

Soviet or Polish administration. Notwithstanding the provisions of subsection (b) of this section, the effective date of divestment of the trademarks so listed and published in the Federal Register shall be the date of publication in the Federal Register by the Secretary of State of a certification identifying the cases in which an equivalent trademark has been registered in the Federal Republic of Germany for a person residing or having its sole or primary seat in the Federal Republic of Germany or in the western sectors of Berlin. In those cases of an equivalent trademark certified by the Secretary of State, the person registered by the Federal Republic of Germany as owner of such equivalent trademark shall succeed to the ownership of the divested trademark in the United States.

(Oct. 6, 1917, ch. 106, § 42, as added Pub. L. 87-861, § 2, Oct. 23, 1962, 76 Stat. 1139.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (b) and (c), was in the original "this Act", meaning act Oct. 6, 1917, ch. 106, 40 Stat. 411, known as the Trading with the enemy Act, also known as the Trading with the Enemy Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 4301 of this title and Tables.

CODIFICATION

Section was formerly classified to section 43 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

TRANSFER OF FUNCTIONS

Functions vested by law in Alien Property Custodian and Office of Alien Property Custodian transferred to Attorney General by Reorg. Plan No. 1 of 1947, § 101, eff. July 1, 1947, 12 F.R. 4534, 61 Stat. 951, set out in the Appendix to Title 5, Government Organization and Employees.

§ 4341. Motion picture prints, transfer of title**(a) Prints in custody of Library of Congress; exception**

The Attorney General is authorized and directed to transfer to the Library of Congress the title to all prints of motion pictures now in the custody of the Library, which prints were vested in or transferred to the Alien Property Custodian or the Attorney General pursuant to this chapter after December 17, 1941, except prints of motion pictures which are the subject of suits or claims under section 4309(a) or section 4329 of this title.

(b) Prints in custody of Attorney General; exception; right of selection by Library of Congress; disposal of unselected prints by Attorney General

Subject to the right of selection by the Library of Congress, the authorization, direction, and exception contained in subsection (a) hereof shall apply with respect to such prints now in the custody of the Attorney General. Prints not selected by the Library of Congress may be disposed of by the Attorney General in any manner he deems appropriate.

(c) Retention, reproduction, and disposal of prints by Library of Congress

With respect to all prints concerning which title is transferred to the Library of Congress

pursuant to subsections (a) and (b) hereof, the Library shall have complete discretion to retain such prints and to reproduce copies thereof, or to dispose of them in any manner it deems appropriate.

(Oct. 6, 1917, ch. 106, § 43, as added Pub. L. 87-861, § 2, Oct. 23, 1962, 76 Stat. 1140.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this Act", meaning act Oct. 6, 1917, ch. 106, 40 Stat. 411, known as the Trading with the enemy Act, also known as the Trading with the Enemy Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 4301 of this title and Tables.

CODIFICATION

Section was formerly classified to section 44 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

TRANSFER OF FUNCTIONS

Functions vested by law in Alien Property Custodian and Office of Alien Property Custodian transferred to Attorney General by Reorg. Plan No. 1 of 1947, § 101, eff. July 1, 1947, 12 F.R. 4534, 61 Stat. 951, set out in the Appendix to Title 5, Government Organization and Employees.

CHAPTER 54—MERCHANT SHIP SALES

Sec. 4401.	Declaration of policy.
4402.	Definitions.
4403.	Charter of vessels.
4404.	Exchange of vessels.
4405.	National Defense Reserve Fleet.
4406.	Reconversion of vessels for normal commercial operation; applicability of other laws to construction contracts; coastwise trade; disposition of moneys; Great Lakes trade.

ELIMINATION OF TITLE 50, APPENDIX

Act Mar. 8, 1946, ch. 82, 60 Stat. 41, comprising this chapter, was formerly set out in the Appendix to this title, prior to the elimination of the Appendix to this title and the editorial reclassification of the Act as this chapter, see provisions set out as a note preceding section 1 of this title. For disposition of sections of the former Appendix to this title, see the Elimination of Title 50, Appendix note and Table II, set out preceding section 1 of this title.

§ 4401. Declaration of policy

(a) It is necessary for the national security and development and maintenance of the domestic and the export and import foreign commerce of the United States that the United States have an efficient and adequate American-owned merchant marine (1) sufficient to carry its domestic water-borne commerce and a substantial portion of its water-borne export and import foreign commerce and to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce at all times; (2) capable of serving as a naval and military auxiliary in time of war or national emergency; (3) owned and operated under the United States flag by citizens of the United States; (4) composed of the best-equipped, safest, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel; and (5) supplemented by efficient American-owned facilities

for shipbuilding and ship repair, marine insurance, and other auxiliary services.

