

interagency effort to promote innovation and economic competitiveness through near-term and long-term basic scientific research and development and the promotion of science, technology, engineering, and mathematics education, consistent with the agency mission, including authorized activities.

(b) Historic foundation

In order to carry out the participation described in subsection (a), the Administrator of the National Oceanic and Atmospheric Administration shall build on the historic role of the National Oceanic and Atmospheric Administration in stimulating excellence in the advancement of ocean and atmospheric science and engineering disciplines and in providing opportunities and incentives for the pursuit of academic studies in science, technology, engineering, and mathematics.

(Pub. L. 110-69, title IV, § 4003, Aug. 9, 2007, 121 Stat. 600.)

§ 893c. Workforce study

(a) In general

The Secretary of Commerce, in cooperation with the Secretary of Education, shall request the National Academy of Sciences to conduct a study on the scientific workforce in the areas of oceanic and atmospheric research and development. The study shall investigate—

(1) whether there is a shortage in the number of individuals with advanced degrees in oceanic and atmospheric sciences who have the ability to conduct high quality scientific research in physical and chemical oceanography, meteorology, and atmospheric modeling, and related fields, for government, non-profit, and private sector entities;

(2) what Federal programs are available to help facilitate the education of students hoping to pursue these degrees;

(3) barriers to transitioning highly qualified oceanic and atmospheric scientists into Federal civil service scientist career tracks;

(4) what institutions of higher education, the private sector, and the Congress could do to increase the number of individuals with such post baccalaureate degrees;

(5) the impact of an aging Federal scientist workforce on the ability of Federal agencies to conduct high quality scientific research; and

(6) what actions the Federal government can take to assist the transition of highly qualified scientists into Federal career scientist positions and ensure that the experiences of retiring Federal scientists are adequately documented and transferred prior to retirement from Federal service.

(b) Coordination

The Secretary of Commerce and the Secretary of Education shall consult with the heads of other Federal agencies and departments with oceanic and atmospheric expertise or authority in preparing the specifications for the study.

(c) Report

No later than 18 months after January 4, 2011, the Secretary of Commerce and the Secretary of Education shall transmit a joint report to each

committee of Congress with jurisdiction over the programs described in section 893a(b) of this title, as amended by section 302 of this Act, detailing the findings and recommendations of the study and setting forth a prioritized plan to implement the recommendations.

(d) Program and plan

The Administrator of the National Oceanic and Atmospheric Administration shall evaluate the National Academy of Sciences study and develop a workforce program and plan to institutionalize the Administration's Federal science career pathways and address aging workforce issues. The program and plan shall be developed in consultation with the Administration's cooperative institutes and other academic partners to identify and implement programs and mechanisms to ensure that—

(1) sufficient highly qualified scientists are able to transition into Federal career scientist positions in the Administration's laboratories and programs; and

(2) the technical and management experiences of senior employees are documented and transferred before leaving Federal service.

(Pub. L. 111-358, title III, § 303, Jan. 4, 2011, 124 Stat. 3998.)

REFERENCES IN TEXT

Section 302 of this Act, referred to in subsec. (c), is section 302 of Pub. L. 111-358, which amended section 893a of this title.

CHAPTER 18—LONGSHORE AND HARBOR WORKERS' COMPENSATION

Sec.	
901.	Short title.
902.	Definitions.
903.	Coverage.
904.	Liability for compensation.
905.	Exclusiveness of liability.
906.	Compensation.
907.	Medical services and supplies.
908.	Compensation for disability.
909.	Compensation for death.
910.	Determination of pay.
911.	Guardian for minor or incompetent.
912.	Notice of injury or death.
913.	Filing of claims.
914.	Payment of compensation.
915.	Invalid agreements.
916.	Assignment and exemption from claims of creditors.
917.	Lien against compensation.
918.	Collection of defaulted payments; special fund.
919.	Procedure in respect of claims.
920.	Presumptions.
921.	Review of compensation orders.
921a.	Appearance of attorneys for Secretary, deputy commissioner, or Board.
922.	Modification of awards.
923.	Procedure before deputy commissioner or Board.
924.	Witnesses.
925.	Witness fees.
926.	Costs in proceedings brought without reasonable grounds.
927.	Powers of deputy commissioners or Board.
928.	Fees for services.
929.	Record of injury or death.
930.	Reports to Secretary.
931.	Penalty for misrepresentation.
932.	Security for compensation.

Sec.	
933.	Compensation for injuries where third persons are liable.
934.	Compensation notice.
935.	Substitution of carrier for employer.
936.	Insurance policies.
937.	Certificate of compliance with chapter.
938.	Penalties.
939.	Administration by Secretary.
940.	Deputy commissioners.
941.	Safety rules and regulations.
942.	Annual report.
943.	Repealed.
944.	Special fund.
945 to 947.	Repealed.
948.	Laws inapplicable.
948a.	Discrimination against employees who bring proceedings; penalties; deposit of payments in special fund; civil actions; entitlement to restoration of employment and compensation, qualifications requirement; liability of employer for penalties and payments; insurance policy exemption from liability.
949.	Effect of unconstitutionality.
950.	Separability.

§ 901. Short title

This chapter may be cited as “Longshore and Harbor Workers’ Compensation Act.”

(Mar. 4, 1927, ch. 509, §1, 44 Stat. 1424; Pub. L. 98-426, §27(d)(1), Sept. 28, 1984, 98 Stat. 1654.)

AMENDMENTS

1984—Pub. L. 98-426 substituted “Longshore” for “Longshoremen’s”.

