

ACT JUNE 6, 1941, CH. 174, 55 STAT. 242

§§ 1271 to 1275. Omitted

CODIFICATION

Section 1271, acts June 6, 1941, ch. 174, § 1, 55 Stat. 242; June 16, 1942, ch. 416, 56 Stat. 370; Mar. 24, 1943, ch. 26, § 3(a), 57 Stat. 48, which related to purchase, requisition, etc., of foreign vessels authorized during national emergency and compensation, expired on July 1, 1953. See section 196 of Title 50.

Section 1272, acts June 6, 1941, ch. 174, § 2, 55 Stat. 243; June 16, 1942, ch. 416, 56 Stat. 370, which related to availability of appropriations for carrying out provisions of section 1271 to 1275 of this Appendix, expired on July 1, 1953.

Section 1273, acts June 6, 1941, ch. 174, § 3, 55 Stat. 243; June 16, 1942, ch. 416, 56 Stat. 370; Mar. 24, 1943, ch. 26, § 3(j), 57 Stat. 51, which related to charter of domestic and foreign vessels, expired on July 1, 1953. See sections 197 and 198 of Title 50.

Section 1274, acts June 6, 1942, ch. 174, § 4, 55 Stat. 244; June 16, 1942, ch. 416, 56 Stat. 370; Mar. 24, 1943, ch. 26, § 3(k), 57 Stat. 51, which related to purchase of domestic or foreign vessels, expired on July 1, 1953. See sections 197 and 198 of Title 50.

Section 1275, acts June 6, 1941, ch. 174, § 5, 55 Stat. 244; June 16, 1942, ch. 416, 56 Stat. 370, which related to documentation of vessels requisitioned, purchased, etc., expired on July 1, 1953. See section 198 of Title 50.

Ex. Ord. No. 9848, eff. May 8, 1947, 12 F.R. 3059, and Ex. Ord. No. 8869, eff. Aug. 23, 1941, 6 F.R. 4351, related to administration of sections 1271 to 1275 of this Appendix.

ACT JULY 14, 1941, CH. 297, 55 STAT. 591

§§ 1281 to 1286. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449

Section 1281, acts July 14, 1941, ch. 297, § 1, 55 Stat. 591; June 16, 1942, ch. 416, 56 Stat. 370, related to transportation priorities for merchant vessels during World War II.

Section 1282, acts July 14, 1941, ch. 297, § 2, 55 Stat. 591; June 16, 1942, ch. 416, 56 Stat. 370, related to form and content of warrants.

Section 1283, acts July 14, 1941, ch. 297, § 3, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, related to priorities for vessels holding warrants.

Section 1284, acts July 14, 1941, ch. 297, § 4, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, related to Commission policy regarding priorities.

Section 1285, acts July 14, 1941, ch. 297, § 5, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, defined citizens of the United States for purposes of sections 1281 to 1286 of this Appendix.

Section 1286, acts July 14, 1941, ch. 297, § 6, 55 Stat. 592; June 16, 1942, ch. 416, 56 Stat. 370, related to penalties for violations of sections 1281 to 1286 of this Appendix and jurisdiction of offenses committed in the Canal Zone and the Philippine Islands.

EXTENSION OF TERMINATION DATE

Prior to repeal, sections 1281 to 1286 had been extended until six months after termination of World War II by act June 16, 1942, ch. 416, 56 Stat. 370.

ACT MAR. 24, 1943, CH. 26, 57 STAT. 45

§ 1291. Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions

(a) Officers and members of crews (hereinafter referred to as "seamen") employed on United States or foreign flag vessels as employees of the United States through the War Shipping Ad-

