

shall be deemed to have failed of selection within the meaning of section 509 of the Officer Personnel Act of 1947.

10 USC 559c.

SEC. 5. To the extent necessary to give effect to sections 2, 3, and 4, the Secretary of the Army shall adjust the dates of rank in permanent grade of the officers described therein. For an officer entered on the Army promotion list in the grade of lieutenant colonel under this Act or promoted to that grade under section 4 hereof, the date specified as the adjusted date of rank shall be considered as the beginning of a period of service under a permanent appointment in the grade of lieutenant colonel for the purposes of section 510 of the Officer Personnel Act of 1947 (61 Stat. 897; 10 U. S. C. 559d).

SEC. 6. Nothing in this Act shall be construed as changing existing laws pertaining to the appointment and commissioning of Regular Army officers in the Judge Advocate General's Corps or to the status of the Judge Advocate General's Corps as a special branch of the Army.

SEC. 7. No officer of the Judge Advocate General's Corps shall suffer a reduction in grade by reason of the enactment of this Act. An officer who, on the day prior to the effective date hereof, is a "deferred officer" within the meaning of section 509 of the Officer Personnel Act of 1947 shall not, by reason of any provision of this Act, cease to be a "deferred officer".

10 USC 559c.

Repeals.

SEC. 8. The second paragraph of section 247 of the Universal Military Training and Service Act (formerly the Selective Service Act of 1948 (62 Stat. 643; 10 U. S. C. 65)) and the last sentence of section 308 of the Army Organization Act of 1950 (64 Stat. 270; 10 U. S. C. 61-1) are hereby repealed.

SEC. 9. No retroactive pay or allowances shall accrue as a result of the enactment of this Act.

SEC. 10. The Secretary of the Army, or such subordinate as he may designate, shall have authority to make all determinations necessary in the administration of this Act.

Effective date.

SEC. 11. This Act shall become effective thirty days after the date of its enactment.

Approved August 21, 1954.

Public Law 615

CHAPTER 784

AN ACT

August 21, 1954
[H. R. 9390]

To extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2004), is hereby amended by adding the following new subsection at the end thereof.

Civilian internees and prisoners of war.
Korean hostilities.
62 Stat. 1242.

"(g) (1) As used in this subsection, the term 'civilian American citizens' means any person who, being then a citizen of the United States, was captured in Korea on or after June 25, 1950, by any hostile force with which the Armed Forces of the United States were actually engaged in armed conflict subsequent to such date and prior to the date of enactment of this subsection, or who went into hiding in Korea in order to avoid capture or internment by any such hostile force; except (A) a person who at any time voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any such hostile force, or (B) a regularly appointed, enrolled, enlisted, or inducted member of the Armed Forces of the United States.

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| Detention benefits. | “(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by, or on behalf of, any civilian American citizen for detention benefits for any period of time subsequent to June 25, 1950, during which he was held by any such hostile force as a prisoner, internee, hostage, or in any other capacity, or remained in hiding to avoid being captured or interned by any such hostile force. |
| Rate. | “(3) The detention benefit allowed to any person under the provisions of paragraph (2) of this subsection shall be at the rate of \$60 for each calendar month during which such person was at least eighteen years of age and at the rate of \$25 per month for each calendar month during which such person was less than eighteen years of age. |
| Entitlement. | “(4) The detention benefits allowed under paragraph (2) of this subsection shall be allowed to the person entitled thereto, or, in the event of his death, only to the following persons: “(A) widow or husband if there is no child or children of the deceased; “(B) widow or dependent husband and child or children of the deceased, one-half to the widow or dependent husband and the other half to the child or children in equal shares; “(C) child or children of the deceased (in equal shares) if there is no widow or dependent husband. |
| Certification for payment. | “(5) Any claim allowed by the Commission under this subsection shall be certified to the Secretary of the Treasury for payment out of funds appropriated pursuant to this subsection, and shall be paid by the Secretary of the Treasury to the person entitled thereto, except that where any person entitled to payment under this subsection is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of this section. |
| Time for filing. | “(6) Each claim filed under this subsection must be filed not later than one year from whichever of the following dates last occurs: “(A) The date of enactment of this subsection; “(B) The date the civilian American citizen by whom the claim is filed returned to the jurisdiction of the United States; or “(C) The date upon which the Commission, at the request of a potentially eligible survivor, makes a determination that the civilian American citizen has actually died or may be presumed to be dead, in the case of any civilian American citizen who has not returned to the jurisdiction of the United States. |
| Appropriation. | The Commission shall complete its determinations with respect to each claim filed under this subsection at the earliest practicable date, but in no event later than one year after the date on which such claim was filed. “(7) (A) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the purposes of this subsection, including necessary administrative expenses. “(B) The Commission shall determine, from time to time, the share of its administrative expenses attributable to the performance of its functions under this subsection and make the appropriate adjustments in its accounts, and determinations and adjustments made pursuant to this subparagraph shall be final and conclusive.” |
| 62 Stat. 1242, 50 U.S.C. app. 2004(a). | (b) Subsection (a) of such section 5 is hereby amended by inserting after the words “As used in” the following: “subsections (b) and (f) of”. |
| 66 Stat. 49, 50 U.S.C. app. 2004(e). | (c) Subsection (e) of such section 5 is hereby amended by inserting after the words “under this section” the following: “(except under subsection (g))”. |

SEC. 2. (a) The subsection (d) of section 6 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2005), which was added to such section by Public Law 304, Eighty-second Congress, is hereby redesignated as subsection (f).

