reemployment priority list under subsection (d) for not more than 24 months from the date of acceptance of such employment.

(Pub. L. 98–621, §6, Nov. 8, 1984, 98 Stat. 3374)

References in Text. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, referred to in subsecs. (c)(4) and (d)(4), is D.C. Law 2–139, Mar. 3, 1979, as amended, which is not classified to the Code. Continued Coverage Under Certain Federal Employee Benefits Programs for Certain Employees of Saint Elizabeths Hospital. For provisions relating to treatment of certain Federal employees of Saint Elizabeths Hospital under certain Federal employee benefit programs, see section 207(o) of Pub. L. 99–335, set out as a note under 5USC§8331 of Title 5, Government Organization and Employees.

§225e Conditions of employment for former employees of Hospital

(a) Individuals accepting employment; without service breaks
Each individual accepting employment without a break in service with the District government pursuant to section 225d of this title shall—
(1) except as specifically provided in this subchapter, be required to meet all District qualifications other than licensure requirements for appointment required of other candidates, and shall become District employees in the comparable District service subject to the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, and all other statutes and regulations governing District personnel;
(2) meet all licensure requirements within 18 months of appointment by the District government;
(3) notwithstanding chapter 63 of title 5, transfer accrued annual and sick leave balances pursuant to title XII of the District of Columbia Comprehensive Merit Personnel Act of 1978;
(4) have the grade and rate of pay determined in accordance with regulations established pursuant to title XI of the District of Columbia Comprehensive Merit Personnel Act of 1978, except that no employee shall suffer a loss in the basic rate of pay or in seniority;
(5) if applicable, retain a rate of pay including the physician's comparability allowance under the provisions of section 5948 of title 5, and continue to receive such allowance under the terms of the then prevailing agreement until its expiration or for a period of 2 years from the date of appointment by the District government, whichever occurs later;
(6) be entitled to the same health and life insurance benefits as are available to District employees in the applicable service;
(7) if employed by the Federal Government before January 1, 1984, continue to be covered by the United States Civil Service Retirement System, under chapter 83 of title 5, to the same extent that such retirement system covers District Government 1 employees; and
(8) if employed by the Federal Government on or after January 1, 1984, be subject to the retirement system applicable to District government employees pursuant to title XXVI, Retirement, of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.
(b) Exemption from residency requirements
An individual appointed to a position in the District government without a break in service, from the retention list, or from the District or Federal agency reemployment priority lists shall be exempt from the residency requirements of title VIII of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.
(c) Compensation; work related injuries
An individual receiving compensation for work injuries pursuant to chapter 81 of title 5 shall—
(1) continue to have the claims adjudicated and the related costs paid by the Federal Government until such individual recovers and returns to duty;
(2) if medically recovered and returned to duty, have any subsequent claim for the recurrence of the disability determined and paid under the provisions of title XXIII of the District of Columbia Comprehensive Merit Personnel Act of 1978.
(d) Actions by District against individuals accepting employment
The District government may initiate or continue an action against an individual who accepts employment under section 225d(c) of this title for cause related to events that occur prior PDFPage:21 to the end of the service coordination period. Any such action shall be conducted in accordance with such Federal laws and regulations under which action would have been conducted had the assumption of function by the District not occurred.
(e) Commissioned public health service officers
Commissioned public health service officers detailed to the District of Columbia mental health system shall not be considered employees for purposes of any full-time employee equivalency total of the

Department of Health and Human Services.
(f) Former patient employees
For purposes of this section, Hospital employees shall include former patient employees occupying career positions at the Hospital.

(Pub. L. 98–621, §7, Nov. 8, 1984, 98 Stat. 3375)

References in Text. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, referred to in subsecs. (a)(1), (3), (4), (8), (b), and (c)(2), is D.C. Law 2–139, Mar. 3, 1979, as amended, which is not classified to the Code.

§225f Property transfer

(a) Authority of Secretary; exclusion of certain real property
(1) Except as provided in paragraph (2), on October 1, 1987, the Secretary shall transfer to the District, without compensation, all right, title, and interest of the United States in all real property at Saint Elizabeths Hospital in the District of Columbia together with any buildings, improvements, and personal property used in connection with such property needed to provide mental health and other services provided by the Department of Human Services indentified 1 pursuant to section 225b(c)(7) of this title.
(2) Such real property as is identified by the Secretary by September 30, 1987, as necessary to Federal mental health programs at Saint Elizabeths Hospital under section 225(b)(5) of this title shall not be transferred under this subsection.
(b) Preparation of master plan; consultation; approval; property transfer; exclusion of Oxon Cove Park
On or before October 1, 1992, the Mayor shall prepare, and submit to the Committee on the District of Columbia of the House of Representatives and the Committees on Governmental Affairs and Labor and Human Resources of the Senate, a master plan, not inconsistent with the comprehensive plan for the National Capital, for the use of all real property, buildings, improvements, and personal property comprising Saint Elizabeths Hospital in the District of Columbia not transferred or excluded pursuant to subsection (a) of this section. In developing such plan, the Mayor shall consult with, and provide an opportunity for review by, appropriate Federal, regional, and local agencies. Such master plan submitted by the Mayor shall be approved by a law enacted by the Congress within the 2-year period following the date such plan is submitted to the Committee on the District of Columbia of the House of Representatives and the Committees on Governmental Affairs and Labor and Human Resources of the Senate. Immediately upon the approval of any such law, the Secretary shall transfer to the District, without compensation, all right, title, and interest of the United States in and to such property in accordance with such approved plan. The real property, together with the buildings and other improvements thereon, including personal property used in connection therewith, known as the Oxon Cove Park and operated by the National Park Service, Department of the Interior, shall not be transferred under this subchapter.
(c) Transfer of J.B. Johnson Building and grounds
On October 1, 1985, the Secretary shall transfer to the District, without compensation, all right, title, and interest of the United States to lot 87, square 622, in the subdivision made by the District of Columbia Redevelopment Land Agency, as per plat recorded in the Office of the Surveyor for the District of Columbia, in liber 154 at folio 149 (901 First Street N.W., the J.B. Johnson Building and grounds).

(Pub. L. 98–621, §8, Nov. 8, 1984, 98 Stat. 3377; Pub. L. 102–150, §3(b), Oct. 31, 1991, 105 Stat. 980). Amendments. 1991—Subsec. (b). Pub. L. 102–150 substituted "October 1, 1992" for "October 1, 1991" and "2-year" for "twelve-month".

Change of Name. Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004. Committee on Labor and Human Resources of Senate changed to Committee on Health, Education, Labor, and Pensions of Senate by Senate Resolution No. 20, One Hundred Sixth Congress, Jan. 19, 1999.

Abolition of House Committee on the District of Columbia. Committee on the District of Columbia of House of Representatives abolished by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995. References to Committee on the District of Columbia treated as referring to Committee on Government Reform and Oversight of House of Representatives, see section 1(b) of Pub. L. 104–14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Government Reform and Oversight of House of Representatives changed to Committee on Government Reform of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

§225g Financing provisions

(a) Authorization of appropriations
There are authorized to be appropriated for grants by the Secretary of Health and Human Services to the District of Columbia comprehensive mental health system, $30,000,000 for fiscal year 1988, $24,000,000 for fiscal year 1989, $18,000,000 for fiscal year 1990, and $12,000,000 for fiscal year 1991.
(b) Federal agencies; payments to District of costs for treatment of certain patients; responsibility of U.S. for service costs
(1) Beginning on October 1, 1987, and in each subsequent fiscal year, the appropriate Federal agency is directed to pay the District of Columbia the full costs for the provision of mental health diagnostic and treatment services for the following types of patients:
(A) Any individual referred to the system pursuant to a Federal statute or by a responsible Federal agency.
(B) Any individual referred to the system for emergency detention or involuntary commitment after being taken into custody (i) as a direct result of the individual's action or threat of action against a Federal official, (ii) as a direct result of the individual's action or threat of action on the grounds of the White House or of the Capitol, or (iii) under chapter 9 of title 21 of the District of Columbia Code.
(C) Any individual referred to the system as a result of a criminal proceeding in a Federal court (including an individual admitted for treatment, observation, and diagnosis and an individual found incompetent to stand trial or found not guilty by reason of insanity). The preceding provisions of this paragraph apply to any individual referred to the system (or to Saint Elizabeths Hospital) before or after November 8, 1984.

(2) The responsibility of the United States for the cost of services for individuals described in paragraph (1) shall not affect the treatment responsibilities to the District of Columbia under the Interstate Compact on Mental Health.
(c) Financial responsibility during coordination period
(1) During the service coordination and the financial transition periods, the District of Columbia shall

gradually assume a greater share of the financial responsibility for the provision of mental health services provided by the system to individuals not described in subsection (b).
(2) Omitted
(d) Shared responsibility for capital improvements
Subject to section 225b(f)(2) of this title, capital improvements to facilities at Saint Elizabeths Hospital authorized during the service coordination period shall be the shared responsibility of the District and the Federal Government in accordance with Public Law 83–472.
(e) Unassigned liabilities; sole responsibility of Federal Government
Pursuant to the financial audit under section 225b(f) of this title, any unassigned liabilities of the Hospital shall be assumed by and shall be the sole responsibility of the Federal Government.
(f) Audit to determine liability of Federal Government for accrued annual leave balances; authorization of appropriations
(1) After the service coordination period, the Secretary shall conduct an audit, under generally accepted accounting procedures, to identify the liability of the Federal Government for accrued annual leave balances for those employees assumed by the District under the system implementation plan.
(2) There is authorized to be appropriated for payment by the Federal Government to the District an amount equal to the liability identified by such audit.
(g) Authority; District; collection of costs for mental health services
Nothing in this subchapter shall affect the authority of the District of Columbia under any other statute to collect costs billed by the District of Columbia for mental health services, except that payment for the same costs may not be collected from more than one party.
(h) Responsibility of United States for certain claims
The Government of the United States shall be solely responsible for—
(1) all claims and causes of action against Saint Elizabeths Hospital that accrue before October 1, 1987, regardless of the date on which legal proceedings asserting such claims were or may be filed, except that the United States shall, in the case of any tort claim, only be responsible for any such claim against the United States that accrues before October 1, 1987, and the United States shall not compromise or settle any claim resulting in District liability without the consent of the District, which consent shall not be unreasonably withheld; and
(2) all claims that result in a judgment or award against Saint Elizabeths Hospital before October 1, 1987.

(Pub. L. 98–621, §9, Nov. 8, 1984, 98 Stat. 3377)

References in Text. Public Law 83–472, referred to in subsec. (d), is act July 2, 1954, ch. 457, 68 Stat. 434, as amended, known as the Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1955. Certain provisions of this Act relating to Saint Elizabeths Hospital and appearing at 68 Stat. 443, were repealed by section 10(d)(2) of Pub. L. 98–621 effective Oct. 1, 1987. For complete classification of this Act to the Code, see Tables.

Codification. Subsec. (c)(2) of this section amended section 502 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93–198, title V, Dec. 24, 1973, 87 Stat. 813), which is not classified to the Code.

§225h Buy American provisions

(a) Applicability

The Mayor shall insure that the requirements of the Buy American Act of 1933, as amended, apply to all procurements made under this subchapter.
(b) Determination by Mayor
(1) If the Mayor, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the United States Trade Representative shall rescind the waiver of the Buy American Act with respect to such types of products produced in that foreign country.
(2) An agreement referred to in paragraph (1) is any agreement,1 between the United States and a foreign country pursuant to which the head of an agency of the United States Government has waived the requirements of the Buy American Act with respect to certain products produced in the foreign country.
(c) Report to Congress
The Mayor shall submit to Congress a report on the amount of purchases from foreign entities under this subchapter from foreign entities in fiscal years 1992 and 1993. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.
(d) "Buy American Act" defined
For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41USC§8301 et seq).
(e) Restrictions on contract awards
No contract or subcontract made with funds authorized under this subchapter 2 may be awarded for the procurement of an article, material, or supply produced or manufactured in a foreign country whose government unfairly maintains in government procurement a significant and persistent pattern or practice of discrimination against United States products or services which results in identifiable harm to United States businesses, as identified by the President pursuant to 3 (g)(1)(A) of section 305 of the Trade Agreements Act of 1979 (19 U.S.C. 2515(g)(1)(A)). Any such determination shall be made in accordance with section 305.
(f) Prohibition against fraudulent use of "Made in America" labels
If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, that person shall be ineligible to receive any contract or subcontract under this subchapter, pursuant to the debarment, suspension, and ineligibility procedures in subpart 9.4 of chapter 1 of title 48, Code of Federal Regulations.

(Pub. L. 98–621, §11, as added Pub. L. 102–150, §4(2), Oct. 31, 1991, 105 Stat. 981, reference to 41USC§10a et seq.; PL 117-58 §70941 Nov. 15, 2021)

References in Text. Title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933, referred to in subsec. (d), is title III of act Mar. 3, 1933, ch. 212, 47 Stat. 1520, known as the Buy American Act, which was classified generally to sections 10a, 10b, and 10c of former Title 41, Public Contracts, and was substantially repealed and restated in chapter 83 (41USC§8301 et seq.) of Title 41, Public Contracts, by Pub. L. 111–350, §§3, 7(b), Jan. 4, 2011, 124 Stat. 3677, 3855. For

complete classification of title III to the Code, see Short Title of 1933 Act note set out under 41USC§101 and Tables. For disposition of sections of former Title 41, see Disposition Table preceding section 101 of Title 41. The Trade Agreement Act of 1979, referred to in subsec. (c), probably means the Trade Agreements Act of 1979, Pub. L. 96–39, July 26, 1979, 93 Stat. 144, as amended. For complete classification of this Act to the Code, see References in Text note set out under section 2501 of Title 19, Customs Duties, and Tables. This subchapter, referred to in subsec. (e), was in the original "this title" and was translated as reading "this Act", meaning Pub. L. 98–621, which is classified principally to this subchapter, to reflect the probable intent of Congress, because Pub. L. 98–621 does not contain titles.

CHAPTER 5—COLUMBIA INSTITUTION FOR THE DEAF

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§231 Establishment and Powers

The corporation created by the Act of February 16, 1857, under the name of the "Columbia Institution for the Instruction of the Deaf and Dumb and the Blind", shall have perpetual succession, and be capable to take, hold, and enjoy lands, tenements, hereditaments, and personal property, to use a common seal, and to alter the same at pleasure. But no real or personal property shall be held by the corporation, except such as may be necessary to the maintenance and efficient management of the institution.

(R.S. §4859; Feb. 16, 1857, ch. 46, §1, 11 Stat. 161; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579; Sections 231 to 250, relating to Columbia Institution for the Deaf, were transferred to sections 31–1001 to 31–1020 of the District of Columbia Code; the Columbia Institution for the Deaf was redesignated Gallaudet College by act June 18, 1954, and thereafter redesignated Gallaudet University by Pub. L. 99–371, title I, §101(a), Aug. 4, 1986, 100 Stat. 781, which is classified to subchapter I (§4301 et seq.) of chapter 55 of Title 20, Education)

§232 Power to confer degrees

The board of directors of the Columbia Institution for the Deaf are authorized and empowered to grant and confirm such degrees in the liberal arts and sciences to such pupils of the institution, or others, who, by their proficiency in learning or other meritorious distinctions they shall think entitled to them, as are usually granted and conferred in colleges; and to grant such graduates diplomas or certificates, sealed and signed in such manner as said board of directors may determine, to authenticate and perpetuate the memory of such graduation.

(Apr. 8, 1864, ch. 52, 13 Stat. 45; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§233 Terms of deed part of charter

The terms and conditions of the deed of transfer of the funds and property of Washington's Manual Labor School and Male Orphan Asylum Society of the District of Columbia shall be as obligatory upon the Columbia Institution for the Deaf as if they formed a part of its charter.

(R.S. §4860; Mar. 4, 1911, ch. 285 §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§234 Disposal of Property

No part of the real or personal property held or acquired by the Columbia Institution for the Deaf shall be devoted to any other purpose than the education of the deaf and dumb, nor shall any portion of the real estate be aliened, sold, or conveyed, except under the authority of a special act of Congress.

(R.S. §4801; Mar. 4, 1911, ch. 285, §1, 30 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§235 Election of officers; alteration of constitution

The Columbia Institution for the Deaf shall be managed as provided for in its constitution, and such additional regulations as may from time to time be found necessary. The constitution may be altered consistently with law, in the manner therein provided.

(R.S. 4802; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§236 Government directors; appointment

In addition to the directors whose appointments has been provided for by law, there shall be three other directors of the Columbia Institution for the Deaf, appointed in the following manner: One Senator by the President of the Senate, and two Representatives by the Speaker of the House. These directors shall hold their offices or the term of a single Congress, and be eligible to a reappointment.

(R.S. §4863; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§237 Government directors; term of office; control of disbursement accounts

Directors appointed under the provisions of the preceding section shall remain in office until the appointment and acceptance of office of their successors; and the directors of the institution shall have control of the disbursements of all moneys appropriated by Congress for the benefit of said institution, accounts for which shall be settled and adjusted by the General Accounting Office as required by the provisions of section 71 of Title 31, Money and Finance.

(July 1, 1898, ch. 564, §1, 30 Stat. 624; June 10, 1921, ch.18, §305, 42 Stat. 24; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§238 Admission of deaf mutes from District

All deaf mutes of teachable age, of good mental capacity, and properly belonging to the District of Columbia shall be received and instructed in the Columbia Institution for the Deaf their admission thereto being subject to the approval of the superintendent of public schools of the District of Columbia. And said institution shall not be regarded nor classified as an institution of charity.

(Mar. 1, 1901, ch. 670, §1, 31 Stat. 844; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§239 Instruction for feeble-minded residing in District; annual estimates

When any indigent applicant for admission to the Columbia Institution for the Deaf, belonging to the District of Columbia, and being of teachable age, is found on examination by the president of the institution to be of feeble mind, and hence incapable of receiving instruction among children of sound mind, the Secretary of the Interior may cause such person to be instructed in some institution for the education of feeble-minded children in Pennsylvania, or some other State, at a cost not greater for each pupil than is, or may be for the time being, paid by such State for similar instruction.

The estimate for this expense shall each year be submitted in the annual estimates for the expenses off the government of the District of Columbia.

(June 16, 1880, ch. 235, 21 Stat. 275; Aug. 30, 1890, ch. 837, §1, 26 Stat. 393; Mar. 4, 1911, ch. 285, §1, 86 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§240 Manner of paying expenses; pupils from District

One half of all expenses attending the instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf from the District of Columbia, under section 238, shall be paid from the revenues of the District of Columbia and one-half out of the Treasury of the United States, and estimates for such expenses shall each year be submitted in the regular estimates for the expenses of the government of the District of Columbia.

(Mar. 2, 1889, ch. 411, §1, 25 Stat. 962; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§241 Education of colored deaf-mute children of District

The directors of the Columbia Institution for the Deaf are authorized to provide for the education of colored deaf-mute children properly belonging to the District of Columbia, in the Maryland School for Colored Deaf-Mutes, or some other suitable school, at a cost not exceeding the per capita expense of educating the State pupils in such school.

(Mar. 8, 1905, ch. 1406, §1, 33 Stat. 901; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§242 Admission of pupils from States and Territories

Deaf-mutes, not exceeding one hundred and twenty-five in number, residing in the several States and

Territories, applying for admission tot eh collegiate department of the Columbia Institution for the Deaf, shall be received on the same terms and conditions as those prescribed by law for residents of the District of Columbia, at the discretion of the president of the institution; but no student coming from either of the States shall be supported by the United States during any portion of the time he remains therein.

(R.S. §4865; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; July 1, 1918, ch. 113, §1, 40 Stat. 680; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§243 Limitation on number of pupils from one State

There shall not be admitted to the Columbia Institution for the Deaf under the preceding section, nor shall there be maintained after such admission, at any one time from any State or Territory exceeding three deaf-mutes, while there are applications pending from deaf-mutes, citizens of States or Territories having less than three pupils in said institution.

(Aug. 30, 1890, ch. 837, §1, 26 Stat. 392; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§244 Number and compensation of employees included in annual Budget

There shall be included in the annual Budget a statement showing the number of persons employed each year in the Columbia Institution for the Deaf and the compensation paid to each.

(Aug. 30, 1890, ch. 837, §1, 26 Stat. 392; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; June 10, 1921, ch. 18, 42 Stat 20; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§245 Judges of the municipal court to report deaf and dumb persons in District

It shall be the duty of the judges of the Municipal Court of the District of Columbia to ascertain the names and residences of all deaf and dumb persons within their respective districts; who of them are of teachable age, and also who of them are in indigent circumstances; and to report the same to the president of the Columbia Institution for the Deaf.

(R.S. §4866; Feb. 18, 1909, Ch. 134, 35 Stat. 623; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§246 Report of superintendent

The superintendent of the Columbia Institution for the Deaf shall, at the commencement of every December session of Congress, make a full and complete statement of all the expenditures made by virtue of any appropriations by Congress, including the amounts and the rates paid to the superintendent, and for teachers.

(R.S. §4867; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§247 Annual report of president and directors

It shall be the duty of the president and directors of the Columbia Institution for the Deaf to report to the Secretary of the Interior the condition of the institution on the 1st day of July in each year, embracing in the report the number of pupils of each description received and discharged during the preceding year, and the number remaining in the institution; also the branches of knowledge and industry taught, and the progress made therein; also a statement showing the receipts of the institution, and from what sources, and its disbursement, and for what objects.

(R.S. §4808, Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§248 Itemized report of expenses

The report of the Columbia Institution for the Deaf shall contain an itemized statement of all employees, the salaries or wages, respectively, of each of them, and also of all other expenses of said institution.

(Mar. 3, 1883, ch, 143, §1, 22 Stat. 625; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§249 Education of indigent blind persons

Whenever the Secretary of the Interior is satisfied, by evidence produced by the president of the Columbia Institution for the Deaf, that any blind person of teachable age can not command the means to secure an education, he may cause such person to be instructed in some institution for the education of the blind, in Maryland, or some other State, at a cost not greater for each pupil than is, or may be for the time being, paid by such State, and to cause the same to be paid out of the Treasury of the United States.

(R.S. §4869; Mar. 4, 1911, h. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

§250 Manner of paying for instruction of blind from District

One-half of the indefinite appropriation to pay for the instruction of the indigent blind children of the District of Columbia, formerly instructed in the Columbia Institution for the Deaf, shall be paid out of the revenues of the District of Columbia, and the other half out of the Treasury of the United States.

(Mar. 3, 1899, ch. 424, §1, 30 Stat. 1101; Mar. 4, 1911, ch. 285, §1, 36 Stat. 1422; Transferred and repealed by acts Aug. 6, 1946, ch. 770, §1(61), 60 Stat. 871; June 18, 1954, ch. 324, §9, 68 Stat. 267; Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579)

CHAPTER 6—FREEDMEN'S HOSPITAL

Sec. 261 Direction; expenditure; limitation on appropriations

Sec. 262 Admission of patients; charges for

Sec. 263 Care and treatment of persons from District of Columbia

Sec. 264 Unclaimed money of deceased patients

§261 Direction; expenditure; limitation on appropriations

The Freedmen's Hospital in the District of Columbia shall, until otherwise ordered by Congress, be continued under the direction of the Secretary of the Interior who shall submit estimates for expenses and maintenance. No part of any appropriation shall be used in support of, or to pay the expenses on account of any person to be admitted to such hospital, unless of persons removed thither from some other Government hospital.

(R.S. §2038; June 23, 1874, ch. 455, §1, 18 Stat. 223; Mar. 3, 1893, ch. 199, §1, 27 Stat. 551; Mar. 3, 1905, ch. 1483, §1, 33 Stat. 1190; Sections 261 to 264 related to Freedmen's Hospital in the District of Columbia, and were also set out as sections 32–317 to 32–320 of the District of Columbia Code; Freedmen's Hospital was transferred to Howard University by Pub. L. 87–262, Sept. 21, 1961, 75 Stat. 542 (20USC§124–§129), section 7 of which repealed all laws specifically applicable to Freedmen's Hospital effective with the transfer. Sections 32–317 to 32–320 were omitted from the 1981 edition of the District of Columbia Code)

§262 Admission of patients; charges for

Patients may be admitted to Freedmen's Hospital for care and treatment on the payment of such reasonable charges therefor as the Secretary of the Interior shall prescribe. All moneys so collected shall be paid into the Treasury to the credit of Freedmen's Hospital to be disbursed under the supervision of the Secretary of the Interior for subsistence, fuel and light, clothing, bedding, forage, medicine, medical and surgical supplies, surgical instruments, repairs, furniture, and other absolutely necessary expenses incident to the management of the hospital. A report as the expenditure thereof shall be made annually to Congress.

(June 26, 1912, ch. 182, §1, 37 Stat. 172; May 29, 1928, ch. 901, §1(78), 45 Stat. 992; Repealed Sec. 7 Pub. L. 87–262, Sept. 21, 1961, 75 Stat. 542)

§263 Care and treatment of persons from District of Columbia

The Secretary of the Interior is authorized to enter into contract with the Board of Charities of the District of Columbia for the care and treatment of persons from the District of Columbia admitted to

the Freedmen's Hospital; and any money that may be received, from this source, shall be paid to the Secretary of the Interior, to be applied to the uses and purposes of the hospital.

(Mar. 3, 1905, ch. 1483, 33 Stat. 1190, Mar. 16, 1926, ch. 58, 44 Stat. 208; Repealed Sec. 7 Pub. L. 87–262, Sept. 21, 1961, 75 Stat. 542)

§264 Unclaimed money of deceased patients

All unclaimed money left at the Freedmen's Hospital by deceased patients shall, after a period of three years, be deposited in the Treasury of the United States to the credit of miscellaneous receipts

(July 1, 1916, ch. 209, 39 Stat. 311; Repealed Sec. 7 Pub. L. 87–262, Sept. 21, 1961, 75 Stat. 542)

CHAPTER 7—NATIONAL CEMETERIES

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Sec. 282 Burial of Confederate Veterans

Sec. 283 Cemetery near City of Mexico

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Sec. 286 Penalty for defacing cemeteries

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Sec. 291 Arlington Memorial Amphitheater; commission to make recommendations for inscriptions, entombments, etc.

Sec. 292 Same; chairman and executive and disbursing officer of commission

Sec. 293 Same; specific authorization from Congress for inscriptions, entombments, etc.

Sec. 294 Same; restrictions on inscriptions, entombments, etc.

Sec. 295 Same; character of inscriptions, etc.

Sec. 295a Arlington Memorial Amphitheater

Sec. 296 Preservation of historic graveyards in abandoned military posts; conveyance to grantees

Transfer of Functions. Section 2 of Ex. Ord. No. 6166, June 10, 1933, as amended by Ex. Ord. No. 6229, July 27, 1934; Ex. Ord. No. 6614, Feb. 26, 1934; Ex. Ord. No. 6690, Apr. 25, 1934, set out as a note to section 901 of Title 5, Government Organization and Employees, transferred all functions of administrator of certain historical national cemeteries located within the continental limits of the United States, including certain cemeteries administered by the War Department to the Director of National Parks, Buildings, and Reservations in the Department of the Interior. By Ex. Ord. No. 6228, July 28, 1933, also set out as a note to section 901 of Title 5, the operation of Executive Order No. 6166 as to the transfer of the specified national cemeteries was postponed until further order, except with regard to the following cemeteries located within the continental limits of the United States:

National Military Parks

Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.
Fort Donelson National Military Park, Tennessee.
Fredericksburg and Spotsylvania County Battle Fields, Memorial, Virginia.
Gettysburg National Military Park, Pennsylvania.
Guilford Courthouse National Military Park, North Carolina.
Kings Mountain National Military Park, South Carolina.
Moores Creek National Military Park, North Carolina.
Petersburg National Military Park, Virginia.
Shiloh National Military Park, Tennessee.
Stones River National Military Park, Tennessee.
Vicksburg National Military Park, Mississippi.

National Parks

Abraham Lincoln National Park (now Abraham Lincoln Birthplace National Historical Park), Kentucky.
Fort McHenry National Park, Maryland.

