

[CHAPTER 447]

AN ACT

September 28, 1944
[H. R. 4207]
[Public Law 445]

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

Monongahela
River.
Bridge, Allegheny
County, Pa.

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:

Rankin to Whitaker.

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from the borough of Rankin, Pennsylvania, to the borough of Whitaker, Pennsylvania, to replace the existing Rankin Bridge, 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, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491-498.
Time limitation.

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.

Permit.

SEC. 3. In the event that the United States War Department, Corps of Engineers, has previously held hearings and approved plans and permit issued thereon by the Secretary of War for the aforesaid bridge under the terms of an Act of Congress authorizing construction of the said bridge, Public Act Numbered 210 of the Seventy-sixth Congress, the Secretary of War is authorized by this section to issue a permit for the construction of the said bridge according to the plans previously approved by the United States Department of War, Corps of Engineers.

53 Stat. 1078.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

Approved September 28, 1944.

[CHAPTER 448]

AN ACT

September 30, 1944
[H. R. 2752]
[Public Law 446]

To authorize the acquisition of additional lands and flowage easements for the Pleasant Hill Reservoir, Ohio, and for other purposes.

Pleasant Hill Reservoir,
Ohio.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with the consent of the owners thereof, the Secretary of War in his discretion shall acquire, on behalf of the United States, title in fee simple to, or flowage easements over, such additional lands in the vicinity of Perrysville, Ohio, as the Chief of Engineers may find to be subjected to flooding as a result of the impounding of water in the Pleasant Hill Reservoir, a unit in the Muskingum Watershed flood control project.

Approved September 30, 1944.

[CHAPTER 449]

AN ACT

September 30, 1944
[H. R. 3704]
[Public Law 447]

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

Coast Guard Auxiliary and Reserve Act of 1941, amendments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212 (55 Stat. 12), as amended by the Act of November 23, 1942 (56 Stat.

1021; 14 U. S. C., Supp. III, 312), of the Coast Guard Auxiliary and Reserve Act of 1941, as amended, is further amended to read as follows:

"SEC. 212. (a) In case of physical injury or death resulting from physical injury—

"(1) to any temporary member of the Reserve when incurred after February 19, 1941, in line of duty as a member of the Reserve, while on active duty or engaged in authorized travel to or from such duty; or

"(2) to any member of the Auxiliary not on active duty as a member of the military or naval forces, when incurred after February 19, 1941, while on Coast Guard patrol pursuant to the request of competent Coast Guard authority, and which would have been incurred in line of duty in the active service had he been a member of the Reserve acting under competent orders; the provisions of the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916 (5 U. S. C., ch. 15), as amended, subject to the other subsections of this section, shall apply, and such Act shall be administered by the United States Employees' Compensation Commission (hereinafter called the Commission) in the same manner and to the same extent as if such person were a civil employee of the United States and were injured while in the performance of his duty: *Provided*, That for benefit computation, regardless of pay or pay status, such person shall be deemed to have had monthly pay of \$150.

"(b) This section shall not apply in any case coming within the purview of the workmen's compensation law of any State, Territory, or other jurisdiction because of a concurrent employment status of such member; and where such member or dependent should be entitled to a benefit under this section and also to any concurrent benefit from the United States on account of the same disability or death, such member or dependent shall elect which benefit he shall receive.

"(c) Whenever a claim is filed with the Commission for benefits because of an alleged injury or death within the purview of this section, the Commission shall notify the Commandant and he or his designee shall investigate the facts surrounding such alleged injury and make certification with respect thereto, including certification as to such injured or deceased person's membership in the Reserve or Auxiliary and his military status, and whether the injury or death occurred in line of duty or while on Coast Guard patrol pursuant to request of competent Coast Guard authority. Such certifications shall not excuse the making of such reports as are required by such Act of September 7, 1916.

"(d) Notice of injury and any claim for benefits on account of disability or death within the purview of this section which occurred prior to the enactment of this amendment, may be received as timely filed, if filed within one year from the date of the approval of this amendatory Act.

