

[CHAPTER 805]

AN ACT

To amend the Act entitled "Compensation for injury, death, or detention of employees of contractors with the United States outside the United States", as amended, for the purpose of making the 100 per centum earning provisions effective as of January 1, 1942.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for other purposes", approved December 2, 1942 (42 U. S. C. 1701), is amended by adding to the final proviso in the last paragraph of section 101 (b) (1) thereof, as added by title I of the Act approved December 23, 1943 (57 Stat. 626), upon changing the final period to a semicolon, the following: "and in such cases benefits for detention shall accrue from January 1, 1942, unless the beginning of absence occurred upon a later date in which event benefits shall accrue from such later date, and for the period of such absence shall be 100 per centum of the average weekly wages, determined as herein provided: *And provided further,* That compensation for disability under this title (except under allowance for scheduled losses of members or functions of the body, within the purview of section 102 (a)) shall not be paid in any case in respect to any period of time during which benefits for detention may accrue under this title in the same case, and should a person entitled to benefits for detention also be entitled to workmen's compensation or similar benefits under any other law, agreement, or plan (except allowances for scheduled losses of members or functions of the body), where such other benefits are paid or to be paid directly or indirectly by the United States, the amount thereof accruing as to the period of absence shall be taken into account and the benefits credited to the account of the detained person reduced accordingly: *And provided further,* That where through mistake of fact, absence or proof of death, or error through lack of adequate information or otherwise, payments as for detention have in any case been erroneously made or credited, any resulting overpayment of detention benefits (the recovery of which is not waived as otherwise provided for in this section) shall be recouped by the Commission in such manner as it shall determine from any unpaid accruals to the account of the detained person, and if such accruals are insufficient for such purpose, then from any allowance of compensation for injury or death in the same case (whether under this title or under any other law, agreement, or plan, if the United States pays, or is obligated to pay, such benefits, directly or indirectly), but only to the extent of the amount of such compensation benefits payable for the particular period of such overpayment, and in cases of erroneous payments of compensation for injury or death, made through mistake of fact, whether under this title or under any other law, agreement, or plan (if the United States is obligated to pay such compensation, directly or indirectly), the Commission is authorized to recoup from any unpaid benefits for detention, the amount of any overpayment thus arising; and any amounts recovered under this section shall be covered into such compensation fund, and for the foregoing purposes the Commission shall have a right of lien, intervention, and recovery in any claim or proceeding for compensation."

SEC. 2. The provisions of section 1 of this Act shall apply in all cases coming within the purview of section 101 (b) of such Act of December 2, 1942, and shall be applied retrospectively to January 1, 1942; and the United States Employees' Compensation Commission is authorized to review any case affected by such provisions, and to make the adjustment of benefits which they require. In cases in which

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[S. 1561]
[Public Law 650]

Contractors with
U. S.
Benefits to certain
employees.

42 U. S. C., Supp.
V, § 1701 (b) (i).
Enemy detention.

Disability compen-
sation.

56 Stat. 1031.
42 U. S. C., Supp.
V, § 1702 (a).

Overpayment of de-
tention benefits, re-
coupment.

Retroactive provi-
sions.

Supra.

Adjudicated claims.

claims for benefits under such section 101 (b) have been adjudicated, and the detained person has died since such adjudication, any amounts found to be due upon such review shall be paid to his legal representative.

Approved August 7, 1946.

[CHAPTER 806]

AN ACT

Granting a right-of-way at a revised location to the West Shore Railroad Company, the New York Central Railroad Company, lessee, across a portion of the military reservation at West Point.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress, assembled, That the consent of the United States is hereby given to the relocation requested by the Secretary of War, of the railroad of the West Shore Railroad Company, the New York Central Railroad Company being the lessee, across the property belonging to the Government at West Point, in the State of New York, and to the maintenance and operation of said railroad upon such relocated line, subject to such conditions and regulations as may be approved by the Secretary of War.

Approved August 7, 1946.

[CHAPTER 807]

AN ACT

To provide for the return of certain securities to the Philippine Commonwealth Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to transfer and deliver to the Republic of the Philippines certain securities in the principal amount of \$6,269,750, which securities were deposited with the Government of the United States by the Philippine Commonwealth Government, and now in the custody of the Treasurer of the United States, in accordance with Commonwealth Act Numbered 282, approved June 3, 1938, as security to the United States against the loss, damage, or destruction of military supplies and equipment made available by the United States for the use of the armed forces of the Philippine Commonwealth Government.

Approved August 7, 1946.

[CHAPTER 808]

AN ACT

To provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York, may be paid into the general fund of such city.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, New York", approved June 16, 1936, is amended by adding at the end thereof the following: "Any unexpended proceeds may be paid by such committee to the city of Albany, New York, for deposit in the general fund of such city."

Approved August 7, 1946.

August 7, 1946

[S. 2020]

[Public Law 651]

West Point, N. Y.
Consent to relocation of railroad.

August 7, 1946

[S. 2210]

[Public Law 652]

Philippines.
Transfer of securities.

August 7, 1946

[S. 2332]

[Public Law 653]

Albany, N. Y.
Proceeds of commemorative coinage.

49 Stat. 1522.