Battlefield Sites

Antietam Battlefield, Maryland.
Appomattox, Virginia.
Brices Cross Roads, Mississippi.
Chalmette Monument and Grounds, Louisiana.
Cowpens, South Carolina.
Fort Necessity, Wharton County, Pennsylvania.
Kenesaw Mountain, Georgia.
Monocacy, Maryland.

Tupelo, Mississippi.
White Plains, New York.

National Monuments

Big Hole Battlefield, Beaverhead County, Montana.
Cabrillo Monument, Ft. Rosecrans, California.
Castle Pinckney, Charleston, South Carolina.
Father Millet Cross, Fort Niagara, New York.
Fort Marion, St. Augustine, Florida.
Fort Matanzas, Florida.
Fort Pulaski, Georgia.
Meriwether Lewis, Hardin County, Tennessee.
Mound City Group, Chillicothe, Ohio.
Statue of Liberty, Fort Wood, New York.

Miscellaneous Memorials

Camp Blount Tablets, Lincoln County, Tennessee.
Kill Devil Hill Monument, Kitty Hawk, North Carolina.
New Echota Marker, Georgia.
Lee Mansion, Arlington National Cemetery, Virginia.

National Cemeteries

Battleground, District of Columbia.
Antietam, (Sharpsburg) Maryland.
Vicksburg, Mississippi.
Gettysburg, Pennsylvania.
Chattanooga, Tennessee.
Fort Donelson, (Dover) Tennessee.
Shiloh, (Pittsburg Landing) Tennessee.
Stones River, (Murfreesboro) Tennessee.
Fredericksburg, Virginia.
Poplar Grove, (Petersburg) Virginia.
Yorktown, Virginia.

Change of Name. Director of National Parks, Buildings and Reservations renamed Director of National Park Service by act Mar. 2, 1934, ch. 38, 48 Stat. 362.

National Cemeteries in Foreign Countries. The functions of administration pertaining to national cemeteries located in foreign countries, which were transferred to the Department of State, were revoked and the functions of administration pertaining to national cemeteries and memorials located in Europe, together with personnel, records, etc. were transferred to the American Battle Monuments Commission by Ex. Ord. No. 6614, Apr. 25, 1934, set out as a note under section 901 of Title 5, Government Organization and Employees.

§271 Manner of acquisition of land

The Director of National Park Service shall purchase from the owners thereof, at such price as may be mutually agreed upon between the Director and such owners, such real estate as in his judgment is suitable and necessary for the purpose of carrying into effect the provisions for national cemeteries, and obtain from such owners the title in fee simple for the same. And in case the Director of National Park service is not able to agree with any owner upon the price to be paid for any real estate needed for such purpose, or to obtain from such owner title in fee simple for the same, Director is authorized to enter upon and appropriate any real estate which, in his judgment, is suitable and necessary for such purpose.

(R.S. §4870, Feb. 22, 1867, ch. 61 §5, 14 Stat. 400; Repealed. Pub. L. 93–43, §7(a)(1)–(3), (61), June 18, 1973, 87 Stat. 82, 88)

§271a State donations of land

The Director of the National Park Service is authorized to accept (on behalf of, and without cost to, the United States) form any State title to such land as he deems suitable for national cemetery purposes. Upon acquisition of such land by the United States, the Director of National Park Service is authorized to establish thereon a national cemetery and to provide for the care and maintenance of such national cemetery.

(Ex. Ord. No. 6166, §2; June 29, 1938, ch. 808, 52 Stat. 1233; Repealed. Pub. L. 93–43, §7(a)(1)–(3), (61), June 18, 1973, 87 Stat. 82, 88)

§272 Appraisement of real estate

The Director of National Park Service or the owners of any real estate thus entered upon and appropriated are authorized to make application for an appraisement of real estate thus entered upon and appropriated, to any district court within any State or district where such real estate is situated; and such court shall, upon such application, and in such mode and under such rules and regulations as it may adopts, make a just and equitable appraisement of the cash value of the several interests of each and every owner of such real estate and improvements thereon.

(R.S. §4871; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; Ex. Ord. No 6166, §2, June 10, 1933; Mar. 2, 1934, ch. 38, 48 Stat. 362; Repealed. Pub. L. 93–43, §7(a)(1)–(3), (61), June 18, 1973, 87 Stat. 82, 88)

§273 Payment of appraised value

When appraisement of the real estate thus entered upon and appropriated has been made under the order and direction of the court, the fee simple thereof shall, upon payment to the owner of the appraised value, or in case such owner refuses or neglects for thirty days after the appraisement of the cash value of the real estate or improvements as aforesaid, to demand the same from the Secretary of the Army, upon depositing the appraised value in the court making such appraisement, to the credit of such owner, be vested in the United States, and its jurisdiction over such real estate shall be exclusive and the same as its jurisdiction over real estate purchased, ceded, or appropriated for the purposes of navy years, forts, and arsenals. The Secretary of the Army is authorized and required to pay to the several owner or owners, respectively, the appraised value of the several pieces or parcels of real estate,

as specified in the appraisement of any such courts, or to pay into any of such courts by deposit, as provided in this section, the appraised value; and the sum necessary for such purposes may be taken from any monies appropriated for the purposes of national cemeteries.

(R.S. §4872; Feb. 22, 1867, chg. 61, §6, 14 Stat. 400; Repealed. Pub. L. 93–43, §7(a)(1)–(3), (61), June 18, 1973, 87 Stat. 82, 88)

§274 Superintendent of cemeteries

The principal of the Army shall cause to be erected at the principal entrance of each national cemetery a suitable building to be occupied as a porter's lodge; and shall appoint a meritorious and trustworthy superintendent to reside therein, for the purpose of guarding and protecting the cemetery and giving information to parties visiting the same.

(R.S. §4873; Feb. 22, 1867, ch. 61, §, 14 Stat. 400; Repealed. Pub. L. 93–43, §7(a)(1)–(3), (61), June 18, 1973, 87 Stat. 82, 88)

§275 Selection of superintendents

Superintendent of the national cemeteries shall be selected from meritorious and trustworthy members of the armed forces who have been honorably separated from the service of the United States, and who have been disabled in the line of duty for active field service.

(Mar. 24, 1948, ch. 143, §1, 62 Stat. 84; Aug. 30, 1961, Pub. L. 87–178, 75 Stat. 411; Repealed Mar. 24, 1948 §2)

§276 Fuel and quarters for superintendents

The superintendent of the national cemeteries shall be furnished with quarters and fuel at the several cemeteries.

(R.S. §4875; act July 30, 1912, ch. 258, 37 Stat. 240; Repealed. Pub. L. 93–43, §7(a)(1)–(3), (61), June 18, 1973, 87 Stat. 82, 88; See section 2400 et seq. of Title 38, Veterans' Benefits)

§277 Superintendent of Antietam Battlefield

The superintendent of Antietam battle field shall be selected and appointed by the Secretary of War at his discretion; the person selected for this position to have been either a commissioned officer or enlisted man who has been honorably mustered out or discharged from the military service of the United States and who may have been disabled for active field service in line of duty

(Feb. 12, 1925, ch. 225, title II, 43 Stat. 926; Apr. 15, 1926, ch. 146, title II, 44 Stat. 288; Feb. 23, 1927, ch. 167, Title II, 44 Stat. 1138; Mar. 23, 1028,ch. 232, Title II, 45 Stat. 354; Feb, 28, 1929, ch. 360, Title II, 45 Stat. 1375; May 28, 1930, ch. 348, Title II, 46 Stat. 458; expired with the appropriation acts of which it was part)

§278 Care and maintenance of cemeteries

The Secretary of the Army shall provide for the care and maintenance of the national military cemeteries.

(July 24, 1876, ch. 226, §1, 19 Stat. 99; June 10, 1921, ch. 18, §206, 215, 42 Stat. 21, 23; Sept. 12, 1950, ch. 946, title III, §301(96), 64 Stat. 844 partial repeal of submission of annual estimates to the Bureau of the Budget; Repealed. Pub. L. 93–43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82) provided for care and maintenance of cemeteries. See section 2404(a), (e) of Title 38, Veterans' Benefits)

§279 Inclosure, headstones, and registers

In the arrangement of the national cemeteries established for the burial of deceased soldiers and sailors, the Secretary of the Army is directed to have the same inclosed with a good and substantial stone or iron fence; and to cause each grave to be marked with a small headstone or block which shall be of durable stone, and of such design and weight as shall keep it in place when set, and shall bear the name of the soldier and the name of his State inscribed thereon, when the same are known, and also with the number of the grave inscribed thereon, corresponding with the number opposite to the name of the party in a register of burials to be kept at each cemetery and at the Office of the Army, which shall set forth the name, rank, company, regiment, and date of death of the officer or soldier; or if these are unknown, it shall be so ordered.

(R.S. §4877; Feb. 22, 1867, ch. 61, §1, 14 Stat. 399, June 8, 1872, ch. 368, 17 Stat. 345; Mar. 3, 1873, ch. 229, 17 Stat. 545; Repealed. Pub. L. 93–43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82) related to inclosure, headstones, and registers. See section 2404(a), (c), (d) of Title 38.

§279a Headstones for unmarked graves of Civil War soldiers, members of armed forces, reserve components, National Guard, Air National Guard, and Reserve Officers Training Corps; compilation of list; inscription of names on Memorial

The Secretary of the Army is authorized and directed to furnish, when requested, appropriate Government headstones or markers at the expense of the United States for the unmarked graves of the following:

(1) Soldiers of the Union and Confederate Armies of the Civil War.
(2) Members of the Armed Forces of the United States dying in the service and former members whose last service terminated honorably.
(3) Persons buried in post and national cemeteries
(4) Members of a reserve component of the Armed Forces of the United States, and members of the Army National Guard or the Air National Guard, whose death occurred under honorable conditions while they were-

(A) on active duty for training, or performing full-time service under section 316, 503, 504 or 505 of Title 32;
(B) performing authorized travel to or from that duty or service;
(C) on authorized inactive duty training, including training performed as members of the Army National Guard or the Air National Guard; or

(D) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were -

(i) on that duty or service;

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

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

(5) Members of the Reserve Officers Training Corps of the Army, Navy, or Air Force whose death occurred under honorable conditions while they were -

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

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

(C) hospitalized or undergoing treatment, at the expense of the United States, for injury or disease contracted or incurred under honorable conditions while they were -

(i) attending that camp or on that cruise;

(ii) performing that travel; or

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

The Secretary of the Army is authorized and directed to furnish, when requested, an appropriate memorial headstone or marker to commemorate any member of the armed forces of the United States dying in the service, whose remains have not been recovered or identified or were buried at sea, for placement by the applicant in a national cemetery or in any private or local cemetery. The Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are authorized and directed to compile a list of the names of all members of the armed forces of the United States who died while serving in such forces in the overseas theaters of operation on or after September 3, 1930 and whose bodies have not been recovered or identified or have been buried at sea. Upon compilation of such list of names and other appropriate data, the American Battle Monuments Commission and the Secretary of the Army are authorized and directed to provide for the inscribing of each such name and pertinent data with respected to the individual on the wall of a chapel or other appropriate memorial erected by the American Battle Monuments Commission or by the Department of the Army. In determining the particular chapel or other memorial on the wall of which any particular name shall be inscribed, the Commission and the Secretary shall follow the general rule of having the name inscribed upon the wall of that chapel or other memorial which is appropriate in view of the circumstances under which the deceased died in the service of his country.

(July 1, 1948, ch. 791, §1, 62 Stat. 1215; Aug. 14, 1958, Pub. L. 85–644, §1(1), 72 Stat. 601; Aug. 28, 1958, Pub. L. 85–811, 72 Stat. 978; Sept. 1, 1970, Pub. L. 91–369, 84 Stat. 836; Repealed. Pub. L. 93–43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82) provided for headstones for unmarked graves of Civil War soldiers, members of armed forces, reserve components, National Guard, Air National Guard, and Reserve Officers Training Corps; compilation of list; and inscription of names on Memorial. See sections 2306 and 2403 of Title 38.

§279b Same; rules and regulations

The Secretary of the Army is authorized to prescribe such rules and regulations with respect to the submission of applications for all Government headstones and markers and other pertinent matters as may be necessary to carry out the provisions of section 279a- 279c of this title.

(July 1, 1948, ch. 791, §2, 62 Stat. 1216; Aug. 14, 1958, Pub. L. 85–644, §1(2), 72 Stat. 602; Repealed. Pub. L. 93–43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82)

§279c Same; preservation of records

The Secretary of the Army shall cause to be preserved in the records of his office, the names when known, and places of burial of all persons for whom headstones or markers are authorized by section 279a of this title. The rank, organization, date of death and other information as the Secretary of the Army prescribed shall be included in the record.

(July 1, 1948, ch. 791, §3, 62 Stat. 1216; Repealed. Pub. L. 93–43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82; See section 2404(d) of Title 38)

§279d Markers to honor memory of certain Armed Forces personnel

The Secretary of the Interior and the Secretary of the Army shall set aside, when available, suitable plots in the national cemeteries under their jurisdiction to honor the memory of members of the Armed Forces missing in action, or who died or were killed while serving in such forces, and whose remains have not been identified, have been buried at sea, or have been determined to be nonrecoverable, and shall, under regulations to be jointly prescribed by them, permit the erection of appropriate markers thereon in honor of any such member or group of members.

(Aug. 27, 1954, ch. 1013, 68 Stat. 880; July 3, 1956, ch. 509, 70 Stat. 489; Repealed. Pub. L. 93–43, §7(a)(1), (4), (5), (7), June 18, 1973, 87 Stat. 82; See section 2403(a), (b) of Title 38.

§280 Headstones in private cemeteries; records

The Secretary of War is authorized to erect headstones over the graves of soldiers who served in the Regular or Volunteer Army of the United States during the war for the Union, and who have been buried in private village or city cemeteries, in the same manner as provided by the section 279 of this title for those interred in national military cemeteries.

The Secretary of War shall cause to be preserved in the records of his department the names and places of burial of al soldiers for whom such headstones shall have been erected by authority of this section of any statutory provisions prior to February 3, 1879.

(Feb. 3, 1879, ch. 44, 20 Stat. 281; Repealed. July 1, 1948, ch. 791, §4, 62 Stat. 1216 related to headstones in private cemeteries. See sections 2306 and 2400 et seq. of Title 38, Veterans' Benefits.

§280a Confederate soldiers; headstones for graves; preservation of records

The Secretary of War is authorized to erect headstones over the graves of soldiers who served in the Confederate Army and who hav been buried in national, city, town, or village cemeteries or in any other places, each grave to be marked with a small headstone or block which shall be of durable stone and of such design and weight as shall keep it in place when set and shall bear the name of the soldier and the name of his State inscribed thereon when the same are known. The Secretary of War shall cause to be preserved in the records of the War Department the name, rank company, regiment, and date of death of the soldier and his State; if these are unknown it shall be so recorded.

(Feb. 26, 1929, ch. 324, 45 Stat. 1307, Repealed. July 1, 1948, ch. 791, §4, 62 Stat. 1216); See sections 2306 and 2400 et seq. of Title 38)

§280b Standard headstone or marker in cemeteries where stone markers are unacceptable

Notwithstanding any provision of existing law the Director of National Park Service is authorized to furnish, upon application, for use on graves in cemeteries, where stone markers are not acceptable, a headstone or marker of such standard design and material as may be approved by him, within the limit of prevailing costs of the standard World War type headstone, for the grave of any deceased person for which the Secretary of War is authorized to furnish a marker or headstone: *Provided*, That the Secretary of War shall furnish the upright stone marker, authorized by section 2790 of this title, for cemeteries under the jurisdiction of Director of National Park Service.

(Ex. Ord. No. 6166, §2, June 10, 1933; Apr. 18, 1940, ch. 109, 54 Stat. 142; Repealed. July 1, 1948, ch. 791, §4, 62 Stat. 1216; See sections 2306 and 2400 et seq. of Title 38)

§281 Persons to be buried in national cemeteries

All soldiers, sailors or marines and all officers or men of the Coast Guard dying in the service of the United States, or dying in a destitute condition after having been honorably discharged from the service, and all soldiers, sailors, or marines who served, or may serve, during any war in which the United States has been, or may be, engaged, and, with the consent of the Director of National Park Service any citizen of the United States who served in the army or navy of any government at war with Germany or Austria during the World War and who died while in such service or after honorable discharge therefrom, may be buried in any national cemetery free of cost. The production of the honorable discharge of a deceased man in the first or second case, and a duly executed permit of the Director of National Park Service in the last case, shall be sufficient authority for the superintendent of any cemetery to permit the interment. Army nurses honorably discharged from their service as such may be buried in any national cemetery, and if in a destitute condition, free of cost. The Director of National Park Service is authorized to issue certificates to those Army nurses entitled to such burial. Persons who were members of the Cabinet of the President of the United States at any time during the period between April 6, 1917 and November 11, 1918, may be buried in any national cemetery: *Provided*, That the interment is without cost to the United States.

(R.S. 4878; derived from July 17, 1862, ch. 200, §18, 12 Stat. 596; June 1, 1872, ch. 257, 17 Stat. 202; Mar. 3, 1873, ch. 276, 17 Stat. 605; May 14, 1948, ch. 289, §1, 62 Stat. 234; Sept. 14, 1959, Pub. L. 86–260, 73 Stat. 547; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973; See section 2402 of Title 38, Veterans' Benefits)

§281a Utilization of surplus military real property for cemeteries

When the Secretary of the Army determines that there is need for an additional cemetery or cemeteries for the burial of members of the armed forces of the United States dying in the service or former members whose last discharge therefrom was honorable and certain other persons as provided for by section 281 of this title, he is authorized to utilize and expand existing facilities at Fort Roseerans, California, and Jefferson Barracks, Missouri, when practicable, through the use of federally owned lands under the jurisdiction of the Army for military purposes and not needed for suchy purposes for

the establishment thereon of a national cemetery or cemeteries.

(Aug. 4, 1947, ch. 467, §1, 61 Stat. 742; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§281b Same; expansion of existing cemeteries; limitation of area

Upon the selection by the Secretary of the Army of such land, as provided in section 281a of this title, the Secretary of the Army is authorized and directed to expand existing national cemeteries and to provide for the care and maintenance thereof. No national cemetery as expanded pursuant to section 281-281c of this title shall have an area in excess of six hundred and forty acres.

(Aug. 4, 1947, ch. 467, §2, 61 Stat. 742; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§281c Same; regulations by Secretary of the Army

The Secretary of the Army is authorized to prescribe such regulations as he may deem necessary for the administration of section 281a-281c of this title.

(Aug. 4, 1947, ch. 467, §3, 61 Stat. 742; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§281d Utilization of surplus military real property for cemeteries at Fort Logan, Colo.

When the Secretary of the Army determines that there is need for an additional cemetery or cemeteries for the burial of members of the armed forces of the Unites States dying in the service or former members whose last discharge therefrom was honorable and certain other persons as provided for by law, he is authorized to utilize such of the federally owned lands under the jurisdiction of the Department of the Army at Fort Logan, Colorado, as are not needed for military purposes for the establishment thereon of a national cemetery.

(Mar. 10, 1950, ch. 52, §1, 64 Stat. 12; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§281e Same; selection of lands; care and maintenance; size

Upon the selection by the Secretary of the Army of any lands, as provided in section 281d of this title, he is authorized and directed to establish thereon a national cemetery and to provide for the care and maintenance of such cemetery. No national cemetery established pursuant to sections 281d-281f of this title shall have an area in excess of one hundred and sixty acres.

(Mar. 10, 1950, ch. 52, §2, 64 Stat. 12; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§281f Same; rules and regulations by Secretary of the Army

The Secretary of the Army is authorized to prescribe such regulations as he may deem necessary for the administration of section 281d-281f of this title.

(Mar. 10, 1950, ch. 52, §3, 64 Stat. 12; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§281g Expansion of existing cemeteries

The Secretary of the Army is authorized and directed-

To expand existing facilities at the Rock Island National Cemetery, Rock Island, Illinois, by utilizing not to exceed thirty acres of federally owned lands under the jurisdiction of the 'Department of the Army adjoining the present national cemetery facility, which are surplus to military needs, and to provide for the are and maintenance thereof under the same regulations as prescribed for other national cemeteries under the jurisdiction of the Department of the Army; and

To expand existing facilities at the Fort Leavenworth National Cemetery, Fort Leavenworth, Kansas, by utilizing not to exceed eight acres of federally owned land under the jurisdiction of the Department of the Army, adjoining the present national cemetery facility, which are surplus to military needs and to provide for the care and maintenance thereof under the same regulations as prescribed for other national cemeteries under the jurisdiction of the Department of the Army.

The Secretary of the Navy is authorized to transfer, without compensation therefor, to the Secretary of the Army for cemeterial purposes such Government-owned land under the jurisdiction of the Department of the Navy, located adjacent to the Barrancas National Cemetery near the city of Pensacola, Florida, as may be determined by the Secretary of the Navy to be available for the expansion of said cemetery. The lands transferred pursuant to the provision of this section shall be constituted a part of the Barrancas National Cemetery.

(Aug. 10, 1950, ch. 672, §§1, 2, 64 Stat. 434; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§282 Burial of Confederate veterans

Persons dying in the District of Columbia or in the immediate vicinity thereof who have served in the Confederate armies during the Civil War may be buried in the Confederate section of the Arlington National Cemetery without additional expense to the United States upon the certificate of Camp Numbered 171, United Confederate Veterans of the District of Columbia, that such persons are entitled to burial under the authority given in this section: *Provided*, That all such interments shall be under the supervision and subject to the approval of the Secretary of the Army.

(Aug. 24, 1912, ch. 355, §1, 37 Stat. 440; Repealed. Pub. L. 93–43, §7(a)(6), (8), (10)–(12), (60), June 18, 1973, 87 Stat. 82, 88; eff. Sept. 1, 1973)

§283 Cemetery near City of Mexico

The President is authorized to provide, out of the ordinary annual appropriations for establishing and

maintaining United States military cemeteries, for the proper care and preservation and maintenance of the cemetery or burial ground near the City of Mexico, in which are interred the remains of officers and soldiers of the United States, who fell in battle or died in and around said city.

(R.S. §4879; derived from Mar. 3, 1873, ch. 267, 17, Stat. 602; omitted; See section 2111 of Title 36, Patriotic and National Observances, Ceremonies, and Organizations)

§284 Regulations for cemetery in Mexico

The cemetery in Mexico shall be subject to the rules and regulations affecting Untied States national military cemeteries within the limits of the United States, so far as they may, in the opinion of the President, be applicable thereto.

(R.S. §4880; Mar. 3, 1873, ch. 267, 17 Stat. 602; Ex. Ord. No. 9873, July 17, 1947, 12 F.R. 4777, omitted)

§285 Burial ground of Zachary Taylor as national cemetery

The Secretary of War is hereby authorized to accept, free of cost to the United States, from the State of Kentucky, and from any others having authority to donate the same, the land comprising the aforesaid burial grounds, and such other and additional land contiguous or adjacent thereto as in his judgment may be deemed advisable; and upon the conveyance to the United States of a valid, fee-simple title to said land or lands the Secretary of War is authorized and directed to establish thereon a national cemetery, to be known as the Zachary Taylor National Cemetery.

(Feb. 24, 1925, ch. 306, §2, 43 Stat. 970; May 10, 1928, ch. 515, 45 Stat. 494; omitted)

§286 Penalty for defacing cemeteries

Every person who willfully destroys, mutilates, defaces, injures, or removes any monument, gravestone or other structure, or who willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within the limits of the any national cemetery shall be deemed guilty of a misdemeanor, punishable by a fine of not less than $25, and not more than $100, or by imprisonment for not less than fifteen days, and not more than sixty. The superintendent in charge of any national cemetery is authorized to arrest forthwith any person engaged in committing any misdemeanor prohibited in this section, and to bring such person before any United States commissioner or judge of any district court of the United States within any State or district where any of the cemeteries are situated, for the purpose of holding such person to answer for such misdemeanor, and then and there shall make complaint in due form.

(R.S. §4881; act Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; Repealed. Pub. L. 93–43, §7(a)(1), (13)–(18), (42), (44)–(46), June 18, 1973, 87 Stat. 82, 83, 85; eff. Sept. 1, 1973; See section 901 of Title 38, Veterans' Benefits)

§287 Jurisdiction of United States

From the time any State legislature shall give the consent of such State to the purchase by the United States of any national cemetery, the jurisdiction and power of legislation of the United States over such

cemetery shall in al courts and places be held to be the same as is granted by section 8, Article I, of the Constitution of the United States; and all provisions relating to national cemeteries shall be applicable to the same.

(R.S. §4882; Repealed. Pub. L. 93–43, §7(a)(1), (13)–(18), (42), (44)–(46), June 18, 1973, 87 Stat. 82, 83, 85; eff. Sept. 1, 1973)

§288 Single approach to cemeteries authorized

No part of any appropriation for national cemeteries or the repair roadways thereto shall be expended in the maintenance of more than a single approach to any national cemetery.

(Feb. 12, 1925, ch. 225, title II, 43 Stat. 926; Apr. 15, 1926, ch. 146, title II, 44 Stat. 287; Feb. 23, 1927, ch. 167, title II, 44 Stat. 1138; Mar. 23, 1928, ch. 232, title II, 45 Stat. 354; Feb. 28, 1929, ch. 366, title II, 45 Stat. 1375; June 30, 1954, ch. 425, §101, 68 Stat. 331; July 15, 1955, ch. 370, title III, 69 Stat. 360; July 2, 1956, ch. 490, title III, 70 Stat. 479; eff. Sept. 1, 1973)

§289 Conveyance to State or municipality of approach road to national cemetery

The Secretary of the Army is authorized to convey to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled approach road to any national cemetery: Provided, That prior to the delivery of any instrument of conveyance hereunder, the State, county, municipality, or agency to which the conveyance herein authorized is to be made, shall notify the Secretary of the Army in writing of its willingness to accept and maintain the road included in such conveyance: *Provided further*, That upon the execution and delivery of the United States of America over the road conveyed shall cease and determine and shall thereafter vest in the State in which said road is located.

(May 23, 1941, ch. 130, 55 Stat. 191; Conveyance to State or Municipality of Approach Road to National Cemetery. Provisions similar to those set out in former section 289 of this title relating to conveyance to State or municipality of approach road to national cemetery, were also repealed by Pub. L. 93–43, §7(a)(27) to (29), June 18, 1973, 67 Stat. 84. Subject matter was contained in the following prior appropriation acts: June 24, 1940, ch. 415, 54 Stat. 506. June 28, 1939, ch. 246, 53 Stat. 857. June 11, 1938, ch. 348, 52 Stat. 668. Repealed. Pub. L. 93–43, §7(a)(1), (13)–(18), (42), (44)–(46), June 18, 1973, 87 Stat. 82, 83, 85; See section 2404(f) of Title 38, Veterans' Benefits)

§290 Encroachment by railroad on rights-of-way

On and after July 27, 1953, no railroad shall be permitted upon any right-of-way acquired by the United States leading into a national cemetery, or to encroach on any roads or walks thereon maintained by the United States.