ministration¹ shall, with respect to (1) laws administered by the Public Health Service and the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3) of this section; (2) death, injuries, illness, maintenance and cure, loss of effects, detention, or repatriation, or claims arising therefrom not covered by the foregoing clause (1); and (3) collection of wages and bonuses and making of allotments, have all of the rights, benefits, exemptions, privileges, and liabilities, under law applicable to citizens of the United States employed as seamen on privately owned and operated American vessels. Such seamen, because of the temporary wartime character of their employment by the War Shipping Administration, shall not be considered as officers or employees of the United States for the purposes of the United States Employees Compensation Act, as amended [5 U.S.C. 8101 et seq.]; the Civil Service Retirement Act, as amended [5 U.S.C. 8331 et seq.]; the Act of Congress approved March 7, 1942 (Pub. Law 490, Seventy-seventh Congress) or the Act entitled "An Act to provide benefits for the injury, disability, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor", approved December 2, 1942 (Public Law 784, Seventy-seventh Congress) [42 U.S.C. 1701 et seq.]. Claims arising under clause (1) hereof shall be enforced in the same manner as such claims would be enforced if the seaman were employed on a privately owned and operated American vessel. Any claim referred to in clause (2) or (3) hereof shall, if administratively disallowed in whole or in part, be enforced pursuant to the provisions of the Suits in Admiralty Act [46 U.S.C. 30901 et seq.], notwithstanding the vessel on which the seaman is employed is not a merchant vessel within the meaning of such Act [said sections]. Any claim, right, or cause of action of or in respect of any such seaman accruing on or after October 1, 1941, and prior to the date of enactment of this section [Mar. 24, 1943] may be enforced, and upon the election of the seaman or his surviving dependent or beneficiary, or his legal representative to do so shall be governed, as if this section had been in effect when such claim, right, or cause of action accrued, such election to be made in accordance with rules and regulations prescribed by the Administrator, War Shipping Administration. Rights of any seaman under the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3), and claims therefor shall be governed solely by the provisions of such Act, so amended. When used in this subsection the term "administratively disallowed" means a denial of a written claim in accordance with rules or regulations prescribed by the Administrator, War Shipping Administration. When used in this subsection the terms "War Shipping Administration" and "Administrator, War Shipping Administration" shall be deemed to include the United States Maritime Commission with respect to the period beginning October 1, 1941, and ending February 11, 1942, and the term "seaman" shall be deemed to include any seaman employed as an employee of the United States

¹ See Transfer of Functions note below.

through the War Shipping Administration on vessels made available to or subchartered to other agencies or departments of the United States.

(b)(1) Omitted [Amendment of section 1426 of the Internal Revenue Code of 1939].

(2) Omitted [Amendment of section 209 of the Social Security Act, as amended (42 U.S.C. 409)].

(3) Omitted [Amendment of section 907 of the Social Security Act Amendments of 1939 (53 Stat. 1402)].

(c) The War Shipping Administration and its agents or persons acting on its behalf or for its account may, for convenience of administration, with the approval of the Administrator, make payments of any taxes, fees, charges, or exactions to the United States or its agencies.

(Mar. 24, 1943, ch. 26, §1, 57 Stat. 45; Apr. 4, 1944, ch. 161, §§1, 2, 58 Stat. 188; Mar. 24, 1945, ch. 36, §1(a), 59 Stat. 38.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The United States Employees Compensation Act, as amended, referred to in subsec. (a), is act Sept. 7, 1916, ch. 458, 39 Stat. 742, as amended, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and the provisions thereof were reenacted by the first section thereof as subchapter I (§8101 et seq.) of chapter 81 of Title 5, Government Organization and Employees.

The Civil Service Retirement Act, as amended, referred to in subsec. (a), is act May 29, 1930, ch. 349, 46 Stat. 468, as amended generally by act July 31, 1956, ch. 804, §401, 70 Stat. 743, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and reenacted by the first section thereof as subchapter III (§8331 et seq.) of chapter 83 of Title 5.

The Act of Congress approved March 7, 1942 (Public Law 784, Seventy-seventh Congress), referred to in subsec. (a), is act Mar. 7, 1942, ch. 166, 56 Stat. 143, as amended, popularly known as the Missing Persons Act, and was classified to sections 1001 to 1018 of this Appendix. The Act was repealed by Pub. L. 89-554, Sept. 6, 1966, §8(a), 80 Stat. 632, and reenacted by the first section thereof as subchapter VII of chapter 55 of Title 5, Government Organization and Employees, and chapter 10 of Title 37, Pay and Allowances of the Uniformed Services.

