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civilian employee was terminated pursuant to section 4 of the Act of December 22, 1942 (56 Stat. 1073), shall be entitled to receive compensation, based upon her rate of pay as such civilian employee at the time of such termination of service, for the period of any accumulated and accrued annual leave to which she was entitled at the time of such termination of appointment to be computed over the period immediately following separation from civilian service, except that this Act shall not be deemed to authorize payment of any person for any such accumulated and accrued annual leave which was credited to her upon her subsequent employment by any department or agency of the Government.

10 U. S. C., Supp. V, § 81 note.

Approved July 11, 1946.

[CHAPTER 557]

AN ACT

To amend the District of Columbia Unemployment Compensation Act, to provide for unemployment compensation in the District of Columbia, and for other purposes.

July 11, 1946
[S. 2234]
[Public Law 501]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, as amended, is further amended to read as follows:

49 Stat. 946.
D. C. Code §§ 46-301 to 46-324; Supp. V, § 46-301 *et seq.*

Section 3 (c) (5) is amended to read as follows:

57 Stat. 106.
D. C. Code, Supp. V, § 46-303 (c) (5).
Classification of employers.

"(5) The Board shall for any uncompleted portion of the calendar year beginning with the effective date of this Act and for each calendar year thereafter classify employers in accordance with their actual experience in the payment of contributions and with respect to benefits charged against their accounts. Each employer's contribution rate for each subsequent year or part thereof shall be calculated on the basis of his records filed with the Board and benefit payments disbursed through the applicable computation date."

Section 3 (c) (7) is amended to read as follows:

57 Stat. 107.
D. C. Code, Supp. V, § 46-303 (c) (7).
Transferee deemed successor.

"(7) (a) If the business of any employer is transferred in whole or in part, the transferee shall be deemed a successor for the purpose of this section. In case the transfer of any of the assets of a covered employer's business by any means whatever, otherwise than in the ordinary course of trade, such transfer shall be deemed a transfer of business and shall constitute the transferee a successor hereunder, unless the Board, on its own motion or on application of an interested party, finds that all of the following conditions exist:

"(1) The transferee has not assumed any of the transferor's obligations; and

"(2) The transferee has not continued or resumed transferor's good will; and

"(3) The transferee has not continued or resumed the business of the transferor, either in the same establishment or elsewhere; and

"(4) The transferee has not employed substantially the same employees as those the transferor had employed in connection with the assets transferred.

"Employer."

"(b) The successor, if not already subject to this section, shall become an 'employer' subject hereto on the date of such transfer, and shall accordingly become liable for contributions hereunder from and after said date.

Continuation of employer's account.

"(c) The successor shall take over and continue the employer's account, including its reserve and all other aspects of its experience under this section, in proportion to the pay roll or employees assignable to the transferred business as determined for the purposes of this section by the Board. The successor shall be secondarily liable

Liability of successor.

for any amounts owed by the employer to the fund at the time of such transfer; but such liability shall be proportioned to the extent of the transfer of business and shall not exceed the value of the assets transferred.

Benefit chargeability.
57 Stat. 106.
D. C. Code, Supp. V, § 46-303 (c).
Ante, p. 527; *infra*.

"(d) The benefit chargeability of a successor's account under section 3 (c) if not accrued before the transfer date shall begin to accrue on the transfer date, in case the transferor's benefit chargeability was then accruing; or shall begin to accrue on the date otherwise applicable to the successor, or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor's benefit chargeability was not accruing on the transfer date. Similarly, benefits from a successor's account, if not chargeable before the transfer date shall become chargeable on the transfer date, in case the transfer was then chargeable for the benefit payments; or shall become chargeable on the date otherwise applicable to the successor or on the date otherwise applicable to the transferor, whichever is earlier, in case the transferor was chargeable for the benefit payments on the transfer date.

"(e) The account taken over by the successor employer shall remain chargeable with respect to accrued benefit and related rights based on employment in the transferred business, and all such employment shall be deemed employment performed for such employer.

Contribution rates.

