

(4) has completed, prior to November 10, 1956, a total of continuous or intermittent satisfactory service aggregating not less than three years on the rolls in a position in or under the Federal Government or the municipal government of the District of Columbia;

may, upon approval of his application made to the United States Civil Service Commission within one year after the effective date of this section, be reappointed without competitive examination to a position in the competitive civil service for which he is qualified. Such reappointment (except reappointment to a position involving temporary job employment) shall be a career-conditional appointment or a career appointment, as determined under the appropriate United States Civil Service Commission regulations governing career-conditional and career appointments.

(b) Each employee of the Federal Government or of the municipal government of the District of Columbia who met the requirements of the Act entitled "An Act to provide for the granting of career-conditional and career appointments to certain qualified employees", approved August 12, 1955 (Public Law 380, Eighty-fourth Congress), but did not file application for the benefits of such Act prior to November 10, 1956, because of administrative error by the department, agency, or establishment in which he was employed, may file his application for the benefits of such Act within one year after the effective date of this section.

SEC. 2. The United States Civil Service Commission is hereby authorized and directed to promulgate such rules and regulations as it determines to be necessary to carry out the provisions of this Act.

SEC. 3. Nothing in this Act shall affect, or be construed to affect, the application of section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, Eighty-second Congress), as amended.

SEC. 4. The foregoing sections of this Act shall become effective on the ninetieth day following the date of enactment of this Act.

Approved August 28, 1958.

Public Law 85-848

AN ACT

To amend title XV of the Social Security Act to extend the unemployment insurance system to ex-servicemen, and for other purposes.

August 28, 1958
[H. R. 11630]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Ex-Servicemen's Unemployment Compensation Act of 1958".

SEC. 2. So much of subsection (a) of section 1501 of the Social Security Act as appears before paragraph (1) thereof is amended to read as follows:

"(a) The term 'Federal service' means any service performed after 1952 in the employ of the United States or any instrumentality thereof which is wholly owned by the United States, except that the term does not include service (other than service to which section 1511 applies) performed—"

SEC. 3. Title XV of the Social Security Act is amended by adding at the end thereof the following new section:

Filing application.

69 Stat. 709.
5 USC 631 note.

Rules and regulations.

65 Stat. 757.
43 USC note.

Effective date.

Ex-Servicemen's Unemployment Compensation Act of 1958.

68 Stat. 1130.
42 USC 1361.

"Federal service".

"EX-SERVICEMEN'S UNEMPLOYMENT COMPENSATION PROGRAM

"SEC. 1511. (a) The provisions of this title, except where inconsistent with the provisions of this section, apply, with respect to weeks of unemployment ending after the sixtieth day after the date of the enactment of this section, to individuals who have had Federal service as defined in subsection (b).

"(b) For the purposes of this section, the term 'Federal service' means active service (including active duty for training purposes) in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States if—

"(1) such service was continuous for ninety days or more, or was terminated earlier by reason of an actual service-incurred injury or disability; and

"(2) with respect to such service, the individual (A) has been discharged or released under conditions other than dishonorable, and (B) was not given a bad conduct discharge, or, if an officer, did not resign for the good of the service.

No individual shall be treated as having Federal service within the meaning of the preceding sentence unless he has a period of such service which either begins after January 31, 1955, or terminates after the sixtieth day after the date of the enactment of this section.

"Federal wages".

"(c) For the purposes of this section, the term 'Federal wages' means remuneration for the periods of service covered by subsection (b), computed on the basis of remuneration for the individual's pay grade at the time of his discharge or release from the latest period of such service as specified in the schedule applicable at the time of filing of his first claim for compensation for the benefit year. The Secretary shall issue, from time to time, after consultation with the Secretary of Defense, schedules specifying the remuneration for each pay grade of servicemen covered by this section, which shall reflect representative amounts for appropriate elements of such remuneration (whether in cash or in kind).

"(d) (1) Any Federal department or agency shall, when designated by the Secretary, make available to the appropriate State agency or to the Secretary, as the case may be, such information (including findings in the form and manner prescribed by the Secretary by regulation) as the Secretary may find practicable and necessary for the determination of an individual's entitlement to compensation by reason of this section.

"(2) Subject to correction of errors and omissions as prescribed by the Secretary by regulation, the following shall be final and conclusive for the purposes of sections 1502 (c) and 1503 (c) :

"(A) Any finding by a Federal department or agency, made in accordance with paragraph (1), with respect to (i) whether an individual has met any condition specified in subsection (b), (ii) the individual's periods of Federal service as defined in subsection (b), and (iii) the individual's pay grade at the time of his discharge or release from the latest period of such Federal service.

"(B) the schedules of remuneration issued by the Secretary under subsection (c).

"(e) Notwithstanding the provisions of section 1504, all Federal service and Federal wages covered by this section, not previously assigned, shall be assigned to the State, or Puerto Rico or the Virgin Islands, as the case may be, in which the claimant first files his claim for unemployment compensation after his most recent discharge or release from such Federal service. This assignment shall constitute an assignment under section 1504 for all purposes of this title.

42 USC 1362, 1363.

42 USC 1364.

“(f) Payments made under section 4 (c) of the Armed Forces Leave Act of 1946 (37 U. S. C. 33 (c)) at the termination of Federal service covered by this section shall be treated for determining periods of Federal service as payments of annual leave to which section 1505 applies.

61 Stat. 748.

42 USC 1365.

“(g) An individual who is eligible to receive a mustering-out payment under title V of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 1011 et seq.) shall not be eligible to receive compensation under this title with respect to weeks of unemployment completed within thirty days after his discharge or release if he receives \$100 in such mustering-out payments; within sixty days after his discharge or release if he receives \$200 in such mustering-out payment; or within ninety days after his discharge or release if he receives \$300 in such mustering-out payment.

66 Stat. 689.

“(h) No payment shall be made by reason of this section to an individual for any period with respect to which he receives an education and training allowance under subsection (a), (b), (c), or (d) of section 232 of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 942), a subsistence allowance under part VII or part VIII of Veterans Regulation Numbered 1 (a), as amended, or an educational assistance allowance under the War Orphans' Educational Assistance Act of 1956 (38 U. S. C. 1031 et seq.).

66 Stat. 668.

38 USC ch. 12A.

70 Stat. 411.

“(i) Any individual—

“(1) who meets the wage and employment requirements for compensation under the law of the State to which his Federal service and Federal wages as defined in this section have been assigned (or, in the case of Puerto Rico or the Virgin Islands, the law of the District of Columbia) but would not meet such requirements except by the use of such Federal service and Federal wages, or

“(2) whose weekly benefit amount computed according to the law of such State (or the law of the District of Columbia, as the case may be) is increased by the use of such Federal service and Federal wages,

shall not thereafter be entitled to unemployment compensation under the provisions of title IV of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 991 et seq.).”

66 Stat. 684.

42 USC 1367.

SEC. 4. Section 1507 (a) of the Social Security Act is amended by adding at the end thereof the following: “This subsection shall not apply with respect to Federal service and Federal wages covered by section 1511.”

Approved August 28, 1958.

Public Law 85-849

AN ACT

To maintain existing minimum postage rates on certain publications mailed for delivery within the county of publication.

August 28, 1958
[S. 4191]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (c) of the Act of October 30, 1951 (65 Stat. 673; 39 U. S. C. 289a), as amended by the Act of May 27, 1958 (72 Stat. 139; Public Law 85-426), is amended by inserting after the words “this section” the following: “, and on each individually addressed copy of a publication of the second class addressed for delivery within the county of publication and not entitled to the free-in-county mailing privilege.”

Postal service.

Approved August 28, 1958.