

Nonapplicability.

“(k) (1) Nothing in this section, however, shall apply to or affect any policy of group accident, group health, or group accident and health insurance.”

Approved July 12, 1950.

[CHAPTER 459]

JOINT RESOLUTION

To suspend until December 31, 1950, the application of certain Federal laws with respect to attorneys employed by the Subcommittee on Labor-Management Relations of the Senate Committee on Labor and Public Welfare in connection with the study and investigation ordered by S. Res. 140, Eighty-first Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That service or employment of one person as an attorney on a temporary basis prior to December 31, 1950, to assist the Senate Committee on Labor and Public Welfare or its duly authorized Subcommittee on Labor-Management Relations in the investigation ordered by S. Res. 140, agreed to August 15, 1949, and S. Res. 217, agreed to February 1, 1950, shall not be considered as service or employment bringing such person within the provisions of sections 281, 283, or 284, of title 18 of the United States Code, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of service, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States.

Approved July 12, 1950.

[CHAPTER 460]

AN ACT

To provide free postage for members of the Armed Forces of the United States in specified areas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any first-class letter mail matter admissible to the mails as ordinary mail matter which is sent by a member of the Armed Forces of the United States, while on active duty or in the active service of the Armed Forces of the United States in Korea and such other areas as the President of the United States may hereafter designate as combat zones or theaters of military operations, to any person in the United States, including the Territories and possessions thereof, shall be transmitted in the mails free of postage, subject to such rules and regulations as the Postmaster General may prescribe: *Provided*, That, when specified by the sender, letters weighing not to exceed one ounce shall be transmitted to destination by air mail, dependent upon air space availability therefor.*

SEC. 2. The free mailing privileges above granted shall become effective upon the date of enactment of this Act and shall continue until June 30, 1951, unless terminated at an earlier date by concurrent resolution of the Congress, or by direction of the President.

Approved July 12, 1950.

[CHAPTER 461]

AN ACT

Relating to education or training of veterans under title II of the Servicemen's Readjustment Act (Public Law 346, Seventy-eighth Congress, June 22, 1944).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 9

July 12, 1950

[S. J. Res. 180]

[Public Law 608]

Senate Committee
on Labor and Public
Welfare, employment
of attorney.

62 Stat. 697, 698.
18 U. S. C., Supp. III,
§§ 281, 283, 284.

July 12, 1950

[S. 3876]

[Public Law 609]

Armed Forces.
Free mailing privi-
leges.

Effective date.

July 13, 1950

[S. 2596]

[Public Law 610]

Veterans' Education
and Training Amend-
ments of 1950.

of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by adding at the end thereof the following: "*Provided*, That, except as provided in this amendment, no regulation or other purported construction of title II of the Servicemen's Readjustment Act of 1944, as amended, shall be deemed consistent therewith which denies or is designed to deny to any eligible person, or limit any eligible person in, his right to select such course or courses as he may desire, during the full period of his entitlement or any remaining part thereof, in any approved educational or training institution or institutions, whether such courses are full time, part time, or correspondence courses: *Provided further*—

58 Stat. 290.
38 U. S. C. note foll.
§ 739.

58 Stat. 287.
38 U. S. C. § 701 and
note foll. § 739.
Ante, p. 254; *post*,
pp. 338, 339, 341.

Disapproval of
course.

"A. That the Administrator shall disapprove a course in any institution which has been in operation for a period of less than one year immediately prior to the date of enrollment in such course unless such enrollment was prior to August 24, 1949, but this shall not require or permit the disapproval of (a) any course in a public school or other tax-supported school, (b) any course in an institution which has been in operation for a period of more than one year which does not completely depart from the whole character of the instruction previously given by such institution, or (c) any course in an institution which has been in operation for a period of more than one year, by reason of a change in the location of such institution from one point to another within the same general locality: *Provided*, That upon the certification of any State approval agency, that a new or existing institution is essential to meet the requirements of veterans in such State, the Administrator in his discretion may approve such an institution notwithstanding the provisions of this paragraph;