66 Stat. 49.

(b) Such section 6 is hereby amended by inserting immediately after the subsection (d) which was added to such section by Public Law 303, Eighty-second Congress, the following new subsection:

Prisoners of war.

66 Stat. 47.

“(e) (1) As used in this subsection the term ‘prisoner of war’ means any regularly appointed, enrolled, enlisted, or inducted member of the Armed Forces of the United States who was held as a prisoner of war for any period of time subsequent to June 25, 1950, by any hostile force with which the Armed Forces of the United States were actually engaged in armed conflict subsequent to such date and prior to the date of enactment of this subsection, except any such member who, at any time, voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any such hostile force.

“(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any prisoner of war for compensation for the failure of the hostile force by which he was held as a prisoner of war, or its agents, to furnish him the quantity or quality of food prescribed for prisoners of war under the terms of the Geneva Convention of July 27, 1929. The compensation allowed to any prisoner of war under the provisions of this paragraph shall be at the rate of \$1 for each day on which he was held as a prisoner of war and on which such hostile force, or its agents, failed to furnish him such quantity or quality of food.

Compensation, etc.

47 Stat. 2021.

“(3) The Commission is authorized to receive and to determine, according to law, the amount and validity and provide for the payment of any claim filed by any prisoner of war for compensation—

“(A) for the failure of the hostile force by which he was held as a prisoner of war, or its agents, to meet the conditions and requirements prescribed under title III, section III, of the Geneva Convention of July 27, 1929, relating to labor of prisoners of war; or

47 Stat. 2040.

“(B) for inhumane treatment by the hostile force by which he was held, or its agents. The term ‘inhumane treatment’ as used herein shall include, but not be limited to, failure of such hostile force, or its agents, to meet the conditions and requirements of one or more of the provisions of articles 2, 3, 7, 10, 12, 13, 21, 22, 54, 56, or 57 of the Geneva Convention of July 27, 1929.

47 Stat. 2031-2050, *passim*.

Compensation shall be allowed to any prisoner of war under this paragraph at the rate of \$1.50 per day for each day on which he was held as a prisoner of war and with respect to which he alleges and proves in a manner acceptable to the Commission the failure to meet the conditions and requirements described in subparagraph (A) or the inhumane treatment described in subparagraph (B). In no event shall the compensation allowed to any prisoner of war under this paragraph exceed the sum of \$1.50 with respect to any one day.

“(4) Any claim allowed by the Commission under this subsection shall be certified to the Secretary of the Treasury for payment out of funds appropriated pursuant to this subsection and shall be paid by the Secretary of the Treasury to the person entitled thereto, and shall, in case of death or determination of death of the persons who are entitled, be paid only to or for the benefit of the persons specified, and in the order established, by paragraph (4) of subsection (d) of this section.

Certification for payment.

66 Stat. 47. 50 U.S.C. app. 2005(d).

Time for filing.

"(5) Each claim filed under this subsection must be filed not later than one year from whichever of the following dates last occurs:

"(A) The date of enactment of this subsection;

"(B) The date the prisoner of war by whom the claim is filed returned to the jurisdiction of the Armed Forces of the United States; or

"(C) The date upon which the Department of Defense makes a determination that the prisoner of war has actually died or is presumed to be dead, in the case of any prisoner of war who has not returned to the jurisdiction of the Armed Forces of the United States.

The Commission shall complete its determinations with respect to each claim filed under this subsection at the earliest practicable date, but in no event later than one year after the date on which such claim was filed.

"(6) Any claim allowed under the provisions of this subsection shall be paid from funds appropriated pursuant to paragraph (7) of this subsection.

Appropriation.

"(7) (A) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the purposes of this subsection, including necessary administrative expenses.

Administrative expenses.
Adjustments.

"(B) The Commission shall determine, from time to time, the share of its administrative expenses attributable to the performance of its functions under this subsection and make the appropriate adjustments in its accounts, and determinations and adjustments made pursuant to this subparagraph shall be final and conclusive."

62 Stat. 1240; 64
Stat. 449.

Sec. 3. (a) Subsections (a) and (e) of section 2 of the War Claims Act of 1948, as amended (50 App. U. S. C., Sec. 2001), are hereby repealed, and subsections (b), (c), and (d) of such section are hereby redesignated as subsections (a), (b), and (c), respectively.

62 Stat. 1241.
50 U. S. C. app.
2001.

(b) The first sentence of the subsection herein redesignated as subsection (a) is hereby amended by striking out "The Commission" and inserting in lieu thereof the following: "The Foreign Claims Settlement Commission of the United States (hereinafter referred to as the 'Commission')".

Approved August 21, 1954.

Public Law 616

CHAPTER 785

AN ACT

August 21, 1954
[H. R. 9889]

To authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District Numbered 2, Idaho, and for other purposes.

American Falls
Reservoir Dis-
trict No. 2, Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to execute on behalf of the United States the amendatory contract with American Falls Reservoir District Numbered 2, Idaho, negotiated pursuant to section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187, 1192; 43 U. S. C., 1946 edition, sec. 485f), and approved by the district's electors on June 29, 1954.

Repeal.

SEC. 2. All beginning with the first "Provided" under the sub-heading "Minidoka project, American Falls Reservoir, Idaho" under the heading "Bureau of Reclamation" of the Act of January 12, 1927 (44 Stat. 934, 958), is hereby repealed.

Supplementary
law.

SEC. 3. This Act is declared to be a supplement to the Federal Reclamation Laws.

Approved August 21, 1954.