The Act entitled "An Act to provide benefits for the injury, disability, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor", approved December 2, 1942 (Public Law 784, Seventy-seventh Congress), referred to in subsec. (a), is act Dec. 2, 1942, ch. 668, 56 Stat. 1028, as amended, titles I and II of which are popularly known as the War Hazards Compensation Act, and is classified principally to chapter 12 (§1701 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 42 and Tables.

The Suits in Admiralty Act, referred to in subsec. (a), is act Mar. 9, 1920, ch. 95, 41 Stat. 525, which was classified generally to chapter 20 (§§741 to 743, 744 to 752) of former Title 46, Appendix, Shipping, and was repealed and restated in chapter 309 of Title 46, Shipping, by Pub. L. 109-304, §6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710. Section 30901 of Title 46 provides that chapter 309 of Title 46 may be cited as the Suits in Admiralty Act. For disposition of sections of former Title 46, Appendix, to Title 46, see Disposition Table preceding section 101 of Title 46.

AMENDMENTS

1945—Subsec. (b)(1). Act Mar. 24, 1945, inserted last sentence.

1944—Subsec. (b)(1), (2). Act Apr. 4, 1944, inserted provisions excluding from term employment service performed under contract entered into without the United States and during the performance of which the vessel does not touch a port in the United States, or a vessel documented under the laws of a foreign country and bareboat chartered to the War Shipping Administration.

EFFECTIVE DATE

Section 1(b) of act Mar. 24, 1945, provided that the amendment made by that act shall be effective as if made by section 1 of act Mar. 24, 1943.

TRANSFER OF FUNCTIONS

War Shipping Administration terminated as of Sept. 1, 1946, and functions, powers, duties, etc., transferred to United States Maritime Commission for period Sept. 1, 1946, to Dec. 31, 1946, for purpose of liquidating Administration, by act July 8, 1946, ch. 543, title II, §202, 60 Stat. 501.

United States Maritime Commission abolished by Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, which transferred part of its functions and part of functions of its Chairman to Federal Maritime Board and Chairman thereof, that Board having been created by that Plan as an agency within Department of Commerce with an independent status in some respects, and transferred remainder of Commission's functions and functions of its Chairman to Secretary of Commerce, with power vested in Secretary to authorize their performance by Maritime Administrator, the head of Maritime Administration, which likewise was established by the Plan in Department of Commerce with provision that Chairman of Federal Maritime Board should, ex officio, be that Administrator.

Federal Maritime Board, including offices of members of Board, abolished by section 304 of Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 843, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Board transferred either to Federal Maritime Commission or to Secretary of Commerce by sections 103 and 202 of Reorg. Plan No. 7 of 1961.

Maritime Administration transferred from Department of Commerce to Department of Transportation by Maritime Act of 1981, Pub. L. 97-31, Aug. 6, 1981, 95 Stat. 151, which was repealed in part by Pub. L. 109-304, §19, Oct. 6, 2006, 120 Stat. 1710. See section 109 of Title 49, Transportation.

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all agencies of or in Public Health Service transferred to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, 31 F.R. 8855, 80 Stat. 1610, effective June 25, 1966, set out in the Appendix to Title 5, Government Organization and Employees. Secretary of Health, Education, and Welfare redesignated Secretary of Health and Human Services by section 3508(b) of Title 20, Education.

VESSEL OPERATIONS UNDER REVOLVING FUND

Vessel operations conducted under Vessel Operations Revolving Fund, applicability of subsecs. (a) and (c) of this section to, see section 50301(a) to (e) of Title 46, Shipping.

§ 1292. Insurance awards by War Shipping Administrators; findings and actions as conclusive

(a) Repealed. July 25, 1947, ch. 327, §1, 61 Stat. 449.