(July 27, 1953, ch. 245, §101, 67 Stat. 197; Provisions similar to those set out in former section 290 of this title relating to encroachment by railroad on rights of way were also repealed by Pub. L. 93–43, §7(a)(19) to (41), (43), June 18, 1973, 87 Stat. 83 to 85. Subject matter was contained in the following prior appropriation acts: July 11, 1952, ch. 669, 66 Stat. 579. Oct. 24, 1951, ch. 556, 65 Stat. 617. Sept. 6, 1950, ch. 896, ch. IX, 64 Stat. 725. Oct. 13, 1949, ch. 688, 63 Stat. 846. June 25, 1948, ch. 655, 62

Stat. 1019. July 31, 1947, ch. 411, 61 Stat. 687. May 2, 1946, ch. 247, 60 Stat. 161. Mar. 31, 1945, ch. 45, 59 Stat. 39. June 26, 1944, ch. 275, 58 Stat. 327. June 2, 1943, ch. 115, 57 Stat. 94. Apr. 28, 1942, ch. 246, 56 Stat. 220. May 23, 1941, ch. 130, 55 Stat. 191. June 24, 1940, ch. 415, 54 Stat. 506. June 28, 1939, ch. 246, 53 Stat. 857. June 11, 1938, ch. 348, 52 Stat. 668. July 19, 1937, ch. 511, 50 Stat. 515. May 15, 1936, ch. 404, 49 Stat. 1305. Apr. 9, 1935, ch. 54, title II, 49 Stat. 145. Apr. 26, 1934, ch. 165, title II, 48 Stat. 639. Mar. 4, 1933, ch. 281, title II, 47 Stat. 1595. July 14, 1932, ch. 482, title II, 47 Stat. 689. Feb. 23, 1931, ch. 279, title II, 46 Stat. 1302. May 28, 1930, ch. 348, title II, 46 Stat. 458. Feb. 28, 1929, ch. 366, title II, 45 Stat. 1375. Mar. 23, 1928, ch. 232, title II, 45 Stat. 354. Feb. 23, 1927, ch. 167, title II, 44 Stat. 1138. Apr. 15, 1926, ch. 146, title II, 44 Stat. 287. Feb. 12, 1925, ch. 225, title II, 43 Stat. 926; Repealed. Pub. L. 93–43, §7(a)(1), (13)–(18), (42), (44)–(46), June 18, 1973, 87 Stat. 82, 83, 85; eff. Sept. 1, 1973; See section 2404 of Title 38)

§291 Arlington Memorial Amphitheater; commission to make recommendations for inscriptions, entombments, etc

A commission is created, to be composed of the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, which shall submit annually to the President, who shall transmit the same to Congress by the first Monday in December, recommendations as to what, if any, inscriptions, tablets, busts, or other memorials shall be erected, and what, if any, bodies of deceased members of the Army, Air Force, Navy, and Marine Corps shall be entombed during the next ensuing years within the Arlington Memorial Amphitheater, in the Arlington National Cemetery, Virginia: *Provided*, That no memorial shall be placed and no body shall be interred in the grounds about the Arlington Memorial Amphitheater within a distance of two hundred and fifty feet from the said memorial.

(Mar. 4, 1921, ch. 169, §1, 41 Stat. 1440; Repealed. Pub. L. 86–694, §2, Sept. 2, 1960, 74 Stat. 739)

§292 Same; chairman and executive and disbursing officer of commission

The Secretary of the Army shall be the chairman of the commission created in section 291 of this title and the depot quartermaster of the Army in Washington shall be its executive and disbursing officer.

(Mar. 4, 1921, ch. 169, §2, 41 Stat. 1440; Repealed. Pub. L. 86–694, §2, Sept. 2, 1960, 74 Stat. 739)

§293 Same; specific authorization from Congress for inscriptions, entombments, etc.

No inscription, tablet, bust, or other memorial shall be erected nor shall any body be entombed within the Arlington Memorial Amphitheater unless specifically authorized in each case by Act of the Congress.

(Mar. 4, 1921, ch. 169, §3, 41 Stat. 1440; Repealed. Pub. L. 86–694, §2, Sept. 2, 1960, 74 Stat. 739)

§294 Same; restrictions on inscriptions, entombments, etc.

No inscription, tablet, bust, or other memorial as provided for in section 291-295 of this title shall be erected to commemorate any person who shall not have rendered conspicuously distinguished service in the United States Army, Air Force, Navy, or Marine Corps, nor shall the body of any such person be entombed in the Arlington Memorial Amphitheater; nor shall any such memorial be erected or any

body be entombed therein within ten years after the date of death of the person so to be commemorated, except as authorized by Congress.

(Mar. 4, 1921, ch. 169, §4, 41 Stat. 1440; Repealed. Pub. L. 86–694, §2, Sept. 2, 1960, 74 Stat. 739)

§295 Same; character of inscriptions, etc.

The character, design, and location of any such inscriptions, tablets, busts, or other memorials when authorized as provided for in sections 293 and 294 of this title shall be subject to the approval of the commission created in section 291 of this title, which shall in each case obtain the advice of the Commission of Fine Arts.

(Mar. 4, 1921, ch. 169, §5, 41 Stat. 1440; Repealed. Pub. L. 86–694, §2, Sept. 2, 1960, 74 Stat. 739)

§295a. Arlington Memorial Amphitheater

(a) Recommendations of Secretary of Defense for memorials and entombments
The Secretary of Defense or his designee may send to Congress in January of each year, his recommendations with respect to the memorials to be erected, and the remains of deceased members of the Armed Forces to be entombed, in the Arlington Memorial Amphitheater, Arlington National Cemetery, Virginia.
(b) Specific authorization from Congress
No memorial may be erected and no remains may be entombed in such amphitheater unless specifically authorized by Congress.
(c) Character of memorials
The character, design, or location of any memorial authorized by Congress is subject to the approval of the Secretary of Defense or his designee.

(Pub. L. 86–694, §1, Sept. 2, 1960, 74 Stat. 739)

§296 Preservation of historic graveyards in abandoned military posts; conveyance to grantees

The Secretary of the Army is authorized in his discretion, and upon such terms and conditions as he may determine with or without monetary consideration, to transfer and convey al right, title, and interest of the United States in or to any historic military cemetery or burial plot located on military posts or reservations which have heretofore, or may hereafter, become abandoned or useless for military purpose, including the graves and monuments contained in such cemeteries or burial plots and approach roads and appurtenances thereto, together with the responsibility for the perpetual care and maintenance thereof, to any State, county, municipality, or proper agency thereof, in which or in the vicinity of which such cemetery or burial plot is located: *Provided*, That in the event the grantee shall cease or fail to care for and maintain the historic military cemetery or burial plot of the graves and monuments contained therein in a manner satisfactory to the Secretary of the Army, all such right, title, and interest transferred or conveyed by the United States, shall revert to the United States.

(July 1, 1947, ch. 187, 61 Stat. 234; Repealed. Pub. L. 93–43, § 7(a)(9), June 18, 1973, 87 Stat. 82; eff. Sept. 1, 1973; See section 2405(b) of Title 38, Veterans' Benefits)

CHAPTER 7A—PRIVATE AND COMMERCIAL CEMETERIES

§298 Disposal of government lots in commercial cemeteries

The Secretary of War is hereby authorized to dispose of by sale or exchange for other lots, in the manner and upon such terms as he shall deem expedient, all the right, title and interest of the United States of America in an to burial lots located in commercial cemeteries, and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances or other instruments necessary to effectuate such sale or exchange, and that the expense of any sale shall be paid form the proceeds thereof and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts.

(June 20, 1939, ch. 220, 53 Stat. 843; Repealed. Oct. 31, 1951, ch. 654, §1(47), 65 Stat. 703)

CHAPTER 8—GORGAS HOSPITAL

Sec. 301 Ancon Hospital to be known as Gorgas Hospital.

Sec. 302 Change of name as affecting various rights; records, maps, and public documents.

§301 Ancon Hospital to be known as Gorgas Hospital

In recognition of his distinguished services to humanity and as a fitting perpetuation of the name and memory of Major General William Crawford Gorgas, the Government hospital within the Canal Zone, near the City of Panama, known prior to March 24, 1928, as the Ancon Hospital, shall after such date be known and designated on the public records as the Gorgas Hospital.

(Mar. 24, 1928, ch. 240, §1, 45 Stat. 365; For definition of Canal Zone see section 3602(b) of Title 22, Foreign Relations and Intercourse)

§302 Change of name as affecting various rights; records, maps, and public documents

The change in the name of said hospital shall in no wise affect the rights of the Federal Government, or any municipality, corporation, association, or person; and all records, maps, and public documents of the United States in which said hospital is mentioned or referred to under the name of the Ancon Hospital or otherwise shall be held to refer to the said hospital under and by the name of the Gorgas Hospital.

(Mar. 24, 1928, ch. 240, §2, 45 Stat. 366)

CHAPTER 9—HOSPITALIZATION OF MENTALLY ILL NATIONALS RETURNED FROM FOREIGN COUNTRIES

Sec. 321 Definitions.

Sec. 322 Reception of eligible persons at ports of entry or debarkation.

Sec. 323 Transfer and release to State of residence or legal domicile, or to relative.

Sec. 324 Care and treatment of eligible persons until transfer and release.

Sec. 325 Examination of persons admitted.

Sec. 326 Release of patient.

Sec. 327 Notification to committing court of discharge or conditional release.

Sec. 328 Payment for care and treatment.

Sec. 329 Availability of appropriations for transportation.

§321 Definitions

For the purposes of this chapter except as the context may otherwise require—
(a) The term "Department" means the Department of Health and Human Services.
(b) The term "Secretary" means the Secretary of Health and Human Services.
(c) The term "State" means a State or Territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia.
(d) The term "eligible person" means an individual with respect to whom the following certificates are furnished to the Secretary:
(1) A certificate of the Secretary of State that such individual is a national of the United States; and
(2) Either (A) a certificate obtained or transmitted by the Secretary of State that such individual has been legally adjudged insane in a named foreign country, or (B) a certificate of an appropriate authority or person (as determined in accordance with regulations prescribed by the Secretary of Health and Human Services) stating that at the time of such certification such individual was in a named foreign country and was in need of care and treatment in a mental hospital.

(e) The term "residence" means residence as determined under the applicable law or regulations of a State or political subdivision for the purpose of determining the eligibility of an individual for hospitalization in a public mental hospital.

(Pub. L. 86–571, §1, July 5, 1960, 74 Stat. 308; Pub. L. 96–88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695)

Change of Name. "Department of Health and Human Services" substituted for "Department of Health, Education, and Welfare" in subsec. (a) and "Secretary of Health and Human Services" substituted for "Secretary of Health, Education, and Welfare" in subsecs. (b) and (d)(2), pursuant to section 509(b) of Pub. L. 96–88 which is classified to section 3508(b) of Title 20, Education.

Effective Date. Pub. L. 86–571, §11, July 5, 1960, 74 Stat. 310, provided that: "This Act [enacting this chapter and repealing sections 191a and 196a of this title] shall, except as otherwise specified, take effect on the date of its enactment [July 5, 1960]."

§322 Reception of eligible persons at ports of entry or debarkation

(a) Arrangements for care, treatment, and assistance
Upon request of the Secretary of State, the Secretary of Health and Human Services is authorized (directly or through arrangements under this subsection) to receive any eligible person at any port of entry or debarkation upon arrival from a foreign country and, to the extent he finds it necessary, to temporarily care for and treat at suitable facilities (including a hospital), and otherwise render assistance to, such person pending his transfer or hospitalization pursuant to other sections of this chapter. For the purpose of providing such care and treatment and assistance, the Secretary is authorized to enter into suitable arrangements with appropriate State or other public or nonprofit agencies. Such arrangements shall be made without regard to section 6101 of title 41, and may provide for payment by the Secretary either in advance or by way of reimbursement.

(b) Payment or reimbursement for care, treatment, or assistance
The Secretary may, to the extent deemed appropriate, equitable, and practicable by him, (1) require any person receiving care and treatment or assistance pursuant to subsection (a) to pay, in advance or by way of reimbursement, for the cost thereof or (2) obtain reimbursement for such cost from any State or political subdivision responsible for the cost of his subsequent hospitalization.

(Pub. L. 86–571, §2, July 5, 1960, 74 Stat. 308; Pub. L. 96–88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695; In subsec. (a), "section 6101 of title 41" substituted for "section 3709 of the Revised Statutes, as amended (41USC§5)" on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854); "Secretary of Health and Human Services" substituted in text for "Secretary of Health, Education, and Welfare" pursuant to section 509(b) of Pub. L. 96–88 which is classified to section 3508(b) of Title 20, Education)

§323 Transfer and release to State of residence or legal domicile, or to relative

If, at the time of arrival in the United States, the residence or the legal domicile of an eligible person appearing to be in need of care and treatment in a mental hospital is known to be in a State, or whenever thereafter such a person's residence or legal domicile in a State is ascertained, the Secretary shall, if the person is then under his care (whether directly or pursuant to a contract or other arrangement under section 322 or 324 of this title), endeavor to arrange with the proper authorities of such State, or of a political subdivision thereof, for the assumption of responsibility for the care and treatment of such person by such authorities and shall, upon the making of such arrangement in writing, transfer and release such person to such authorities. In the event the State of the residence or legal domicile of an eligible person cannot be ascertained, or the Secretary is unable to arrange with the proper authorities of such State, or of a political subdivision thereof, for the assumption of responsibility for his care and treatment, the Secretary may, if he determines that the best interests of such person will be served thereby, transfer and release the eligible person to a relative who agrees in writing to assume responsibility for such person after having been fully informed as to his condition.

(Pub. L. 86–571, §3, July 5, 1960, 74 Stat. 308)

§324 Care and treatment of eligible persons until transfer and release

(a) Place of hospitalization
Until the transfer and release of an eligible person pursuant to section 323 of this title, the Secretary is

authorized to provide care and treatment for such person at any Federal hospital within or (pursuant to agreement) outside of the Department, or (under contract or other arrangements made without regard to section 6101 of title 41) at any other public or private hospital in any State and, for such purposes, to transfer such person to any such hospital from a place of temporary care provided pursuant to section 322 of this title. In determining the place of such hospitalization, the Secretary shall give due weight to the best interests of the patient.

(b) Ineligible persons
The authority of the Secretary to provide hospitalization for any person under this section shall not apply to any person for whose medical care and treatment any agency of the United States is responsible.

(Pub. L. 86–571, §4, July 5, 1960, 74 Stat. 309; Pub. L. 98–621, §10(r), Nov. 8, 1984, 98 Stat. 3381; In subsec. (a), "section 6101 of title 41" substituted for "section 3709 of the Revised Statutes, as amended" on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts. Amendments. 1984—Subsec. (a). Pub. L. 98–621 substituted "any" for "Saint Elizabeth Hospital, at any other" after "for such person" in first sentence. Effective Date of 1984 Amendment. Amendment by Pub. L. 98–621 effective Oct. 1, 1987, see section 12(b) of Pub. L. 98–621 set out as an Effective Date note under section 225 of this title)

§325 Examination of persons admitted

(a) Time and frequency of examination; discharge
Any person admitted to any hospital pursuant to section 322 or section 324 of this title shall, as soon as practicable, but in no event more than five days after the day of such admission, be examined by qualified members of the medical staff of the hospital and, unless found to be in need of hospitalization by reason of mental illness, shall be discharged. Any person found upon such examination to be in need of such hospitalization shall thereafter, as frequently as practicable but not less often than every six months, be reexamined and shall, whenever it is determined that the conditions justifying such hospitalization no longer obtain, be discharged or, if found to be in the best interests of the patient, be conditionally released.
(b) Notice to legal guardian, etc.
Whenever any person is admitted to a hospital pursuant to this chapter, his legal guardian, spouse, or next of kin shall, if known, be immediately notified.

(Pub. L. 86–571, §5, July 5, 1960, 74 Stat. 309)

§326 Release of patient

(a) Request; determination of right to retain; retention after request
If a person who is a patient hospitalized under section 322 or 324 of this title, or his legal guardian, spouse, or adult next of kin, requests the release of such patient, the right of the Secretary, or the head of the hospital, to detain him for care and treatment shall be determined in accordance with such laws governing the detention, for care and treatment, of persons alleged to be mentally ill as may be in force and applicable generally in the State in which such hospital is located, but in no event shall the patient be detained more than forty-eight hours (excluding any period of time falling on a Sunday or legal holiday) after the receipt of such request unless within such time (1) judicial proceedings for such

hospitalization are commenced or (2) a judicial extension of such time is obtained, for a period of not more than five days, for the commencement of such proceedings.
(b) Transfer to another hospital
The Secretary is authorized at any time, when he deems it to be in the interest of the person or of the institution affected, to transfer any person hospitalized under section 324 of this title from one hospital to another, and to that end any judicial commitment of any person so hospitalized may be to the Secretary.

(Pub. L. 86–571, §6, July 5, 1960, 74 Stat. 309)

§327 Notification to committing court of discharge or conditional release

In the case of any person hospitalized under section 324 of this title who has been judicially committed to the Secretary's custody, the Secretary shall, upon the discharge or conditional release of such person, or upon such person's transfer and release under section 323 of this title, notify the committing court of such discharge or conditional release or such transfer and release.

(Pub. L. 86–571, §7, July 5, 1960, 74 Stat. 310)

§328 Payment for care and treatment

(a) Persons liable; scope of liability; compromise or waiver; investigations; judicial proceedings
Any person hospitalized under section 324 of this title or his estate, shall be liable to pay or contribute toward the payment of the costs or charges for his care and treatment to the same extent as such person would, if resident in the District of Columbia, be liable to pay, under the laws of the District of Columbia, for his care and maintenance in a hospital for the mentally ill in that jurisdiction. The Secretary may, in his discretion, where in his judgment substantial justice will be best served thereby or the probable recovery will not warrant the expense of collection, compromise or waive the whole or any portion of any claim under this section. In carrying out this section, the Secretary may make or cause to be made such investigations as may be necessary to determine the ability of any person hospitalized under section 324 of this title to pay or contribute toward the cost of his hospitalization. All collections or reimbursement on account of the costs and charges for the care of the eligible person shall be deposited in the Treasury as miscellaneous receipts. Any judicial proceedings to recover such costs or charges shall be brought in the name of the United States in any court of competent jurisdiction.

(b) "Costs or charges" defined
As used in this section, the term "costs or charges" means, in the case of hospitalization at a hospital under the jurisdiction of the Department of Health and Human Services, a per diem rate prescribed by the Secretary on a basis comparable to that charged for any other paying patients and, in the case of persons hospitalized elsewhere, the contract rate or a per diem rate fixed by the Secretary on the basis of the contract rate.

(Pub. L. 86–571, §8, July 5, 1960, 74 Stat. 310; Pub. L. 96–88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695)

§329. Availability of appropriations for transportation

Appropriations for carrying out this chapter shall also be available for the transportation of any eligible person and necessary attendants to or from a hospital (including any hospital of a State or political subdivision to which an eligible person is released under section 323 of this title), to the place where a relative to whom any person is released under section 323 of this title resides, or to a person's home upon his discharge from hospitalization under this chapter.

(Pub. L. 86–571, §9, July 5, 1960, 74 Stat. 310)

CHAPTER 10—ARMED FORCES RETIREMENT HOME

Sec. 401 Definitions.

SUBCHAPTER I—ESTABLISHMENT AND OPERATION OF RETIREMENT HOME

Sec. 411 Establishment of the Armed Forces Retirement Home.

Sec. 412 Residents of Retirement Home.

Sec. 413 Services provided to residents.

Sec. 413a Oversight of health care provided to residents.

Sec. 414 Fees paid by residents.

Sec. 415 Chief Operating Officer.

Sec. 416 Advisory Council.

Sec. 416a Resident Advisory Committees.

Sec. 417 Administrators, Ombudsmen, and staff of facilities.

Sec. 418 Periodic inspection of retirement home facilities by Department of Defense Inspector General and outside inspectors.

Sec. 419 Armed Forces Retirement Home Trust Fund.

Sec. 420 Disposition of effects of deceased persons; unclaimed property.

Sec. 421 Payment of residents for services.

Sec. 422 Authority to accept certain uncompensated services.

Sec. 423 Preservation of historic buildings and grounds at the Armed Forces Retirement Home—Washington.

Sec. 424 Conditional supervisory control of Retirement Home Board by Secretary of Defense

SUBCHAPTER II—TRANSITIONAL PROVISIONS

Sec. 431 Transfer of trust funds relating to Naval Home and Soldiers' and Airmen's Home

Sec. 432 Directors of facilities

Sec. 433 Continuation of incumbent deputy directors

SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

Sec. 441 Authorization of appropriations for United States Soldiers' and Airmen's Home

§401 Definitions

For purposes of this chapter:
(1) The term "Retirement Home" includes the institutions established under section 411 of this title, as follows:
(A) The Armed Forces Retirement Home—Washington.
(B) The Armed Forces Retirement Home—Gulfport.

(2) The terms "Armed Forces Retirement Home Trust Fund" and "Fund" mean the Armed Forces Retirement Home Trust Fund established under section 419(a) of this title.
(3) The term "Advisory Council" means the Armed Forces Retirement Home Advisory Council established under section 416 of this title.
(4) The term "Resident Advisory Committee" means an elected body of residents at a facility of the Retirement Home established under section 416a of this title.
(5) The term "chief personnel officers" means—
(A) the Deputy Chief of Staff for Personnel of the Army;
(B) the Chief of Naval Personnel;
(C) the Deputy Chief of Staff for Personnel of the Air Force;
(D) the Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs; and
(E) the Assistant Commandant of the Coast Guard for Human Resources.

(6) The term "senior noncommissioned officers" means the following:
(A) The Sergeant Major of the Army.
(B) The Master Chief Petty Officer of the Navy.
(C) The Chief Master Sergeant of the Air Force.
(D) The Sergeant Major of the Marine Corps.
(E) The Master Chief Petty Officer of the Coast Guard.

(Pub. L. 101–510, div. A, title XV, §1502, Nov. 5, 1990, 104 Stat. 1722; Pub. L. 106–398, §1 [[div. A], title IX, §902(c)], Oct. 30, 2000, 114 Stat. 1654, 1654A–224; Pub. L. 107–107, div. A, title XIV, §1402, Dec. 28, 2001, 115 Stat. 1257; Pub. L. 111–281, title II, §205(a), Oct. 15, 2010, 124 Stat. 2911; Pub. L. 112–81, div. A, title V, §563(b)(1), Dec. 31, 2011, 125 Stat. 1423.)

References in Text. This chapter, referred to in text, was in the original "this title", meaning title XV of Pub. L. 101–510, div. A, Nov. 5, 1990, 104 Stat. 1722, as amended, which is classified principally to this chapter. For complete classification of title XV to the Code, see Short Title note below and Tables.

Amendments 2011—Pars. (2) to (4). Pub. L. 112–81 added pars. (3) and (4), redesignated former par. (3) as (2), and struck out former par. (2) which read as follows: "The term 'Local Board' means a Local Board of Trustees established under section 416 of this title." 2010—Par. (4). Pub. L. 111–281, §205(a)(1), struck out par. (4) which read as follows: "The term 'Armed Forces' does not include the Coast Guard when it is not operating as a service in the Navy." Par. (5)(E). Pub. L. 111–281, §205(a)(2), added subpar. (E). Par. (6)(E). Pub. L. 111–281, §205(a)(3), added subpar. (E).
2001—Pars. (1) to (3). Pub. L. 107–107, §1402(1), added pars. (1) to (3) and struck out former pars. (1) to (3) which read as follows: "(1) The term 'Retirement Home' means the Armed Forces Retirement Home established under section 411(a) of this title. "(2) The term 'Retirement Home Board' means the Armed Forces Retirement Home Board. "(3) The term 'Local Board' means a Board of Trustees established for each facility of the Retirement Home maintained as a separate establishment of the Retirement Home for administrative purposes." Par. (4). Pub. L. 107–107, §1402(1), (2), redesignated par. (6) as (4) and struck out former par. (4) which read as follows: "The term 'Director' means a Director of the Armed Forces Retirement Home appointed under section 417(a) of this title."
Par. (5). Pub. L. 107–107, §1402(1), (2), redesignated par. (7) as (5) and struck out former par. (5) which read as follows: "The term 'Fund' means the Armed Forces Retirement Home Trust Fund established under section 419(a) of this title." Par. (5)(C). Pub. L. 107–107, §1402(3)(A), substituted "for Personnel" for ", Manpower and Personnel". Par. (5)(D). Pub. L. 107–107, §1402(3)(B), substituted "for Manpower and Reserve Affairs" for "with responsibility for personnel matters".
Pars. (6) to (8). Pub. L. 107–107, §1402(2), redesignated pars. (6) to (8) as (4) to (6), respectively.
2000—Par. (7)(D). Pub. L. 106–398 amended subpar. (D) generally. Prior to amendment, subpar. (D) read as follows: "the Deputy Chief of Staff for Manpower of the Marine Corps."

Effective Date. Pub. L. 101–510, div. A, title XV, §1541, Nov. 5, 1990, 104 Stat. 1736, as amended by Pub. L. 103–160, div. A, title III, §366(f), Nov. 30, 1993, 107 Stat. 1632, which provided that title XV of Pub. L. 101–510 (see Short Title note below) and the amendments made by such title were effective one year after Nov. 5, 1990, except that sections 1519, 1531, and 1533(c)(1) of the Act (enacting sections 419 and 431 of this title and amending section 1321 of Title 31, Money and Finance) were effective Nov. 5, 1990, provisions of section 1515 of the Act (enacting section 415 of this title) relating to the appointment and designation of members of the Retirement Home Board PDFPage:31 and Local Boards were effective Oct. 1, 1991, and section 1520 of the Act (enacting section 420 of this title) was applicable to the estate of each resident of the Armed Forces Retirement Home who dies after Nov. 29, 1989, was repealed by Pub. L. 107–107, div. A, title XIV, §1410(b)(3), Dec. 28, 2001, 115 Stat. 1266.

Short Title. Pub. L. 101–510, div. A, title XV, §1501(a), formerly §1501, Nov. 5, 1990, 104 Stat. 1722, as renumbered by Pub. L. 107–107, div. A, title XIV, §1410(c)(1), Dec. 28, 2001, 115 Stat. 1266, provided that: "This title [enacting this chapter, amending section 6a of this title, sections 1089, 2575, 2772, 4624, 4712, 9624, and 9712 of Title 10, Armed Forces, section 1321 of Title 31, Money and Finance, section 1007 of Title 37, Pay and Allowances of the Uniformed Services, and section 906 of Title 44, Public Printing and Documents, repealing sections 21a to 25, 41 to 43, 44b, 45 to 46b, 48 to 50, 54, and 59 of this title and sections 4713 and 9713 of Title 10, and enacting provisions set out as notes above and under section 2772 of Title 10] may be cited as the 'Armed Forces Retirement Home Act of 1991'."

Transfer of Functions. For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

SUBCHAPTER I—ESTABLISHMENT AND OPERATION OF RETIREMENT HOME

§411 Establishment of the Armed Forces Retirement Home

(a) Independent establishment
The Armed Forces Retirement Home is an independent establishment in the executive branch.
(b) Purpose
The purpose of the Retirement Home is to provide, through the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport, residences and related services for certain retired and former members of the Armed Forces.
(c) Facilities
(1) Each facility of the Retirement Home referred to in paragraph (2) is a separate establishment of the Retirement Home.
(2) The United States Soldiers' and Airmen's Home is hereby redesignated as the Armed Forces Retirement Home—Washington. The Naval Home is hereby redesignated as the Armed Forces Retirement Home—Gulfport.
(d) Operation
(1) The Chief Operating Officer of the Armed Forces Retirement Home is the head of the Retirement Home. The Chief Operating Officer is subject to the authority, direction, and control of the Secretary of Defense.
(2) Each facility of the Retirement Home shall be maintained as a separate establishment of the Retirement Home for administrative purposes and shall be under the authority, direction, and control of the Administrator of that facility. The Administrator of each facility of the Retirement Home is subject to the authority, direction, and control of the Chief Operating Officer.
(3) The administration of the Retirement Home, including administration for the provision of health care and medical care for residents, shall remain under the control and administration of the Secretary of Defense.
(e) Property and facilities
(1) The Retirement Home shall include such property and facilities as may be acquired under paragraph (2) or accepted under section 415(f) of this title for inclusion in the Retirement Home.
(2) The Secretary of Defense may acquire, for the benefit of the Retirement Home, property and facilities for inclusion in the Retirement Home. If the purchase price to acquire fee title to real property for inclusion in the Retirement Home is more than $750,000, the Secretary may acquire the real property only if the acquisition is specifically authorized by law.
(3) If the Secretary of Defense determines that any property of the Retirement Home is excess to the needs of the Retirement Home, the Secretary shall dispose of the property in accordance with subchapter III of chapter 5 of title 40 (40 U.S.C. 541 et seq.). The proceeds from the disposal of property under this paragraph shall be deposited in the Armed Forces Retirement Home Trust Fund.
(f) Department of Defense support
The Secretary of Defense may make available from the Department of Defense to the Retirement

Home, on a nonreimbursable basis, administrative support and office services, legal and policy planning assistance, access to investigative facilities of the Inspector General of the Department of Defense and of the military departments, and any other support necessary to enable the Retirement Home to carry out its functions under this chapter.

(g) Accreditation

The Chief Operating Officer shall secure and maintain accreditation by a nationally recognized civilian accrediting organization for each aspect of each facility of the Retirement Home, including medical and dental care, pharmacy, independent living, and assisted living and nursing care.

