

## [CHAPTER 267]

## AN ACT

To impose additional duties upon the United States Public Health Service in connection with the investigation and control of the venereal diseases.

May 24, 1938  
[S. 3290]  
[Public, No. 540]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved July 9, 1918, is hereby amended by adding, after section 4 of chapter XV (40 Stat. 886; U. S. C., title 42, sec. 25), sections 4a, 4b, 4c, 4d, and 4e to read as follows:

United States Public Health Service.  
Investigation and control of venereal diseases.  
40 Stat. 886.  
42 U. S. C. § 25.  
Assistance to States, etc.

"SEC. 4a. For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate measures for the prevention, treatment, and control of the venereal diseases; for the purpose of making studies, investigations, and demonstrations to develop more effective measures of prevention, treatment, and control of the venereal diseases, including the training of personnel; for the pay, allowances, and traveling expenses of commissioned officers and other personnel assigned to duties in carrying out the purposes of sections 4a to 4e, inclusive, of this Act in the District of Columbia and elsewhere; and for the printing of reports, documents, and other material relating thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1939, not exceeding the sum of \$3,000,000; for the fiscal year ending June 30, 1940, not exceeding the sum of \$5,000,000; for the fiscal year ending June 30, 1941, not exceeding the sum of \$7,000,000; and for each fiscal year thereafter, such sum as may be deemed necessary to carry out the purposes of sections 4a to 4e, inclusive, of this Act.

Personal services.

Printing.

Amount authorized for fiscal year 1939, and thereafter.  
*Post*, p. 1152.

"SEC. 4b. Prior to the beginning of each fiscal year the Surgeon General of the Public Health Service shall determine, out of the appropriations made pursuant to section 4a, the sum to be allotted to the several States, including the District of Columbia, Alaska, Puerto Rico, Virgin Islands, and Hawaii. The Surgeon General shall then allot such sum to the several States upon the basis of (1) the population, (2) the extent of the venereal-disease problem, and (3) the financial needs of the respective States. Upon making such allotments he shall certify the amounts thereof to the Secretary of the Treasury. The amount of an allotment to any State for any fiscal year remaining unpaid at the end of such fiscal year shall be available for allotment to the States for the succeeding fiscal year in addition to the amount appropriated and available for such fiscal year.

Determination of annual allotments, basis.

Certification to Secretary of the Treasury.

"SEC. 4c. Prior to the beginning of each quarter of the fiscal year the Surgeon General of the Public Health Service shall determine the amount to be paid to each State for such quarter from the allotment to such State, and shall certify the amount so determined to the Secretary of the Treasury. Upon receipt of such certification, the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. The moneys so paid to any State shall be expended in carrying out the purposes specified in section 4a, and in accordance with plans presented by the health authority of such State and approved by the Surgeon General of the Public Health Service.

Quarterly allotments.

Expenditure.

"SEC. 4d. With the approval of the Secretary of the Treasury and after consultation with a conference of State and Territorial health officers, the Surgeon General of the Public Health Service is authorized to prescribe the rules and regulations necessary to carry out the purposes of sections 4a to 4e, inclusive, of this Act.

Rules, etc., to be prescribed.

"SEC. 4e. Sections 4a to 4e, inclusive, of this Act shall not be construed as superseding or limiting the functions, under any other Act,

Provisions not to supersede, etc., existing functions.



of the Public Health Service relating to the prevention, treatment, and control of venereal diseases, or the expenditure of money therefor."

Approved, May 24, 1938.

[CHAPTER 268]

AN ACT

May 24, 1938  
[H. R. 5030]  
[Public, No. 541]

Granting pensions and increases of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, and for other purposes.

Pensions.  
Service of 90 days or more during War with Spain, Philippine Insurrection, or China Relief Expedition.

If discharged for disability.

Pensionable status on reaching age of 65 years.

Provisos.  
Leaves of absence and furloughs.

Provisions extended to female contract nurses.

Increase for pensioner helpless by age, disability, etc., requiring an attendant.

Commencement of payment.

Payment, if pensioner deceased.

Army and Navy Medal of Honor Roll, pensions not affected.

Provisos.  
Soldiers' Home, etc., inmates.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all persons who served ninety days or more in the military or naval service of the United States during the War with Spain, the Philippine Insurrection, or the China Relief Expedition between the dates of April 21, 1898, and July 4, 1902, both dates inclusive, and who have been honorably discharged therefrom, or who, having served less than ninety days, were discharged for disability incurred in the service in line of duty, upon reaching the age of sixty-five years shall, upon making proof of such fact, be placed upon the pension roll and entitled to receive a pension of \$60 a month: *Provided*, That all leaves of absence and furloughs under General Orders, Numbered 130, August 29, 1898, War Department, shall be included in determining the period of pensionable service: *Provided further*, That the provisions, limitations and benefits of this section be, and hereby are, extended to and shall include any woman who served honorably as a nurse, chief nurse, or superintendent of the Nurse Corps under contract for ninety days or more between April 21, 1898, and February 2, 1901, inclusive, and to any such nurse, regardless of length of service, who was released from service before the expiration of the ninety days because of disability contracted by her while in the service in line of duty.

SEC. 2. Any soldier, sailor, or marine, or nurse with service as defined in section 1 of this Act now on the pension roll or who may be hereafter entitled to a pension under existing laws, or under this Act on account of his service during the War with Spain, the Philippine Insurrection, or China Relief Expedition, who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be given a rate of \$100 a month.

SEC. 3. That the pension or increased rate of pension herein provided for shall commence from the date of filing application therefor after the approval of this Act in such form as may be prescribed by the Administrator of Veterans' Affairs, provided they are entitled to a pension under the provisions of this Act, and the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

SEC. 4. Nothing contained in this Act shall be held to affect or diminish the additional pension to those on the roll designated as the Army and Navy Medal of Honor Roll, as provided by the Act of April 27, 1916, but any pension or increase of pension herein provided for shall be in addition thereto: *Provided*, That no one while an inmate of the United States Soldiers' Home or of any National or State Soldiers' Home, and while the Government of the United States contributes toward defraying the expense incurred in pro-