"(f) The contribution rates applicable with respect to the accounts of the successor employer and a transferring employer shall be respectively determined or redetermined as of the next preceding June 30 computation date, to apply from the date of transfer of business until the close of the current calendar year, and shall thereafter be determined whenever required by section 3 (c), as follows: For the purposes of section 3 (c), the Board shall determine the 'experience under this section' of the successor employer's account and of the transferring employer's account by allocating to the successor employer's account for each period in question the respective proportions of the transferring employer's pay roll and the benefits which the Board determines to be properly assignable to the business transferred.

Supra.

Application for allowance.
Ante, p. 527.

"(g) SPECIAL COMBINATIONS OF EXPERIENCE—Any successor employer who has failed to obtain credit for its predecessor's experience, solely because of the provisions of section 3 (c) (7) of the Act prior to its amendment by this Act, may file a written application for such allowance after the effective date of this Act. In the event the Board finds that such employer is entitled to such combination of experience under the provisions of section 3 (c) (7) as amended by this Act, the combination shall be allowed effective for the calendar year next succeeding the date of such application."

57 Stat. 107.
D. C. Code, Supp. V, § 46-303 (c) (8).

Section 3 (c) (8) is amended by adding at the end thereof the following subsection:

Readjustments of experience-rating accounts.

"(iii) Except as otherwise provided in this section, whenever through inadvertence or mistake erroneous charges or credits are found to have been made to experience-rating accounts, the same shall be readjusted as of the date of discovery and such readjustment shall not affect any computation or rate assigned prior to the date of discovery but shall be used on the next computation date in calculating future contribution rates."

57 Stat. 108.
D. C. Code, Supp. V, § 46-303 (c) (10).
Contribution Rate Review Committee.

Section 3 (c) (10) is amended by inserting, after the words "employer thereof" found at the end of the third sentence of said section, the following additional sentence: "All such hearings shall be held before a Contribution Rate Review Committee composed of three members who shall be employees of the Board and appointed

by the Board. The findings and decision of this Committee shall not be subject to review by the District Auditor."

This act shall take effect as of 12:01 antemeridian on the first day of the next succeeding calendar quarter following the enactment of this Act.

Effective date.

Approved July 11, 1946.

[CHAPTER 563]

JOINT RESOLUTION

July 11, 1946
[S. J. Res. 160]
[Public Law 502]

To amend the Act of March 22, 1946, for the purpose of correcting the description of the small parcel of land authorized to be conveyed to the State of Wyoming by such Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to convey certain lands to the State of Wyoming", approved March 22, 1946, is amended (1) by striking out "$12" and inserting in lieu thereof "$24"; (2) by striking out "one hundred feet", wherever it occurs in such Act, and inserting in lieu thereof "two hundred feet"; and (3) by striking out "forty-eight one-hundredths" and inserting in lieu thereof "ninety-six one-hundredths".

National Elk Refuge, Wyo.
Ante, p. 58.

Approved July 11, 1946.

[CHAPTER 564]

AN ACT

July 11, 1946
[S. 1979]
[Public Law 503]

To eliminate the restriction on the number of lots which may be acquired by settlers in the town site of Wadsworth, Nevada.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue a patent, pursuant to applicable laws, to any qualified settler in the town site of Wadsworth, Nevada, for more than two lots in that town site as surveyed and platted, notwithstanding the restriction contained in section 2382 of the Revised Statutes. No patent heretofore issued to any settler in the town site for more than two lots shall be vacated or annulled on the ground that it covers more than two lots.

43 U. S. C. § 713.

Approved July 11, 1946.

[CHAPTER 569]

AN ACT

July 12, 1946
[H. R. 6428]
[Public Law 504]

Making appropriations for the Coast Guard, Treasury Department, for the fiscal year ending June 30, 1947, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Coast Guard, Treasury Department, for the fiscal year ending June 30, 1947, namely:

Coast Guard Appropriation Act, 1947.
Post, p. 568.

COAST GUARD

Office of Commandant: For personal services at the seat of government, $1,697,500: *Provided*, That no part of any appropriation contained in this Act shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases the total number of enlisted men detailed to such duty at any time above thirty except that until February 15, 1947, the Commandant may detail such additional number for temporary duty in connection with demobilization and related activities as may be approved by the Bureau of the Budget;

Details at headquarters, restriction.