

(A) any forfeiture occurring before September 1, 1959, or (B) an act or acts which occurred in the Philippine Islands before July 4, 1946.

(2) The Secretary is hereby authorized and directed to review all cases in which, because of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper, a forfeiture of gratuitous benefits under laws administered by the Secretary was imposed, pursuant to this section or prior provisions of law, on or before September 1, 1959. In any such case in which the Secretary determines that the forfeiture would not have been imposed under the provisions of this section in effect after September 1, 1959, the Secretary shall remit the forfeiture, effective June 30, 1972. Benefits to which the individual concerned becomes eligible by virtue of any such remission may be awarded, upon application therefor, and the effective date of any award of compensation, dependency and indemnity compensation, or pension made in such a case shall be fixed in accordance with the provisions of section 5110(g) of this title.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1240, §3503; Pub. L. 86-222, §1, Sept. 1, 1959, 73 Stat. 452; Pub. L. 91-24, §13(a), June 11, 1969, 83 Stat. 34; Pub. L. 92-328, title II, §206, June 30, 1972, 86 Stat. 397; Pub. L. 98-160, title VII, §703(6), Nov. 21, 1983, 97 Stat. 1011; Pub. L. 99-576, title VII, §701(83), Oct. 28, 1986, 100 Stat. 3298; renumbered §6103 and amended Pub. L. 102-40, title IV, §402(b)(1), (d)(1), May 7, 1991, 105 Stat. 238, 239; Pub. L. 102-54, §14(d)(8), June 13, 1991, 105 Stat. 286; Pub. L. 102-83, §4(a)(1), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 403-405; Pub. L. 103-446, title XII, §1201(e)(18), (f)(5), Nov. 2, 1994, 108 Stat. 4686, 4687.)

AMENDMENTS

1994—Subsec. (d)(1). Pub. L. 103-446, §1201(e)(18), in second sentence substituted “(A) any” for “(a) any”, “(B) an act” for “(b) an act”, and “before July 4, 1946” for “prior to July 4, 1946”.

Subsec. (d)(2). Pub. L. 103-446, §1201(f)(5), substituted “June 30, 1972” for “the date of enactment of this amendatory Act”.

1991—Pub. L. 102-40, §402(b)(1), renumbered section 3503 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(a)(1), substituted “administered by the Secretary” for “administered by the Veterans’ Administration” in two places.

Subsec. (b). Pub. L. 102-54, §14(d)(8)(A), amended subsec. (b) as in effect immediately before the enactment of Pub. L. 102-40 by inserting at end “An apportionment award under this subsection may not be made in any case after September 1, 1959.”

Subsec. (d)(1). Pub. L. 102-40, §402(d)(1), substituted “6104” for “3504”.

Subsec. (d)(2). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” in three places.

Pub. L. 102-83, §4(a)(1), substituted “administered by the Secretary” for “administered by the Veterans’ Administration”.

Pub. L. 102-40, §402(d)(1), substituted “5110(g)” for “3010(g)”.

Subsec. (e). Pub. L. 102-54, §14(d)(8)(B), amended section as in effect immediately before the enactment of Pub. L. 102-40 by striking out subsec. (e) which read as follows: “No apportionment award under subsection (b) of this section shall be made in any case after the date of enactment of this subsection.”

1986—Subsec. (c). Pub. L. 99-576, §701(83)(A), substituted “the veteran’s” for “his”.

Subsec. (d)(2). Pub. L. 99-576, §701(83)(B), substituted “the Administrator” for “he” in two places in second sentence.

1983—Subsec. (b). Pub. L. 98-160 substituted “the right” for “his right”, “the veteran’s spouse” for “his wife”, and “spouse” for “wife” in two places.

1972—Subsec. (d). Pub. L. 92-328 designated existing provisions as par. (1) and added par. (2).

1969—Subsec. (d). Pub. L. 91-24 substituted “September 1, 1959” for “the date of enactment of this subsection” wherever appearing.

1959—Subsecs. (d) and (e). Pub. L. 86-222 added subsecs. (d) and (e).

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-328 effective June 30, 1972, see section 301(c) of Pub. L. 92-328, set out as a note under section 3713 of this title.

§ 6104. Forfeiture for treason

(a) Any person shown by evidence satisfactory to the Secretary to be guilty of mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies shall forfeit all accrued or future gratuitous benefits under laws administered by the Secretary.

(b) The Secretary, in the Secretary’s discretion, may apportion and pay any part of benefits forfeited under subsection (a) to the dependents of the person forfeiting such benefits. No dependent of any person shall receive benefits by reason of this subsection in excess of the amount to which the dependent would be entitled if such person were dead.

(c) In the case of any forfeiture under this section there shall be no authority after September 1, 1959 (1) to make an apportionment award pursuant to subsection (b) or (2) to make an award to any person of gratuitous benefits based on any period of military, naval, or air service commencing before the date of commission of the offense.

(Pub. L. 85-857, Sept. 2, 1958, 72 Stat. 1240, §3504; Pub. L. 86-222, §2, Sept. 1, 1959, 73 Stat. 452; Pub. L. 91-24, §13(b), June 11, 1969, 83 Stat. 34; Pub. L. 97-295, §4(78), Oct. 12, 1982, 96 Stat. 1311; Pub. L. 99-576, title VII, §701(84), Oct. 28, 1986, 100 Stat. 3298; renumbered §6104, Pub. L. 102-40, title IV, §402(b)(1), May 7, 1991, 105 Stat. 238; Pub. L. 102-83, §4(a)(1), (b)(1), (2)(E), Aug. 6, 1991, 105 Stat. 403-405.)

AMENDMENTS

1991—Pub. L. 102-40 renumbered section 3504 of this title as this section.

Subsec. (a). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator”.

Pub. L. 102-83, §4(a)(1), substituted “administered by the Secretary” for “administered by the Veterans’ Administration”.

Subsec. (b). Pub. L. 102-83, §4(b)(1), (2)(E), substituted “Secretary” for “Administrator” and “Secretary’s” for “Administrator’s”.

1986—Subsec. (b). Pub. L. 99-576 substituted “the Administrator’s” for “his” and “the dependent” for “he”.

1982—Subsec. (a). Pub. L. 97-295 inserted “to” before “be guilty”.

1969—Subsec. (c). Pub. L. 91-24 substituted “September 1, 1959” for “the date of enactment of this subsection”.

1959—Subsec. (c). Pub. L. 86-222 added subsec. (c).

§ 6105. Forfeiture for subversive activities

(a) Any individual who is convicted after September 1, 1959, of any offense listed in subsection