

as amended by the first section of this Act, whichever is applicable, shall be held and considered to be effective as of the first day of the first pay period following the pay period in which the payroll change is approved with respect to such individual.

Approved August 23, 1958.

Public Law 85-738

AN ACT

August 23, 1958
[H. R. 3820]

To amend sections 490 and 645 of title 14, United States Code, relative to the settlement of claims of military and civilian personnel of the Coast Guard, 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 490 of title 14 of the United States Code is amended as follows:

(1) By amending subsection (a) thereof by inserting therein the words "not in excess of \$6,500" after the words "pay any claim".

(2) By redesignating subsections (b), (c), and (d) thereof as (c), (d), and (e), respectively, and by inserting after subsection (a) thereof the following new subsection:

"(b) In the event of the death of any person among the military personnel or civilian employees enumerated in subsection (a), the Secretary may consider, ascertain, adjust, determine, settle, and pay any claim, otherwise cognizable under this section, presented by the survivor of such person for damage to or loss, destruction, capture, or abandonment of the personal property of such person, regardless of whether such damage, loss, destruction, capture, or abandonment occurred concurrently with or subsequent to such death. For the purposes of this section, the term 'survivor' means surviving spouse, child or children, parent or parents, or brothers or sisters or both, of the decedent, and claims by survivors shall be settled and paid in that order of precedence."

(3) By amending redesignated subsection (c) thereof to read as follows:

"(c) No claim shall be settled under this section unless presented in writing within two years after the accident or incident out of which such claim arises has occurred; if such accident or incident occurs in time of war or in time of armed conflict in which the Armed Forces of the United States are engaged, or if war or such armed conflict intervenes within two years after its occurrence, any claim may, on good cause shown, be presented within two years after such good cause ceases to exist, but not later than two years after peace is established or such armed conflict terminates. The dates of commencement and termination of an armed conflict for the purpose of this subsection shall be as established by concurrent resolution of the Congress or by determination of the President."

SEC. 2. Notwithstanding the provisions of section 490 of title 14, United States Code, as amended by this Act, any claim cognizable under that section which has not heretofore been presented for consideration, or has been presented for consideration and disapproved for the reason that the claimant did not file such claim within the time authorized by law, or any claim cognizable thereunder of any survivor which has not heretofore been presented for consideration, or has been presented for consideration and disapproved for the reason that heretofore such survivor acquired no right of recovery under that section may, at the written request of the claimant made within one year from the date of the enactment of this Act, be considered or reconsidered and settled in accordance with the provisions thereof.

Coast Guard.
Personnel
claims.
63 Stat. 534.

Personal prop-
erty.

"Survivor."

Conditions.

SEC. 3. The limitation of \$6,500 inserted in section 490 of title 14, United States Code, by this Act is effective only with respect to claims accruing after the date of enactment of this Act.

Limitation.

SEC. 4. The fourth sentence of 645 (a) of title 14, United States Code, is amended by deleting therefrom the words "The amount allowed on account of personal injury or death shall be limited to reasonable medical, hospital, and burial expenses actually incurred, except that", and by capitalizing the next following word "no".

Medical, etc., expenses.
68 Stat. 1239.

SEC. 5. Section 645 (b) of title 14, United States Code, is amended to read as follows:

"(b) No claim shall be settled under this section unless presented in writing within two years after the occurrence of the accident or incident out of which such claim arises unless it occurs in time of war or armed conflict, or war or armed conflict intervenes within two years after its occurrence, in which event any claim may on good cause shown be presented within two years after peace is established or such armed conflict terminates. The dates of commencement and termination of an armed conflict for the purpose of this section shall be established by concurrent resolution of the Congress or by determination of the President."

Conditions.

SEC. 6. That the amendment made by section 4 of this Act shall be effective only with respect to claims accruing after the date of enactment of this Act.

Applicability.

Approved August 23, 1958.

Public Law 85-739

AN ACT

To amend section 4426 of the Revised Statutes, as amended, with respect to certain small vessels operated by cooperatives or associations in transporting merchandise of members on a nonprofit basis to or from places within the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or to or from places within said inland waters and places within the inland waters of the State of Washington.

August 23, 1958
[S. 1798]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third sentence of section 4426 of the Revised Statutes, as amended (34 Stat. 193; 46 U. S. C. 404), is hereby amended by adding the following proviso at the end thereof: "Provided further, That no vessel under one hundred and fifty gross tons, owned by or demise chartered to any cooperative or association engaged solely in transporting cargo owned by any one or more of the members of such cooperative or association on a nonprofit basis (1) between places within the inland waters of southeastern Alaska, as defined pursuant to section 2 of the Act of February 19, 1895, as amended (28 Stat. 672; 33 U. S. C. 151), or (2) between places within said inland waters of southeastern Alaska and Prince Rupert, British Columbia, or (3) between places within said inland waters of southeastern Alaska and places within the inland waters of the State of Washington, as also defined pursuant to such Act of February 19, 1895, as amended, via sheltered waters, as defined in article I, of the Treaty between United States and Canada defining certain waters of the west coast of North America as sheltered waters, dated December 9, 1933, shall be deemed to be carrying freight for hire within the meaning of this section."

Alaskan ves-
sels.
Transportation
in inland waters,
inspection.

SEC. 2. This Act shall be effective immediately upon enactment and shall apply only to vessels theretofore constructed: *Provided, however,* That on and after March 15, 1960, the transportation herein authorized shall be limited to and from places within said inland

Effective date.