"B. That in accordance with the provisions of paragraph 3 (a) of this part, the Administrator may, for reasons satisfactory to him, disapprove a change of course of instruction, and may discontinue any course of education or training if he finds that according to the regularly prescribed standards of the institution the conduct or progress of such person is unsatisfactory;

"C. That if any eligible veteran, who has completed or discontinued (for any reason other than unsatisfactory conduct or progress) a course of education or training, applies for an additional course in the same or any other field of education or training, the Administrator may deny initiation of such course only if he finds (1) that it is precluded by the first proviso, paragraph 1 of this part VIII, as amended, or (2) that it is not in the same general field as his original educational or occupational objective, and that such veteran has already made one change from one general field to another, or (3) that it is precluded by limitation of paragraph D below: *Provided*, That, in any case in which the veteran has already made one change from one general field to another, the Administrator may require advisement and guidance before approving another such change, but where the Administrator requires such advisement and guidance and the veteran is not notified of the decision of the Administrator within forty-five days following the date of application for such change, such change shall be deemed to have been approved;

58 Stat. 288.
38 U. S. C. note foll.
§ 739.

Avocational or rec-
reational courses.

"D. That the Administrator shall refuse approval to any course elected or commenced by a veteran on or subsequent to July 1, 1948, which is avocational or recreational in character. The following courses shall be presumed to be avocational or recreational in character: Dancing courses; photography courses; glider courses; bartending courses; personality-development courses; entertainment courses; music courses—instrumental and vocal; public-speaking courses; and courses in sports and athletics

such as horseback riding, swimming, fishing, skiing, golf, baseball, tennis, bowling, and sports officiating (except applied music, physical education, or public-speaking courses which are offered by institutions of higher learning for credit as an integral part of a course leading to an educational objective); but no such course shall be considered to be avocational or recreational in character if the veteran submits complete justification that such course will contribute to bona fide use in the veteran's present or contemplated business or occupation; and the Administrator may find any other course to be avocational or recreational in character, but no such other course shall be considered avocational or recreational in character when a certificate in the form of an affidavit supported by corroborating affidavits by two competent disinterested persons has been furnished by a physically qualified veteran stating that such education or training will be useful to him in connection with earning a livelihood. Notwithstanding the foregoing provisions of this paragraph, education or training for the purpose of teaching a veteran to fly or related aviation courses in connection with his present or contemplated business or occupation shall not, in the absence of substantial evidence to the contrary, be considered avocational or recreational when a certificate in the form of an affidavit supported by corroborating affidavits by two competent disinterested persons, has been furnished by a physically qualified veteran stating that such education or training will be useful to him in connection with earning a livelihood."

SEC. 2. Paragraph 11 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is amended by adding at the end thereof a new subparagraph (d) as follows:

"(d) As used in this part, the term 'customary cost of tuition' or 'customary charges' or 'customary tuition charges' shall mean that charge which an educational or training institution requires a nonveteran enrollee similarly circumstanced to pay as and for tuition for a course, except that the institution (other than a nonprofit institution of higher learning) is not regarded as having a 'customary cost of tuition' for the course or courses in question in the following circumstances:

"(A) Where the majority of the enrollment of the educational and training institution in the course in question consists of veterans in training under Public Laws 16 and 346, Seventy-eighth Congress, as amended; and

"(B) One of the following conditions prevails:

"1. The institution has been established subsequent to June 22, 1944.

"2. The institution, although established prior to June 22, 1944, has not been in continuous operation since that date.

"3. The institution, although established prior to June 22, 1944, has subsequently increased its total tuition charges for the course to all students more than 25 per centum.

"4. The course (or a course of substantially the same length and character) was not provided for nonveteran students by the institution prior to June 22, 1944.

"For any course of education or training for which the educational or training institution involved has no customary cost of tuition, a fair and reasonable rate of payment for tuition, fees, or other charges for such course shall be determined by the Administrator. In any case in which one or more contracts providing a rate or rates of tuition have been entered into in two successive years, the rate established by the most recent contract shall be considered to be the customary cost of tuition notwithstanding the definition of 'customary cost of tuition'

58 Stat. 290.
38 U. S. C. note foll.
§ 739; Sup. III, note
foll. § 744.

"Customary cost of
tuition", etc.

