

713, of the Merchant Marine Act, 1936, as amended," and in subsec. (f)(1), "chapter 575 of title 46," substituted for "title VII of the Merchant Marine Act, 1936, as amended," on authority of Pub. L. 109-304, §18(c), Oct. 6, 2006, 120 Stat. 1709, which Act enacted chapter 575 of Title 46, Shipping.

#### AMENDMENTS

1989—Subsecs. (a), (b), (d). Pub. L. 101-225 struck out subsec. (a) which related to charter of vessels to citizens and publication of domestic prewar cost as a prerequisite, subsec. (b) which related to rate of charter hire, and subsec. (d) which related to computation of charter hire where an operator is engaged in both foreign and domestic trade.

1981—Subsec. (a). Pub. L. 97-31, §12(155)(A), (B), substituted "Secretary" for "Commission" and "his" for "its" wherever appearing.

Subsec. (b). Pub. L. 97-31, §12(155)(A), substituted "Secretary" for "Commission" wherever appearing.

Subsec. (d). Pub. L. 97-31, §12(155)(C), substituted "Secretary of Transportation" for "Maritime Commission".

Subsec. (e). Pub. L. 97-31, §12(155)(D), (E), substituted "Maritime Administration" for "Federal Maritime Board" and "Secretary of Transportation" for "Secretary of Commerce" wherever appearing.

Subsec. (f)(1). Pub. L. 97-31, §12(155)(E), substituted "Secretary of Transportation" for "Secretary of Commerce".

1954—Subsec. (f)(1). Act Aug. 31, 1954, allowed the chartering of war-built passenger vessels.

1950—Subsecs. (e), (f). Act June 30, 1950, added subsecs. (e) and (f).

1947—Subsec. (d). Act June 28, 1947, added subsec. (d).

#### AUTHORIZATION FOR PAYMENTS BY SECRETARY OF COMMERCE TO PERSONS TO WHOM HE CHARTERED VESSELS

Pub. L. 85-721, Aug. 21, 1958, 72 Stat. 710, provided: "That the Secretary of Commerce [now Secretary of Transportation] is authorized to pay to any person to whom he has chartered any vessel under authority of section 5 of the Merchant Ship Sales Act of 1946, as amended (50 U.S.C. App., sec. 1738), out of the Vessel Operations Revolving Fund established in chapter VIII of the Third Supplemental Appropriations [Appropriation] Act, 1951 (46 U.S.C. [App.], sec. 1241a) [now 46 U.S.C. 50301(a) to (e)], an amount equal to the fair and reasonable expenses incurred by such person, as determined by the Maritime Administrator, during the calendar year beginning January 1, 1957, to activate such vessel. Such amount shall be reduced by the amount of the difference, as determined by the Maritime Administrator, between the charter hire which such person paid for such vessel, and the charter hire which was paid for similar vessels which the United States activated at its own expense during such calendar year."

#### § 1738a. Repealed. Pub. L. 101-225, title III, § 307(13), Dec. 12, 1989, 103 Stat. 1925

Section, acts June 29, 1949, ch. 281, §2, 63 Stat. 349; Aug. 6, 1981, Pub. L. 97-31, §12(156), 95 Stat. 167, provided for termination of charters, except passenger vessel charters.

#### § 1738b. Omitted

#### CODIFICATION

Section, Pub. L. 94-121, title III, Oct. 21, 1975, 89 Stat. 628, which related to conditions for chartering vessels, was from the Department of Commerce Appropriation Act, 1976, and was not repeated in subsequent appropriation acts. Similar provisions were contained in the following prior appropriation acts:

Oct. 5, 1974, Pub. L. 93-433, title III, 88 Stat. 1199.

Nov. 6, 1973, Pub. L. 93-162, title III, 87 Stat. 649.

Oct. 25, 1972, Pub. L. 92-544, title III, 86 Stat. 1124.