(h) Annual report

The Secretary of Defense shall transmit to Congress an annual report on the financial and other affairs of the Retirement Home for each fiscal year. The annual report shall include an assessment of all aspects of each facility of the Retirement Home, including the quality of care at the facility.

(i) Authority to lease non-excess property

(1) Whenever the Chief Operating Officer of the Armed Forces Retirement Home considers it advantageous to the Retirement Home, the Secretary of Defense (acting on behalf of the Chief Operating Officer) may lease to such lessee and upon such terms as the Secretary considers will promote the purpose and financial stability of the Retirement Home or be in the public interest, real or personal property that is—

(A) under the control of the Retirement Home; and

(B) not excess property (as defined by section 102 of title 40) subject to disposal under subsection (e)(3).

(2) A lease under this subsection—

(A) may not be for more than five years, unless the Chief Operating Officer determines that a lease for a longer period will promote the purpose and financial stability of the Retirement Home or be in the public interest;

(B) may give the lessee the first right to buy the property if the lease is revoked to allow the United States to sell the property under any other provision of law;

(C) shall permit the Chief Operating Officer to revoke the lease at any time, unless the Chief Operating Officer determines that the omission of such a provision will promote the purpose and financial stability of the Retirement Home or be in the public interest;

(D) shall provide for the payment (in cash or in kind) by the lessee of consideration in an amount that is not less than the fair market value of the lease interest, as determined by the Chief Operating Officer;

(E) may provide, notwithstanding section 1302 of title 40 or any other provision of law, for the alteration, repair, or improvement, by the lessee, of the property leased as the payment of part or all of the consideration for the lease; and

(F) may not provide for a leaseback by the Retirement Home with an annual payment in excess of $100,000, or otherwise commit the Retirement Home or the Department of Defense to annual payments in excess of such amount.

(3) In addition to any in-kind consideration accepted under subparagraph (D) or (E) of paragraph (2), in-kind consideration accepted with respect to a lease under this subsection may include the following:

(A) Maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration) of property or facilities of the Retirement Home.

(B) Construction of new facilities for the Retirement Home.

(C) Provision of facilities for use by the Retirement Home.

(D) Facilities operation support for the Retirement Home.

(E) Provision of such other services relating to activities that will occur on the leased property as the Chief Operating Officer considers appropriate.

(4) In-kind consideration under paragraph (3) may be accepted at any property or facilities of the Retirement Home that are selected for that purpose by the Chief Operating Officer.
(5) In the case of a lease for which all or part of the consideration proposed to be accepted under this subsection is in-kind consideration with a value in excess of $500,000, the Secretary of Defense may not enter into the lease on behalf of the Chief Operating Officer until at least 30 days after the date on which a report on the facts of the lease is submitted to Congress. This paragraph does not apply to a lease covered by paragraph (6).
(6)(A) If a proposed lease under this subsection involves only personal property, the lease term exceeds one year, or the fair market value of the lease interest exceeds $100,000, as determined by the Chief Operating Officer, the Secretary of Defense shall use competitive procedures to select the lessee unless the Chief Operating Officer determines that—
(i) a public interest will be served as a result of the lease; and
(ii) the use of competitive procedures for the selection of certain lessees is unobtainable or not compatible with the public benefit served under clause (i).

(B) Not later than 45 days before entering into a lease described in subparagraph (A), the Chief Operating Officer shall submit to Congress written notice describing the terms of the proposed lease and—
(i) the competitive procedures used to select the lessee; or
(ii) in the case of a lease involving the public benefit exception authorized by subparagraph (A)(ii), a description of the public benefit to be served by the lease.

(7) The proceeds from the lease of property under this subsection shall be deposited in the Armed Forces Retirement Home Trust Fund.
(8) The interest of a lessee of property leased under this subsection may be taxed by State or local governments. A lease under this subsection shall provide that, if and to the extent that the leased property is later made taxable by State or local governments under an Act of Congress, the lease shall be renegotiated.

(Pub. L. 101–510, div. A, title XV, §1511, Nov. 5, 1990, 104 Stat. 1723; Pub. L. 103–160, div. A, title III, §366(a), Nov. 30, 1993, 107 Stat. 1630; Pub. L. 107–107, div. A, title XIV, §1403, Dec. 28, 2001, 115 Stat. 1258; Pub. L. 110–181, div. A, title XIV, §1422(a), (b), Jan. 28, 2008, 122 Stat. 420; Pub. L. 111–84, div. B, title XXVIII, §2823, Oct. 28, 2009, 123 Stat. 2666; Pub. L. 111–383, div. B, title XXVIII, §2813(b), Jan. 7, 2011, 124 Stat. 4463; Pub. L. 112–81, div. A, title V, §§561, 564(b)(1), Dec. 31, 2011, 125 Stat. 1420, 1424; Pub. L. 112–239, div. A, title X, §1076(j), Jan. 2, 2013, 126 Stat. 1955.)

References in Text. This chapter, referred to in subsec. (f), was in the original "this title", meaning title XV of Pub. L. 101–510, div. A, Nov. 5, 1990, 104 Stat. 1722, which is classified principally to this chapter. For complete classification of title XV to the Code, see Short Title note set out under section 401 of this title and Tables.

Amendments. 2013—Subsec. (d)(3). Pub. L. 112–239 struck out first par. (3) which read as follows: "The administration of the Retirement Home (including administration for the provision of health care

and medical care for residents) shall remain under the direct authority, control, and administration of the Secretary of Defense." 2011—Subsec. (d)(2). Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director" in two places. Subsec. (d)(3). Pub. L. 112–81, §561, added second par. (3). Subsec. (i)(2)(F). Pub. L. 111–383 added subpar. (F). 2009—Subsec. (e)(2). Pub. L. 111–84, §2823(a), inserted at end "If the purchase price to acquire fee title to real property for inclusion in the Retirement Home is more than $750,000, the Secretary may acquire the real property only if the acquisition is specifically authorized by law." Subsec. (e)(3). Pub. L. 111–84, §2823(b)(1), added par. (3) and struck out former par. (3) which read as follows: "The Secretary of Defense may dispose of any property of the Retirement Home, by sale, lease, or otherwise, that the Secretary determines is excess to the needs of the Retirement Home. The proceeds from such a disposal of property shall be deposited in the Armed Forces Retirement Home Trust Fund. No such disposal of real property shall be effective earlier than 120 days after the date on which the Secretary transmits a notification of the proposed disposal to the Committees on Armed Services of the Senate and the House of Representatives." Subsec. (i). Pub. L. 111–84, §2823(b)(2), added subsec. (i). 2008—Subsec. (d)(3). Pub. L. 110–181, §1422(a)(1), added par. (3). Subsec. (g). Pub. L. 110–181, §1422(b), amended subsec. (g) generally. Prior to amendment, text read as follows: "The Chief Operating Officer shall endeavor to secure for each facility of the Retirement Home accreditation by a nationally recognized civilian accrediting organization, such as the Continuing Care Accreditation Commission and the Joint Commission for Accreditation of Health Organizations." Subsec. (h). Pub. L. 110–181, §1422(a)(2), inserted at end "The annual report shall include an assessment of all aspects of each facility of the Retirement Home, including the quality of care at the facility." 2001—Pub. L. 107–107 reenacted section catchline without change and amended text generally, substituting present provisions for provisions relating to inclusion of existing homes in the Armed Forces Retirement Home in subsec. (a), the purpose of the Retirement Home in subsec. (b), its operation in subsec. (c), its property and facilities in subsec. (d), the requirement that the Secretary of Defense make available certain support services for the Home in subsec. (e), and its accreditation in subsec. (f). 1993—Subsecs. (e), (f). Pub. L. 103–160 added subsec. (e) and redesignated former subsec. (e) as (f).

Effective Date. Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

Termination of Reporting Requirements. For termination, effective Dec. 31, 2021, of provisions in subsec. (h) of this section requiring submittal of annual report to Congress, see section 1061 of Pub. L. 114–328, set out as a note under section 111 of Title 10, Armed Forces.

§412 Residents of Retirement Home

(a) Persons eligible to be residents
Except as provided in subsection (b), the following persons who served as members of the Armed Forces, at least one-half of whose service was not active commissioned service (other than as a warrant officer or limited-duty officer), are eligible to become residents of the Retirement Home:
(1) Persons who—
(A) are 60 years of age or over; and
(B) were discharged or released from service in the Armed Forces under honorable conditions after 20 or more years of active service.

(2) Persons who are determined under rules prescribed by the Chief Operating Officer to be incapable

of earning a livelihood because of a service-connected disability incurred in the line of duty in the Armed Forces.
(3) Persons who—
(A) served in a war theater during a time of war declared by Congress or were eligible for hostile fire special pay under section 310 or 351 of title 37;
(B) were discharged or released from service in the Armed Forces under honorable conditions; and
(C) are determined under rules prescribed by the Chief Operating Officer to be incapable of earning a livelihood because of injuries, disease, or disability.

(4) Persons who—
(A) served in a women's component of the Armed Forces before June 12, 1948; and
(B) are determined under rules prescribed by the Chief Operating Officer to be eligible for admission because of compelling personal circumstances.
(b) Persons ineligible to be residents
A person described in subsection (a) who has been convicted of a felony or is not free of drug, alcohol, or psychiatric problems shall be ineligible to become a resident of the Retirement Home.
(c) Acceptance
To apply for acceptance as a resident of a facility of the Retirement Home, a person eligible to be a resident shall submit to the Administrator of that facility an application in such form and containing such information as the Chief Operating Officer may require.
(d) Priorities for acceptance
The Chief Operating Officer shall establish a system of priorities for the acceptance of residents so that the most deserving applicants will be accepted whenever the number of eligible applicants is greater than the Retirement Home can accommodate.

(Pub. L. 101–510, div. A, title XV, §1512, Nov. 5, 1990, 104 Stat. 1724; Pub. L. 107–107, div. A, title XIV, §§1404(b)(1)(A), 1405(a), 1410(b)(1), Dec. 28, 2001, 115 Stat. 1260, 1261, 1266; Pub. L. 112–81, div. A, title V, §§564(b)(1), 567(c)(6), Dec. 31, 2011, 125 Stat. 1424, 1426; Pub. L. 114–328, div. A, title VI, §618(f), Dec. 23, 2016, 130 Stat. 2160.)

Amendments. 2016—Subsec. (a)(3)(A). Pub. L. 114–328 inserted "or 351" after "section 310".
2011—Pub. L. 112–81, §567(c)(6), made technical amendment to section catchline.
Subsec. (c). Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director".
2001—Subsecs. (a), (c), (d). Pub. L. 107–107, §1404(b)(1)(A), substituted "Chief Operating Officer" for "Retirement Home Board" wherever appearing. Subsec. (e). Pub. L. 107–107, §1405(a), struck out heading and text of subsec. (e). Text read as follows: "A resident of the Retirement Home who leaves the Retirement Home for more than 45 consecutive days (other than for inpatient medical care) shall be required to reapply for acceptance as a resident." Subsec. (f). Pub. L. 107–107, §1410(b)(1), struck out heading and text of subsec. (f). Text read as follows: "Residents of the Naval Home and the United States Soldiers' and Airmen's Home as of the effective date specified in section 1541(a)—
"(1) shall not be required to apply for acceptance as residents of the Retirement Home; and
"(2) shall become residents of the Retirement Home on that date."

Effective Date. Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

§413 Services provided to residents

(a) Services provided
Except as provided in subsections (b), (c), and (d), a resident of the Retirement Home shall receive the services authorized by the Chief Operating Officer.
(b) Medical and dental care
The Retirement Home shall provide for the overall health care needs of residents in a high quality and cost-effective manner, including on site primary care, medical care, and a continuum of long-term care services. The services provided residents of the Retirement Home shall include appropriate nonacute medical and dental services, pharmaceutical services, and transportation of residents, which shall be provided at no cost to residents. Secondary and tertiary hospital care for residents that is not available at a facility of the Retirement Home shall, to the extent available, be obtained by agreement with the Secretary of Veterans Affairs or the Secretary of Defense in a facility administered by such Secretary. Except as provided in subsection (d), the Retirement Home shall not be responsible for the costs incurred for such care by a resident of the Retirement Home who uses a private medical facility for such care. The Retirement Home may not construct an acute care facility.
(c) Availability of physicians and dentists
(1) In providing for the health care needs of residents at a facility of the Retirement Home under subsection (b), the Retirement Home shall have a physician and a dentist—
(A) available at the facility during the daily business hours of the facility; and
(B) available on an on-call basis at other times.

(2) The physicians and dentists required by this subsection shall have the skills and experience suited to residents of the facility served by the physicians and dentists.
(3) To ensure the availability of health care services for residents of a facility of the Retirement Home, the Chief Operating Officer, in consultation with the Medical Director, shall establish uniform standards, appropriate to the medical needs of the residents, for access to health care services during and after the daily business hours of the facility.
(d) Transportation to medical care outside Retirement Home facilities
(1) With respect to each facility of the Retirement Home, the Retirement Home shall provide daily scheduled transportation to nearby medical facilities used by residents of the facility. The Retirement Home may provide, based on a determination of medical need, unscheduled transportation for a resident of the facility to any medical facility located not more than 30 miles from the facility for the provision of necessary and urgent medical care for the resident.
(2) The Retirement Home may not collect a fee from a resident for transportation provided under this subsection.

(Pub. L. 101–510, div. A, title XV, §1513, Nov. 5, 1990, 104 Stat. 1725; Pub. L. 103–160, div. A, title III, §366(c), Nov. 30, 1993, 107 Stat. 1630; Pub. L. 107–107, div. A, title XIV, §§1404(b)(1)(B), 1410(a)(1), Dec. 28, 2001, 115 Stat. 1260, 1266; Pub. L. 109–163, div. A, title IX, §909(a), Jan. 6, 2006, 119 Stat. 3404; Pub. L. 110–181, div. A, title XIV, §1422(c), Jan. 28, 2008, 122 Stat. 420; Pub. L. 112–81, div. A, title V, §567(c)(2), Dec. 31, 2011, 125 Stat. 1426.)

Amendments 2011—Pub. L. 112–81 substituted "Services provided to residents" for "Services provided residents" in section catchline. 2008—Subsec. (b). Pub. L. 110–181 inserted after first sentence "The services provided residents of the Retirement Home shall include appropriate nonacute medical and dental services, pharmaceutical services, and transportation of residents, which shall be provided at no cost to residents." 2006—Subsec. (a). Pub. L. 109–163, §909(a)(1), substituted

"subsections (b), (c), and (d)" for "subsection (b)". Subsec. (b). Pub. L. 109–163, §909(a)(2), substituted "Except as provided in subsection (d), the" for "The". Subsecs. (c), (d). Pub. L. 109–163, §909(a)(3), added subsecs. (c) and (d). 2001—Subsec. (a). Pub. L. 107–107, §1404(b)(1)(B), substituted "Chief Operating Officer" for "Retirement Home Board". Subsec. (b). Pub. L. 107–107, §1410(a)(1), struck out "maintained as a separate establishment" after "available at a facility" in second sentence. 1993—Subsec. (b). Pub. L. 103–160 added second and third sentences and struck out former second sentence which read as follows: "Secondary and tertiary hospital care for residents that is not available at the Retirement Home shall be obtained through agreements with facilities administered by the Secretary of Veterans Affairs or the Secretary of Defense or at private facilities."

Effective Date. Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

§413a Oversight of health care provided to residents

(a) Designation of Senior Medical Advisor
(1) The Secretary of Defense shall designate the Deputy Director of the Defense Health Agency to serve as the Senior Medical Advisor for the Retirement Home.
(2) The Deputy Director of the Defense Health Agency shall serve as Senior Medical Advisor for the Retirement Home in addition to performing all other duties and responsibilities assigned to the Deputy Director of the Defense Health Agency at the time of the designation under paragraph (1) or afterward.

(b) Responsibilities
The Senior Medical Advisor shall provide advice to the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness, the Chief Operating Officer, and the Advisory Council regarding the direction and oversight of—
(1) medical administrative matters at each facility of the Retirement Home; and
(2) the provision of medical care, preventive mental health, and dental care services at each facility of the Retirement Home.

(c) Duties
In carrying out the responsibilities set forth in subsection (b), the Senior Medical Advisor shall perform the following duties:
(1) Ensure the timely availability to residents of the Retirement Home, at locations other than the Retirement Home, of such acute medical, mental health, and dental care as such resident may require that is not available at the applicable facility of the Retirement Home.
(2) Ensure compliance by the facilities of the Retirement Home with accreditation standards, applicable nationally recognized health care standards and requirements, or any other applicable health care standards and requirements (including requirements identified in applicable reports of the Inspector General of the Department of Defense).
(3) Periodically visit each facility of the Retirement Home to review—
(A) the medical facilities, medical operations, medical records and reports, and the quality of care provided to residents; and
(B) inspections and audits to ensure that appropriate follow-up regarding issues and recommendations raised by such inspections and audits has occurred.
(4) Report on the findings and recommendations developed as a result of each review conducted under paragraph (3) to the Chief Operating Officer, the Advisory Council, and the Under Secretary of

Defense for Personnel and Readiness.

(d) Advisory bodies. In carrying out the responsibilities set forth in subsection (b) and the duties set forth in subsection (c), the Senior Medical Advisor may establish and seek the advice of such advisory bodies as the Senior Medical Advisor considers appropriate.
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(Pub. L. 101–510, div. A, title XV, §1513A, as added Pub. L. 110–181, div. A, title XIV, §1422(d)(1), Jan. 28, 2008, 122 Stat. 420; amended Pub. L. 112–81, div. A, title V, §§562, 567(c)(3), Dec. 31, 2011, 125 Stat. 1420, 1426; Pub. L. 113–291, div. A, title VII, §721, Dec. 19, 2014, 128 Stat. 3417.)

Amendments. 2014—Subsec. (a). Pub. L. 113–291, §721(a), substituted "Deputy Director of the Defense Health Agency" for "Deputy Director of the TRICARE Management Activity" wherever appearing. Subsec. (c)(2). Pub. L. 113–291, §721(b), substituted "nationally recognized health care standards and requirements" for "health care standards of the Department of Veterans Affairs". 2011—Pub. L. 112–81, §567(c)(3), substituted "Oversight of health care provided to residents" for "Improved health care oversight of Retirement Home" in section catchline. Subsec. (b). Pub. L. 112–81, §562(a), substituted "The" for "(1) The" and "the Chief Operating Officer, and the Advisory Council regarding the direction and oversight of—" for "the Chief Operating Officer regarding the direction and oversight of the provision of medical, preventive mental health, and dental care services at each facility of the Retirement Home.", added pars. (1) and (2), and struck out former par. (2) which read as follows: "The Senior Medical Advisor shall also provide advice to the Local Board for a facility of the Retirement Home regarding all medical and medical administrative matters of the facility." Subsec. (c)(3) to (5). Pub. L. 112–81, §562(b), added pars. (3) and (4) and struck out former pars. (3) to (5) which read as follows: "(3) Periodically visit and inspect the medical facilities and medical operations of each facility of the Retirement Home. "(4) Periodically examine and audit the medical records and administration of the Retirement Home. "(5) Consult with the Local Board for each facility of the Retirement Home not less frequently than once each year."

§414 Fees paid by residents

(a) Monthly fees
The Administrator of each facility of the Retirement Home shall collect a monthly fee from each resident of that facility.
(b) Deposit of fees
The Administrators shall deposit fees collected under subsection (a) in the Armed Forces Retirement Home Trust Fund.
(c) Fixing fees
(1) The Chief Operating Officer, with the approval of the Secretary of Defense, shall from time to time prescribe the fees required by subsection (a). Changes to such fees shall be based on the financial needs of the Retirement Home and the ability of the residents to pay. A change of a fee may not take effect until 120 days after the Secretary of Defense transmits a notification of the change to the Committees on Armed Services of the Senate and the House of Representatives.
(2) The fee shall be fixed as a percentage of the monthly income and monthly payments (including Federal payments) received by a resident. The percentage shall be the same for each facility of the Retirement Home. The Secretary of Defense may make any adjustment in a percentage that the Secretary determines appropriate.

(3) The fee shall be subject to a limitation on maximum monthly amount. The amount of the limitation shall be increased, effective on January 1 of each year, by the percentage of the increase in retired pay and retainer pay that takes effect on the preceding December 1 under subsection (b) of section 1401a of title 10 without regard to paragraph (3) of such subsection.

(Pub. L. 101–510, div. A, title XV, §1514, Nov. 5, 1990, 104 Stat. 1725; Pub. L. 103–337, div. A, title III, §371(b), Oct. 5, 1994, 108 Stat. 2735; Pub. L. 107–107, div. A, title XIV, §1405(b), Dec. 28, 2001, 115 Stat. 1261; Pub. L. 112–81, div. A, title V, §§564(b), 565, Dec. 31, 2011, 125 Stat. 1424.)

Amendments. 2011—Subsec. (a). Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director". Subsec. (b). Pub. L. 112–81, §564(b)(2), substituted "Administrators" for "Directors". Subsec. (c)(3). Pub. L. 112–81, §565(a), struck out at end "The first increase in a limitation on maximum monthly amount shall take effect on January 1, 2003." Subsec. (d). Pub. L. 112–81, §565(b), struck out subsec. (d) which related to transitional fee structures. 2001—Pub. L. 107–107 reenacted section catchline without change and amended text generally, substituting present provisions for provisions relating to collec PDFPage:36 tion of monthly fees in subsec. (a), deposit of fees in subsec. (b), fixing fees in subsec. (c), and application of fees in subsec. (d). 1994—Subsec. (c)(2). Pub. L. 103–337, §371(b)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: "The fee shall be fixed as a percentage of Federal payments made to a resident, including monthly retired or retainer pay, monthly civil service annuity, monthly compensation or pension paid to the resident by the Secretary of Veterans Affairs, and Social Security payments. Residents who do not receive such Federal payments shall be required to pay a monthly fee that is equivalent to the average monthly fee paid by residents who receive Federal payments, subject to such adjustments in the fee as the Retirement Home Board may make. The percentage shall be the same for each establishment of the Retirement Home." Subsec. (d). Pub. L. 103–337, §371(b)(2), added subsec. (d) and struck out former subsec. (d) which specified fees to be paid by residents of the Naval Home and residents of the United States Soldiers' and Airmen's Home who became residents of the Retirement Home on the effective date specified in section 1541(a) of Pub. L. 101–510. Subsec. (e). Pub. L. 103–337, §371(b)(2)(A), struck out subsec. (e) which read as follows: "A person who becomes a resident of the Retirement Home after the effective date specified in section 1541(a) shall be required to pay a monthly fee that is equal to 25 percent of Federal payments made to the resident, subject to such adjustments in the fee as may be made under subsection (c) of this section."

Effective Date of 1994 Amendment. Pub. L. 103–337, div. A, title III, §371(d)(2), Oct. 5, 1994, 108 Stat. 2735, provided that: "The amendments made by subsection (b) [amending this section] shall take effect on October 1, 1997." Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

§415 Chief Operating Officer

(a) Appointment
(1) The Secretary of Defense shall appoint the Chief Operating Officer of the Retirement Home.
(2) The Chief Operating Officer shall serve at the pleasure of the Secretary of Defense.
(3) The Secretary of Defense shall evaluate the performance of the Chief Operating Officer at least once each year.
(b) Qualifications
To qualify for appointment as the Chief Operating Officer, a person shall—

(1) be a continuing care retirement community professional;
(2) have appropriate leadership and management skills; and
(3) have experience and expertise in the operation and management of retirement homes and in the provision of long-term medical care for older persons.
(c) Responsibilities
(1) The Chief Operating Officer shall be responsible to the Secretary of Defense for the overall direction, operation, and management of the Retirement Home and shall report to the Secretary on those matters.
(2) The Chief Operating Officer shall supervise the operation and administration of the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport.
(3) The Chief Operating Officer shall perform the following duties:
(A) Issue, and ensure compliance with, appropriate rules for the operation of the Retirement Home.
(B) Periodically visit, and inspect the operation of, the facilities of the Retirement Home.
(C) Periodically examine and audit the accounts of the Retirement Home.
(D) Establish any advisory body or bodies that the Chief Operating Officer considers to be necessary.
(d) Compensation
(1) The Secretary of Defense may prescribe the pay of the Chief Operating Officer, except that the annual rate of basic pay, including locality pay, of the Chief Operating Officer may not exceed the annual rate of basic pay payable for level III of the Executive Schedule under section 5314 of title 5.
(2) In addition to basic pay and any locality pay prescribed for the Chief Operating Officer, the Secretary may award the Chief Operating Officer, not more than once each year, a bonus based on the performance of the Chief Operating Officer for the year. The Secretary shall prescribe the amount of any such bonus.
(3) The total amount of the basic pay and bonus paid the Chief Operating Officer for a year under this section may not exceed the annual rate of basic pay payable for level I of the Executive Schedule under section 5312 of title 5.
(e) Administrative staff
(1) The Chief Operating Officer may, subject to the approval of the Secretary of Defense, appoint a staff to assist in the performance of the Chief Operating Officer's duties in the overall administration of the Retirement Home.
(2) The Chief Operating Officer shall prescribe the rates of pay applicable to the members of the staff appointed under paragraph (1), except that—
(A) a staff member who is a member of the Armed Forces on active duty or who is a full-time officer or employee of the United States may not receive additional pay by reason of service on the administrative staff; and
(B) the limitations in section 5373 of title 5, relating to pay set by administrative action, shall apply to the rates of pay prescribed under this paragraph.
(f) Acceptance of gifts
(1) The Chief Operating Officer may accept gifts of money, property, and facilities on behalf of the Retirement Home.
(2) Monies received as gifts, or realized from the disposition of property and facilities received as gifts, shall be deposited in the Armed Forces Retirement Home Trust Fund.

(Pub. L. 101–510, div. A, title XV, §1515, Nov. 5, 1990, 104 Stat. 1726; Pub. L. 102–190, div. A, title X, §1062(a)(4), Dec. 5, 1991, 105 Stat. 1475; Pub. L. 103–160, div. A, title III, §366(b), Nov. 30, 1993, 107 Stat. 1630; Pub. L. 104–201, div. A, title X, §1051(a), (b)(1), Sept. 23, 1996, 110 Stat. 2648; Pub. L. 107–107, div. A, title XIV, §1404(a), Dec. 28, 2001, 115 Stat. 1259; Pub. L. 112–81, div. A,

title V, §563(b)(2), Dec. 31, 2011, 125 Stat. 1423.)

Amendments. 2011—Subsec. (c)(2). Pub. L. 112–81 struck out ", including the Local Boards of those facilities" before period at end. 2001—Pub. L. 107–107 amended section catchline and text generally, substituting provisions relating to the Chief Operating Officer of the Retirement Home for provisions relating to the composition and operation of Retirement Home Board. 1996—Subsec. (e)(3). Pub. L. 104–201, §1051(a), added par. (3). Subsec. (f). Pub. L. 104–201, §1051(b)(1), amended heading and text of subsec. (f) generally. Prior to amendment, text read as follows: "Not later than the effective date specified in section 1541(a), members of the Retirement Home Board and the members of each Local Board shall be first appointed to staggered terms." 1993—Subsec. (d)(1). Pub. L. 103–160 amended par. (1) generally. Prior to amendment, par. (1) read as follows: "The Secretary of Defense shall select one of the members of the Retirement Home Board to serve as chairman. The term of office of the chairman of the Retirement Home Board shall be five years." 1991—Subsecs. (a), (c). Pub. L. 102–190, §1062(a)(4)(A), substituted "Local Boards" for "local boards". Subsec. (d)(2). Pub. L. 102–190, §1062(a)(4)(B), substituted "that Board" for "that board".

Effective Date. Section effective one year after Nov. 5, 1990, except that provisions of this section relating to appointment and designation of members of Retirement Home Board and Local Boards effective Oct. 1, 1991, see section 1541(a), (c) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

Savings Provision. Pub. L. 104–201, div. A, title X, §1051(b)(2), Sept. 23, 1996, 110 Stat. 2649, provided that: "The amendment made by this subsection [amending this section] shall not affect the staggered terms of members of the Armed Forces Retirement Home Board or a Local Board of the Retirement Home under section 1515(f) of such Act [subsec. (f) of this section], as such section is in effect before the date of the enactment of this Act [Sept. 23, 1996]."

