

the War Shipping Administration or operated by, or for the account of, or at the direction or under the control of the Commission or the Administration, for permanent total or partial disability as long as such disability resulting from causes related to the war effort whether heretofore or hereafter arising exists; such payments to commence if and when insurance benefits provided by the War Shipping Administration for such person shall have been exhausted.

“(d) The War Shipping Administration shall have the right of intervention and a lien and right of recovery in the cases and to the extent of any payments paid and payable under this section or under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, in the manner provided in the last paragraph of subsection (c) of section 105 of the Act approved December 2, 1942 (Public Law 784, 77th Congress; 42 U. S. C., sec. 1701), as amended by Public Law 216, 78th Congress, approved December 23, 1943. Any amounts recovered under this provision shall be covered into the marine and war-risk insurance fund, War Shipping Administration.”

Approved September 30, 1944.

Right of recovery in certain cases.

56 Stat. 214.
46 U. S. C., Supp.
III, §§ 1123-1128h
Ante, p. 216.

56 Stat. 1032.
57 Stat. 627.
42 U. S. C., Supp.
III, § 1705 (c).

[CHAPTER 452]

AN ACT

To authorize the construction and operation of a free highway bridge across the Monongahela River in the county of Allegheny, Pennsylvania.

September 30, 1944
[H. R. 4206]
[Public Law 450]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the county of Allegheny, Pennsylvania, its successors and assigns, is hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto at any or all of the following points within the county of Allegheny, Pennsylvania:

Monongahela River
or
Bridge, Allegheny
County, Pa.

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from the borough of Dravosburg, Pennsylvania, to a terminus at or near the dividing line between the city of McKeesport and the borough of Glassport, Pennsylvania, to replace the existing Dravosburg Bridge, from Dravosburg to McKeesport, Pennsylvania, all in accordance with the provisions of the Act entitled “An Act to regulate the construction of bridges over navigable waters”, approved March 23, 1906, subject to the conditions and limitations contained in this Act.

Dravosburg to McKeesport-Glassport.

SEC. 2. Construction of the bridge authorized by this Act shall commence within three years after its approval by the President of the United States, and shall be completed within five years from the time of the said approval.

34 Stat. 84.
35 U. S. C. §§ 491-493.

Time limitation.

SEC. 3. The right to alter, amend, or repeal this Act is expressly reserved.

Approved September 30, 1944.

[CHAPTER 453]

AN ACT

To amend the Coast Guard Auxiliary and Reserve Act of 1941, as amended.

September 30, 1944
[H. R. 5255]
[Public Law 451]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Coast Guard Auxiliary and Reserve Act of 1941, as amended, be, and the same is, hereby further amended as follows:

Coast Guard Auxiliary and Reserve Act of 1941, amendments.

55 Stat. 9.
14 U. S. C., Supp.
III, § 261.

Section 2 of said Act is hereby amended to read as follows:

Purpose of auxiliary.

"SEC. 2. It is hereby declared to be the purpose of the auxiliary to assist the Coast Guard (a) to promote safety and to effect rescues on and over the high seas and on navigable waters; (b) to promote efficiency in the operation of motorboats and yachts; (c) to foster a wider knowledge of, and better compliance with, the laws, rules, and regulations governing the operation of motorboats and yachts; and (d) to facilitate other operations of the Coast Guard."

55 Stat. 9,
14 U. S. C., Supp.
III, § 262.
Composition.

SEC. 2. Section 3 of said Act is hereby amended to read as follows:

"SEC. 3. The auxiliary shall be composed of citizens of the United States and of its Territories and possessions, including the Philippine Islands, who are owners (sole or part) of motorboats, yachts, aircraft, or radio stations or who by reason of their special training or experience are deemed by the Commandant to be qualified for duty in the auxiliary, and who may be enrolled therein pursuant to regulations prescribed under the authority of this Act."

55 Stat. 10,
14 U. S. C., Supp.
III, § 265.
Craft, etc., placed
at disposition of Coast
Guard.

SEC. 3. Section 6 of said Act is hereby amended to read as follows:

"SEC. 6. The Coast Guard is authorized to utilize in the conduct of duties incident to the saving of life and property, including air-sea rescue operations, in the patrol of marine parades and regattas, or for any other purpose incident to the carrying out of the functions and duties of the Coast Guard which may be authorized by the Secretary of the Treasury (or by the Secretary of the Navy when the Coast Guard operates as part of the Navy), any motorboat, yacht, aircraft, or radio station placed at its disposition for any of such purposes by any member of the auxiliary, by any corporation, partnership, or association, or by any State or political subdivision thereof."

