

Public Law 492

CHAPTER 211

April 27, 1956
[S. 2587]

AN ACT

To amend the Public Health Service Act to authorize the President to make the commissioned corps a military service in time of emergency involving the national defense, and to authorize payment of uniform allowances to officers of the corps in certain grades when required to wear the uniform, and for other purposes.

Public Health
Service.
58 Stat. 690.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 216 of the Public Health Service Act (42 U. S. C. 217) is amended to read as follows:

“USE OF SERVICE IN TIME OF WAR OR EMERGENCY

“SEC. 216. In time of war, or of emergency proclaimed by the President, he may utilize the Service to such extent and in such manner as shall in his judgment promote the public interest. In time of war, or of emergency involving the national defense proclaimed by the President, he may by Executive order declare the commissioned corps of the Service to be a military service. Upon such declaration, and during the period of such war or such emergency or such part thereof as the President shall prescribe, the commissioned corps (a) shall constitute a branch of the land and naval forces of the United States, (b) shall, to the extent prescribed by regulations of the President, be subject to the Uniform Code of Military Justice, and (c) shall continue to operate as part of the Service except to the extent that the President may direct as Commander in Chief.”

58 Stat. 689.

SEC. 2. (a) Section 213 of the Public Health Service Act (42 U. S. C. 214) is amended to read as follows:

Uniform allow-
ance.

“SEC. 213. An allowance of \$250 for uniforms and equipment is authorized to be paid to each commissioned officer of the Service on active duty when required by directive of the Surgeon General to wear a uniform, if at such time the officer is receiving the pay of the junior assistant, assistant, or senior assistant grade; except that no officer who has received such an allowance from the Service shall at any time thereafter be entitled to any further allowance.”

(b) Section 707 of the Act of July 1, 1944 (58 Stat. 713), so renumbered by section 5 of the Act of August 13, 1946 (60 Stat. 1049; 42 U. S. C. 214, note), is repealed.

62 Stat. 40; 58
Stat. 685.

SEC. 3. (a) Section 207 (a) (1) of the Public Health Service Act (42 U. S. C. 209 (a) (1)) is amended by striking out the words “subsection (b)” and inserting in lieu thereof “subsections (b) and (e)”.

62 Stat. 40, 41.

(b) Section 207 of such Act (42 U. S. C. 209) is amended by redesignating subsections (e), (f), (g), and (h) as subsections (f), (g), (h), and (i) respectively and by adding immediately following subsection (d) a new subsection (e) as follows:

Reappointment.

“(e) (1) A former officer of the Regular Corps may, if application for appointment is made within two years after the date of the termination of his prior commission in the Regular Corps, be reappointed to the Regular Corps without examination, except as the Surgeon General may otherwise prescribe, and without regard to the numerical limitations of subsection (b).

Service credit.

“(2) Reappointments pursuant to this subsection may be made to the permanent grade held by the former officer at the time of the termination of his prior commission, or to the next higher grade if such officer meets the eligibility requirements prescribed by regulation for original appointment to such higher grade. For purposes of pay, promotion, and seniority in grade, such reappointed officer shall receive the credits for service to which he would be entitled if such appointment

were an original appointment, but in no event less than the credits he held at the time his prior commission was terminated, except that if such officer is reappointed to the next higher grade he shall receive no credit for seniority in grade.

“(3) No former officer shall be reappointed pursuant to this subsection unless he shall meet such standards as the Secretary may prescribe.”

(c) (1) Section 207 (a) (2) of such Act (42 U. S. C. 209 (a) (2)) is amended by striking out “a period of not more than five years”, and inserting in lieu thereof “an indefinite period”.

62 Stat. 40.

(2) The enactment of paragraph (1) of this subsection shall not affect the term of the commission of any officer in the Reserve Corps in effect on the date of such enactment unless such officer consents in writing to the extension of his commission for an indefinite period, in which event his commission shall be so extended without the necessity of a new appointment.

Terms of commission.

SEC. 4. (a) Section 210 (d) (2) of the Public Health Service Act (42 U. S. C. 211 (d) (2)) is amended by striking out “pay period and for purposes of”.

62 Stat. 43.

SEC. 5. (a) The first sentence of section 211 (a) of the Public Health Service Act (42 U. S. C. 212 (a)) is amended by striking out “active commissioned service” and inserting in lieu thereof “active commissioned or noncommissioned service”.