§416 Advisory Council

(a) Establishment
The Retirement Home shall have an Advisory Council, to be known as the "Armed Forces Retirement Home Advisory Council". The Advisory Council shall serve the interests of both facilities of the Retirement Home.
(b) Duties
(1) The Advisory Council shall provide to the Chief Operating Officer and the Administrator of each facility such guidance and recommendations on the administration of the Retirement Home and the quality of care provided to residents as the Advisory Council considers appropriate.
(2) Not less often than annually, the Advisory Council shall submit to the Secretary of Defense a report summarizing its activities during the preceding year and providing such observations and recommendations with respect to the Retirement Home as the Advisory Council considers appropriate.
(3) In carrying out its functions, the Advisory Council shall—
(A) provide for participation in its activities by a representative of the Resident Advisory Committee of each facility of the Retirement Home; and
(B) make recommendations to the Inspector General of the Department of Defense regarding issues that the Inspector General should investigate.
(c) Composition
(1) The Advisory Council shall consist of at least 15 members, each of whom shall be a full or part-

time Federal employee or a member of the Armed Forces.
(2) Members of the Advisory Council shall be designated by the Secretary of Defense, except that an individual who is not an employee of the Department of Defense shall be designated, in consultation with the Secretary of Defense, by the head of the Federal department or agency that employs the individual.
(3) The Advisory Council shall include the following members:
(A) One member who is an expert in nursing home or retirement home administration and financing.
(B) One member who is an expert in gerontology.
(C) One member who is an expert in financial management.
(D) Two representatives of the Department of Veterans Affairs, one to be designated from each of the regional offices nearest in proximity to the facilities of the Retirement Home.
(E) The Chairpersons of the Resident Advisory Committees.
(F) One enlisted representative of the Services' Retiree Advisory Council.
(G) The senior noncommissioned officer of one of the Armed Forces.
(H) Two senior representatives of military medical treatment facilities, one to be designated from each of the military hospitals nearest in proximity to the facilities of the Retirement Home.
(I) One senior judge advocate from one of the Armed Forces.
(J) One senior representative of one of the chief personnel officers of the Armed Forces.
(K) Such other members as the Secretary of Defense may designate.

(4) The Administrator of the each facility of the Retirement Home shall be a nonvoting member of the Advisory Council.
(5) The Secretary of Defense shall designate one member of the Advisory Council to serve as the Chairperson of the Advisory Council. The Chairperson shall conduct the meetings of the Advisory Council.
(d) Term of service
(1) Except as provided in paragraphs (2), (3), and (4), the term of service of a member of the Advisory Council shall be two years. The Secretary of Defense may designate a member to serve one additional term.
(2) Unless earlier terminated by the Secretary of Defense, a person may continue to serve as a member of the Advisory Council after the expiration of the member's term until a successor is designated.
(3) The Secretary of Defense may terminate the term of service of a member of the Advisory Council before the expiration of the member's term.
(4) A member of the Advisory Council serves as a member of the Advisory Council only for as long as the member is assigned to or serving in a position for which the duties include the duty to serve as a member of the Advisory Council.
(e) Vacancies
A vacancy in the Advisory Council shall be filled in the manner in which the original designation was made. A member designated to fill a vacancy occurring before the end of the term of the predecessor shall be designated for the remainder of the term of the predecessor. A vacancy in the Advisory Council shall not affect its authority to perform its duties.
(f) Compensation
(1) Except as provided in paragraph (2), a member of the Advisory Council shall—
(A) be provided a stipend consistent with the daily government consultant fee for each day on which the member is engaged in the performance of services for the Advisory Council; and
(B) while away from home or regular place of business in the performance of services for the Advisory Council, be allowed travel expenses (including per diem in lieu of subsistence) in the same manner as a

person employed intermittently in Government under sections 5701 through 5707 of title 5.

(2) A member of the Advisory Council who is a member of the Armed Forces on active duty or a full-time officer or employee of the United States shall receive no additional pay by reason of serving as a member of the Advisory Council.

(Pub. L. 101–510, div. A, title XV, §1516, as added Pub. L. 112–81, div. A, title V, §563(a), Dec. 31, 2011, 125 Stat. 1421.)

Prior Provisions. A prior section 416, Pub. L. 101–510, div. A, title XV, §1516, Nov. 5, 1990, 104 Stat. 1728; Pub. L. 107–107, div. A, title XIV, §1406, Dec. 28, 2001, 115 Stat. 1262; Pub. L. 110–181, div. A, title XIV, §1422(e), Jan. 28, 2008, 122 Stat. 421; Pub. L. 110–417, [div. A], title X, §1061(b)(12), Oct. 14, 2008, 122 Stat. 4613, related to local boards of trustees, prior to repeal by Pub. L. 112–81, div. A, title V, §563(a), Dec. 31, 2011, 125 Stat. 1421.

§416a Resident Advisory Committees

(a) Establishment and purpose
(1) A Resident Advisory Committee is an elected body of residents at each facility of the Retirement Home established to provide a forum for all residents to express their needs, ideas, and interests through elected representatives of their respective floor or area.
(2) A Resident Advisory Committee—
(A) serves as a forum for ideas, recommendations, and representation to management of that facility of the Retirement Home to enhance the morale, safety, health, and well-being of residents; and
(B) provides a means to communicate policy and general information between residents and management.
(b) Election process
The election process for the Resident Advisory Committee at a facility of the Retirement Home shall be coordinated by the facility Ombudsman.
(c) Chairperson
(1) The Chairperson of a Resident Advisory Committee shall be elected at large and serve a two-year term.
(2) Chairpersons serve as a liaison to the Administrator and are voting members of the Advisory Council. Chairpersons shall create meeting agendas, conduct the meetings, and provide a copy of the minutes to the Administrator, who will forward the copy to the Chief Operating Officer for approval.
(d) Meetings
At a minimum, meetings of a Resident Advisory Committee shall be conducted quarterly.

(Pub. L. 101–510, div. A, title XV, §1516A, as added Pub. L. 112–81, div. A, title V, §563(a), Dec. 31, 2011, 125 Stat. 1423)

§417 Administrators, Ombudsmen, and staff of facilities

(a) Appointment
The Secretary of Defense shall appoint an Administrator and an Ombudsman for each facility of the Retirement Home.
(b) Administrator

The Administrator of a facility shall—
(1) be a civilian with experience as a continuing care retirement community professional or a member of the Armed Forces serving on active duty in a grade below brigadier general or, in the case of the Navy, rear admiral (lower half);
(2) have appropriate leadership and management skills; and
(3) be required to pursue a course of study to receive certification as a retirement facilities director by an appropriate civilian certifying organization, if the Administrator is not so certified at the time of appointment.
(c) Duties of Administrator
(1) The Administrator of a facility shall be responsible for the day-to-day operation of the facility, including the acceptance of applicants to be residents of that facility.
(2) The Administrator of a facility shall keep accurate and complete records of the facility.
(d) Ombudsman
(1) The Ombudsman of a facility shall—
(A) be a member of the Armed Forces serving on active duty in the grade of Sergeant Major, Master Chief Petty Officer, or Chief Master Sergeant or a member or former member retired in that grade; and
(B) have appropriate leadership and management skills.

(2) The Ombudsman of a facility shall serve at the pleasure of the Secretary of Defense.
(e) Duties of Ombudsman
(1) The Ombudsman of a facility shall, under the authority, direction, and control of the Administrator of the facility, serve as ombudsman for the residents and perform such other duties as the Administrator may assign.
(2) The Ombudsman may provide information to the Administrator, the Chief Operating Officer, the Senior Medical Advisor, the Inspector General of the Department of Defense, and the Under Secretary of Defense for Personnel and Readiness.
(f) Staff
(1) The Administrator of a facility may, subject to the approval of the Chief Operating Officer, appoint and prescribe the pay of such principal staff as the Administrator considers appropriate to assist the Administrator in operating the facility.
(2) The principal staff of a facility shall include persons with experience and expertise in the operation and management of retirement homes and in the provision of long-term medical care for older persons.
(g) Annual evaluation of Administrators
(1) The Chief Operating Officer shall evaluate the performance of each of the Administrators of the facilities of the Retirement Home each year.
(2) The Chief Operating Officer shall submit to the Secretary of Defense any recommendations regarding an Administrator that the Chief Operating Officer determines appropriate taking into consideration the annual evaluation.

(Pub. L. 101–510, div. A, title XV, §1517, Nov. 5, 1990, 104 Stat. 1729; Pub. L. 102–190, div. A, title X, §1062(a)(5), Dec. 5, 1991, 105 Stat. 1475; Pub. L. 104–201, div. A, title X, §1051(c), Sept. 23, 1996, 110 Stat. 2649; Pub. L. 105–261, div. A, title X, §1041(a)–(c), Oct. 17, 1998, 112 Stat. 2124; Pub. L. 107–107, div. A, title XIV, §1407, Dec. 28, 2001, 115 Stat. 1264; Pub. L. 112–81, div. A, title V, §§564(a), 567(c)(4), Dec. 31, 2011, 125 Stat. 1424, 1426.)

Amendments. 2011—Pub. L. 112–81, §567(c)(4), substituted "Administrators, Ombudsmen, and staff of facilities" for "Directors, deputy directors, associate directors, and staff of facilities" in section

catchline. Subsec. (a). Pub. L. 112–81, §564(a)(1), substituted "an Administrator and an Ombudsman" for "a Director, a Deputy Director, and an Associate Director". Subsecs. (b), (c). Pub. L. 112–81, §564(a)(2), substituted "Administrator" for "Director" wherever appearing in heading and text. Subsec. (d). Pub. L. 112–81, §564(a)(4), substituted "Ombudsman" for "Associate Director" wherever appearing in heading and text. Pub. L. 112–81, §564(a)(3), redesignated subsec. (f) as (d) and struck out former subsec. (d) which related to Deputy Director. Subsec. (e). Pub. L. 112–81, §564(a)(5), designated existing provisions as par. (1), substituted "Ombudsman" for "Associate Director" in heading and text, substituted "Administrator of" for "Director and Deputy Director of" and "Administrator may" for "Director may", and added par. (2). Pub. L. 112–81, §564(a)(3), redesignated subsec. (g) as (e) and struck out former subsec. (e) which related to duties of Deputy Director. Subsec. (f). Pub. L. 112–81, §564(a)(3), redesignated subsec. (h) as (f). Former subsec. (f) redesignated (d). Subsec. (f)(1). Pub. L. 112–81, §564(a)(6), substituted "Administrator" for "Director" wherever appearing. Subsec. (g). Pub. L. 112–81, §564(a)(7), substituted "Administrators" for "Directors" in heading and par. (1) and "an Administrator" for "a Director" in par. (2). Pub. L. 112–81, §564(a)(3), redesignated subsec. (i) as (g). Former subsec. (g) redesignated (e). Subsecs. (h), (i). Pub. L. 112–81, §564(a)(3), redesignated subsecs. (h) and (i) as (f) and (g), respectively. 2001—Pub. L. 107–107 amended section catchline and text generally, substituting provisions relating to directors, deputy directors, associate directors, and staff of facilities for provisions relating to directors and staff. 1998—Subsec. (a)(2). Pub. L. 105–261, §1041(a)(1)(A), substituted "The Director of the United States Soldiers' and Airmen's Home" for "Each Director" in introductory provisions. Subsec. (a)(2)(B). Pub. L. 105–261, §1041(a)(1)(B), added subpar. (B) and struck out former subpar. (B) which read as follows: "have appropriate leadership and management skills, an appreciation and understanding of the culture and norms associated with military service, and a significant military background." Subsec. (a)(3) to (5). Pub. L. 105–261, §1041(a)(2), (3), added pars. (3) and (4) and redesignated former par. (3) as (5). Subsec. (c). Pub. L. 105–261, §1041(b), substituted "Terms of Directors" for "Term of Director" in heading, designated existing provisions as par. (1), substituted "The term of office of the Director of the United States Soldiers' and Airmen's Home shall be five years. The Director" for "The term of office of a Director shall be five years. A Director", and added par. (2). Subsec. (g). Pub. L. 105–261, §1041(c), added subsec. (g). 1996—Subsec. (f). Pub. L. 104–201 added subsec. (f) and struck out heading and text of former subsec. (f). Text read as follows: "(1) Until the date on which the Secretary of Defense first appoints the Director for the establishment of the Retirement Home known as the Naval Home, the Governor of the Naval Home shall operate that facility consistent with this chapter and other laws applicable to the Retirement Home. "(2) Until the date on which the Secretary of Defense first appoints the Director for the facility of the Retirement Home known as the United States Soldiers' and Airmen's Home, the Governor of the United States Soldiers' and Airmen's Home shall operate that establishment consistent with this chapter and other laws applicable to the Retirement Home." 1991—Subsec. (f). Pub. L. 102–190 made technical amendment to references to this chapter to correct reference to corresponding provision of original act. Effective Date of 1998 Amendment. Pub. L. 105–261, div. A, title X, §1041(d), Oct. 17, 1998, 112 Stat. 2124, provided that: "The amendments made by this section [amending this section] shall take effect on October 1, 1998." Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

§418 Periodic inspection of retirement home facilities by Department of Defense Inspector General and outside inspectors

(a) Duty of Inspector General of the Department of Defense
The Inspector General of the Department of Defense shall have the duty to inspect the Retirement

Home.
(b) Inspections by Inspector General
(1) Not less often than once every three years, the Inspector General of the Department of Defense shall perform a comprehensive inspection of all aspects of each facility of the Retirement Home, including independent living, assisted living, long-term care, medical and dental care, pharmacy, financial and contracting records, and any aspect of either facility on which the Advisory Council or the Resident Advisory Committee of the facility recommends inspection.
(2) The Inspector General shall be assisted in inspections under this subsection by a medical inspector general of a military department designated for purposes of this subsection by the Secretary of Defense.
(3) In conducting the inspection of a facility of the Retirement Home under this subsection, the Inspector General shall solicit concerns, observations, and recommendations from the Advisory Council, the Resident Advisory Committee of the facility, and the residents of the facility. Any concerns, observations, and recommendations solicited from residents shall be solicited on a not-for-attribution basis.
(4) The Chief Operating Officer and the Administrator of each facility of the Retirement Home shall make all staff, other personnel, and records of each facility available to the Inspector General in a timely manner for purposes of inspections under this subsection.
(c) Reports on inspections by Inspector General
(1) The Inspector General shall prepare a report describing the results of each inspection conducted of a facility of the Retirement Home under subsection (b), and include in the report such recommendations as the Inspector General considers appropriate in light of the inspection. Not later than 90 days after completing the inspection of the facility, the Inspector General shall submit the report to Congress and the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness, the Chief Operating Officer, the Administrator of the facility, the Senior Medical Advisor, and the Advisory Council.
(2) A report submitted under paragraph (1) shall include a plan by the Chief Operating Officer to address the recommendations and other matters contained in the report.
(d) Additional inspections
(1) The Chief Operating Officer shall request the inspection of each facility of the Retirement Home by a nationally recognized civilian accrediting organization in accordance with section 411(g) of this title.
(2) The Chief Operating Officer and the Administrator of a facility being inspected under this subsection shall make all staff, other personnel, and records of the facility available to the civilian accrediting organization in a timely manner for purposes of inspections under this subsection.
(e) Reports on additional inspections
(1) Not later than 60 days after receiving a report of an inspection from the civilian accrediting organization under subsection (d), the Chief Operating Officer shall submit to the Under Secretary of Defense for Personnel and Readiness, the Senior Medical Advisor, and the Advisory Council a report containing—
(A) the results of the inspection; and
(B) a plan to address any recommendations and other matters set forth in the report.
(2) Not later than 45 days after receiving a report and plan under paragraph (1), the Secretary of Defense shall submit the report and plan to Congress.

(Pub. L. 101–510, div. A, title XV, §1518, Nov. 5, 1990, 104 Stat. 1730; Pub. L. 105–261, div. A, title X, §1042(a), Oct. 17, 1998, 112 Stat. 2125; Pub. L. 107–107, div. A, title XIV, §1404(b)(1)(C), Dec. 28, 2001, 115 Stat. 1260; Pub. L. 110–181, div. A, title XIV, §1422(f), Jan. 28, 2008, 122 Stat. 422; Pub. L. 112–81, div. A, title V, §§563(b)(3), 564(b)(1), 566, 567(c)(5), Dec. 31, 2011, 125 Stat. 1423–

1426)

Amendments. 2011—Pub. L. 112–81, §567(c)(5), substituted "Periodic inspection of retirement home facilities by Department of Defense Inspector General and outside inspectors" for "Inspection of Retirement Home" in section catchline. Subsec. (b)(1). Pub. L. 112–81, §566(1), substituted "Not less often than once every three years," for "In any year in which a facility of the Retirement Home is not inspected by a nationally recognized civilian accrediting organization," and "of each facility of the Retirement Home" for "of that facility" and inserted "long-term care," after "assisted living,". Pub. L. 112–81, §563(b)(3)(A)(i), substituted "Advisory Council or the Resident Advisory Committee" for "Local Board for the facility or the resident advisory committee or council". Subsec. (b)(3). Pub. L. 112–81, §563(b)(3)(A)(ii), substituted "Advisory Council, the Resident Advisory Committee" for "Local Board for the facility, the resident advisory committee or council". Subsec. (b)(4). Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director". Subsec. (c). Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director" in two places. Subsec. (c)(1). Pub. L. 112–81, §566(2)(A), substituted "90 days" for "45 days". Pub. L. 112–81, §563(b)(3)(B), substituted "Advisory Council" for "Local Board for the facility". Subsec. (c)(2). Pub. L. 112–81, §566(2)(B), added par. (2) and struck out former par. (2) which read as follows: "Not later than 45 days after receiving a report of the Inspector General under paragraph (1), the Administrator of the facility concerned shall submit to the Secretary of Defense, the Under Secretary of Defense for Personnel and Readiness, the Chief Operating Officer, and the Local Board for the facility, and to Congress, a plan to address the recommendations and other matters set forth in the report." Subsec. (d)(2). Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director". Subsec. (e)(1). Pub. L. 112–81, §566(3), substituted "60 days" for "45 days" and "Chief Operating Officer shall submit to the Under Secretary of Defense for Personnel and Readiness, the Senior Medical Advisor" for "Director of the facility concerned shall submit to the Under Secretary of Defense for Personnel and Readiness, the Chief Operating Officer". Pub. L. 112–81, §563(b)(3)(C), substituted "Advisory Council" for "Local Board for the facility". 2008—Pub. L. 110–181 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (c) relating to triennial inspections, alternating duties of Inspectors General, and inspection reports. 2001—Subsec. (c). Pub. L. 107–107 substituted "Chief Operating Officer" for "Retirement Home Board". 1998—Pub. L. 105–261 amended section catchline and text generally. Prior to amendment, text read as follows: "The Inspector General of the Department of Defense shall-"(1) conduct, not later than three years after the effective date specified in section 1541(a) (and at six-year intervals thereafter), an inspection of the Retirement Home and the records of the Retirement Home; "(2) cause the Inspector Generals of the military departments to conduct an inspection of the Retirement Home and its records at six-year intervals alternating with the inspections by the Inspector General of the Department of Defense so that each home is inspected every three years; and "(3) submit to the Retirement Home Board, the Secretary of Defense, and Congress a report describing the results of the inspection and containing such recommendations as the Inspector General considers appropriate." Effective Date. Section effective one year after Nov. 5, 1990, see section 1541(a) of Pub. L. 101–510, formerly set out as a note under section 401 of this title. First Inspection. Pub. L. 105–261, div. A, title X, §1042(b), Oct. 17, 1998, 112 Stat. 2125, provided that: "The first inspection under section 1518 of the Armed Forces Retirement Home Act of 1991 [24 U.S.C. 418], as amended by subsection (a), shall be carried out during fiscal year 1999."

§419 Armed Forces Retirement Home Trust Fund

(a) Establishment

There is hereby established in the Treasury of the United States a trust fund to be known as the Armed Forces Retirement Home Trust Fund. The Fund shall consist of the following:
(1) Such amounts as may be transferred to the Fund.
(2) Moneys deposited in the Fund by the Chief Operating Officer realized from gifts or from the disposition of property and facilities.
(3) Amounts deposited in the Fund as monthly fees paid by residents of the Retirement Home under section 414 of this title.
(4) Amounts of fines and forfeitures deposited in the Fund under section 2772 of title 10.
(5) Amounts deposited in the Fund as deductions from the pay of enlisted members, warrant officers, and limited duty officers under section 1007(i) of title 37.
(6) Interest from investments made under subsection (c).
(b) Availability and use of Fund
Amounts in the Fund shall be available solely for the operation of the Retirement Home.
(c) Investments
The Secretary of the Treasury may invest in obligations issued or guaranteed by the United States any monies in the Fund that the Chief Operating Officer determines are not currently needed to pay for the operation of the Retirement Home.
(d) Reporting requirements
The Chief Financial Officer of the Armed Forces Retirement Home shall comply with the reporting requirements of subchapter II of chapter 35 of title 31.

(Pub. L. 101–510, div. A, title XV, §1519, Nov. 5, 1990, 104 Stat. 1730; Pub. L. 107–107, div. A, title XIV, §§1404(b)(2), 1410(a)(2), (b)(2), Dec. 28, 2001, 115 Stat. 1260, 1266; Pub. L. 110–181, div. A, title XIV, §1422(g), Jan. 28, 2008, 122 Stat. 423; Pub. L. 112–81, div. A, title V, §567(b)(1), Dec. 31, 2011, 125 Stat. 1425.)

Amendments. 2011—Subsec. (a)(2). Pub. L. 112–81 substituted "Chief Operating Officer" for "Retirement Home Board". 2008—Subsec. (d). Pub. L. 110–181 added subsec. (d). 2001—Pub. L. 107–107, §1410(a)(2), inserted "Armed Forces" before "Retirement Home Trust Fund" in section catchline. Subsec. (c). Pub. L. 107–107, §1404(b)(2), substituted "Chief Operating Officer" for "Director". Subsec. (d). Pub. L. 107–107, §1410(b)(2), struck out heading and text of subsec. (d). Text read as follows: "(1) During the period beginning on November 5, 1990, and ending on September 30, 1994, the Fund shall contain a separate account for each establishment of the Retirement Home. During that period, contributions shall be collected under subsection (a) of this section for the account of the Naval Home for the purpose of achieving a trust fund five times the estimated annual operating budget of the Naval Home. "(2) Beginning on November 5, 1990, funds required for the operation of the United States Soldiers' and Airmen's Home shall be drawn from the appropriate account. Beginning on October 1, 1991, funds required for the operation of the Naval Home shall be drawn from the account of the Naval Home. "(3) During the period beginning on November 5, 1990, and ending on September 30, 1994- "(A) amounts collected as monthly fees paid by residents of the Naval Home and amounts referred to in subsections (a)(4) and (a)(5) of this section derived from enlisted members, warrant officers, and limited duty officers of the Navy, Marine Corps, and Coast Guard shall be credited to the account relating to that establishment; and "(B) amounts collected as monthly fees paid by residents of the United States Soldiers' and Airmen's Home and amounts referred to in subsections (a)(4) and (a)(5) of this section derived from members and warrant officers of the Army and Air Force shall be credited to the account relating to that establishment." Effective Date. Section effective Nov. 5, 1990, see section 1541(b) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

§420 Disposition of effects of deceased persons; unclaimed property

(a) Disposition of effects of deceased persons
The Administrator of a facility of the Retirement Home shall safeguard and dispose of the estate and personal effects of deceased residents, including effects delivered to such facility under sections 4712(f) and 9712(f) of title 10, and shall ensure the following:
(1) A will or other instrument of a testamentary nature involving property rights executed by a resident shall be promptly delivered, upon the death of the resident, to the proper court of record.
(2) If a resident dies intestate and the heirs or legal representative of the deceased cannot be immediately ascertained, the Administrator shall retain all property left by the decedent for a three-year period beginning on the date of the death. If entitlement to such property is established to the satisfaction of the Administrator at any time during the three-year period, the Administrator shall distribute the decedent's property, in equal pro-rata shares when multiple beneficiaries have been identified, to the highest following categories of identified survivors (listed in the order of precedence indicated):
(A) The surviving spouse or legal representative.
(B) The children of the deceased.
(C) The parents of the deceased.
(D) The siblings of the deceased.
(E) The next-of-kin of the deceased.
(b) Sale of effects
(1)(A) If the disposition of the estate of a resident of the Retirement Home cannot be accomplished under subsection (a)(2) or if a resident dies testate and the nominated fiduciary, legatees, or heirs of the resident cannot be immediately ascertained, the entirety of the deceased resident's domiciliary estate and the entirety of any ancillary estate that is unclaimed at the end of the three-year period beginning on the date of the death of the resident shall escheat to the Retirement Home.
(B) Upon the sale of any such unclaimed estate property, the proceeds of the sale shall be deposited in the Armed Forces Retirement Home Trust Fund.
(C) If a personal representative or other fiduciary is appointed to administer a deceased resident's estate and the administration is completed before the end of such three-year period, the balance of the entire net proceeds of the estate, less expenses, shall be deposited directly in the Armed Forces Retirement Home Trust Fund. The heirs or legatees of the deceased resident may file a claim made with the Secretary of Defense to reclaim such proceeds. A determination of the claim by the Secretary shall be subject to judicial review exclusively by the United States Court of Federal Claims.
(2)(A) The Administrator of a facility of the Retirement Home may designate an attorney who is a full-time officer or employee of the United States or a member of the Armed Forces on active duty to serve as attorney or agent for the facility in any probate proceeding in which the Retirement Home may have a legal interest as nominated fiduciary, testamentary legatee, escheat legatee, or in any other capacity.
(B) An attorney designated under this paragraph may, in the domiciliary jurisdiction of the deceased resident and in any ancillary jurisdiction, petition for appointment as fiduciary. The attorney shall have priority over any petitioners (other than the deceased resident's nominated fiduciary, named legatees, or heirs) to serve as fiduciary. In a probate proceeding in which the heirs of an intestate deceased resident cannot be located and in a probate proceeding in which the nominated fiduciary, legatees, or heirs of a testate deceased resident cannot be located, the attorney shall be appointed as the fiduciary of the deceased resident's estate.
(3) The designation of an employee or representative of a facility of the Retirement Home as personal

representative of the estate of a resident of the Retirement Home or as a legatee under the will or codicil of the resident shall not disqualify an employee or staff member of that facility from serving as a competent witness to a will or codicil of the resident.
(4) After the end of the three-year period beginning on the date of the death of a resident of a facility, the Administrator of the facility shall dispose of all property of the deceased resident that is not otherwise disposed of under this subsection, including personal effects such as decorations, medals, and citations to which a right has not been established under subsection (a). Disposal may be made within the discretion of the Administrator by—
(A) retaining such property or effects for the facility;
(B) offering such items to the Secretary of Veterans Affairs, a State, another military home, a museum, or any other institution having an interest in such items; or
(C) destroying any items determined by the Administrator to be valueless.
(c) Transfer of proceeds to Fund
The net proceeds received by the Administrators from the sale of effects under subsection (b) shall be deposited in the Fund.
(d) Subsequent claim
(1) A claim for the net proceeds of the sale under subsection (b) of the effects of a deceased may be filed with the Secretary of Defense at any time within six years after the death of the deceased, for action under section 2771 of title 10.
(2) A claim referred to in paragraph (1) may not be considered by a court or the Secretary unless the claim is filed within the time period prescribed in such paragraph.
(3) A claim allowed by the Secretary under paragraph (1) shall be certified to the Secretary of the Treasury for payment from the Fund in the amount found due, including any interest relating to the amount. No claim may be allowed or paid in excess of the net proceeds of the estate deposited in the Fund under subsection (c) plus interest.
(e) Unclaimed property
In the case of property delivered to the Retirement Home under section 2575 of title 10, the Administrator of the facility shall deliver the property to the owner, the heirs or next of kin of the owner, or the legal representative of the owner, if a right to the property is established to the satisfaction of the Administrator of the facility within two years after the delivery.