SEC. 4. Said Act is hereby amended by adding thereto a new section 7A and a new section 7B, to read as follows:

Aircraft assigned to
Coast Guard duty.

"SEC. 7A. Any aircraft, while assigned to Coast Guard duty as herein authorized, shall be deemed to be a vessel of the United States Coast Guard within the meaning of the Act of June 15, 1936, as amended (49 Stat. 1514; U. S. C., title 14, sec. 71), and shall be deemed to be a 'public aircraft' within the meaning of the Act of June 23, 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401 et seq.)."

Radio stations.

"SEC. 7B. Any radio station, while assigned to Coast Guard duty as herein authorized, shall be deemed to be a radio station of the United States Coast Guard and a 'Government station' within the meaning of the Act of June 19, 1934, as amended (48 Stat. 1081; U. S. C., title 47, sec. 151 and the following)."

55 Stat. 10,
14 U. S. C., Supp.
III, § 267.
Ante, p. 757.
Availability of
Coast Guard appro-
priations.

SEC. 5. Section 8 of said Act is hereby amended to read as follows:

"SEC. 8. Appropriations of the Coast Guard shall be available for the payment of actual necessary traveling expenses and subsistence of members of the auxiliary assigned to specific duties as herein authorized and for actual necessary expenses of operation of any motorboat, yacht, aircraft, or radio station when assigned to Coast Guard duty, but shall not be available for the payment of compensation for personal services, incident to such operation, to other than personnel of the Regular Coast Guard or Coast Guard Reserve established by title II of this Act. The term 'actual necessary expenses of operation', as used herein, shall include payment for fuel, oil, power, water, supplies, provisions, replacement or repair of equipment, repair of any damaged motorboat, yacht, aircraft, or radio station and for the constructive or actual loss of any motorboat, yacht, aircraft, or radio station where it is determined, under applicable regulations, that responsibility for the loss or damage necessitating such replacement or repair of equipment, or for the damage or constructive or actual loss of such motorboat, yacht, aircraft, or radio station rests with the Coast Guard."

55 Stat. 11,
14 U. S. C., Supp.
III, §§ 301-315.
Actual necessary
expenses of opera-
tion."

SEC. 6. Section 9 of said Act is hereby amended to read as follows:

"SEC. 9. No member of the auxiliary, solely by reason of such membership, shall be vested with or exercise any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard or the Reserve, except that any such member may, under applicable regulations, be assigned specific duties, which, after appropriate training and examination, he has been found competent to perform, to effectuate the purposes of the auxiliary. No member of the auxiliary shall be placed in charge of a motorboat, yacht, aircraft, or radio station assigned to Coast Guard duty unless he has been specifically designated by authority of the Commandant to perform such duty. Members of the auxiliary, when assigned to specific duties as herein authorized, shall, unless otherwise limited by the Commandant, be vested with the same power and authority, in execution of such duties, as members of the regular Coast Guard assigned to similar duty. When any member of the auxiliary is assigned to such duty he may, pursuant to applicable regulations, be paid actual necessary traveling expenses, including a per diem allowance of not to exceed \$6 in lieu of subsistence, while traveling and while on duty away from his home: *Provided, however,* That no per diem shall be paid for any period during which quarters and subsistence in kind are furnished by the Government: *Provided further,* That no per diem shall be paid for any period while such member is performing duty on a vessel."

SEC. 7. Said Act is hereby further amended by adding thereto a new section 11, to read as follows:

"SEC. 11. When any member of the auxiliary is physically injured or dies as a result of physical injury incurred while performing patrol duty or any other specific duty to which he has been assigned as herein authorized, such member or his beneficiary shall be entitled to the same benefits as are now or as may hereafter be provided for temporary members of the Coast Guard Reserve who suffer physical injury or death resulting from physical injury incurred in line of duty. Members of the auxiliary who contract sickness or disease while performing patrol duty or any other specific duty to which they have been assigned as herein authorized shall be entitled to the same hospital treatment as is afforded members of the Regular Coast Guard."

SEC. 8. Said Act is hereby further amended by adding thereto a new section 12, to read as follows:

"SEC. 12. Members of the auxiliary shall be entitled only to such rights, privileges, and benefits as are specifically set forth in this Act for them or as may be specifically provided for them in any other law. Any law which grants rights, privileges, or benefits generally to military personnel or, among others, to personnel of the Coast Guard and the Reserve component thereof, without specifically granting such rights, privileges, or benefits to members of the auxiliary shall not be deemed applicable to members of the auxiliary."

