

REFUSAL TO GIVE TESTIMONY

SEC. 409. (a) Any officer or employee of the District who refuses to testify upon matters relating to his office or employment in any proceeding wherein he is a defendant or is called as a witness, upon the ground that his answer may tend to incriminate him or compel him to be a witness against himself, or who refuses so to testify on such ground when called by a grand jury or a congressional committee, shall forfeit his office or employment and any emolument, perquisite, or benefit (by way of pension or otherwise) arising therefrom, and be disqualified from holding any public office or employment under the District.

(b) Any former officer or employee of the District who refuses to testify upon matters relating to his former office or employment in any proceeding wherein he is a defendant or is called as a witness, upon the ground that his answer may tend to incriminate him or compel him to be a witness against himself, or who refuses so to testify on such ground when called by a grand jury or a congressional committee, shall forfeit any emolument, perquisite, or benefit (by way of pension or otherwise) arising from such former office or employment, and be disqualified from holding any public office or employment under the District.

(c) If the retirement pay, pension, or annuity of any officer or employee or former officer or employee of the District is forfeited under this section, there shall be paid to such individual a sum equal to (1) the total amount paid by him as contributions toward such retirement pay, pension, or annuity, plus any accrued interest attributable to such contributions, less (2) the total amount of such retirement pay, pension, or annuity received by him prior to such forfeiture.

CONTEMPT OF THE MUNICIPAL COURT

56 Stat. 193. SEC. 410. (a) Section 5 (c) of the Act of April 1, 1942, as amended (D. C. Code, sec. 11-756 (c)), is amended by inserting before "to punish" the following: "in any case or proceeding, whether civil or criminal."

31 Stat. 1197. (b) The first sentence of section 48 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D. C. Code, sec. 11-606), is amended by striking out "; to punish contempts by fine not exceeding twenty dollars and imprisonment for not more than forty-eight hours, or either, and" and inserting in lieu thereof a comma.

EFFECT OF REORGANIZATION PLAN NUMBERED 5

66 Stat. 824. SEC. 411. Where any provision of this Act, or any amendment made by this Act, refers to an office or agency abolished by Reorganization Plan Numbered 5 of 1952, such reference shall be deemed to be to the office, agency, or officer exercising the functions of the office or agency so abolished.

Approved June 29, 1953.

Public Law 86

CHAPTER 162

AN ACT

June 30, 1953
[H. R. 4233]

To provide for the naturalization of persons serving in the Armed Forces of the United States after June 24, 1950.

Naturalization. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding*

ing the provisions of sections 310 (d) and 318 of the Immigration and Nationality Act, any person, not a citizen, who, after June 24, 1950, and not later than July 1, 1955, has actively served or actively serves, honorably, in the Armed Forces of the United States for a period or periods totaling not less than ninety days and who (1) having been lawfully admitted to the United States for permanent residence, or (2) having been lawfully admitted to the United States, and having been physically present within the United States for a single period of at least one year at the time of entering the Armed Forces, may be naturalized on petition filed not later than December 31, 1955, upon compliance with all the requirements of the Immigration and Nationality Act, except that—

(a) he may be naturalized regardless of age;

(b) no period of residence or specified period of physical presence within the United States or any State after entering the Armed Forces shall be required: *Provided*, That there shall be included in the petition the affidavits of at least two credible witnesses, citizens of the United States, stating that each such witness personally knows the petitioner to be a person of good moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the United States;

(c) the petition for naturalization may be filed in any court having naturalization jurisdiction regardless of the residence of the petitioner;

(d) notwithstanding section 336 (c) of the Immigration and Nationality Act, the petitioner may be naturalized immediately if prior to the filing of the petition, the petitioner and the witnesses shall have appeared before and been examined by a representative of the Immigration and Naturalization Service; and

(e) no fee, except that which may be required by State law, shall be charged or collected for making, filing, or docketing the petition for naturalization, or for the final hearing thereon, or for the certificate of naturalization, if issued.