(Pub. L. 101–510, div. A, title XV, §1520, Nov. 5, 1990, 104 Stat. 1731; Pub. L. 103–160, div. A, title III, §366(d), (e), Nov. 30, 1993, 107 Stat. 1631; Pub. L. 104–316, title II, §202(j), Oct. 19, 1996, 110 Stat. 3843; Pub. L. 107–107, div. A, title XIV, §§1408, 1410(a)(3), Dec. 28, 2001, 115 Stat. 1265, 1266; Pub. L. 107–314, div. A, title X, §1062(f)(3), Dec. 2, 2002, 116 Stat. 2651; Pub. L. 108–136, div. A, title X, §1045(g), Nov. 24, 2003, 117 Stat. 1613; Pub. L. 112–81, div. A, title V, §§564(b), 567(c)(6), Dec. 31, 2011, 125 Stat. 1424, 1426.)

Amendments. 2011—Pub. L. 112–81, §567(c)(6), made technical amendment to section catchline. Pub. L. 112–81, §564(b)(1), substituted "Administrator" for "Director" wherever appearing. Subsec. (c). Pub. L. 112–81, §564(b)(2), substituted "Administrators" for "Directors". 2003—Subsec. (b)(1)(C). Pub. L. 108–136 inserted "Armed Forces" before "Retirement Home Trust Fund". 2002—Subsec. (e). Pub. L. 107–314 made technical correction to directory language of Pub. L. 107–107, §1410(a)(3)(C). See 2001 Amendment note below. 2001—Subsec. (a). Pub. L. 107–107, §1410(a)(3)(A), substituted "a facility" for "each facility that is maintained as a separate establishment" in introductory provisions. Subsec. (b)(1)(B). Pub. L. 107–107, §1408(b), inserted "Armed Forces" before "Retirement Home Trust Fund". Subsec. (b)(2)(A). Pub. L. 107–107, §§1408(a), 1410(a)(3)(B), struck out "maintained as

a separate establishment" before "of the Retirement Home" and inserted "who is a full-time officer or employee of the United States or a member of the Armed Forces on active duty" after "may designate an attorney". Subsec. (e). Pub. L. 107–107, §1410(a)(3)(C), as amended by Pub. L. 107–314, substituted "Director of the facility" for "Directors" in two places. 1996—Subsec. (b)(1)(C). Pub. L. 104–316, §202(j)(1), substituted "Secretary of Defense" for "Comptroller General of the United States" and "Secretary" for "Comptroller General". Subsec. (d). Pub. L. 104–316, §202(j)(2), substituted "Secretary of Defense" for "Comptroller General of the United States" in par. (1), "Secretary" for "Comptroller General" in par. (2), and "allowed by the Secretary" for "allowed by the Comptroller General" in par. (3). 1993—Subsec. (a). Pub. L. 103–160, §366(d), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: "The Directors of the establishments of the Retirement Home shall safeguard and dispose of the effects of a deceased person delivered to the Retirement Home under section 4712(f) or 9712(f) of title 10 and the estate and effects of a deceased resident of the Armed Forces Retirement Home as follows: "(1) A will or other paper involving property rights shall be promptly delivered to the proper court of record. "(2) If the heirs or legal representative of the deceased cannot sooner be ascertained, the Directors shall retain the remaining effects until three years after the death of the deceased, and then, if a right to the effects is established to the satisfaction of the Directors, shall deliver the effects to the living person highest on the following list who can be found: "(A) The surviving spouse or legal representative. "(B) A child of the deceased. "(C) A parent of the deceased. "(D) A brother or sister of the deceased. "(E) The next-of-kin of the deceased. "(F) A beneficiary named in the will of the deceased." Subsec. (b). Pub. L. 103–160, §366(e), amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: "(1) After three years from the date of death of the deceased, the Directors may sell the effects to which a right has not been established under subsection (a) of this section (except decorations, medals, and citations) by public or private sale, as the Directors consider most advantageous.
"(2) After five years from the date of death of the deceased, the Directors shall dispose of effects that were not sold under paragraph (1) (including decorations, medals, and citations) and to which a right has not been established under subsection (a) of this section. The sale shall be made in the manner that the Directors consider most appropriate in the public interest. Disposal may include— "(A) retaining the effects for the use of the Retirement Home; "(B) delivering the effects to the Secretary of Veterans Affairs, to a State or other military home, to a museum, or to any other appropriate institution; or "(C) destroying the effects if the Retirement Home Board determines that they are valueless." Effective Date of 2002 Amendment. Pub. L. 107–314, div. A, title X, §1062(f), Dec. 2, 2002, 116 Stat. 2651, provided that the amendment made by section 1062(f)(3) is effective as of Dec. 28, 2001, and as if included in Pub. L. 107–107 as enacted. Section applicable to estate of each resident of Armed Forces Retirement Home, including United States Soldiers' and Airmen's Home and Naval Home, who dies after Nov. 29, 1989, see section 1541(d) of Pub. L. 101–510, formerly set out as a note under section 401 of this title.

§421 Payment of residents for services

(a) Authority
The Chief Operating Officer is authorized to accept for the Armed Forces Retirement Home the part-time or intermittent services of a resident of the Retirement Home, to pay the resident for such services, and to fix the rate of such pay.
(b) Employment status
A resident receiving pay for services authorized under subsection (a) shall not, by reason of performing such services and receiving pay for such services, be considered as—
(1) receiving the pay of a position or being employed in a position for the purposes of section 5532 1 of

title 5; or
(2) being an employee of the United States for any purpose other than—
(A) subchapter I of chapter 81 of title 5 (relating to compensation for work-related injuries); and
(B) chapter 171 of title 28 (relating to claims for damages or loss).
(c) "Position" defined
In subsection (b)(1), the term "position" has the meaning given that term in section 5531 of title 5.

(Pub. L. 101–510, div. A, title XV, §1521, as added Pub. L. 102–484, div. A, title III, §385(a), Oct. 23, 1992, 106 Stat. 2394; amended Pub. L. 104–201, div. A, title X, §1052(b), Sept. 23, 1996, 110 Stat. 2650; Pub. L. 107–107, div. A, title XIV, §1404(b)(3), Dec. 28, 2001, 115 Stat. 1260.). References in Text. Section 5532 of title 5, referred to in subsec. (b)(1), was repealed by Pub. L. 106–65, div. A, title VI, §651(a)(1), Oct. 5, 1999, 113 Stat. 664. Amendments. 2001—Subsec. (a). Pub. L. 107–107 substituted "Chief Operating Officer" for "Chairman of the Armed Forces Retirement Board". 1996—Subsec. (b)(2). Pub. L. 104–201 amended par. (2) generally. Prior to amendment, par. (2) read as follows: "being an employee of the United States for any other purpose."

Forgiveness of Indebtedness. Pub. L. 102–484, div. A, title III, §385(b), Oct. 23, 1992, 106 Stat. 2394, provided that: "The Chairman of the Armed Forces Retirement Board is authorized to cancel the indebtedness of any resident of the Armed Forces Retirement Home for repayment to the United States of amounts paid the resident for services provided to the Retirement Home before the date of the enactment of this Act [Oct. 23, 1992] if the Chairman determines that it would be in the interest of the United States to do so and against equity and good conscience to require the repayment."

§422 Authority to accept certain uncompensated services

(a) Authority to accept services
Subject to subsection (b) and notwithstanding section 1342 of title 31, the Chief Operating Officer or the Administrator of a facility of the Retirement Home may accept from any person voluntary personal services or gratuitous services.
(b) Requirements and limitations
(1) The Chief Operating Officer or the Administrator of a facility accepting the services shall notify the person offering the services of the scope of the services accepted.
(2) The Chief Operating Officer or Administrator shall—
(A) supervise the person providing the services to the same extent as that official would supervise a compensated employee providing similar services; and
(B) ensure that the person is licensed, privileged, has appropriate credentials, or is otherwise qualified under applicable laws or regulations to provide such services.
(3) A person providing services accepted under subsection (a) may not—
(A) serve in a policymaking position of the Retirement Home; or
(B) be compensated for the services by the Retirement Home.
(c) Authority to recruit and train persons providing services
The Chief Operating Officer or the Administrator of a facility of the Retirement Home may recruit and train persons to provide services authorized to be accepted under subsection (a).
(d) Status of persons providing services
(1) Subject to paragraph (3), while providing services accepted under subsection (a) or receiving training under subsection (c), a person shall be considered to be an employee of the Federal Government only for purposes of the following provisions of law:

(A) Subchapter I of chapter 81 of title 5 (relating to compensation for work-related injuries).
(B) Chapter 171 of title 28 (relating to claims for damages or loss).
(2) A person providing services accepted under subsection (a) shall be considered to be an employee of the Federal Government under paragraph (1) only with respect to services that are within the scope of the services accepted.
(3) For purposes of determining the compensation for work-related injuries payable under chapter 81 of title 5 (pursuant to this subsection) to a person providing services accepted under subsection (a), the monthly pay of the person for such services shall be deemed to be the amount determined by multiplying—
(A) the average monthly number of hours that the person provided the services, by
(B) the minimum wage determined in accordance with section 206(a)(1) of title 29.
(e) Reimbursement of incidental expenses
The Chief Operating Officer or the Administrator of a facility accepting services under subsection (a) may provide for reimbursement of a person for incidental expenses incurred by the person in providing the services accepted under subsection (a). The Chief Operating Officer or Administrator shall determine which expenses qualify for reimbursement under this subsection.

(Pub. L. 101–510, div. A, title XV, §1522, as added Pub. L. 104–201, div. A, title X, §1052(a), Sept. 23, 1996, 110 Stat. 2649; amended Pub. L. 107–107, div. A, title XIV, §1404(b)(4), Dec. 28, 2001, 115 Stat. 1260; Pub. L. 112–81, div. A, title V, §564(b)(1), Dec. 31, 2011, 125 Stat. 1424.). Amendments 2011—Pub. L. 112–81 substituted "Administrator" for "Director" wherever appearing. 2001—Subsec. (a). Pub. L. 107–107, §1404(b)(4)(A), substituted "Chief Operating Officer or the Director of a facility" for "Chairman of the Retirement Home Board or the Director of each establishment" and struck out "unless the acceptance of the voluntary services is disapproved by the Retirement Home Board" before period at end. Subsec. (b)(1). Pub. L. 107–107, §1404(b)(4)(B), substituted "Chief Operating Officer or the Director of a facility" for "Chairman of the Retirement Home Board or the Director of the establishment" and inserted "offering the services" after "notify the person". Subsec. (b)(2). Pub. L. 107–107, §1404(b)(4)(C), substituted "Chief Operating Officer" for "Chairman" in introductory provisions. Subsec. (c). Pub. L. 107–107, §1404(b)(4)(D), substituted "Chief Operating Officer or the Director of a facility" for "Chairman of the Retirement Home Board or the Director of an establishment". Subsec. (e). Pub. L. 107–107, §1404(b)(4)(E), substituted "Chief Operating Officer or the Director of a facility" for "Chairman of the Retirement Board or the Director of the establishment" and "Chief Operating Officer or Director" for "Chairman or Director".

§423 Preservation of historic buildings and grounds at the Armed Forces Retirement Home—Washington

(a) Historic nature of facility
Congress finds the following:
(1) Four buildings located on six acres of the establishment of the Retirement Home known as the Armed Forces Retirement Home—Washington are included on the National Register of Historic Places maintained by the Secretary of the Interior.
(2) Amounts in the Armed Forces Retirement Home Trust Fund, which consists primarily of deductions from the pay of members of the Armed Forces, are insufficient to both maintain and operate the Retirement Home for the benefit of the residents of the Retirement Home and adequately maintain, repair, and preserve these historic buildings and grounds.
(3) Other sources of funding are available to contribute to the maintenance, repair, and preservation of

these historic buildings and grounds.
(b) Authority to accept assistance
The Chief Operating Officer and the Administrator of the Armed Forces Retirement Home—Washington may apply for and accept a direct grant from the Secretary of the Interior under section 302904 of title 54 for the purpose of maintaining, repairing, and preserving the historic buildings and grounds of the Armed Forces Retirement Home—Washington included on the National Register of Historic Places.
(c) Requirements and limitations
Amounts received as a grant under subsection (b) shall be deposited in the Fund, but shall be kept separate from other amounts in the Fund. The amounts received may only be used for the purpose specified in subsection (b).

(Pub. L. 101–510, div. A, title XV, §1523, as added Pub. L. 106–65, div. A, title III, §383, Oct. 5, 1999, 113 Stat. 583; amended Pub. L. 107–107, div. A, title XIV, §§1404(b)(5), 1410(a)(4), Dec. 28, 2001, 115 Stat. 1261, 1266; Pub. L. 112–81, div. A, title V, §564(b)(1), Dec. 31, 2011, 125 Stat. 1424.)

Codification. In subsec. (b), "section 302904 of title 54" substituted for "section 101(e)(3) of the National Historic Preservation Act (16 U.S.C. 470a(e)(3))" on authority of Pub. L. 113–287, §6(e), Dec. 19, 2014, 128 Stat. 3272, which Act enacted Title 54, National Park Service and Related Programs. Amendments. 2011—Subsec. (b). Pub. L. 112–81 substituted "Administrator" for "Director". 2001—Pub. L. 107–107, §1410(a)(4)(B), amended section catchline generally, substituting "the Armed Forces Retirement Home—Washington" for "United States Soldiers' and Airmen's Home". Subsec. (a)(1). Pub. L. 107–107, §1410(a)(4)(A), substituted "Armed Forces Retirement Home—Washington" for "United States Soldiers' and Airmen's Home". Subsec. (b). Pub. L. 107–107, §§1404(b)(5), 1410(a)(4)(A), substituted "Chief Operating Officer" for "Chairman of the Retirement Home Board" and substituted "Armed Forces Retirement Home—Washington" for "United States Soldiers' and Airmen's Home" in two places.

§424 Conditional supervisory control of retirement home board by Secretary of Defense

(a) Applicability – This section shall apply only when the deduction authorized by section 1008(i)(1) of title 37, United States Code to be made form the monthly pay of certain members of the armed forces is equal to $1.00 for each enlisted member, warrant officer, and limited duty officer of the armed forces on active duty.

(b) Board Authority Subject to Secretary's Control – The Retirement Home Board shall be subject to the authority, direction, and control of the Secretary of Defense in the performance of the Board's duties under section 1516.

(c) Appointment of Board Member – When an appointment of a member of the Retirement Home Board under section 1515 is not made by the Secretary of Defense the appointment shall be subject to the approval of the Secretary of Defense.

(d) Terms of Board Members – (1) Notwithstanding section 1515(e)(3), only the Secretary of Defense may appoint a member of the Retirement Home Board for a second consecutive term.

(2) The Secretary of Defense may terminate the appointment of a member of the Retirement Home

Board at the pleasure of the Secretary.

(e) Responsibility of Chairman to the Secretary – Notwithstanding section 1515(d)(1)(B), the chairman of the Retirement Home Board shall be responsible to the Secretary of Defense, but not to the Secretaries of the military departments, for direction and management of the Retirement Home or each facility maintained as a separate facility of the Retirement Home.

(Pub. L. 106–398, §1 [[div. A], title IX, §915], Oct. 30, 2000, 114 Stat. 1654, 1654A–231; Repealed. Pub. L. 107–107, div. A, title XIV, §1410(a)(5), Dec. 28, 2001, 115 Stat. 1266)

SUBCHAPTER II—TRANSITIONAL PROVISIONS

§431 Transfer of trust funds relating to Naval Home and Soldiers' and Airmen's Home

(a) Initial transfer

(1) On November 5, 1990, all monies in the funds named in paragraph (2) shall be transferred to the appropriate account in the Armed Forces Retirement Home Trust Fund, and those funds shall terminate.
(2) The funds referred to in paragraph (1) are the following:
(A) Soldiers' Home, permanent fund, referred to in paragraph (59) of section 13221(a) of title 31.
(B) Soldiers' Home interest fund referred to in paragraph (81) of such section.
(C) Personal funds of deceased inmates Naval Home, referred to in paragraph (5) of such section.
(D) Any new category of funds created for the Naval Home or the United States Soldiers' and Airmen's Home before November 5, 1990.
(b) Subsequent transfers
After the termination of funds referred to in subsection (a) of this section, any monies that would be deposited into one of those funds but for the termination of that fund under subsection (a) of this section shall be deposited into the Armed Forces Retirement Home Trust Fund.

(Pub. L. 101–510, div. A, title XV, §1531, Nov. 5, 1990, 104 Stat. 1732,; Repealed Pub. L. 107–107, div. A, title XIV, §1409, Dec. 28, 2001, 115 Stat. 1265)

§432 Directors of facilities

(a) Active Duty Officers- During the three year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002, the Directors and Deputy Directors of the facilities shall be members of the Armed Forces serving on active duty, notwithstanding the authority in subsections (b) and (d) of section 1517 for the Directors and Deputy Director of the Armed Forces Retirement Home – Washington – The person serving as the Director of the Armed Forces Retirement Home – Washington on the day before the enactment of the National Defense Authorization Act for Fiscal Year 2002 may continue to serve as the Director of that facility until April 2, 2002.

(Pub. L. 107–107, div. A, title XIV, §1409, Dec. 28, 2001, 115 Stat. 1265; Repealed. Pub. L. 112–81, div. A, title V, §567(a), Dec. 31, 2011, 125 Stat. 1425)

§433 Continuation of incumbent deputy directors

A person serving as the Deputy Director of a facility of the Retirement Home on the day before the enactment of the National Defense Authorization Act for the Fiscal Year 2002 may continue to serve, at the pleasure of the Secretary of Defense, as the Deputy Director until the date on which a Deputy Director is appointed.

(Pub. L. 107–107, div. A, title XIV, §1409, Dec. 28, 2001, 115 Stat. 1265; Repealed. Pub. L. 112–81, div. A, title V, §567(a), Dec. 31, 2011, 125 Stat. 1425)

SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

§441 Authorization of appropriations for United States Soldiers' and Airmen's Home

There is authorized to be appropriated for fiscal year 1991 from the Soldiers' Home, Permanent Fund, the sum of $53,999,000 for the operation of the United States Soldiers' and Airmen's Home. This section shall take effect on November 5, 1990.

(Pub. L. 101–510, div. A, title XV, §1542, Nov. 5, 1990, 104 Stat. 1736; Repealed. Pub. L. 107–107, div. A, title XIV, §1410(b)(3), Dec. 28, 2001, 115 Stat. 1266)

Statutes at Large

Chapter 1 Navy Hospitals, Army and Navy Hospital, and Hospital Relief for Seamen and Other

An Act for the Relief of Sick and Disabled Seamen. R.S. §4801 derivation of Act of July 16, 1798, ch. 77, §4, 1 Stat. 606

An Act in addition to "An act for the relief of sick and disabled Seamen." Act of Mar. 2, 1799, ch. 36 §2. 1 Stat. 729

An Act to amend an act instituted "An act for the relief of sick and disabled Seamen," and for other purposes. R.S. §4805 derived from act May 3, 1802, ch 51, §5, 2 Stat. 192, 193

An Act Establishing Navy Hospitals. Act of Feb. 26 1811, ch. 26, §1, §2 2 Stat. 650

An Act for the regulation of the navy and privateer pension and navy hospital funds July 10, 1832, ch. 194, §5, 4 Stat. 573

An Act to authorize the Sale of Marine Hospitals and of Revenue Cutters. R.S. §4806 derived from Act of Apr. 20, 1866, ch. 63, §1, 14 Stat. 40

An Act to amend an Act entitled "An Act to authorize the Sale of Marine Hospitals and Revenue Cutters." June 27, 1866, ch. 142, 14 Stat. 76

An Act To reorganize the Marine Hospital Service, and to provide for the Relief of sick and disabled Seamen. R.S. §4803 derived from Act of June 29, 1870, ch. 160, §1, §2-§5, 16 Stat. 169, 170

An Act to promote economy and efficiency in the marine-hospital service. R.S. 4805 derived from Act of Mar. 3, 1875, ch. 156, §3, §4, §6 18 Stat. 485

An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes. Act of June 30, 1882, ch. 254, §1, 22 Stat. 121

An Act To remove certain burdens on the American merchant marine and encourage the American foreign carrying trade and for other purposes. Act of June 26, 1884, ch. 121, §15, 23 Stat. 57

An Act Extending the benefits of the marine hospitals to the keepers and crews of life-saving stations. Act of Aug. 4, 1894, ch. 213, 28 Stat. 229

An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes. Act of May 4, 1898, ch. 234, 30 Stat. 377

An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes. Act of Mar. 3, 1899, ch. 421, 30 Stat. 1027

An Act Making appropriations for the naval service for the fiscal yer ending june thirtieth, nineteen hundred and one, and for other purposes. June 7, 1900, ch. 859, 31 Stat. 697

An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and five, and for prior years, and for other purposes. Act of Mar. 3, 1905, ch. 1484, 33 Stat. 1217

An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and eight. Act of Mar. 2, 1907, ch. 2511, 34 Stat. 1172

An Act Making appropriations for the support of the army for the fiscal year ending June thirtieth, nineteen hundred and ten. Act of March 3, 1909, ch. 252, 35 Stat. 748

An Act To change the name of the Public Health and Marine-Hospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes. Aug. 14, 1912, ch. 288, §1, 37 Stat. 309

An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes. Act of Aug. 22, 1912, ch. 335, 37 Stat. 334

An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes. R.S. §4810 derived from Act of Mar. 4, 1913, ch. 148, 37 Stat. 902

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes. Act of June 23, 1913, ch. 3, §1, 38 Stat. 24

An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and fifteen, and for other purposes. Act of June 30, 1914, ch. 130, 38 Stat. 398

An Act To create the Coast Guard by combining therein the existing Life-Saving Service and Revenue-Cutter Service. Act of Jan. 28, 1915, ch. 20, §2, 38 Stat. 801

An Act Authorizing the sale of the marine-hospital reservation in Cleveland, Ohio. Act of July 26, 1916, ch. 256, 39 Stat. 390

An Act Making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes. Act of Mar. 4, 1917, ch. 180, 39 Stat. 1175

An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes. Act of May 12, 1917, ch. 12, 40 Stat. 58

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes. Act of July 1, 1918, ch. 113, §1, 40 Stat. 694

An Act To authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors and marine. Act of Mar. 3, 1919, ch. 98, §1, §2, §3, §4, 40 Stat. 1302, 1303

An Act To authorize the Secretary of War to transfer certain surplus motor-propelled vehicles and motor equipment and road-making materials to various services and departments of the Government, and for the use of the States. Act of Mar. 15, 1920, ch. 100, §1, §4, 41 Stat. 530, 531

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes. Act of June 5, 1920, ch. 235, § 1, 41 Stat. 884

An Act Providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Education, Division of Rehabilitation, and for other purposes. Act of Mar. 4, 1921, ch. 156, 41 Stat. 1365

An Act To establish a Veterans' bureau and to improve the facilities and services of such bureau, and further to amend and modify the War Risk Insurance Act. Act of Aug. 9, 1921, ch. 57, §7, 42 Stat. 149

An Act Relating to the transfusion of blood by members of the Military Establishment. Act of Feb. 9, 1927, ch. 91, 44 Stat. 1066

An Act To provide for the care and treatment of naval patients on the active or retired list, in other Government hospitals when naval hospital facilities are not available. Act of Jan. 19, 1929, ch. 85, 45 Stat. 1090

An Act To provide for the reconstruction of the Army and Navy Hospital at Hot Sprigs, Arkansas June 18, 1930, ch. 525, §2, 46 Stat. 781

An Act To authorize the President to consolidate and coordinate governmental activities affecting war veterans. Act of July 3, 1930, ch. 863, §1-§7, 46 Stat. 1016

An Act Providing that permanent appropriations be subject to annual consideration and appropriation by Congress, and for other purposes. Act of June 26, 1934, ch. 756, §9, 48 Stat. 1229

Amendment of Executive Order of August 25, 1892, as Amended, Prescribing Rules and Regulations for the Government of the Army and Navy General Hospital, Hot Springs, Arkansas. Executive Order 6885. October 23, 1934

An Act to amend the laws relating to enlistments in the Coast Guard, and for other purposes. Act of July 30, 1937, ch. 545, §2, 50 Stat. 548

An Act Providing for the transfusion of blood by members and former members of the Military Establishment, and by employees of the United States Government. Act of June 2, 1939, ch. 173, 53 Stat. 803

Reorg. Plan No. I, §201, §205(b), eff. July 1, 1939 4 F.R. 2728, 2729, 53 Stat. 1424, 1425

Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 Fed. Reg. 1433, 53 Stat. 1433

An Act To further amend the Act of February 9, 1927, entitled, "An Act relating to the transfusion of blood by members of the Military Establishment 24USC§30 (Public, Numbered 109, Seventy-sixth Congress), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense, whether or not the doors are in the government service, and for other purposes. Amending Act of July 30, 1941 ch. 332, 55 Stat. 609

An Act To provide for the expansion of facilities for hospitalization of dependents of naval and Marine Corps personnel, and for other purposes. Act of May 10, 1943, ch. 95, §2, §3, §4, §5, §6 57 Stat. 80, 81

An Act To abolish certain naval trust funds and deposits thereto, and to simplify naval accounting procedure, and for other purposes. Repealing Act of June 15, 1943, ch. 125, §1(c), §3, 57 Stat. 152, 153, eff. July 1, 1943

An Act Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1944, and additional appropriations therefor for the fiscal years ending June 30, 1942 and June 30, 193. Act of June 26, 1943, ch. 147, §101, 57 Stat. 204

An Act To consolidate and revise the laws relating to the Public Health Service, and for other purposes. Repealing Act of July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714

An Act Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1943, and additional appropriations therefor for the fiscal year 1944, and for other purposes. Act of June 22, 1944, ch. 269, §1, 58 Stat. 308

An Act Making appropriations for the Navy Department and the naval service for the fiscal year ending

June 30, 1946, and for other purposes. Act of May 29, 1945, ch. 130, §1, 59 Stat. 208

An Act To enact certain provisions now included in the Naval Appropriations Act, 1946, and for other purposes. Act of Aug. 2, 1946, ch. 756, §11, §27, §39, 60 Stat. 854
An Act To amend the Public Health Service Act to authorize grants to the States for surveying their hospitals and public health centers and for planning construction of additional facilities, and to authorize grants to assist in such construction. Act of Aug. 13, 1946, ch. 958, §5, 60 Stat. 1040-1049

An Act To promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with national security Act of July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501

An Act To amend the Public Health Service Act in regard to certain matters of personnel and administration, and for other purposes. Act of Feb. 28, 1948, ch. 83, §9(b), 62 Stat. 47

An Act To authorize the Secretary of the Army and Secretary of the Air Force to proceed with construction at military installations, and for other purposes. Repealing Act of June 12, 1948, ch. 450, §4, 62 Stat. 380

Secretary of Defense Transfer Order No. 40 App. C(3) 1 July 22, 1949

An Act to revise, codify, and enact into law, title 14 of the United States Code, entitled “Coast Guard”. Repealing Act of Aug. 4, 1949, ch. 393, §20, 63 Stat. 561

To authorize the President to provide for the performance of certain functions of the President by other officers of the Government, and for other purposes. Act of August 8, 1950, c. 646, §1, 64 Stat. 419

Delegating to the Secretary of the Army the Authority of the President to Prescribe Rules, Regulations, and Restrictions with Respect to the Army and Navy Hospital At Hot Springs, Arkansas. Executive Order 10272. July 10, 1951

An Act To amend or repeal certain Government property laws, and for other purposes. Repealing Act of Oct. 31, 1951, ch. 654, §1(46), 65 Stat. 703

An Act To provide medical care for dependents of members of the uniformed services, and for other purposes. 24USC§32 Repealing Act of June 7, 1956, ch. 374, §306(2), §307 70 Stat. 254; eff. Dec. 7, 1956 10USC§1071

An Act To extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes. Act of July 25, 1956, ch. 721 70 Stat. 641

An Act To revise and codify, and enact into law, title 10 of the United States Code, entitled “Armed Forces”, and title 32 of the United States Code, entitled “National Guard.” Pub. L. 1028 of Aug. 10, 1956 70A Stat. 1041

An Act To amend the Public Health Service Act to increase the opportunities for training professional nursing personnel, and for other purposes. Pub. L. 88–581, §4(b); Act of Sept. 4, 1964, 78 Stat. 919