Aug. 10, 1971, Pub. L. 92-77, title III, 85 Stat. 260.  
 Oct. 21, 1970, Pub. L. 91-472, title III, 84 Stat. 1054.  
 Dec. 24, 1969, Pub. L. 91-153, title III, 83 Stat. 417.  
 Aug. 9, 1968, Pub. L. 90-470, title III, 82 Stat. 682.  
 Nov. 8, 1967, Pub. L. 90-133, title III, 81 Stat. 425.  
 Nov. 8, 1966, Pub. L. 89-797, title III, 80 Stat. 1494.  
 Sept. 2, 1965, Pub. L. 89-164, title III, 79 Stat. 634.  
 Aug. 31, 1964, Pub. L. 88-527, title III, 78 Stat. 726.  
 Dec. 30, 1963, Pub. L. 88-245, title III, 77 Stat. 791.  
 Oct. 18, 1962, Pub. L. 87-843, title III, 76 Stat. 1093.  
 Aug. 3, 1961, Pub. L. 87-125, title II, 75 Stat. 274.  
 May 13, 1960, Pub. L. 86-451, title I, 74 Stat. 97.  
 July 13, 1959, Pub. L. 86-88, title I, 73 Stat. 204.  
 June 25, 1958, Pub. L. 85-469, title I, 72 Stat. 231.  
 June 13, 1957, Pub. L. 85-52, title I, 71 Stat. 74.  
 June 20, 1956, ch. 415, title I, 70 Stat. 318.  
 June 30, 1955, ch. 253, title I, 69 Stat. 231.  
 July 2, 1954, ch. 456, title III, 68 Stat. 426.  
 Aug. 5, 1953, ch. 328, title III, 67 Stat. 381.  
 July 5, 1952, ch. 578, title II, 66 Stat. 414.  
 Aug. 31, 1951, ch. 376, title II, 65 Stat. 286.  
 Sept. 6, 1950, ch. 896, Ch. VIII, title I, 64 Stat. 717.  
 Oct. 10, 1949, ch. 662, title I, 63 Stat. 743.

#### §§ 1739, 1740. Repealed. Pub. L. 101-225, title III, § 307(12), Dec. 12, 1989, 103 Stat. 1925

Section 1739, acts Mar. 8, 1946, ch. 82, §6, 60 Stat. 43; Aug. 6, 1981, Pub. L. 97-31, §12(154), 95 Stat. 167, provided for sale of vessels to non-citizens, sales conditions and priority of mortgage on unpaid balance.

Section 1740, acts Mar. 8, 1946, ch. 82, §7, 60 Stat. 44; Sept. 26, 1950, ch. 1049, §2(a)(2), 64 Stat. 1038; Sept. 27, 1979, Pub. L. 96-70, §3(b)(5), 93 Stat. 455; Aug. 6, 1981, Pub. L. 97-31, §12(154), 95 Stat. 167, provided for order of preference in sales and charters, determining relevant factors, and operation of commercial vessels by Government.

#### § 1741. Exchange of vessels

#### (a) to (c) Repealed. Pub. L. 101-225, title III, § 307(12), Dec. 12, 1989, 103 Stat. 1925

#### (d) Transfer of substitute vessels

In the case of any vessel constructed in the United States after January 1, 1937, which has been taken by the United States for use in any manner, the Secretary, if in his opinion the transfer would aid in carrying out the policies of this Act [sections 1735 to 1746 of this Appendix], is authorized to transfer to the owner of such vessel another vessel which is deemed by the Secretary to be of comparable type with adjustments for depreciation and difference in design or speed, and to the extent applicable, adjustments with respect to the retained vessel as provided for in section 9 [section 1742 of this Appendix], and such other adjustments and terms and conditions, including transfer of mortgage obligations in favor of the United States binding upon the old vessel, as the Secretary may prescribe.

(Mar. 8, 1946, ch. 82, §8, 60 Stat. 45; Pub. L. 97-31, §12(154), Aug. 6, 1981, 95 Stat. 167; Pub. L. 101-225, title III, §307(12), Dec. 12, 1989, 103 Stat. 1925.)

#### AMENDMENTS

1989—Subsecs. (a) to (c). Pub. L. 101-225 struck out subsecs. (a) to (c) which related to allowance as credit on purchase price and vessels acceptable, amount of allowance, and transfers in settlement of claims, respectively.

1981—Pub. L. 97-31 substituted "Secretary" for "Commission" wherever appearing.

#### § 1742. Repealed. Pub. L. 94-412, title V, § 501(g), Sept. 14, 1976, 90 Stat. 1258

Section, acts Mar. 8, 1946, ch. 82, §9, 60 Stat. 46; Aug. 6, 1956, ch. 1013, 70 Stat. 1068, made provision for price