

“(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

“(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such Act, as amended (29 U. S. C. 159);

“(3) make, or obtain any hearing upon, any charge under section 10 of such Act (29 U. S. C. 160); or

“(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such Act for labor organizations.

“(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

29 USC 167.

“(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such Act, shall be deemed to exist with respect to such bargaining unit; and

29 USC 159.

“(2) the National Labor Relations Board, upon petition of not less than 20 per centum of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such Act (notwithstanding any limitation of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective bargaining purposes, and (B) to determine whether the employees thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such Act.

29 USC 159.

“(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to—

29 USC 159.

“(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

“(2) make or obtain any hearing upon any charge under section 10 of such Act (29 U. S. C. 160); or

“(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such Act for employers.”

SEC. 11. Subsections (a) and (b) of section 14 of such Act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words “section 13”, a comma and the following: “or subsection (f) of section 13A.”

Separability.

SEC. 12. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Approved August 24, 1954, 9:40 a.m., M.S.T.

Public Law 638

CHAPTER 887

AN ACT

August 24, 1954
[H. R. 5314]

To extend the coverage of the Servicemen's Indemnity Act to members of the Reserve Officers' Training Corps when ordered to active training duty for periods in excess of fourteen days.

Be it enacted by the Senate and House of Representatives of the

United States of America in Congress assembled, That section 2 of the Servicemen's Indemnity Act of 1951 is amended by inserting immediately after "including the National Guard when called or ordered to active duty or active training duty for fourteen days or more;" the following: "members of the Reserve Officers' Training Corps, the Naval Reserve Officers' Training Corps, and the Air Force Reserve Officers' Training Corps, when called or ordered to active training duty for fourteen days or more while on such active training duty;"

SEC. 2. The amendment made by this Act shall take effect as of April 25, 1951.

Approved August 24, 1954.

ROTC.
Indemnity insur-
ance.
65 Stat. 33.
38 USC 851.

Effective date.

Public Law 639

CHAPTER 888

AN ACT

August 24, 1954
[H. R. 5832]

To authorize the Commissioner of Public Lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any provision of section 73 of the Hawaiian Organic Act, as amended, or of the Land Laws of Hawaii, as amended, to the contrary notwithstanding, the Commissioner of Public Lands of the Territory of Hawaii, with the approval of the Governor and two-thirds of the members of the Board of Public Lands, in his discretion, may transfer and convey to any applicant who is a citizen of the United States, or who has heretofore legally declared his intentions to become a citizen of the United States, upon his becoming such,

Hawaii.
Sale of lands to
lessees, etc.
31 Stat. 154.
48 USC 663 note,
1509-1512.

- (1) who upon the date of approval of this Act held public lands in the Territory of Hawaii, by lease or revocable permit,
- (2) who on the said date, had, or whose predecessors in interest, or the combination of both, had occupied such land for an aggregate period of not less than five continuous years,
- (3) who while still holding such land by lease or revocable permit, applies for a transfer and conveyance of such public land to himself, and
- (4) who complies with all rules and regulations duly promulgated with regard to such public land,

not more than one-half acre of such land as was in use by the applicant for a house lot or for business purposes, or both, as the case may be, and such adjoining land as may be reasonably required for a right-of-way to a government road, upon the payment of a fair and reasonable price, which price shall be determined by a disinterested appraiser or appraisers, but not more than three, to be appointed by the Governor of Hawaii, all improvements thereon made or purchased by the applicant or his predecessors in interest to be valued at \$1.

SEC. 2. Not more than three acres of public lands immediately adjacent to any cemetery now in existence may, with the consent of such person or persons, if any, as could qualify under section 1 for the purchase of said land, be sold to the owner or owners of said cemetery. This Act, with the exception of paragraphs (1), (2), and (3) of section 1, shall apply to any such sale made to the owner or owners of a cemetery.

Cemetery own-
ers.

SEC. 3. In the case of an applicant giving his consent to a sale to a cemetery pursuant to section 2, or when the Commissioner of Public Lands shall deem it to be in the public interest, he may substitute in place of the lands used by the applicant, or in place of the portion thereof requested by him, as the case may be, other appropriate public lands of no greater area or value, the applicant to bear the cost of the relocation on the substituted land of any improvements.