An Act To amend the Public Health Service Act to assist in combating heart disease, cancer, stroke, and related diseases. Pub. L. 89–239, §3(b); Act of Oct. 6, 1965, 79 Stat. 931

An Act To promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes. Pub. L. 91–572, §6(b); Act of Dec. 24, 1970, 84 Stat. 1506

An Act To amend the Public Health Service Act to provide for the control of sickle cell anemia. Pub. L. 92–294, §3(b); Act of May 16, 1972, 86 Stat. 137

An Act To authorize appropriations for military functions of the Department of Defense and to prescribe military personnel levels for the Department of Defense for fiscal year 1986, to revise nd improve mlitary compensation programs, to improve defense procurement procedures, to authorize appropriations fro fiscal year 1986 for national security programs of the Department of Energy, and for other purposes, Pub. L. 99–145, title XIII, §1301(f); Act of Nov. 8, 1985 99 Stat. 737

An Act To amend title 5, United States Code, to expand the class of individuals eligible for refunds or other returns of contributions from contingency reserves in the Employees Health Benefits Fund; to make miscellaneous amendments relating to the Civil Service Retirement System and the Federal Employees health Benefits Program; and for other purposes. Pub. L. 99–251, title III, §304, Feb. 27, 1986, 100 Stat. 26

An Act To authorize appropriations for fiscal years 1990 and 1991 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes. Act of Nov. 29, 1989, 103 Stat. 1422

An Act To authorize appropriations for fiscal year 1991 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Repealing Pub. L. 101–510, div. A, title XV, §1532(a), Nov. 5, 1990, 104 Stat. 1732

An Act To amend title 38, United States Code, with respect to veterans programs for housing and memorial affairs, and for other purposes. Pub. L. 102–54, §13(i)(1), June 13, 1991, 105 Stat. 276

Chapter 2 Soldiers' and Airmen's Home

An Act to found a Military Asylum for the Relief and support of invalid and disabled Soldiers of teh Army of the United States. R.S. §4814, R.S. §4815, R.S. §4818, R.S. §4819, R.S. §4820, R.S. §4821, R.S. §4822, R.S. §4823, R.S. §4824, derived from Act of Mar. 3, 1851, ch. 25 §1, §5, §6, §7, 9 Stat. 595

An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June,

eighteen hundred and sixty. Act of Mar. 3, 1859, ch. 83, §4, §5, §6, §7, 11 Stat. 434

An Act making Appropriations for the Support of teh Army for teh Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two, and for other Purposes. Act of July 5, 1862, ch. 133, §2, 12 Stat. 508

An Act Prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes. R.S. §4816 derived from Act of Mar. 3, 1883, ch. 130, §1-§10, 22 Stat. 564 and 22 Stat. 565

An Act To authorize the Treasurer of the United States to receive and keep on deposit funds of the Soldiers' Home in the District of Columbia. Act of Jan. 16, 1891, ch. 74, 26 Stat. 718

An Act Making appropriations for sundry civil expense of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes. Act of June 4, 1897, ch. 2, §1, 30 Stat. 51-54

An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and seven. Act of June 12, 1906, ch. 3078, 34 Stat. 242

An Act Making appropriations for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nine. Act of May 11, 1908, ch. 163, 35 Stat. 110

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending june thirtieth, nineteen hundred and ten, and for other purposes. Act of Mar. 4, 1909, ch. 299, §1, 35 Stat. 1004

An Act Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes. Act of Aug. 17, 1912, ch. 301, §1, 37 Stat. 311, 312

An Act Making appropriations for the legislative, executive and judicial expenses of the Gvoernment for the fiscal year ending June 30, 1921, and for other purposes. Act of May 29, 1920, ch. 214, 41 Stat. 655

An Act To amend section 1, Act of March 4, 1909 (Sundry Civil Act), so as to make the Chief of Finance of teh Army a member of teh Board of Commissioners of the United States Soldiers' Home. Act of May 11, 1926, ch. 285, 44 Stat. 499

An Act To authorize the President to consolidate and coordinate governmental activities affecting war veterans. Act of July 3, 1930, ch. 863, §1, 46 Stat. 1016-1018

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes. Act of Apr. 9, 1935, ch. 54, title II, 49 Stat. 147

An Act To provide further for the maintenance of the United States Soldiers' Home. Act of Feb. 13,

1936, ch. 66, 49 Stat. 1137-1138

An Act Making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes. Act of July 19, 1937, ch. 511, 50 Stat. 519

An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes. Act of Dec. 28, 1945, ch. 589, title I, 59 Stat. 641

An Act To promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Departmenbt of Army, a Department of the Navy, and a Departmebt of the Air Force; and for the coordination of the activities of teh National Military Establishment with other departmebts and agencies of the Government concerned with the national security. Act of July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501

An Act Making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes. Act of July 31, 1947, ch. 411, I 1, 61 Stat. 691

An Act To amend section 2 of the Act prescribing regulations for the Soldiers' Home located at Washington, in the District of Coliumbia, and for other purposes, approved march 3, 1883. Act of Jan. 27, 1948, ch. 35, 62 Stat. 5-6

An Act Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes. Act of June 25, 1948, ch. 655, 1 1, 62 Stat. 1023

An Act To provide for the organization of teh Army and the Department of the Army, and for other purposes. Act of June 28, 1950, ch. 383, title IV, §402(d), 64 Stat. 272

An Act To revise, codify, and enact into law, title 10 of the United States Code, entitled "Armed Forces", and title 32 of the United States Code, entitled "National Guard". Repealed. Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641; See sections 4624 and 9624 of Title 10, Armed Forces, 10USC§4624 and 10USC§9624

An Act To provide that the Federal Government shall assume the risks of its fidelity losses, and for other purposes. Act of June 6, 1972, Pub. L. 92–310, title II, §228(a), 86 Stat. 207

An To provide for increasing the amount of interest paid on the permanent fund of the United States Soldiers' and Airmen's Home. Act of Dec. 15, 1973, Pub. L. 93–185, 87 Stat. 712

An Act to provide for additional income for the United States Soldiers' and Airmen's Home by requiring the Board of Commissioners of such home to collect a fee from the members of such home and by increasing deductions for the support of such home from the pay of enlisted men and warrant officers, and for other purposes. Pub. L. 94–454, §1, §2(a), (b), Oct. 2, 1976, 90 Stat. 1519-1519

An Act To authorie additional Reserve Officers' Training Corps scholarships for teh Army, to authorize the Secretary of the Army to provide that cadets awarded such scholarships may serve their obligated

period of service in the Army Reserve or Army National Guard of the United States, to authorize the Secretary concerned to require an individual furnished post-secondary education by an Armed Force to reimburse the United States for the cost of such education in the event such individual fails to comply with such individual's active-duty obligation, to provide thta certain full-time training duty of members of the National Guard shall be considered active duty for training in Federal service for certain purposes, and for other purposes. Act of Sept. 24, 1980, Pub. L. 96–357, §7(a), 94 Stat. 1183

An Act To authorize appropriations for fiscal years 1990 and 1991 for military activities of the Department of Defense, for military construction, mand for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes. Repealing Act of Nov. 29, 1989, Pub. L. 101–189, div. A, title III, §347(1), (2), (3), (4), 103 Stat. 1422; See section 2772 of Title 10, Armed Forces, 10USC§2772, and 1007(i) of Title 37, Pay and Allowances of the Uniformed Services 37USC§1007

An Act To authorize appropriations for fiscal year 1991 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Repealing Act of Nov. 5, 1990, Pub. L. 101–510, div. A, title XV, Armed Forces Retirement Home Act of 1991, §1532(b)(1)-(6), §1541(a), 104 Stat. 1733; eff. Nov. 5, 1991; See section 801 et seq. of Title 10, Armed Forces 10USC§801

Chapter 3 National Home for Disabled Volunteer Soldiers

An Act to provide for furnishing Trusses to disabled Soldiers. Act of May 28, 1872, c. 228, 17 Stat. 164

An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes. Act of Mar. 3, 1875, c. 129 § 1, 18 Stat. 359

An Act to amend the act entitled “An act to provide for furnishing trusses to disabled soldiers”, approved May twenty-eighth, eighteen hundred and seventy-two. Act of Mar. 3, 1879, c. 173, 20 Stat. 353

An Act For the relief of certain pensioners. Act of Mar. 3, 1879, c. 198, 20 Stat. 483

An Act For the relief of soldiers and sailors becoming totally blind in the service of the country. Act of Mar. 3, 1879, c. 200, § 1, 20 Stat. 484

An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, eighteen hundred and eighty-two, and for deficiencies and for other purposes. Act of Feb. 26, 1881, ch. 80, §2, 21 Stat. 350

An Act Making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes. Act of Aug. 7, 1882, ch. 433, §1, 22 Stat. 322

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes. R. S. § 4834; Derived from Act of Mar. 3, 1885, c. 360, 23 Stat. 509-510

An Act To provide for the location and erection of a branch home for disabled volunteer soldiers. R. S. § 4820;. Derived from Act of Mar. 2, 1887, ch. 316, §4, 24 Stat. 444

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and eighty eight, and for other purposes. Act of Mar. 3, 1887, ch. 362, 24 Stat. 537-540

An Act To authorize the furnishing of obsolete serviceable cannon to Soldiers Homes. Act of Feb. 8, 1889, c. 116, 25 Stat. 657

An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety, and for other purposes. Act of Mar. 2, 1889, c. 411, 25 Stat. 975

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-two, and for other purposes. Act of Mar. 3, 1891, c. 542, 26 Stat. 981-985

An Act To amend the act concerning the National Home for Disabled Volunteer Soldiers, and for other purposes. R. S. § 4829 derived from Act of Apr. 11, 1892, c. 40, 27 Stat. 15

An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-three, and for other purposes. Act of Aug. 5, 1892, c. 380, § 1, 27 Stat. 384

An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-three, and for prior years, and for other purposes. Act of Mar. 3, 1893, c. 210, 27 Stat. 653

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes. Aug. 18, 1894, c. 301, § 1, 28 Stat. 408-413

An Act To amend section forty-eight hundred and thirty-three, Revised Statutes, and for other purposes. R.S. § 4833; Act of Aug. 23, 1894, c. 316, 28 Stat. 492

An Act To amend section forty-eight hundred and twenty-nine of the United States Revised Statutes concerning surgeons, assistant surgeons, and other medical officers of the National Home for Disabled Volunteer Soldiers. Act of Feb. 9, 1897, c. 205, 29 Stat. 517

An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-seven, and for prior years, and for other purposes. July 19, 1897, c. 9, 30 Stat. 121

An Act Making appropriations for the sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes. July 1, 1898, c. 546, § 1, 30 Stat. 636-640

An Act Making appropriation for the support of the Regular and Volunteer Army for the fiscal year ending June thirtieth, nineteen hundred and one. Act of May 26, 1900, c. 580, 31 Stat. 216-217

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes. Act of June 6, 1900, c. 791, § 1, 31 Stat. 636

An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred, and for prior years, and for other purposes. Act of June 6, 1900, c. 785, § 1, 31 Stat. 294

An Act To establish a branch soldiers' home at or near Johnson City, Washington County, Tennessee. Act of Jan. 28, 1901, ch. 184, §5, 31 Stat. 745

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. Mar. 8, 1901, e. 853, § 1, 31 Stat. 1175-1178

An Act Making appropriations for the sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes. Act of June 28, 1902, c. 1301, § 1, 32 Stat. 472

An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and two, and for prior years, and for other purposes. Act of July 1, 1902, ch. 1351, §1, 32 Stat. 564

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes. Acgt of Mar. 3, 1903, c. 1007, § 1, 32 Stat. 1137

An Act To set apart certain lands in the State of South Dakota, to be known as the Battle Mountain Sanitarium Reserve Mar. 22, 1906, ch. 1127, §1, §2, §3, §4, 34 Stat. 83

Au Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seven, and for other purposes. Act of June 30, 1906, ch. 3914, 34 Stat. 730

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nine, and for other purposes. Act of May 27, 1908, ch. 200, §1, 35 Stat. 372

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending

June thirtieth, nineteen hundred and eleven, and for other purposes Act of June 25, 1910, c. 384, ·§ 1, 36 Stat. 736

An Act To regulate the height of buildings in the District of Columbia. Act of June 1, 1910, c. 263, § 1 36 Stat. 452

An Act Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes. Act of Aug. 17, 1912, ch. 301, §1, 37 Stat. 312

An Act Making appropriations for the sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fourteen and for other purposes. June 23, 1913, ch. 3, §1, 38 Stat. 39-43

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fifteen, and for other purposesAug. 1, 1914, ch. 223, 38 Stat. 649

Joint Resolution For the appointment of five members of the Board of Managers of the National Home for Disabled Volunteer Soldiers. Oct. 19, 1914, No. 49, 38 Stat. 780

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and sixteen, and for other purposes. Act of Mar. 3, 1915, c. 75, § 1, 38 Stat. 850-853

An Act Making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and prior fiscal years, on account of war expenses, and for other purposes. Act of Oct. 6, 1917, ch. 79, §1, 40 Stat. 368

An Act To amend an Act entitled "An Act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved August 27, 1888, as amended March 2, 1889. Act of Jan. 27, 1920, c. 56, 41 Stat. 399

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes. Act of June 5, 1920, ch. 235, §1, 41 Stat. 905

An Act To provide a national budget system and an independent audit of Government accounts, and for other purposes. Act of June 10, 1921, c. 18, § 304, 42 Stat. 20-24

An Act Making appropriations for the military and nonmilitary activities o the War Department for the fiscal year ending June 30, 1924, and for other purposes. Act of Mar. 2, 1923, c. 178, Title II, 42 Stat. 1422-1425

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes. Act of June 7, 1924, c. 291, Title II 43 Stat. 516-519

An Act Authorizing the erection of a sanitary, fireproof hospital at the National Home for Disabled

Volunteer Soldiers at Santa Monica, California. Act of June 7, 1924, c. 295, § 2, 43 Stat. 534

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1926, and for other purposes. Act of Feb. 12, 1925, ch. 225, 43 Stat. 933

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes. Act of Apr. 15, 1926, ch. 146, 44 Stat. 294

An Act Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1928, and for other purposes. Act of Feb. 23, 1927, c. 167, 44 Stat. 1145

An Act To authorize the construction of three cottages and an annex to the hospital at the National Home for Disabled Volunteer Soldiers at Marion, Indiana. Act of Mar. 4, 1927, ch. 504, §2, 44 Stat. 1421

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes. Act of Mar. 23, 1928, c. 232, §1, 45 Stat. 363

An Act To discontinue certain reports now required by law to be made to Congress. Act of May 29, 1928, ch. 901, §1(123), 45 Stat. 995

An Act Authorizing the erection of a sanitary fireproof hospital at the National Home for Disabled Soldiers, Dayton, Ohio. Act of Feb. 20, 1929, ch. 272, §1, §2 45 Stat. 1248

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes. Act of Feb. 28, 1929, c. 366, 45 Stat. 1385

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes. Act of May 28, 1930, c. 348, 46 Stat. 466

An Act To authorize the President to consolidate and coordinate governmental activities affecting war veterans. Act of July 3, 1930, c. 863 § 2, 46 Stat. 1016-1018 (R.S. § 4835)

An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1932, and for other purposes. Act of Feb. 23, 1931, c. 281, §1, 46 Stat. 1375

An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1933, and for other purposes.Act of June 30, 1932, c. 330, §1, 47 Stat. 472

An Act To amend section 1860 of the Revised Statutes, as amended (48 U. S. C. 1460), to permit retired officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard to hold civil office in any Territory of the United States. Act of Aug. 1, 1939, c. 408, §1, 53 Stat. 1145

An Act Relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities.Dec. 26, 1941, ch. 634, 55 Stat. 868

An Act To increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States. Act of Dec. 17, 1943, c. 347, §1, §2, 57 Stat. 603

An Act To increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States. Act of Sept. 23, 1950, c. 1003, 64 Stat. 981

An Act To increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States. Act of Aug. 21, 1954, ch. 782, §2, 68 Stat. 757

An Act To revise, codify, and enact into law, title 10 of the United States Code, entitled "Armed Forces", and title 32 of the United States Code, entitled "National Guard". Repealed. Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641; see sections 10USC§4686 and §9686 of Title 10, Armed Forces

An Act To consolidate into one Act, and to simplify and make more uniform, the laws administered by the Veterans' Administration relating to compensation, pension, hospitalization, and burial benefits, and to consolidate into one Act the laws pertaining to the administration of the laws administered by the Veterans' Administration Repealed Pub. L. 85–56, title XXII, XXIII §2202(58)(66), §2301, June 17, 1957, 71 Stat. 162, 164, 172; Repeal effective Jan. 1, 1958; See section 38USC§8520 et seq. of Title 38, Veterans' Benefits.

An Act to consolidate into one act all of the laws administered by the Veterans Administration. R. S. § 4825; R. S. § 4831 Repealed. Pub. L. 85–857, §2, §14(1), (3), (4), (5), (6), (9), (16), (18), (19), (23), (25), (26), (35), (59), Sept. 2, 1958, 72 Stat. 1268, 1269, 1270, 1271, 1272, 1274. Repeal effective Jan. 1, 1959, set out as a note preceding Part I of Title 38, Veterans' Benefits.

An Act To amend title 38, United States Code, with respect to veterans programs for housing and memorial affairs, and for other purposes. Pub. L. 102–54, §13(i)(2), June 13, 1991, 105 Stat. 276

Chapter 4 Saint Elizabeths Hospital

An act to provide for the care and custody of persons convicted in the courts of the United States who have or may become insane while imprisoned. Act of June 23, 1874, ch. 465, §2, 18 Stat. 251

An act to promote economy and efficiency in the marine-hospital service. Act of Mar. 3, 1875, ch. 156, §5, 18 Stat. 486

An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and eighty-one, and for other purposes. Act of June 4, 1880, ch. 121, 21 Stat. 156

An Act Making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes. Act of Aug. 7, 1882, ch. 433, 22 Stat. 330

An act to provide for the care and custody of persons convicted in the courts of the United States who have or may become insane while imprisoned. Act of June 23, 1874, ch. 465, §1, 18 Stat. 251

An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy eight, and for other purposes. Act of Mar. 3, 1877, ch. 105, 19 Stat. 347

An Act Making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes. Act of Mar. 3, 1879, ch. 182, 20 Stat. 395

An Act Making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty-three, and for other purposes. Act of Aug. 7, 1882, ch. 433, 22 Stat. 330

An Act To change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes. Act of Jan. 31, 1899, ch. 78, §7, 30 Stat. 811

R.S. §4843; Act of Feb. 9, 1900, ch. 13, 31 Stat. 7

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. Act of Mar. 3, 1901, ch. 853, 31 Stat. 1163

An Act To increase the efficiency and change the name of the United States Marine-Hospital Service. July 1, 1902, ch. 1370, §1, 32 Stat. 712

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes. Act of Mar. 3, 1903, ch. 1006, 32 Stat. 1043

An Act To authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes. Act of Apr. 27, 1904, ch. 1618, §1-§6; 33 Stat. 316

An Act Relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane. Act of Feb. 20, 1905, ch. 593, 33 Stat. 731

An Act To change the lunacy proceedings in the District of Columbia where the Commissioners of said District are the petitioners, and for other purposes. Act of Feb. 23, 1905, ch. 738, §1, §2, 33 Stat. 740

An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and nine. Act of May 11, 1908, ch. 163, 35 Stat. 122

An Act To provide for a disbursing officer for the Government Hospital for the Insane. R.S. §4839; Act of Feb. 2, 1909, ch. 58, §1, 35 Stat. 592

An Act To change the name of the Public Health and MarineHospital Service to the Public Health Service, to increase the pay of officers of said service, and for other purposes. Act of Aug. 14, 1912, ch.

288, §1, 37 Stat. 309

An Act Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purpose. Act of Mar. 4, 1911, ch. 285, 36 Stat. 1422; Aug. 17, 1912, ch. 301, 37 Stat. 312

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes. Act of Aug. 24, 1912, ch. 355, 37 Stat. 461

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes. R.S. §4838; R.S. §4842; R.S. §4850, R.S. §4852, R.S. §4858; R.S. §4853, 4854, R.S. §4849; Act of July 1, 1916, ch. 209, 39 Stat. 309

An ActMaking appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes. Act of Aug. 29, 1916, ch. 417, 39 Stat. 558

An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and prior fiscal years, and for other purposes. Act of Apr. 17, 1917, ch. 3, 40 Stat. 19

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for other purposes. Act of June 12, 1917, ch. 27, 40 Stat. 153

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes. Act of July 1, 1916, ch. 209, 39 Stat. 309

An Act Making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and prior fiscal years, on account of war expenses, and for other purposes. Act of Oct. 6, 1917, ch. 79, 40 Stat. 373

Act of July 1, 1918, ch. 113, 40 Stat. 644

An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and. for other purposes. Act of Mar. 6, 1920, ch. 94, 41 Stat. 513

An Act Making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and. for other purposes. Act of Mar. 6, 1920, ch. 94, 41 Stat. 513

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes. Act of July 19, 1919, ch. 24, 41 Stat. 205

An Act To provide a national budget system and an independent audit of Government accounts, and for other purposes. Act of June 10, 1921, ch. 18, title III, §304, 42 Stat. 24

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes. Act of June 5, 1920, ch. 235, 41 Stat. 920

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes. Act of June 5, 1924, ch. 264, 43 Stat. 429

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes. Act of Mar. 3, 1925 ch,. 462, 43 Stat. 1182

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1927, and for other purposes. Act of May 10, 1926, ch. 277, 44 Stat. 494

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes. Act of Jan. 12, 1927, ch. 27, 44 Stat. 970

Mar. 2, 1929, ch. 509, 45 Stat. 1495

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes. Act of May 14, 1930, ch. 273, 46 Stat. 324

An Act To authorize the President to consolidate and coordinate governmental activities affecting war veterans. Act of July 3, 1930, ch. 863, §2, 46 Stat. 1016

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes. Act of Feb. 14, 1931, ch. 187, 46 Stat. 1159

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1934, and for other purposes. Act of Feb. 17, 1933, ch. 98, 47 Stat. 856

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other purposes. Act of Mar. 2, 1934, ch. 38, 48 Stat. 394

An Act To provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue; and for other purposes.Social Security Act of Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended 42USC§1305, subchapters XVIII (§1395 et seq.) and XIX (§1396 et seq.)

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes. Act of May 9, 1935, ch. 101, 49 Stat. 215

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1937, and for other purposes. Act of June 22, 1936, ch. 691, 49 Stat. 1802

An Act To amend an Act of Congress approved March 3, 1863, entitled “An Act to reorganize the

courts in the District of Columbia, and for other purposes."R.S. §4856, R.S. §4857 June 25, 1936, ch. 804, 49 Stat. 1921

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes. Act of Aug. 9, 1937, ch. 570, 50 Stat. 615

1939 Reorg. Plan No. I, §§201, 205, eff. July 1, 1939, 4 F.R. 2728, 2729, 53 Stat. 1424, 1425

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes. Act of May 10, 1939, ch. 119, 53 Stat. 737

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes. Act of June 18, 1940, ch. 395, 54 Stat. 460

Reorg. Plan No. IV of 1940, §11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236

An Act Relating to the admission to Saint Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States. Act of July 18, 1940, ch. 638, 54 Stat. 766

Joint Resolution Authorizing the Federal Security Administrator to permit the American Red Cross to construct needed recreational buildings on the Saint Elizabeths Hospital reservation. Act of May 9, 1941, ch. 101, 55 Stat. 186

An Act Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes. Act of July 1, 1941, ch. 269, title II, 55 Stat. 493

An Act To provide for the admission to Saint Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States. Act of Oct. 29, 1941, ch. 462, 55 Stat. 756

An Act To authorize the Federal Security Administrator to accept gifts for Saint Elizabeths Hospital and to provide for the administration of such gifts. Act of Nov. 7, 1941, ch. 469, §1, §3, §4, 55 Stat. 760

An Act Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1943, and for other purposes. Act of July 2, 1942, ch. 475, title II, 56 Stat. 585

An Act Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1944, and for other purposes. Act of July 12, 1943, ch. 221, title II, 57 Stat. 509

An Act Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1945, and for other purposes. Act of June 28, 1944, ch. 302, title II, 58 Stat. 561

An Act To consolidate and revise the laws relating to the Public Health Service, and for other

purposes.Repealing Act of July 1, 1944, ch. 373, title XIII, §1313, 58 Stat. 714, 42USC§222

1946 Reorg. Plan No. 2, §9, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1096

1946 Reorg. Plan No. 3, §201, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1098

An Act To discontinue certain reports now required by law. Repealing Act of Aug. 7, 1946, ch. 770, §1(59), 60 Stat. 871

An Act Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1947, and for other purposes. Act of July 26, 1946, ch. 672, title II, 60 Stat. 693

An Act Making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1948, and for other purposes.. Act of July 8, 1947, ch. 210, title II, 61 Stat. 272

An Act To authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes. Act of Aug. 4, 1947, ch. 478, §1, §2, §3, §4 §169a 61 Stat. 751

An Act To revise, codify, and enact into law title 28 of the United States Code entitled “Judicial Code and Judiciary”. Act of June 25, 1948, ch. 646, §32(b), 62 Stat. 991

An Act To amend title 18, entitled, Crimes and Criminal Procedure, and title 28, entitled, Judiciary and Judicial Procedure, of the United States Code, and for other purposes. Act of May 24, 1949, ch. 139, §127, 63 Stat. 107

An Act To simplify the procurement, utilization, and disposal of Government property, to reorganize certain agencies of the Government, and for other purposes. Repealing Act of June 30, 1949, ch. 288, title VI, §602(a)(20), (21), formerly title V, §602(a)(20), (21), 63 Stat. 400, 401, eff. July 1, 1949

An Act To provide for the detention, care, and treatment of persons of unsound mind in certain Federal reservations in Virginia and Maryland.Oct. 11, 1949, ch. 672, §1-§8, 63 Stat. 759-761

An Act To amend the Act approved July 18, 1940 (54 Stat. 766; 24 U. S. C., 1946 edition, sec. 196b), entitled “An Act relating to the admission to Saint Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States”, by enlarging the classes of persons admissible into Saint Elizabeths Hospital and in other respects. Act of July 18, 1950, ch. 464, §1, 64 Stat. 343

An Act To amend the Federal Property and Administrative Services Act of 1949, and for Other purposes. Renumbering Act of Sept. 5, 1950, ch. 849, §6(a), (b), 64 Stat. 583

An Act To amend or repeal certain Government property laws, and for other purposesRepealing Act of Oct. 31, 1951, ch. 654, §1(46), 65 Stat. 703

1953 Reorg. Plan No. 1, §5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631

An Act Making appropriations for the Legislative Branch and the Judiciary Branch for the fiscal year ending June 30, 1955, and for other purposes. Act of July 2, 1954, ch. 457, 68 Stat. 434

An Act To consolidate into one Act all of the laws administered by the Veterans' Administration, and for other purposes. Act of Sept. 2, 1958, Pub. L. 85–857, §13(b), 72 Stat. 1264

An Act To provide for the hospitalization, at Saint Elizabeths Hospital in the District of Columbia or elsewhere, of certain nationals of the United States adjudged insane or otherwise found mentally ill in foreign countries, and for other purposes. Pub. L. 86–571, §10(b), Repealing Act of July 5, 1960, 74 Stat. 310; See 24USC§321

Act of Oct. 18, 1962, Pub. L. 87–845, §6, 76A Stat. 699

An Act To extend the provisions of the Act of October 11, 1949 (63 Stat. 759, ch. 672; 32 D.C. Code 417), to authorize the commitment of persons of unsound mind found on Federal reservations in Loudoun County, Virginia, to Saint Elizabeths Hospital in the District of Columbia. Act of Aug. 30, 1964, Pub. L. 88–505, 78 Stat. 638

An Act To protect the constitutional rights of certain individuals who are mentally ill, to provide for their care, treatment, and hospitalization, and for other purposes. Pub. L. 88–597, §19(c), (d), Repealing Act of Sept. 15, 1964, 78 Stat. 953; Prior to repeal, section was set out as D.C. Code, §21–319

