

reduce any pension under any law, public or private, and that after March 3, 1927, pensions granted under sections 371 to 375 and sections 381, 381a, and 381b of this title shall commence from the date of filing of application therefor in the Veterans' Administration. (Mar. 3, 1927, c. 320, § 4, 44 Stat. 1363; July 3, 1930, c. 863, § 1, 46 Stat. 1016.)

§ 381d. **Fees of attorneys, etc., for services affecting pensions; penalty for excessive fees or withholding pension money.** No claim agent, attorney, or other person shall contract for, demand, receive, or retain a fee for service in preparing, presenting, or prosecuting claims for the increase of pension provided for in sections 381 and 381a of this title; and no more than the sum of \$10 shall be allowed for such service in other claims thereunder, which sum shall be payable only on the order of the Administrator of Veterans' Affairs; and any person who shall, directly or indirectly, otherwise contract for, demand, receive, or retain a fee for service in preparing, presenting, or prosecuting any claim under said sections or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due to such pensioner or claimant under said sections, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each and every offense be fined not exceeding \$500 or be imprisoned not exceeding one year, or both, in the discretion of the court. (Mar. 3, 1927, c. 320, § 5, 44 Stat. 1363; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

#### Chapter 9.—ARMY AND NAVY MEDAL OF HONOR ROLL

Sec.

- 391. Army and Navy Medal of Honor Roll; persons eligible.
- 392. Same; certificates entitling holder to pension; procedure
- 393. Same; pensions additional to other pensions; liability to attachment, etc.
- 394. Same; one special pension only awarded; rank immaterial.

As affecting this chapter, see chapter 12 of this title.

**Section 391. Army and Navy Medal of Honor Roll; persons eligible.** There is established in the War Department and Navy Department, respectively, a roll designated as "the Army and Navy Medal of Honor Roll." Upon written application made to the Secretary of the proper department, and subject to the conditions and requirements hereinafter contained, the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of sixty-five years, and who has been awarded a medal of honor for having in action involving actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise, shall be, by the Secretary of the proper department, entered and recorded on said roll. Applications for entry on said roll shall be made in such form and under such regulations as shall be prescribed by the War Department and Navy Department, respectively, and proper blanks and instructions shall be, by the proper Secretary, furnished without charge upon request made by any person claiming the benefits of sections 391 to 394 of this title. (Apr. 27, 1916, c. 88, § 1, 39 Stat. 53.)

§ 392. **Same; certificate entitling holder to pension; procedure.** It shall be the duty of the Secretary of War and of the Secretary of the Navy to carry the provisions of sections 391 to 394 of this title into effect and to decide whether each applicant, under said sections, in his department is entitled to the benefit thereof. If the official award of the medal of honor to the applicant, or the official notice to him thereof, shall appear to show that the medal of honor was awarded to the applicant for such an act as is required by the provisions of said sections, it shall be deemed sufficient to entitle the applicant to such special pension without further investigation. Otherwise all official correspondence, orders, reports, recommendations, requests, and other evidence now

on file in any public office or department shall be considered. A certificate of service and of the act of heroism, gallantry, bravery, or intrepidity for which the medal of honor was awarded, and of enrollment under said sections, and of the right of the special pensioner to be entitled to and to receive the special pension herein granted, shall be furnished each person whose name shall be so entered on said roll. The Secretary of War and the Secretary of the Navy shall deliver to the Administrator of Veterans' Affairs a certified copy of each of such of said certificates as he may issue, as aforesaid, and the same shall be full and sufficient authority to the Administrator of Veterans' Affairs for the payment by him to the beneficiary named in each such certificate the special pension herein provided for. (Apr. 27, 1916, c. 88, § 2, 39 Stat. 54; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 393. **Same; pensions additional to other pensions; liability to attachment, etc.** Each such surviving person whose name shall have been entered on said roll in accordance with the provisions of sections 391 to 394 of this title shall be entitled to and shall receive and be paid by the Administrator of Veterans' Affairs, from the moneys appropriated for the payment of invalid and other pensions, a special pension of \$10 per month for life, payable monthly. The Administrator of Veterans' Affairs shall make all necessary rules and regulations for making payment of such special pensions to the beneficiaries thereof.

Such special pension shall begin on the day that such person shall file his application for enrollment on said roll in the office of the Secretary of War or of the Secretary of the Navy, and shall continue during the life of the beneficiary.

Such special pension shall not deprive any such special pensioner of any other pension or of any benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law, but shall be in addition thereto.

The special pension allowed under this section shall not be subject to any attachment, execution, levy, tax, lien, or detention under any process whatever. (Apr. 27, 1916, c. 88, § 3, 39 Stat. 54; June 30, 1916, c. 194, 39 Stat. 242; July 3, 1930, c. 863, § 2, 46 Stat. 1016.)

§ 394. **Same; one special pension only awarded; rank immaterial.** In case any person has been awarded two or more medals of honor, he shall not be entitled to and shall not receive more than one such special pension.

Rank in the service shall not be considered in applications filed hereunder. (Apr. 27, 1916, c. 88, § 4, 39 Stat. 54.)

#### Chapter 10.—WORLD WAR VETERANS' RELIEF

##### PART I.—GENERAL

Sec.

- 421. Citation.
- 422. Purpose; other gratuities or pensions; military or naval retirement laws; compensation to persons receiving active service or retirement pay; compensation under War Risk Insurance Act.
- 423. General definitions. [Obsolete.]
- 424. Definitions of words and phrases.
- 425. United States Veterans' Bureau; establishment; director; appointment; salary; technical and administrative staff. [Superseded.]
- 426. Same; Administrator; powers and duties; duties of officers and employees; rules and regulations; proofs and evidence; forms of applications; investigations; medical examinations; adjudications and awards.
- 427. Statement by Administrator to Congress of employees and rates of pay.
- 428. Report by Administrator to Congress of activities of Veterans' Administration.
- 429. Placement of rehabilitated persons; use of facilities of Department of Labor.
- 430. Central and regional and suboffices of Veterans' Administration; powers.
- 431. Witnesses; subpoenas; contempt; fees.
- 432. Detail of employees to examine claims.
- 433. Opinions of Attorney General.
- 434. Hospitalization, medical care, and treatment of beneficiaries; powers of Administrator; hospital facilities; transfer of hospitals from Treasury and Public Health Department; recreational facilities.
- 435. Additional hospital and out-patient dispensary facilities, Act of 1925; powers of Administrator; fireproof construction; location.