57 Stat. 43; 58 Stat.
284.
38 U. S. C. § 701 and
note foll. § 739; § 693
note; Sup. III; note
foll. § 744, § 693 et seq.
Ante, p. 254, *supra*;
post, pp. 330-341.

as hereinbefore set forth. For the purpose of the preceding sentence 'contract' shall include contracts under Public Law 16 (Seventy-eighth Congress, March 24, 1943), Public Law 346 (Seventy-eighth Congress, June 22, 1944), or any other agreement in writing on the basis of which tuition payments have been made from the Treasury of the United States. If the Administrator finds that any institution has no customary cost of tuition he shall forthwith fix and pay or cause to be paid a fair and reasonable rate of payment for tuition, fees, and other charges for the courses offered by such institution. Any educational or training institution which is dissatisfied with a determination of a rate of payment for tuition, fees, or other charges under the foregoing provisions of this paragraph, or with any other action of the Administrator under the amendments made by the Veterans' Education and Training Amendments of 1950, shall be entitled, upon application therefor, to a review of such determination or action (including the determination with respect to whether there is a customary cost of tuition) by a board to be known as the 'Veterans' Education Appeals Board' consisting of three members, appointed by the President. Members of the Board shall receive, out of appropriations available for administrative expenses of the Veterans' Administration, compensation at the rate of \$50 for each day actually spent by them in the work of the Board, together with necessary travel and subsistence expenses. The Administrator of Veterans' Affairs shall provide for the Board such stenographic, clerical, and other assistance and such facilities and services as may be necessary for the discharge of its functions. Such Board shall be subject, in respect to hearings, appeals, and all other actions and qualifications, to the provisions of sections 5 to 11, inclusive, of the Administrative Procedure Act, approved June 11, 1946, as amended. The decision of such Board with respect to all matters shall constitute the final administrative determination. In no event shall the Board fix a rate of payment in excess of the maximum amount allowable under the Servicemen's Readjustment Act of 1944, as amended. Nothing contained in these amendments shall in any way affect the provisions of the first proviso in paragraph 1 of this part VIII, as amended.

"Any institution having a 'customary cost of tuition' established under this part may revise and improve an existing course (or establish a new related course) of substantially the same length and character subject to the same customary cost of tuition: *Provided*, That nothing in the foregoing amendments shall be construed to affect adversely any legal rights which have accrued prior to the date of enactment of the Veterans' Education and Training Amendments of 1950, or to affect payments to educational or training institutions under contracts in effect on such date: *Provided further*, That during negotiations for a contract, and during the pendency of any appeal which a school may make, the Veterans' Administration shall continue to make further payments to the school in such amount as the Administrator considers to be 'fair and reasonable', but not less than 75 per centum of the most recent rate paid to the school.

"Any educational or training institution which has a contract covering any period subsequent to August 24, 1949, shall be entitled to a review by the Veterans' Education Appeals Board of the rate of tuition, fees and other charges established in such contract. Application for such review must be made within sixty days following the date of enactment of the Veterans' Education and Training Amendments of 1950."

SEC. 3. Paragraph 5 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is further amended by inserting before the period at the end thereof a colon and the following: "*And provided*

Fixing of rate for tuition, etc.

Review of determination.

Veterans' Education Appeals Board.

60 Stat. 237.
5 U. S. C. §§ 1004-1010.

58 Stat. 284.
38 U. S. C. §§ 693-697; Sup. III, § 693 *et seq.*

Ante, pp. 74, 75, 214.
58 Stat. 288.
38 U. S. C. note foll. § 739.
Revision of course, etc.

Review of tuition rate, etc.

58 Stat. 289.
38 U. S. C. note foll. § 739; Sup. III, note foll. § 744.
Ante, p. 254; *post*, p. 341.

Nonprofit institu-
tions.