An Act to enact Part III of the District of Columbia Code, entitled “Decedents' Estates and Fiduciary Relations”, codifying the general and permanent laws relating to decedents' estates and fiduciary relations in the District of Columbia Pub. L. 89–183, §8, Repealing Act of Sept. 14, 1965, 79 Stat. 784, 785, 787; eff. Jan. 1, 1966

An Act To enact title 5, United States Code, "Government Organization and Employees", codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees. Pub. L. 89–554, §8(a); Repealing Act of Sept. 6, 1966, 80 Stat. 632, 644

An Act To establish a Department of Transportation, and for other purposes. Act of Oct. 15, 1966, Pub. L. 89–670, §6(b), 80 Stat. 938

1970 Reorg. Plan No. 2, §102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085

An Act To provide that the Federal Government shall assume the risks of its fidelity losses, and for other purposes. Act of June 6, 1972, Pub. L. 92–310, title II, §228(b), 86 Stat. 207

An Act To authorize the establishment of a system governing the creation and operation of advisory committees in the executive branch of the Federal Government, and for other purposes. Pub. L. 92–463. Act of Oct. 6, 1972, 86 Stat. 770

An Act To reorganize the governmental structure of the District of Columbia, to provide a charter for local government in the District of Columbia subject to acceptance by a majority of the registered

qualilled electors in the District of Columbia, to delegate certain legislative powers to the local government, to implement certain recommendations of the Commission on the Organization of the Government of the District of Columbia, and for other purposes. Pub. L. 93–198, title V. Act of Dec. 24, 1973, 87 Stat. 813

An Act To amend the conditions for schools receiving capitation grants under section 770 of such Act, and for other purposes. Dec. 19, 1977, Pub. L. 95–215, §9, 91 Stat. 1508

An Act To approve and implement the trade agreements negotiated under the Trade Act of 1974, and for other purposes. Pub. L. 96–39. Act of July 26, 1979, 93 Stat. 144

An Act To establish a Department of Education, and for other purposes. Oct. 17, 1979, Pub. L. 96–88, title V, §509(b), 93 Stat. 695

Joint Resolution Making further continuing appropriations and providing for productive employment for the fiscal year 1983, and for other purposes. Pub. L. 97–377, title I, §101(e)(1) [title II]; Act of Dec. 21, 1982, 96 Stat. 1878, 1887

Joint Resolution Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1984, and for other purposes. Pub. L. 98–139, title II, Act of Oct. 31, 1983, 97 Stat. 881

An Act To provide for the assumption of selected functions, programs, and resources of Saint Elizabeths Hospital by the District of Columbia, to provide for the establishment of a comprehensive mental health care system in the District of Columbia, and for other purpose. Pub. L. 98–621, §2, §4, §5, §6-§9, §10(a), (b), (c), (d)(1), (f)(1), (2), (g), (I), (j), (k),(2), (m), (n) (2), (m), (n), (o), (p), (q), (u), (v). §11; Repealing Act of Nov. 8, 1984, 98 Stat. 3369-3379; eff. Oct. 1, 1987

Joint Resolution Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1985, and for other purposes. Pub. L. 98–619, title II; §10(d)(1); Act of Nov. 8, 1984, 98 Stat. 3314

An Act Making supplemental appropriations for the fiscal year ending September 30, 1985, and for other purposes. §207(o) of Pub. L. 99–335. Act of Aug. 15, 1985. 99 Stat. ___ set out as a note under 5USC§8331

Joint Resolution Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1986, and for other purposes. Pub. L. 99–178, title II; Act of Dec. 12, 1985, 99 Stat. 1113

Joint Resolution Making continuing appropriations for the fiscal year 1987, and for other purposes. Pub. L. 99–500, §101(i) [H.R. 5233, title II]; Act of Oct. 18, 1986, 100 Stat. 1783

Joint Resolution Making continuing appropriations for the fiscal year 1987, and for other purposes. Pub. L. 99–591, §101(i) [H.R. 5233, title II]; Act of Oct. 30, 1986, 100 Stat. 3341

Joint Resolution Making further continuing appropriations for the fiscal year 1988, and for other " ' , -.

purposes. Pub. L. 100–202, §101(h) [title II]; Act of Dec. 22, 1987, 101 Stat. 1329

Joint Resolution Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30,1989, and for other purposes. Pub. L. 100–436, title II; Act of Sept. 20, 1988, 102 Stat. 1693

An Act Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30,1989, and for other purposes. Pub. L. 100–436, title II, Sept. 20, 1988, 102 Stat. 1693

An Act To amend the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act to permit the Secretary of Health and Human Services to enter into an agreement with the Mayor of the District of Columbia with respect to capital improvements necessary for the delivery of mental health services in the District, and for other purposes.Pub. L. 102–150, §2, §3(a). Act of Oct. 31, 1991, 105 Stat. 980, reference to 41USC§10a et seq.

To provide that references in the statutes of the United States to any committee T ^ i<Wi ^^ officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at [H.R. 1421] the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives. §1(b) of Pub. L. 104–14, Act of June 3, 1995, 109 Stat. 186 set out as a note preceding 2USC§21

An Act To provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for the fiscal year 1998. Pub. L. 105–33, title XI, §11717(b). Act of Aug. 5, 1997, 111 Stat. 786, see section 11721 set out as a note under 18USC§4246

An Act To provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes. Pub. L. 109–396, title I, §102. Act of Dec. 15, 2006, 120 Stat. 2712, codified 24USC§225b

An Act To enact certain laws relating to public contracts as title 41, United States Code, ‘‘Public Contracts’’. Pub. L. 111–350, §3, §7(b). Act of Jan. 4, 2011, 124 Stat. 3677, 3855

An Act To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes. Pub. L 117-58 §70941. Act of Nov. 15, 2021, 135 Stat. 1312, reference to 41USC§8301

Chapter 5 Columbia Institution for the Deaf

An Act to incorporate the Columbian Institution for the Instruction of the Deaf and Dumb, and the Blind. R.S. §4859; Act of Feb. 16, 1857, ch. 46, §1, 11 Stat. 161

An Act to authorize the Columbia Institution for the Deaf and Dumb and the Blind to confer Degrees. Act of Apr. 8, 1864, ch. 52, 13 Stat. 45

An act making appropriations for the sundry civil- expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty-one, and for other purposes. Act of June 16, 1880, ch. 235, 21 Stat. 275

An act making appropriations for sundry civil expenses of the government for the fiscal year ending June thirtieth, eighteen hundred and eighty-four, and for other purposes. Act of Mar. 3, 1883, ch, 143, §1, 22 Stat. 625

An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety, and for other purposes. Act of Mar. 2, 1889, ch. 411, §1, 25 Stat. 962

An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes. Act of Aug. 30, 1890, ch. 837, §1, 26 Stat. 393

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-nine, and for other purposes. Act of July 1, 1898, ch. 564, §1, 30 Stat. 624

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes. Act of Mar. 3, 1899, ch. 424, §1, 30 Stat. 1101

An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and two, and for other purposes. Act of Mar. 1, 1901, ch. 670, §1, 31 Stat. 844

An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes./ Act of Mar. 8, 1905, ch. 1406, §1, 33 Stat. 901

An Act To change the name and jurisdiction of the inferior court of justice of the peace in the District of Columbia. R.S. §4866; Act of Feb. 18, 1909, Ch. 134, 35 Stat. 623

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes. R.S. §4801, R.S. 4802, R.S. §4808, R.S. §4860, R.S. §4863, R.S. §4865, R.S. §4867, R.S. §4869; Act of Mar. 4, 1911, ch. 285 §1, 36 Stat. 1422

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and nineteen, and for other purposes. Act of July 1, 1918, ch. 113, §1, 40 Stat. 680

An Act To provide a national budget system and an independent audit of Government accounts, and for other purposes. Act of June 10, 1921, ch.18, §305, 42 Stat. 24

An Act To discontinue certain reports now required by law. Transferring and repealing Act of Aug. 6,

1946, ch. 770, §1(61), 60 Stat. 871

An Act To amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes. Transferring and repealing Act of June 18, 1954, ch. 324, §9, 68 Stat. 265-268; Sections 231 to 250, relating to Columbia Institution for the Deaf, were transferred to sections 31–1001 to 31–1020 of the District of Columbia Code

An Act To modify and enlarge the authority of Gallaudet College to maintain and operate the Kendall School as a demonstration elementary school for the deaf to serve primarily the National Capital region, and for other purposes.Transferring and repealing Act of Dec. 24, 1970, Pub. L. 91–587, §5, 84 Stat. 1579

An Act To authorize quality educational programs for deaf individuals, to foster improved educational programs for deaf individuals throughout the United States, to reenact and codify certain provisions of law relating to the education of the deaf, and for other purposes.Pub. L. 99–371, title I, §101(a), Aug. 4, 1986, 100 Stat. 781; redesignating Columbia Institution for the Deaf, Gallaudet College, which is classified to 20USC§4301

Chapter 6 Freedmen's Hospital

Sections 261 to 264 related to Freedmen's Hospital in the District of Columbia, and were also set out as sections 32–317 to 32–320 of the District of Columbia Code; Sections 32–317 to 32–320 were omitted from the 1981 edition of the District of Columbia Code)

An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes. R.S. §2038; Act of June 23, 1874, ch. 455, §1, 18 Stat. 223

An act making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, eighteen hundred and ninety-four, and for other purposes. Act of Mar. 3, 1893, ch. 199, §1, 27 Stat. 551

An Act Making appropriations for sundry civil expenses of the . Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes. Act of Mar. 3, 1905, ch. 1483, §1, 33 Stat. 1190

An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes. Act of June 26, 1912, ch. 182, §1, 37 Stat. 172

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and seventeen, and for other purposes. Act of July 1, 1916, ch. 209, 39 Stat. 311

An Act To establish a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes. Act of Mar. 16, 1926, ch. 58, 44 Stat. 208

An Act To discontinue certain reports now required by law to be made to Congress. Act of May 29, 1928, ch. 901, §1(78), 45 Stat. 992

An Act To establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the University, and for other purposes. Pub. L. 87–262; Transferred to Howard University. Act of Sept. 21, 1961, §7; 75 Stat. 542; §7 repealed all laws specifically applicable to Freedmen's Hospital effective with the transfer to 20USC§124–§129

Chapter 7 National Cemeteries

An Act to define the Pay and Emoluments of certain Officers of the Army, and for other Purposes. R.S. 4878; Act of July 17, 1862, ch. 200, §18, 12 Stat. 596

An Act to establish and to protect National Cemeteries. R.S. §4870, R.S. §4872, R.S. §4873, R.S. §4877; Act of Feb. 22, 1867, ch. 61 §1, §5, §6, 14 Stat. 399, 400

An Act to amend an Act entitled "An Act to establish and protect national Cemeteries," approved February twenty-second, eighteen hundred and sixty-seven. Act of June 1, 1872, ch. 257, 17 Stat. 202

An Act to amend an Act entitled "An Act to establish and to protect national Cemeteries," approved February twenty-second, eighteen hundred and sixty-seven. Act of June 8, 1872, ch. 368, 17 Stat. 345

An Act making Appropriations for the Support of the Army for the Year ending June thirtieth, eighteen hundred and seventy four Act of Mar. 3, 1873, ch. 229, 17 Stat. 545

An Act to authorize the Interment of honorably discharged Soldiers, Sailors and, Marines in the national Cemeteries of the United States. R.S. §4879, R.S. §4880; Act of Mar. 3, 1873, ch. 276, 17 Stat. 605...See 36USC§2111

An act making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes. Act of July 24, 1876, ch. 226, §1, 19 Stat. 99

An Act Authorizing the Secretary of War to erect headstones over the graves of Union soldiers who have been interred in private, village, or city cemeteries. Act of Feb. 3, 1879, ch. 44, 20 Stat. 281

An Act To codify, revise, and amend the laws relating to the judiciary; R.S. §4871, R.S. §4881, R.S. §4882; Act of Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167

An Act To amend section forty-eight hundred and seventy-five of the Revised Statutes, to provide a compensation for superintendents of national cemeteries.R.S. §4875; Act of July 30, 1912, ch. 258, 37 Stat. 240; See 38USC§2400 et seq.

An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes. Act of Aug. 24, 1912, ch. 355, §1, 37 Stat. 440

An Act To provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Virginia. Act of Mar. 4, 1921, ch. 169, §1-§5, 41 Stat. 1440

An Act To provide a national budget system and an independent audit of Government accounts, and for other purposes. Act of June 10, 1921, ch. 18, §206, 215, 42 Stat. 21, 23

Act of Feb. 12, 1925, ch. 225, title II, 43 Stat. 926

Act of Feb. 24, 1925, ch. 306, §2, 43 Stat. 970

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes. Act of Apr. 15, 1926, ch. 146, title II, 44 Stat. 287-288

An Act Making appropriations for the military and non military activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes. Act of Feb. 23, 1927, ch. 167, Title II, 44 Stat. 1138

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1929, and for other purposes. Act of Mar. 23, 1928, ch. 232, Title II, 45 Stat. 354

An Act To aid the Grand Army of the Republic in its Memorial Day services, May 30, 1928. Act of May 10, 1928, ch. 515, 45 Stat. 494

An Act Authorizing the Secretary of War to erect headstones over the graves of soldiers who served in the Confederate Army and to direct him to preserve in the records of the War Department the names and places of burial of all soldiers for whom such headstones shall have been erected, and for other purposes. Act of Feb. 26, 1929, ch. 324, 45 Stat. 1307

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes. Act of Feb, 28, 1929, ch. 365-366, Title II, 45 Stat. 1375

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes. Act of May 28, 1930, ch. 348, Title II, 46 Stat. 458

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes. Act of Feb. 23, 1931, ch. 279, title II, 46 Stat. 1302

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1933, and for other purposes.Act of July 14, 1932, ch. 482, title II, 47 Stat. 689

An Act Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1934, and for other purposes. Act of Mar. 4, 1933, ch. 281, title II, 47 Stat. 1595

An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other purposes.Act of Mar. 2, 1934, ch. 38, 48 Stat. 362

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1935, and for other purposes. Act of Apr. 26, 1934, ch. 165, title II, 48 Stat. 639

Organization of executive agencies §2 of Ex. Ord. No. 6166, June 10, 1933 as amended by Ex. Ord. No. 6228, July 28, 1933, Ex. Ord. No. 6229, July 27, 1934, Ex. Ord. No. 6614, Feb. 26, 1934 and Ex. Ord. No. 6690, Apr. 25, 1934, transferred all functions of administrator of certain historical national cemeteries located within the continental limits of the United States, including certain cemeteries administered by the War Department to the Director of National Parks, Buildings, and Reservations in the Department of the Interior. Ex. Ord. No. 6614, Apr. 25, 1934 set out as a note 5USC§901

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1936, and for other purposes. Act of Apr. 9, 1935, ch. 54, title II, 49 Stat. 145

An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1937, and for other purposes. Act of May 15, 1936, ch. 404, 49 Stat. 1305

An Act Making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes. Act of July 19, 1937, ch. 511, 50 Stat. 515

An Act Making appropriations for the fiscal year ending June 30, 1939, for civil functions administered by the War Department, and for other purposes. Act of June 11, 1938, ch. 348, 52 Stat. 667-668

An Act To provide for a national cemetery in every State. Act of June 29, 1938, ch. 808, 52 Stat. 1233

An Act Making appropriations for the fiscal year ending June 30, 1940, for civil functions administered by the War Department, and for other purposes. Act of June 28, 1939, ch. 246, 53 Stat. 857

To authorize the Secretary of War to furnish certain markers for certain graves. Act of Apr. 18, 1940, ch. 109, 54 Stat. 142

An Act Making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes. Act of June 24, 1940, ch. 415, 54 Stat. 506

An Act Making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes. Act of May 23, 1941, ch. 130, 55 Stat. 191

An Act Making appropriations for the fiscal year ending June 30, 1943, for civil functions administered by the War Department, and for other purposes. Act of Apr. 28, 1942, ch. 246, 56 Stat. 220

An Act Making appropriations for the fiscal year ending June 30, 1944, for civil functions administered by the War Department, and for other purposes.June 2, 1943, ch. 115, 57 Stat. 94

An Act Making appropriations for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes. Act of June 26, 1944, ch. 275, 58 Stat. 327

An Act Making appropriations for the fiscal year ending June 30,1946, for civil functions administered by the War Department, and for other purposes.Act of Mar. 31, 1945, ch. 45, 59 Stat. 39

An Act Making appropriations for the fiscal year ending June 30, 1947, for civil functions administered by the War Department, and for other purposes.Act of May 2, 1946, ch. 247, 60 Stat. 161

An Act To preserve historic graveyards in abandoned military posts.Act of July 1, 1947, ch. 187, 61 Stat. 234

Transferring to the American Battle Monuments Commission the Functions of the War Department Pertaining to the Administration of the Mexico City National Cemetery Ex. Ord. No. 9873, July 17, 1947, 12 F.R. 4777

An Act Making appropriations for civil functions administered by the War Department for the fiscal year ending June 30, 1948, and for other purposes. Act of July 31, 1947, ch. 411, 61 Stat. 687

An Act To provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible. Act of Aug. 4, 1947, ch. 467, §1-§3, 61 Stat. 742

An Act To provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the armed forces who have been disabled in line of duty for active field service. Act of Mar. 24, 1948, ch. 143, §1, §2, 62 Stat. 84

An Act To establish eligibility for burial in national cemeteries, and for other purposes. Act of May 14, 1948, ch. 289, §1, 62 Stat. 234

An Act Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1949, and for other purposes.Act of June 25, 1948, ch. 655, 62 Stat. 1019

An Act To provide for the procurement and supply of Government headstones or markers for unmarked graves of members of the armed forces dying in the service or after honorable discharge therefrom, and other persons, and for other purposes. Act of July 1, 1948, ch. 791, §1-§4 62 Stat. 1215-1216...See 38USC§2306 and 38USC§2400 et seq.

An Act Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1950, and for other purposes.Act of Oct. 13, 1949, ch. 688, 63 Stat. 846

An Act To provide for the utilization as a national cemetery of surplus Army Department-owned military real property at Fort Logan, Colorado.Act of Mar. 10, 1950, ch. 52, §1-§3, 64 Stat. 12

An Act To provide for the expansion and disposition of certain national cemeteries. Act of Aug. 10,

1950, ch. 672, §1, 2, 64 Stat. 434-435

An Act Making appropriations for the support of the Government for the fiscal year ending June 30, 1951, and for other purposes. Act of Sept. 6, 1950, ch. 896, ch. IX, 64 Stat. 725

An Act To authorize the President to determine the form of the national budget and of departmental estimates, to modernize and simplify governmental accounting and auditing methods and procedures, and for other purposes. Act of Sept. 12, 1950, ch. 946, title III, §301(96), 64 Stat. 844

An Act Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1952, and for other purposes. Act of Oct. 24, 1951, ch. 556, 65 Stat. 617

An Act Making appropriations for the civil functions administered by the Department of the Army for the fiscal year ending June 30, 1953, and for other purposes. Act of July 11, 1952, ch. 669, 66 Stat. 579

An Act Making appropriations for civil functions administered by the Department of Army for the fiscal year ending June 30, 1954, and for other purposes. Act of July 27, 1953, ch. 245, §101, 67 Stat. 197

An Act Making appropriations for civil functions administered by the Department of the Army for the fiscal year ending June 30, 1955, and for other purposes. Act of June 30, 1954, ch. 425, §101, 68 Stat. 331

An Act To provide for the erection of appropriate markers in national cemeteries to honor the memory of members of the Armed Forces missing in action. Act of Aug. 27, 1954, ch. 1013, 68 Stat. 880

An Act Making appropriations for the Atomic Energy Commission, the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30,1956, and for other purposes. July 15, 1955, ch. 370, title III, 69 Stat. 360

An Act Making appropriations for the Tennessee Valley Authority, certain agencies of the Department of the Interior, and civil functions administered by the Department of the Army, for the fiscal year ending June 30,1957, and for other purposes. Act of July 2, 1956, ch. 490, title III, 70 Stat. 479

An Act To amend the Act of August 27, 1954, so as to provide for the erection of appropriate markers in national cemeteries to honor the memory of certain members of the Armed Forces who died or were killed while serving in such forces. Act of July 3, 1956, ch. 509, 70 Stat. 489

An Act To amend the Act of July 1, 1948 (62 Stat. 1215) to authorize the furnishing of headstones or mariners in memory of members of the Armed Forces dying in the service, whose remains have not been recovered or identified or were buried at sea. Act of Aug. 14, 1958, Pub. L. 85–644, §1(1), (2); 72 Stat. 601-602

An Act To amend the Act of July 1, 1948, chapter 791 (24 U. S. C. 279a), providing for the procurement and supply of Government headstones and markers. Act of Aug. 28, 1958, Pub. L. 85–811, 72 Stat. 978

An Act To revise the eligibility requirements for burial in national cemeteries, and for other purposes. Act of Sept. 14, 1959, Pub. L. 86–260, 73 Stat. 547
An Act To abolish the Arlington Memorial Amphitheater Commission.Pub. L. 86–694, §1-§2, Repealing Act of Sept. 2, 1960, 74 Stat. 739

An Act To amend the Act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries. Act of Aug. 30, 1961, Pub. L. 87–178, 75 Stat. 411

An Act To provide that a headstone or marker be furnished at Government expense for the unmarked grave of any Medal of Honor recipient. Act of Sept. 1, 1970, Pub. L. 91–369, 84 Stat. 836

An Act To amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes. Repealed. Pub. L. 93–43, §7(a)(1)–(3), (4), (5), (6), (7)(a), (8), (10-12), (13-46), (60), (61), Act of June 18, 1973, 87 Stat. 75-88; eff. Sept. 1, 1973. See 38USC§901, 38USC§2306, 38USC§2402, 38USC§2403, 38USC§2404, and 38USC§2405

Chapter 7A Private and Commercial Cemeteries

An Act To authorize the disposal of cemetery lot. Act of June 20, 1939, ch. 220, 53 Stat. 843

An Act To amend or repeal certain Government property laws, and for other purposes.Repealing Act of Oct. 31, 1951, ch. 654, §1(47), 65 Stat. 703

Chapter 8 Gorgas Hospital

Joint Resolution to change the name of the Ancon Hospital in the Panama Canal Zone to the Gorgas Hospital. Act of Mar. 24, 1928, ch. 240, §1-§2, 45 Stat. 365-366...See 22USC§3602(b)

Chapter 9 Hospitalization of Mentally Ill Nationals Returned from Foreign Countries

An Act To provide for the hospitalization, at Saint Elizabeths Hospital in the District of Columbia or elsewhere, of certain nationals of the United States adjudged insane or otherwise found mentally ill in foreign countries, and for other purposes.Pub. L. 86–571, §1-§8, §11; Act of July 5, 1960, 74 Stat. 309-310, eff. July 5, 1960

An Act To establish a Department of Education, and for other purposes. Pub. L. 96–88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695...See 20USC§3508(b)

An Act To provide for the assumption of selected functions, programs, and resources of Saint Elizabeths Hospital by the District of Columbia, to provide for the establishment of a comprehensive mental health care system in the District of Columbia, and for other purposesPub. L. 98–621, §10(r), §12(b); Nov. 8, 1984, 98 Stat. 3381...See 24USC§225, eff. Oct. 1, 1987

An Act To enact certain laws relating to public contracts as title 41, United States Code, ‘‘Public Contracts’’. Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854...See 41USC§6101

Chapter 10 Armed Forces Retirement Home

An Act To authorize appropriations for fiscal year 1991 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed [H.R. 4739] Forces, and for other purposes. Pub. L. 101–510, div. A, title XV, Armed Forces Retirement Home Act; §1501-§1542; Act of Nov. 5, 1990, 104 Stat. 1722-1736...See 24USC§401 et seq, 10USC§2772, 6USC§542

An Act To authorize appropriations for fiscal years 1992 and 1993 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes.Pub. L. 102–190, div. A, title X, §1062, Act of Dec. 5, 1991, 105 Stat. 1475

An Act To authorize appropriations for fiscal year 1993 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart- Oct. 23, 1992 ment of Energy, to prescribe personnel strengths for such fiscal year for the [H.R. 5006] Armed Forces, to provide for defense conversion, and for other purposes. Pub. L. 102–484, div. A, title III, §385; Acty of Oct. 23, 1992, 106 Stat. 2394

An Act To authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart- Nov. 30, 1993 ment of Energy, to prescribe personnel strengths for such fiscal year for the [H.R. 2401] Armed Forces, and for other purposes. Pub. L. 103–160, div. A, title III, §366; Act of Nov. 30, 1993, 107 Stat. 1630

An Act To authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart- Oct. 5, 1994 ment of Energy, to prescribe personnel strengths for such fiscal year for the [S. 2182] Armed Forces, and for other purposes Pub. L. 103–337, div. A, title III, §371(b)l Act of Oct. 5, 1994, 108 Stat. 2735

An Act To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Pub. L. 104–201, div. A, title X, §1051 - §1052; Act of Sept. 23, 1996, 110 Stat. 2648-2650

An Act To amend the laws authorizing auditing, reporting, and other functions by the General Accounting Offcice. Pub. L. 104–316, title II, §202(j); Act of Oct. 19, 1996, 110 Stat. 3843

An Act To authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Pub. L. 105–261, div. A, title X, §1041, §1042; Act of Oct. 17, 1998, 112 Stat. 2124

An Act To authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Pub. L. 106–65, div. A, title III, §383; Act of Oct. 5, 1999, 113 Stat. 583

An Act To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Pub. L. 106–398, §1 [[div. A], title IX, §902, §915; Act of Oct. 30, 2000, 114 Stat. 1654, 1654A–231

An Act To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Pub. L. 107–107, div. A, title XIV, §1402 - §1410; Act of Dec. 28, 2001, 115 Stat. 1257, 1266

An Act To authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. Pub. L. 107–314, div. A, title X, §1062; Act of Dec. 2, 2002, 116 Stat. 2651

An Act To authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.Pub. L. 108–136, div. A, title X, §1045(g), Nov. 24, 2003, 117 Stat. 1613

An Act To authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. Pub. L. 109–163, div. A, title IX, §909(a); Act of Jan. 6, 2006, 119 Stat. 3404

An Act To provide for the enactment of the National Defense Authorization Act for Fiscal Year 2008, as previously enrolled, with certain modifications to address the foreign sovereign immunities provisions of title 28, United States Code, with respect to the attachment of property in certain judgments against Iraq, the lapse of statutory authorities for the payment of bonuses, special pays, and similar benefits for members of the uniformed services, and for other purposes. Pub. L. 110–181, div. A, title XIV, §1422; Act of Jan. 28, 2008, 122 Stat. 420-423

An Act To authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. Pub. L. 110–417, [div. A], title X, §1061(b)(12); Act of Oct. 14, 2008, 122 Stat. 4613

An Act To authorize appropriations for fiscal year 2010 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. Pub. L. 111–84, div. B, title XXVIII, §2823; Act of Oct. 28, 2009, 123 Stat. 2666

An Act To authorize appropriations for the Coast Guard for fiscal year 2011, and for other purposes. Pub. L. 111–281, title II, §205(a); Act of Oct. 15, 2010, 124 Stat. 2911

An Act To authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes. Pub. L. 111–383, div. B, title XXVIII, §2813(b), §2823, Jan. 7, 2011, 124 Stat. 4463

An Act To authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. Pub. L. 112–81, div. A, title V, §561-§567; Act of Dec. 31, 2011, 125 Stat. 1420-1426

An Act To authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposesPub. L. 112–239, div. A, title X, §1076(j); Act of Jan. 2, 2013, 126 Stat. 1955

An Act To enact title 54, United States Code, ‘‘National Park Service and Related Programs’’, as positive law. Pub. L. 113–287, §6(e), Dec. 19, 2014, 128 Stat. 3272...See 54USC§302904

An Act To authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.Pub. L. 113–291, div. A, title VII, §721; Act of Dec. 19, 2014, 128 Stat. 3417

An Act To authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. Pub. L. 114–328, div. A, title VI, §618(f), §1061; Act of Dec. 23, 2016, 130 Stat. 2160 Set out as a note 10USC§111