

Public Law 91-584

AN ACT

December 24, 1970
[S. 3785]

To authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power; and to further amend certain educational sections of title 38, United States Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1701 (a) (1) of title 38, United States Code, is amended by—

Armed Forces.
Certain depend-
ents, education
and home loan
benefits.
82 Stat. 1332.

(1) striking out the word "or" at the end of subclause (i) of clause (A);

(2) inserting "or" after the comma at the end of subclause (ii) of clause (A);

(3) inserting a new subclause (iii) at the end of clause (A) to read as follows:

"(iii) at the time of application for benefits under this chapter is a member of the Armed Forces serving on active duty listed, pursuant to section 556 of title 37, United States Code, and regulations issued thereunder by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (A) missing in action, (B) captured in line of duty by a hostile force, or (C) forcibly detained or interned in line of duty by a foreign government or power;"

80 Stat. 629.

(4) striking out the word "or" at the end of clause "(B)";

(5) redesignating clause "(C)" as clause "(D)"; and

(6) inserting a new clause "(C)" to read as follows:

"(C) the wife of any member of the Armed Forces serving on active duty who, at the time of application for benefits under this chapter is listed, pursuant to section 556 of title 37, United States Code, and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (i) missing in action (ii) captured in line of duty by a hostile force, or (iii) forcibly detained or interned in line of duty by a foreign government or power, or"

SEC. 2. Section 1711(b) of title 38, United States Code, is amended by—

82 Stat. 1332.

(1) striking out the word "or" at the end of paragraph (1);

(2) redesignating paragraph "(2)" as paragraph "(3)"; and

(3) inserting a new paragraph (2) to read as follows:

"(2) the parent or spouse from whom eligibility is derived based upon the provisions of section 1701(a) (1) (A) (iii) or 1701(a) (1) (C) of this title is no longer listed in one of the categories specified therein, or"; and

Supra.

(4) striking out "1701(a) (1) (C)" in redesignated paragraph (3) and inserting in lieu thereof "1701(a) (1) (D)".

SEC. 3. Section 1712 of title 38, United States Code, is amended by—

72 Stat. 1194;
82 Stat. 1333;
Ante, p. 83.

(1) striking out "1701(a) (1) (B) or (C)" in subsection (b) and inserting in lieu thereof "1701(a) (1) (B) or (D)"; and

(2) adding at the end thereof the following new subsections:

"(f) No person made eligible by section 1701(a) (1) (C) of this title may be afforded educational assistance under this chapter beyond eight years after the date on which her spouse was listed by the Secretary concerned in one of the categories referred to in such section or the date of enactment of this subsection, whichever last occurs.

Supra.

"(g) Any entitlement used by any eligible person as a result of eligibility under the provisions of section 1701(a) (1) (A) (iii) or 1701

Ante, p. 1575.

(a)(1)(C) of this title shall be deducted from any entitlement to which he may subsequently become entitled under the provisions of this chapter."

Educational
counseling.
82 Stat. 1333.

SEC. 4. Section 1720(b) of title 38, United States Code, is amended by striking out "section 1701(a)(1)(B) or (C)" and inserting in lieu thereof "section 1701(a)(1)(B), (C), or (D)".

72 Stat. 1203.

SEC. 5. (a) Section 1801(a) of title 38, United States Code, is amended by adding a new paragraph as follows:

"Veteran."

"(3) The term 'veteran' also includes, for purposes of home loans, the wife of any member of the Armed Forces serving on active duty who is listed, pursuant to section 556 of title 37, United States Code, and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days: (A) missing in action, (B) captured in line of duty by a hostile force, or (C) forcibly detained or interned in line of duty by a foreign government or power. The active duty of her husband shall be deemed to have been active duty by such wife for the purposes of this chapter. The loan eligibility of such wife under this paragraph shall be limited to one loan guaranteed or made for the acquisition of a home, and entitlement to such loan shall terminate automatically, if not used, upon receipt by such wife of official notice that her husband is no longer listed in one of the categories specified in the first sentence of this paragraph."

80 Stat. 629.

Basic entitle-
ment.
72 Stat. 1203.

(b) Section 1802 of such title is amended by adding at the end thereof a new subsection as follows:

"(g) A veteran's entitlement under this chapter shall not be reduced by any entitlement used by his wife which was based upon the provisions of paragraph (3) of section 1801(a) of this title."

Supra.

Educational
assistance allow-
ance.
80 Stat. 17.

SEC. 6. Section 1681(b)(2) of title 38, United States Code, is amended by inserting immediately after "degree" the following: "(excluding programs of apprenticeship and programs of other on-job training authorized by section 1683 of this title)".

Apprenticeship.
Ante, p. 77.