53 Stat. 33.
26 U. S. C. § 101 (6).
Post, p. 959.

further, That for the purpose of applying the governing statutes and applicable regulations of the Veterans' Administration respecting the payment of tuition and other charges, in the case of nonprofit institutions, any institution shall be regarded as a nonprofit institution if it is exempt from taxation under paragraph (6), section 101, of the Internal Revenue Code, whether it was certified as such by the Bureau of Internal Revenue before or subsequent to June 22, 1944: *And provided further*, That for the purpose of applying the governing statutes and applicable regulations of the Veterans' Administration respecting the payment of tuition and other charges, any professional or graduate school which has been continuously affiliated with an educational institution since June 22, 1944, may elect to be subject to the non-resident tuition rates established for such educational institution, with respect to payments made for tuition during any school year beginning on or after August 1, 1949, even though the administrative function of such school is separate and distinct from that of the institution with which it is affiliated".

57 Stat. 45.
38 U. S. C. note foll.
§ 739.

SEC. 4. The third sentence of section 3 of Public Law Numbered 16, Seventy-eighth Congress, as amended, is hereby amended by adding before the period at the end thereof a comma and the following: "or (4) rendering necessary services in ascertaining the qualifications of proprietary institutions for furnishing education and training under the provisions of part VIII of such Regulation and in the supervision of such institutions".

58 Stat. 287.
38 U. S. C. note foll.
§ 739; Sup. III, note
foll. § 744.
Ante, pp. 254, 337,
338, 339; *infra*; *post*,
pp. 341, 342.
Ante, p. 338.

SEC. 5. That paragraph 11 of part VIII, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by adding at the end thereof the following new subparagraph:

"(e) 1. In order to secure or retain approval to train veterans, any school operated for profit which, during any period, has fewer than twenty-five students, or one-fourth of the students enrolled (whichever is larger), paying their own tuition, in addition to meeting all requirements of existing law, will be required to submit to the appropriate State approving agency a written application, in form and contents prescribed by the State approving agency, setting forth the course or courses of training. The written application covering each course must include the following:

"a. Title of the course and specific description of the objective for which given.

"b. Length of course.

"c. A detailed curriculum showing subjects taught, type of work or skills to be learned, and approximate length of time to be spent on each.

"d. A showing of educational and experience qualifications of the instructors.

"e. A description of space, facilities, and equipment used for the course.

"f. A statement of the maximum number of students proposed to be trained in the course at one time.

"g. A statement of the educational prerequisite for such a course.

"2. The appropriate approving agency of the State or the Administrator may approve the application of such school when the school is found upon investigation to have met the following criteria:

"a. The curriculum and instruction are consistent in quality, content, and length with similar courses in the public schools or other private schools with recognized and accepted standards.

"b. There is in the school adequate space, equipment, instructional material, and instructor personnel to provide satisfactory

training. When approval is given, it shall state the maximum number authorized to be trained in each course.

"c. Educational and experience qualifications of the instructor are adequate as determined by the State approval agency.

"d. Adequate records are kept to show attendance, progress, and conduct, with periodic report to be provided to the Veterans' Administration; and there are clearly stated and enforced standards of attendance, progress, and conduct.

"e. Appropriate credit is given for previous training or experience, with training period shortened proportionately. No course of training will be considered bona fide as to a veteran who is already qualified by training and experience for the course objective.

"f. A copy of curriculum as approved is provided to the veteran and the Veterans' Administration by the school.

"g. Upon completion of the training, the veteran is given a certificate by the school indicating the approved course, title, and length, and that the training was completed satisfactorily.

"h. Such additional criteria established by the State approving agency as it may deem necessary for approval of schools training veterans under this part.

"3. No new course, or additions to the capacity of an existing course, in any school operated for profit, shall be approved if the State approving agency shall determine that the occupation for which the course is intended to provide training is crowded in the State where the training is to be given and that existing training facilities are adequate.

New or additional courses.

"4. The Veterans' Administration is not authorized to award benefits under this part if it is found by the appropriate State approving agency that the course offered by a school operated for profit fails to meet the applicable requirements of this subparagraph (e); but the findings of the State approving agency on such requirements shall be final."