Service in the Armed Forces of the United States may be proved by a duly authenticated copy of the record of the executive or military department having custody of the record of the petitioner's service, showing that the petitioner is or was during the period or periods hereinbefore described a member serving actively and honorably in such forces and, if separated from such service, that he was not separated under other than honorable conditions; or may be proved by affidavits, forming part of the petition, of at least two citizens of the United States, members of the Armed Forces of the United States, of the noncommissioned or warrant officer grade or higher (who may also be the witnesses described in subsection (b) of this section): *Provided, however*, That no period of service in the Armed Forces of the United States shall be made the basis of a petition for naturalization under this Act if the applicant has previously been naturalized on the basis of the same period of service.

SEC. 2. Any person entitled to naturalization under section 1 of this Act may be naturalized while serving outside the jurisdiction of any naturalization court, upon compliance with applicable provisions of that section without appearing before any such court. The petition for naturalization of any such person shall be made and sworn to before, and filed with a representative of the Immigration and Naturalization Service designated by the Attorney General, which representative is hereby authorized to receive such petition, to conduct hearings thereon, to take testimony concerning any matter touching or in any way affecting the admissibility of such person for natu-

Noncitizens in
Armed Forces.
66 Stat. 239, 244.
8 U S C 1421,
1429.

66 Stat. 163.
8 USC 1101 note.

66 Stat. 257.
8 USC 1447.

Proof of service.

Persons serving
outside court's
jurisdiction.

66 Stat. 258.
8 USC 1448.

ralization, to call witnesses, to administer oaths, including the oath of the petitioner and his witnesses to the petition and the oath prescribed by section 337 of the Immigration and Nationality Act and to grant naturalization and to issue certificates of naturalization: *Provided*, That the record of any proceedings hereunder shall be forwarded to and filed by the clerk of a naturalization court in the district designated by the petitioner and made a part of the record of such court.

Restrictions.

SEC. 3. Any person otherwise qualified for naturalization pursuant to section 1 or 2 of this Act who is or has been discharged under other than honorable conditions from the Armed Forces of the United States, or is discharged therefrom pursuant to an application for discharge made by him on the ground that he is an alien, or who is a conscientious objector who performs or performed no military duty whatever or refused to wear the uniform, shall not be entitled to the benefits of such section 1 or 2 of this Act: *Provided*, That citizenship granted pursuant to section 1 or 2 of this Act may be revoked in accordance with section 340 of the Immigration and Nationality Act if at any time subsequent to naturalization the person is separated from the Armed Forces of the United States under other than honorable conditions, and such ground for revocation shall be in addition to any other provided by law: *Provided further*, That for the purposes of section 340 (f) of the Immigration and Nationality Act, revocation on such ground shall be classified with revocatory action based on section 329 (c) of that Act. The fact that the naturalized person was separated from the service under other than honorable conditions shall be proved by a duly authenticated certification from the executive or military department under which the person was serving at the time of separation.

66 Stat. 260.
8 USC 1451.

66 Stat. 250.
8 USC 1440.

SEC. 4. When used in this Act, the term "United States" means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States.

Approved June 30, 1953.

Public Law 87

CHAPTER 163

JOINT RESOLUTION

June 30, 1953
[S. J. Res. 88]

To authorize the Secretary of Commerce to extend certain charters of vessels to citizens of the Republic of the Philippines, and for other purposes.

Philippines.
Charters of ves-
sels.

60 Stat. 137.
50 USC 1786.

66 Stat. 65.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of existing law, the Secretary of Commerce is authorized to extend and continue the present charters of vessels to citizens of the Republic of the Philippines, which charters were made and entered into under the terms of section 306 (a) of the Act of April 30, 1946 (Public Law 370, Seventy-ninth Congress), and which charters were extended by the Secretary of Commerce under the terms of a joint resolution, approved April 30, 1952 (Public Law 327, Eighty-second Congress). Such charters may be further extended for such periods of time and under such terms and conditions as the Secretary may, from time to time, determine to be required in the interest of the economy of the Philippines, but any such charter shall contain a provision requiring that the vessel shall be operated only in the inter-island commerce in the Philippines. No such vessel shall be continued under charter, as authorized herein, beyond the completion of the first voyage terminating after June 30, 1954.

Approved June 30, 1953.