SEC. 7. Section 1683(b) of title 38, United States Code, is amended by—

(1) striking out "(b)" and inserting in lieu thereof "(b)(1)"; and

(2) adding a new paragraph (2) to read as follows:

"(2) In any month in which an eligible veteran pursuing a program of apprenticeship or a program of other on-job training fails to complete one hundred and twenty hours of training in such month, the monthly training assistance allowance set forth in subsection (b)(1) of this section shall be reduced proportionately in the proportion that the number of hours worked bears to one hundred and twenty hours rounded off to the nearest eight hours."

Course meas-
urement.

SEC. 8. Section 1684(a) of title 38, United States Code, is amended by—

(1) striking out "and" after the semicolon in clause (3);

(2) striking out the period at the end of clause (4) and inserting in lieu thereof "; and"; and

(3) adding at the end thereof a new clause (5) to read as follows:

"(5) a program of apprenticeship or a program of other on-job training shall be considered a full-time program when the eligible veteran is required to work the number of hours constituting the standard workweek of the training establishment, but a workweek of less than thirty hours shall not be considered to constitute full-time training unless a lesser number of hours has been established

Post, p. 1577.

as the standard workweek for the particular establishment through bona fide collective bargaining.”

SEC. 9. Paragraph (1) of section 1682(c) of title 38, United States Code, is amended by inserting immediately before the last sentence thereof the following: “The term ‘established charge’ as used herein means the charge for the course or courses determined on the basis of the lowest extended time payment plan offered by the institution and approved by the appropriate State approving agency or the actual cost to the eligible veteran, whichever is the lesser.”

80 Stat. 18.
“Established
charge.”

SEC. 10. Section 1652 of title 38, United States Code, is amended by—

Ante, p. 78.

(1) striking out “at least two years” in subsection (a) (2) and inserting in lieu thereof “more than one hundred and eighty days”; and

(2) by adding at the end of subsection (b) a new sentence as follows: “Such term also means any unit course or subject, or combination of courses or subjects, pursued by an eligible veteran at an educational institution, required by the Administrator of the Small Business Administration as a condition to obtaining financial assistance under the provisions of 402(a) of the Economic Opportunity Act of 1964 (42 U.S.C. 2902(a)).”

78 Stat. 526;
81 Stat. 710.
Course measure-
ment.

SEC. 11. (a) Clause (4) of section 1684(a) of title 38, United States Code, is amended to read as follows:

Ante, p. 81.

“(4) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required, except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course.”

(b) The last sentence of section 1684(a) of such title is repealed.

Repeal.

SEC. 12. Clause (3) of section 1733(a) of title 38, United States Code, is amended to read as follows: “(3) an institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of fourteen semester hours or the equivalent thereof, for which credit is granted toward a standard college degree (including those for which no credit is granted but which are required to be taken to correct an educational deficiency), is required except that where such college or university certifies, upon the request of the Administrator, that (A) full-time tuition is charged to all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, or (B) all undergraduate students carrying a minimum of less than fourteen such semester hours or the equivalent thereof, are considered to be pursuing a full-time course for other administrative pur-

Ante, p. 82.

poses, then such an institutional undergraduate course offered by such college or university with such minimum number of such semester hours shall be considered a full-time course, but in the event such minimum number of semester hours is less than twelve semester hours or the equivalent thereof, then twelve semester hours or the equivalent thereof shall be considered a full-time course."

Awards, effective date.
Ante, p. 790.

SEC. 13. Section 3010 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(n) The effective date of the award of any benefit or any increase therein by reason of marriage or the birth or adoption of a child shall be the date of such event if proof of such event is received by the Veterans' Administration within one year from the date of the marriage, birth, or adoption."

Approved December 24, 1970.

Public Law 91-585

AN ACT

December 24, 1970
[S. 1500]

To name the authorized lock and dam numbered 18 on the Verdigris River in Oklahoma and the lake created thereby for Newt Graham.

Newt Graham lock and dam.
Newt Graham Lake.
Designation.
60 Stat. 634, 635.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lock and dam numbered 18 on the Verdigris River, Oklahoma, a feature of the Arkansas River and tributaries navigation project, authorized to be constructed by the River and Harbor Act of July 24, 1946 (60 Stat. 641, 647), as amended, shall be known and designated hereafter as the Newt Graham lock and dam, and the lake created thereby as the Newt Graham Lake. Any law, regulation, map, document, record, or other paper of the United States in which such lock and dam and lake are referred shall be held to refer to such lock and dam as the Newt Graham lock and dam, and the lake as the Newt Graham Lake.

Approved December 24, 1970.

Public Law 91-586

AN ACT

December 24, 1970
[H. R. 18012]

To amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations.

Foreign Service Buildings Act, 1926, amendment.
80 Stat. 881;
82 Stat. 461.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4(f) (2) of the Foreign Service Buildings Act, 1926 (22 U.S.C. 295 (f) (2)), is amended—

(1) by striking out "and" and inserting in lieu thereof a comma; and

(2) by inserting immediately before the period at the end thereof a comma and the following: "not to exceed \$15,000,000 for the fiscal year 1972, and not to exceed \$15,900,000 for the fiscal year 1973".

Approved December 24, 1970.