SEC. 6. Paragraph 6 of part VIII of Veterans Regulation Numbered 1 (a), as amended, is hereby amended by inserting "(a)" immediately after "6.", and adding the following new subparagraph:

58 Stat. 289.
38 U. S. C. note foll. § 739; Sup. III, note foll. § 744.

"(b) For the purpose of this part, a trade or technical course, offered on a clock-hour basis below the college level, involving shop practice as an integral part thereof, shall be considered a full-time course when a minimum of thirty hours per week of attendance is required with not more than thirty minutes of rest period per day allowed. A course offered on a clock-hour basis below the college level in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of twenty-five hours per week net of instruction is required. The provisions of the first sentence of this subparagraph shall not be applicable prior to July 1, 1951, in the case of any school or institution in which, for a period of one year immediately preceding the date of enactment of the Veterans' Education and Training Amendments of 1950, a minimum of twenty-five hours per week of attendance was required for any course in compliance with regulations of the Veterans' Administration."

Full-time trade or technical course.

SEC. 7. Paragraph 5 of part VIII, Veterans Regulation Numbered 1 (a), as amended, is hereby amended by inserting "(a)" immediately after "5.", and adding a new subparagraph (b) as follows:

58 Stat. 289.
38 U. S. C. note foll. § 739; Sup. III, note foll. § 744.
Ante, pp. 254, 339.

"(b) In any case where it is found that an overpayment to a veteran of subsistence allowance (which overpayment has not been recovered or waived) is proved in a hearing before the Committee on Waivers of

Overpayment of subsistence allowance.

the appropriate Veterans' Administration regional office to be the result of willful or negligent failure of the school to report, as required by applicable regulation or contract, to the Veterans' Administration unauthorized or excessive absences from a course, or discontinuance or interruption of a course by the veteran, the amount of such overpayment shall, at the discretion of the Administrator, constitute a liability of the school for such failure to report, and may be recovered by an off-set from amounts otherwise due the school or in other appropriate action: *Provided*, That any amount so collected shall be reimbursed if the overpayment is received from the veteran. This amendment shall be construed as applying only to matters arising after the effective date of this amendment, and shall not preclude the imposition of any civil or criminal action under any other statute."

Effective dates.

SEC. 8. This Act shall become effective on the date of its enactment except that sections 5 and 6 shall become effective the first day of the third calendar month following the date of enactment of this Act.

Repeal.

SEC. 9. The matter beginning with the first proviso in the item "Readjustment benefits" under the caption "VETERANS' ADMINISTRATION" in the Independent Offices Appropriation Act, 1950, approved August 24, 1949, is hereby repealed.

63 Stat. 653.
38 U. S. C., Sup. III,
note foll. § 744.
Short title.

SEC. 10. This Act may be cited as the "Veterans' Education and Training Amendments of 1950".

Approved July 13, 1950.

[CHAPTER 462]

AN ACT

July 15, 1950
[S. 3582]
[Public Law 611]

To authorize revision of the procedures employed in the administration of certain trust funds administered by the Veterans' Administration.

Veterans Administration.
Deposit of certain funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all cash balances in the personal funds of patients and the funds due incompetent beneficiaries' trust funds administered by the Veterans' Administration, and all moneys hereafter received which are properly for deposit into these funds, may be deposited, respectively, into special deposit accounts with the Treasurer of the United States for credit to the several disbursing officers of the Division of Disbursement, Treasury Department, and such balances and deposits shall thereupon be available for disbursement for properly authorized purposes without covering into the Treasury of the United States and withdrawal on money requisitions: *Provided*, That when any balances have been on deposit with the Treasurer of the United States for more than one year and represent moneys belonging to individuals whose whereabouts are unknown, they shall be transferred and disposed of as directed in the last proviso to subsection (a) of section 20 of the Permanent Appropriation Repeal Act of 1934, as amended (31 U. S. C. 725s).

48 Stat. 1233.

Approved July 15, 1950.

[CHAPTER 463]

AN ACT

July 18, 1950
[S. 2086]
[Public Law 612]

Transferring management of certain public lands from the Agriculture Department to the Fort Sill Indian School in Oklahoma for agriculture uses.

Fort Sill Indian School, Okla.
Transfer of lands, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tract of public land: The north half of the south half of section 19, township 2 north, range 11 west, Indian meridian, Comanche County, Oklahoma, being a part of the Fort Sill Indian