"(e) In case of physical injury incurred, or sickness or disease contracted (1) by any temporary member of the Reserve while performing active Coast Guard service or (2) by any member of the Auxiliary not a regular or temporary member of the Reserve, while performing active Coast Guard patrol service pursuant to request of competent Coast Guard authority, such person shall be entitled to receive the same hospital treatment as is afforded members of the Regular Coast Guard."

SEC. 2. Section 8, as amended by the Act of June 6, 1942 (56 Stat. 329; 14 U. S. C., Supp. III, 267), of the Coast Guard Auxiliary and

Benefits for injury or death.

Temporary members of Reserve.

Auxiliary on Coast Guard patrol.

Application of Employees' Compensation Act.

39 Stat. 742.
5 U. S. C. §§ 751-791, 793; Supp. III, § 793.
Ante, p. 712; *post*, p. 837.

Benefit computation.

Concurrent employment status.

Election of benefit.

Investigation and certification.

Filing of notices and claims.

Hospital treatment.

Payment for loss of craft in use by Coast Guard.
Post, p. 760.

Reserve Act of 1941, as amended, is further amended by adding at the end thereof the following: "Appropriations of the Coast Guard shall also be available for the payment for constructive or actual total loss occurring after March 1, 1942, of any motorboat or yacht, utilized pursuant to section 6 of this Act, where it is determined under regulations prescribed by the Commandant that responsibility for such loss rests with the Coast Guard."

Approved September 30, 1944.

Post, p. 760.

[CHAPTER 450]

AN ACT

September 30, 1944
[H. R. 4114]
[Public Law 448]

To amend section 3 (b) of Public, 49, Seventy-eighth Congress, first session (War Overtime Pay Act of 1943).

War Overtime Pay Act of 1943, amendment.
57 Stat. 76.
50 U. S. C., Supp. III, app. § 1403 (b).
Additional pay in lieu of overtime pay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 (b) of the War Overtime Pay Act of 1943 (Public, 49, Seventy-eighth Congress) is hereby amended to read as follows:

"Any officer or employee to whom this Act applies and who is entitled to no additional compensation under subsection (a) or subsection (c) for a pay period shall be paid for such pay period, in lieu of overtime compensation under section 2, additional compensation at the rate of (1) \$300 per annum if his earned basic compensation is less than \$2,000 per annum, or (2) 15 per centum of so much of his earned basic compensation as is not in excess of \$2,900 per annum if his earned basic compensation is at the rate of \$2,000 per annum or more, unless his overtime compensation under section 2 for such pay period is at least equal to such additional compensation."

Approved September 30, 1944.

57 Stat. 76.
50 U. S. C., Supp. III, app. § 1402.

[CHAPTER 451]

AN ACT

September 30, 1944
[H. R. 4163]
[Public Law 449]

To amend section 2 of Public Law 17, Seventy-eighth Congress, relating to functions of the War Shipping Administration, and for other purposes.

Seamen's insurance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 (relating to seamen's insurance) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes", approved March 24, 1943 (Public Law 17, Seventy-eighth Congress; 57 Stat. 45), is amended as follows:

57 Stat. 47.
50 U. S. C., Supp. III, app. § 1292.

Waiver of recovery of certain payments.

(1) By inserting after the first sentence of subsection (b) thereof a new sentence to read as follows: "There shall be no recovery of any money paid on account of insurance provided for the master, officers, or members of the crew of, or individuals transported on, any vessel under this subsection or under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, from any person who in the judgment of the Administrator, War Shipping Administration, is without fault, and when in the judgment of the Administrator such recovery would defeat the purposes of benefits otherwise authorized or would be against equity and good conscience."

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

(2) By adding at the end of said section new subsections to read as follows:

Payments for permanent total or partial disability.
39 Stat. 742.
5 U. S. C. §§ 751-791, 793; Supp. III, § 793.
Ante, p. 712; *post*, p. 887.

"(c) The Administrator, War Shipping Administration, is also authorized to make payments, in accordance with rate schedules provided by the United States Employees' Compensation Act, to a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission or