

or before" so that the second paragraph of section 3 (a) will read as follows:

"No claim shall be entertained by the Secretary of the Army unless it shall appear to his satisfaction that such claim was a part of a civil action filed against the United States in a United States district court on or before April 25, 1950, except that, for good cause, the Secretary may waive the limitation date of April 25, 1950, where it is shown that claimant, by reason of infancy, insanity, or other legal reason, was unable to bring such civil action."

Approved July 9, 1956.

Public Law 676

CHAPTER 534

AN ACT

To provide a lump-sum readjustment payment for members of the reserve components who are involuntarily released from active duty.

July 9, 1956
[H. R. 9952]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Armed Forces Reserve Act of 1952 (66 Stat. 481), as amended, is further amended by adding the following section after section 264:

"SEC. 265. (a) A member of a reserve component who is involuntarily released from active duty after the enactment of this section and after having completed immediately prior to such release at least five years of continuous active duty, except for breaks in service of not more than thirty days, as either an officer, warrant officer, or enlisted person, is entitled to a lump-sum readjustment payment computed on the basis of one-half of one month's basic pay in the grade in which he is serving at the time of release from active duty for each year of active service ending at the close of the eighteenth year. For the purposes of computing the amount of readjustment payment (1) a part of a year that is six months or more is counted as a whole year, and a part of a year that is less than six months is disregarded, and (2) any prior period for which severance pay has been received under any other provision of law shall be excluded. There shall be deducted from any lump-sum readjustment payment any mustering-out pay received under the provisions of the Mustering-Out Payment Act of 1944 or the Veterans Readjustment Assistance Act of 1952.

"(b) The following persons are not entitled to any payments under this section:

- "(1) A person who is released from active duty at his own request.
- "(2) A person who is released from active duty for training.
- "(3) Under regulations prescribed by the Secretary of Defense, or by the Secretary of the Treasury with respect to members of the Coast Guard when the Coast Guard is not operating as a service in the Navy, a person who is released from active duty because of moral or professional dereliction.
- "(4) A person who upon release from active duty is immediately eligible for retired pay, retirement pay, or retainer pay based entirely on his military service under any provision of law.
- "(5) A person who upon release from active duty is immediately eligible for severance pay based on his military service under any other provision of law. However, such a person may elect to receive either readjustment pay under this section or severance pay, but not both.
- "(6) A person who upon release from active duty is eligible for disability compensation under laws administered by the Veterans' Administration. However, such a person may elect to receive either

Armed Forces Reserve Act of 1952, amendment. Ante, p. 115. Lump-sum readjustment payment.

58 Stat. 8; 66 Stat. 663. 33 USC 691, 901 note. Persons not entitled to payment.

readjustment pay under this section or disability compensation under laws administered by the Veterans' Administration, but not both. Election of readjustment pay shall not deprive a person of any disability compensation to which he may become entitled, on the basis of subsequent service, under laws administered by the Veterans' Administration.

Other retirement benefits.

"(c) The acceptance of readjustment pay under this section shall not deprive a person of any retired pay, retirement pay, retainer pay, or other retirement benefits from the United States to which he would otherwise become entitled.

Involuntary separation.

"(d) Under regulations prescribed by the appropriate Secretary, which regulations shall be as uniform as practicable, a member of a reserve component who is on active duty and is within two years of qualifying for retired pay, retirement pay, or retainer pay under any purely military retirement system, shall not be involuntarily separated from that duty before he qualifies for that pay unless his separation is approved by the appropriate Secretary.

66 Stat. 491,
50 USC 963.

"(e) A member of a reserve component who on the effective date of this section is serving on active duty under an agreement authorized by section 235 of this Act, and who is involuntarily released from active duty before completing his agreed term of service, may elect, in lieu of separation payment under that section, to receive readjustment pay under this section.

"(f) Any payments accruing to a person under this section shall be reduced by the amount of any payment previously received by that person under this section, unless he has already refunded the prior payment to the United States. If he has refunded the earlier payment, the period covered by the earlier payment shall be considered as a period for which no payment has been made under this Act.

38 USC 691, 901
note.

"(g) A person who receives readjustment pay under this section is not entitled to mustering-out pay under the Mustering Out Payment Act of 1944 or under the Veterans' Readjustment Assistance Act of 1952.

"Involuntary release".

"(h) For the purpose of this section, the term 'involuntary release' shall include release under conditions wherein a member of a reserve component, who has completed a tour of duty, volunteers for an additional tour of duty and the service concerned does not extend or accept the volunteer request of the member for the additional tour."

Approved July 9, 1956.

Public Law 677

CHAPTER 535

July 9, 1956
[H. R. 10230]

AN ACT

To amend sections 3526 and 3528 of the Revised Statutes relating to the coinage of subsidiary silver coins and minor coins of the United States.

Coinage.
68 Stat. 336.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3528 of the Revised Statutes, as amended (31 U. S. C. 340), is further amended by striking out "\$2,000,000" and inserting in lieu thereof "\$3,000,000".

64 Stat. 157.

SEC. 2. The third sentence of section 3526 of the Revised Statutes, as amended (31 U. S. C. 335), is amended to read as follows: "This fund shall be charged with the cost of the alloy metal, with the wastage incurred in such coinage, with the recoinage loss on silver coins recoined pursuant to section 9 of the Act of March 14, 1900 (31 Stat. 48), as amended, and with the cost of distributing silver coins."

31 USC 320.

Approved July 9, 1956.