EFFECTIVE DATE OF 1984 AMENDMENT

Section 28(a)–(g) of Pub. L. 98-426 provided that:

“(a) Except as otherwise provided in this section, the amendments made by this Act [enacting section 942 of this title, amending this section, sections 902 to 910, 912 to 914, 917 to 919, 921 to 923, 928 to 935, 938 to 940, 944, and 948a of this title, and section 932 of Title 30, Mineral Lands and Mining, repealing sections 945 to 947 of this title, and enacting provisions set out as notes under this section and section 907 of this title] shall be effective on the date of enactment of this Act [Sept. 28, 1984] and shall apply both with respect to claims filed after such date and to claims pending on such date.

“(b) The amendments made by sections 7(a), 7(e), 8(f), 11(b), 11(c), and 13 [amending sections 907, 908, 912, and 914 of this title] shall be effective 90 days after the date of enactment of this Act [Sept. 28, 1984] and shall apply both with respect to claims filed after such 90th day and to claims pending on such 90th day.

“(c) The amendments made by sections 2(a), 3(a), 5, and 8(b) [amending sections 902, 903, 905, and 908 of this title] shall apply with respect to any injury after the date of enactment of this Act [Sept. 28, 1984].

“(d) The amendments made by sections 6(a), 8(d), and 9 [amending sections 906, 908, and 909 of this title] shall apply with respect to any death after the date of enactment of this Act [Sept. 28, 1984].

“(e)(1) The amendments made by sections 2(c), 8(c)(1), 8(e)(4), 8(e)(5), 8(g), 10(b), 15 through 20, and 22 through 27 [enacting section 942 of this title, amending this section and sections 902, 908 to 910, 914, 918, 919, 921 to 923, 928 to 932, 934, 935, 938 to 940, 944, and 948a of this title, repealing sections 945 to 947, and enacting provisions set out as a note under this section] shall be effective on the date of enactment of this Act [Sept. 24, 1984].

“(2) The amendments made by sections 7(b), 7(c), 7(d), and 8(h) [amending sections 907 and 908 of this title] shall be effective 90 days after the date of enactment of this Act [Sept. 28, 1984].

“(f) The amendments made by section 6(b) [amending section 906 of this title] shall apply with respect to any injury, disability, or death after the date of enactment of this Act [Sept. 28, 1984].

“(g) For the purpose of this section—

“(1) in the case of an occupational disease which does not immediately result in a disability or death, an injury shall be deemed to arise on the date on which the employee or claimant becomes aware, or in the exercise of reasonable diligence or by reason of medical advice should have been aware, of the disease; and

“(2) the term ‘disability’ has the meaning given such term by section 2(10) of the Act [section 902(10) of this title] as amended by this Act.”

EFFECTIVE DATE

Section 52, formerly §51, of act Mar. 4, 1927, renumbered Oct. 27, 1972, Pub. L. 92-576, §19, 86 Stat. 1263, provided that: “Sections 39 to 48, 50 to 52 [50 to 52, formerly 49 to 51, renumbered Pub. L. 92-576, §19], inclusive [sections 939 to 948, 949, and 950 of this title], shall become effective upon the passage of this Act [Mar. 4, 1927], and the remainder of this Act shall become effective on July 1, 1927.”

SHORT TITLE OF 1984 AMENDMENT

Section 1(a) of Pub. L. 98-426 provided that: “this Act [enacting section 942 of this title, amending this section, sections 902 to 910, 912 to 914, 917 to 919, 921 to 923, 928 to 935, 938 to 940, 944, and 948a of this title, and section 932 of Title 30, Mineral Lands and Mining, repealing sections 945 to 947 of this title, and enacting provisions set out as notes under this section and section 907 of this title] may be cited as the ‘Longshore and Harbor Workers’ Compensation Act Amendments of 1984.’”

SHORT TITLE OF 1972 AMENDMENT

Pub. L. 92-576, §1, Oct. 27, 1972, 86 Stat. 1251, provided: “That this Act [enacting section 948a, amending sections 902, 903, 905 to 910, 912 to 914, 917, 919, 921, 921a, 923, 927, 928, 933, 935, 939, 940, and 944 of this title, and enacting and amending provisions set out as notes under this section and section 902 of this title] may be cited as the ‘Longshoremen’s and Harbor Workers’ Compensation Act Amendments of 1972.’”

REFERENCES TO LONGSHOREMEN’S AND HARBOR WORKERS’ COMPENSATION ACT

Section 27(d)(2) of Pub. L. 98-426 provided that: “Reference in any other statute, regulation, order, or other document to the Longshoremen’s and Harbor Workers’ Compensation Act shall be deemed to refer to the Longshore and Harbor Workers’ Compensation Act.”

§ 902. Definitions

When used in this chapter—

(1) The term “person” means individual, partnership, corporation, or association.

(2) The term “injury” means accidental injury or death arising out of and in the course of employment, and such occupational disease or infection as arises naturally out of such employment or as naturally or unavoidably results from such accidental injury, and includes an injury caused by the willful act of a third person directed against an employee because of his employment.

(3) The term “employee” means any person engaged in maritime employment, including any longshoreman or other person engaged in longshoring operations, and any harbor-worker including a ship repairman, shipbuilder, and ship-breaker, but such term does not include—

(A) individuals employed exclusively to perform office clerical, secretarial, security, or data processing work;

(B) individuals employed by a club, camp, recreational operation, restaurant, museum, or retail outlet;