SEC. 9. Section 302 of said Act is hereby amended to read as follows:

"SEC. 302. The Secretary of the Treasury, when the Coast Guard is operating in the Treasury Department, and the Secretary of the Navy, when the Coast Guard operates as part of the Navy, are hereby authorized to prescribe one or more suitable distinguishing flags, pennants, or other identifying insignia to be displayed by the motorboats, yachts, aircraft, and radio stations owned by members of the auxiliary or the Reserve, one or more suitable insignia which may be worn by such members, and one or more suitable uniforms which may be worn by members of the auxiliary. Such flags, pen-

55 Stat. 10.
14 U. S. C. § 268.
Rights, powers, duties, etc., of members.

Assignment limitations.

Traveling expenses.

Per diem restrictions.

Injury or death benefits.

Hospital treatment.

Limitations on rights, privileges, and benefits.

55 Stat. 13.
14 U. S. C., Supp. III, § 352.

Flags, pennants, and insignia.

nants, uniforms, and insignia shall be furnished by the Coast Guard at actual cost, and the proceeds received therefor shall be credited to current appropriations from which replacements are purchased. Any person who shall without proper authority, fly from any building, aircraft, motorboat, yacht, or other vessel, any flag or pennant or display any identifying insignia or wear any insignia of the auxiliary or Reserve, or wear any uniform of the auxiliary shall, upon conviction thereof, be punished by a fine not exceeding \$500."

Approved September 30, 1944.

[CHAPTER 454]

AN ACT

September 30, 1944
[S. 2015]
[Public Law 452]

To liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended.

National Service Life Insurance Act of 1940, amendments.
54 Stat. 1010.
38 U. S. C. § 802 (j).
Restriction on payments to heirs, etc.

Payment of excess reserve and dividends to estate of insured.

56 Stat. 657.
38 U. S. C., Supp. III, § 802 (d) (3) (A).

Total disability in line of duty.

38 Stat. 711; 43 Stat. 607.
38 U. S. C. §§ 287, 357, 502, 575, 421; Supp. III, ch. 10.

54 Stat. 1009.
38 U. S. C. § 802; Supp. III, § 802.

Death prior to continuance of total disability for 6 months.
56 Stat. 653.
38 U. S. C., Supp. III, § 802 (n).
Post, p. 763.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (j) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

"(j) No installments of such insurance shall be paid to the heirs or legal representatives as such of the insured or of any beneficiary, and in the event that no person within the permitted class survives to receive the insurance or any part thereof no payment of the unpaid installments shall be made, except that if the reserve of a contract of converted national service life insurance, together with dividends accumulated thereon, less any indebtedness under such contract, exceeds the aggregate amount paid to beneficiaries, the excess shall be paid to the estate of the insured unless the estate of the insured would escheat under the laws of his place of residence, in which event no payment shall be made."

SEC. 2. That portion of subsection (3) (A) of section 602 (d) of the National Service Life Insurance Act of 1940, as amended, which precedes the first proviso is hereby amended to read as follows:

"(3) (A) Any person in the active service who on or after October 8, 1940, and prior to April 20, 1942, becomes totally disabled as a result of injury or disease incurred in line of duty and such disability continues without interruption for a period of six months or until death intervening prior to the end of such six months' period without having in force at time of incurrence of such disability at least \$5,000 insurance issued under the War Risk Insurance Act, as amended, or the World War Veterans' Act, 1924, as amended, or this Act, shall be deemed to have applied for and to have been granted, effective as of the commencement of such total disability, national service life insurance in an amount which together with any such insurance then in force shall aggregate \$5,000 and such gratuitous insurance shall continue in force without payment of premiums until six months after the insured ceases to be totally disabled or until one year after the date of enactment of this amendatory Act, whichever is the earlier date."

SEC. 3. Section 602 of the National Service Life Insurance Act of 1940 is hereby amended by adding thereto a new subsection (r) to read as follows:

"(r) In any case in which premiums are not waived under subsection (n) hereof solely because the insured died prior to the continuance of total disability for six months, and proof of such facts, satisfactory to the Administrator of Veterans' Affairs, is filed by the beneficiary with the Veterans' Administration within one year after the enactment of this amendment, or one year after the