62 Stat. 46.

(b) Section 211 (b) (1) of such Act (42 U. S. C. 212 (b) (1)) is amended by striking out “active commissioned service, including any such service in the Army, Navy, or Coast Guard” and inserting in lieu thereof “active commissioned or noncommissioned service in the Service, including any active commissioned service in the Armed Forces”.

63 Stat. 835.

(c) Section 211 (c) of such Act (42 U. S. C. 212 (c)) is amended to read as follows:

63 Stat. 835.

“(c) A commissioned officer who has been retired under the provisions of this section may, (1), if an officer of the Regular Corps, be involuntarily recalled to active duty during such times as the Corps may constitute a branch of the land and naval forces of the United States, and (2), if an officer of either the Regular Corps or the Reserve Corps, be recalled to active duty at any time with his consent.”

Recall to active duty.

(d) The proviso of the paragraph headed “RETIRED PAY OF COMMISSIONED OFFICERS”, in chapter 296, 67 Statutes at Large 245, which appears at page 254 (42 U. S. C. 212b) and which reads as follows: “Provided, That hereafter a commissioned officer of the Public Health Service who has been retired may be recalled to active duty, other than in time of war, with his consent”, is repealed.

(e) Section 706 of the Act of July 1, 1944 (58 Stat. 713), so renumbered by section 5 of the Act of August 13, 1946 (60 Stat. 1049), as amended (42 U. S. C. 230), is repealed.

62 Stat. 47.

SEC. 6. (a) Section 218 (a) of the Public Health Service Act (42 U. S. C. 218a (a)) is amended (1) by striking out the words “in the Regular Corps”, and (2) by striking out the words “any educational institution” and inserting in lieu thereof the words “any Federal or non-Federal educational institution or training program”.

62 Stat. 47.

(b) Section 218 (b) of such Act (42 U. S. C. 218a (b)) is amended to read as follows:

62 Stat. 47.

“(b) Any officer whose tuition and fees are paid pursuant to subsection (a) while attending an educational institution or training program for a period in excess of thirty days shall be obligated to reimburse the Service for such tuition and fees if thereafter he voluntarily leaves the Service within whichever of the following periods of active service is the greater: (1) six months, or (2) twice the period

Reimbursement for education.

of such attendance but in no event more than two years. Such subsequent period of service shall commence upon the cessation of such attendance and of any further continuous period of training duty for which no tuition and fees are paid by the Service and which is part of the officer's prescribed formal training program, whether such further training is at a Service facility or otherwise. The Surgeon General may waive, in whole or in part, any reimbursement which may be required by this subsection upon a determination that such reimbursement would be inequitable or would not be in the public interest.

Approved April 27, 1956.

Public Law 493

CHAPTER 212

April 27, 1956
[H. J. Res. 444]

JOINT RESOLUTION

To authorize and request the President to issue a proclamation in connection with the centennial of the birth of Woodrow Wilson.

Woodrow Wilson
Centennial Celebration
Commission.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes", approved August 30, 1954 (68 Stat. 964), is amended by adding at the end thereof the following new section:

Proclamation.

"SEC. 6. The President is authorized and requested to issue a proclamation, as soon as practicable in the year 1956, inviting the people of the United States to observe the centennial anniversary of the birth of Woodrow Wilson with appropriate ceremonies and activities during that year."

Approved April 27, 1956.

Public Law 494

CHAPTER 213

April 27, 1956
[S. 2755]

AN ACT

To designate the reservoir above the Monticello Dam in California as Lake Berryessa.

Lake Berryessa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the reservoir located above the Monticello Dam in Napa County, California, shall hereafter be known as Lake Berryessa, and any law, regulation, document, or record of the United States in which such reservoir is designated or referred to shall be held to refer to such reservoir under and by the name of Lake Berryessa.

Approved April 27, 1956.

Public Law 495

CHAPTER 214

April 27, 1956
[H. R. 6712]

AN ACT

To amend section 1237 of the Internal Revenue Code of 1954.

Taxes.
Capital gains.
68A Stat. 330.
26 USC 1237.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1237 (a) of the Internal Revenue Code of 1954 is amended by striking out "other than a corporation" and inserting: "(including corporations only if no shareholder directly or indirectly holds real property for sale to