

“(iii) which, in the production of commodities and in the provision of services during any fiscal year in which it receives financial assistance under this subsection, employs handicapped individuals for not less than 75 per centum of the man-hours required for the production or provision of the commodities or services; or

“(B) to assist any handicapped individual in establishing, acquiring, or operating a small business concern.

“(2) The Administration’s share of any loan made under this subsection shall not exceed \$350,000, nor may any such loan be made if the total amount outstanding and committed (by participation or otherwise) to the borrower from the business loan and investment fund established by section 4(c)(1)(B) of this Act would exceed \$350,000. In agreements to participate in loans on a deferred basis under this subsection, the Administration’s participation may total 100 per centum of the balance of the loan at the time of disbursement. Any loan made under this subsection shall bear interest at the rate of 3 per centum per annum. The maximum term of any such loan, including extensions and renewals thereof, may not exceed fifteen years. All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment: *Provided, however,* That any reasonable doubt shall be resolved in favor of the applicant.

“(3) For purposes of this subsection, the term ‘handicapped individual’ means a person who has a physical, mental, or emotional impairment, defect, ailment, disease, or disability of a permanent nature which in any way limits the selection of any type of employment for which the person would otherwise be qualified or qualifiable.”

Approved October 27, 1972.

Limitation.

80 Stat. 132.  
15 USC 633.

“Handicapped individual.”

Public Law 92-596

AN ACT

October 27, 1972  
[H. R. 14911]

To amend titles 10 and 37, United States Code, to authorize members of the armed forces who are in a missing status to accumulate leave without limitation, to amend title 10, United States Code, to authorize an additional Deputy Secretary of Defense, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 701 of title 10, United States Code, is amended—

(1) by inserting “and subsection (g)” after “subsection (f)” in subsection (b); and

(2) by adding the following new subsection:

“(g) A member who is in a missing status, as defined in section 551(2) of title 37, accumulates leave without regard to the sixty-day limitation in subsection (b) and the ninety-day limitation in subsection (f). Notwithstanding the death of a member while in a missing status, he continues to earn leave through the date—

“(1) the Secretary concerned receives evidence that the member is dead; or

“(2) that his death is prescribed or determined under section 555 of title 37.

Leave accumulated while in missing status shall be accounted for separately. It may not be taken, but shall be paid for under section 501(h) of title 37. However, a member whose death is prescribed or determined under section 555 or 556 of title 37 may, in addition to

Armed Forces.  
Members in  
missing status,  
leave accumula-  
tion.

76 Stat. 492;  
81 Stat. 782.

80 Stat. 625.

80 Stat. 628.

Post, p. 1318.

leave accrued before entering a missing status, accrue not more than one hundred and fifty days' leave during the period he is in a missing status, unless his actual death occurs on a date when, had he lived, he would have accrued leave in excess of one hundred and fifty days, in which event settlement will be made for the number of days accrued to the actual date of death. Leave so accrued in a missing status shall be accounted for separately and paid for under the provisions of section 501 of title 37."

76 Stat. 480.

SEC. 2. Section 501 of title 37, United States Code, is amended—

(1) by striking out "section," in the first sentence of subsection (d) and inserting in place thereof "section and for accumulated leave under subsection (h) of this section,"; and

(2) by adding the following new subsection:

"(h) Payment shall be made for all leave accumulated under section 701(g) of title 10 as soon as possible after the name of the person concerned is removed from a missing status, as defined in section 551(2) of this title."

Ante, p. 1317.

80 Stat. 625.

Effective date.

SEC. 3. The first and second sections of this Act become effective as of February 28, 1961.

SEC. 4. Chapter 4 of title 10, United States Code, is amended as follows:

76 Stat. 518.

(1) Section 134 is amended to read as follows:

**“§ 134. Deputy Secretaries of Defense: appointment; powers and duties; precedence**

“(a) There are two Deputy Secretaries of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate. A person may not be appointed as a Deputy Secretary of Defense within ten years after relief from active duty as a commissioned officer of a regular component of an armed force.

“(b) The Deputy Secretaries shall perform such duties and exercise such powers as the Secretary of Defense may prescribe. The Deputy Secretaries, in the order of precedence, designated by the President shall act for, and exercise the powers of, the Secretary when the Secretary is disabled or there is no Secretary of Defense.

“(c) The Deputy Secretaries take precedence in the Department of Defense immediately after the Secretary.”

76 Stat. 518.

10 USC 135, 136.

(2) Sections 135(c) and 136(e) are each amended by striking out “Deputy Secretary” and inserting in place thereof “Deputy Secretaries”.

(3) The item in the analysis relating to section 134 is amended to read as follows:

“134. Deputy Secretaries of Defense: appointment; powers and duties; precedence.”

70A Stat. 8.

SEC. 5. Section 171(a)(2) of title 10, United States Code, is amended by striking out “the” and inserting in place thereof “a”.

80 Stat. 460.

SEC. 6. Section 5313(1) of title 5, United States Code, is amended to read as follows:

“(1) Deputy Secretaries of Defense (2).”

78 Stat. 169.

SEC. 7. Section 303(c) of the Internal Security Act of 1950 (50 U.S.C. 833(c)) is amended to read as follows:

76 Stat. 517.

“(c) Notwithstanding section 133(d) of title 10, United States Code, only the Deputy Secretaries of Defense and the Director of the National Security Agency may be delegated any authority vested in the Secretary of Defense by subsection (a).”

Approved October 27, 1972.