(b) It is hereby declared to be the policy of this Act to foster the development and encourage the maintenance of such a merchant marine. (Mar. 8, 1946, ch. 82, § 2, 60 Stat. 41.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b), is act Mar. 8, 1946, ch. 82, 60 Stat. 41, known as the Merchant Ship Sales Act of 1946, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

CODIFICATION

Section was formerly classified to section 1735 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

SHORT TITLE

Act Mar. 8, 1946, ch. 82, § 1, 60 Stat. 41, provided that: "This Act [see Tables for classification] may be cited as the 'Merchant Ship Sales Act of 1946'."

TERMINATION DATE

Act Mar. 8, 1946, ch. 82, § 14, 60 Stat. 50, as amended June 28, 1947, ch. 161, § 1, 61 Stat. 190; Feb. 27, 1948, ch. 78, § 1(a), 62 Stat. 38; Feb. 28, 1949, ch. 12, 63 Stat. 9; June 29, 1949, ch. 281, § 1, 63 Stat. 349; June 30, 1950, ch. 427, § 1, 64 Stat. 308; Aug. 17, 1950, ch. 725, 64 Stat. 452, provided that: "No contract of sale shall be made under this Act [see Tables for classification] after January 15, 1951, and no contract of charter shall be made under this Act after June 30, 1950, except as provided for charter under subsections (e) and (f) of section 5 hereof, as amended [50 U.S.C. 4403(e), (f)]."

GREAT LAKES VESSELS

Act Sept. 28, 1950, ch. 1093, § 3, 64 Stat. 1078, provided that: "Contracts for the sale of vessels for exclusive use on the Great Lakes, including the Saint Lawrence River and Gulf and their connecting waterways, may be made until December 31, 1950. Such contracts shall require that transfer to the Great Lakes of such vessels by the buyers shall be completed by December 31, 1951."

§ 4402. Definitions

As used in this Act the term—

(a) "Secretary" means the Secretary of Transportation.

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

(g) "Citizen of the United States" includes a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 50501 of title 46. The term "affiliated interest" as used in sections 9 and 10 of this Act includes any person affiliated or associated with a citizen applicant for benefits under this Act who the Secretary, pursuant to rules and regulations prescribed hereunder, determines should be so included in order to carry out the policy and purposes of this Act.

(Mar. 8, 1946, ch. 82, § 3, 60 Stat. 41; Pub. L. 97-31, § 12(153), Aug. 6, 1981, 95 Stat. 167; Pub. L. 101-225, title III, § 307(12), Dec. 12, 1989, 103 Stat. 1925.)

REFERENCES IN TEXT

This Act, referred to in text, is act Mar. 8, 1946, ch. 82, 60 Stat. 41, known as the Merchant Ship Sales Act of 1946, which is classified principally to this chapter. Section 9 of the Act was formerly classified to section 1742 of the former Appendix to this title, prior to repeal by Pub. L. 94-412, title V, § 501(g), Sept. 14, 1976, 90 Stat.

1258. Section 10 of the Act was formerly classified to section 1743 of the former Appendix to this title, prior to repeal by Pub. L. 101-225, title III, § 307(12), Dec. 12, 1989, 103 Stat. 1925. For complete classification of this Act to the Code, see Short Title note set out under section 4401 of this title and Tables.

CODIFICATION

Section was formerly classified to section 1736 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

In subsec. (g), "section 50501 of title 46" substituted for "section 2 of the Shipping Act of 1916, as amended" which probably meant section 2 of the Shipping Act, 1916, on authority of Pub. L. 109-304, § 18(c), Oct. 6, 2006, 120 Stat. 1709, which Act enacted section 50501 of Title 46, Shipping.

AMENDMENTS

1989—Subsecs. (b) to (f). Pub. L. 101-225 struck out subsecs. (b) to (f) which defined "war-built vessel", "prewar domestic cost", "statutory sales price", "domestic war cost", and "cessation of hostilities", respectively.

1981—Subsec. (a). Pub. L. 97-31, § 12(153)(A), (B), substituted "Secretary" for "Commission" and "Secretary of Transportation" for "United States Maritime Commission".

Subsecs. (c) to (e), (g). Pub. L. 97-31, § 12(153)(C), substituted "Secretary" for "Commission" wherever appearing.

§ 4403. Charter of vessels

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

(c) Laws applicable to charter hire

The provisions of sections 57514 and 57516 to 57521 of title 46 shall be applicable to charters made under this section.

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

(e) Proceedings and findings; extension of charters

(1) Notwithstanding the provisions of sections 11 and 14 of this Act, as amended, war-built dry-cargo vessels owned by the United States on or after June 30, 1950, may be chartered pursuant to this Act for bareboat use in any service which, in the opinion of the Maritime Administration, is required in the public interest and is not adequately served, and for which privately owned American flag vessels are not available for charter by private operators on reasonable conditions and at reasonable rates for use in such service. No charters shall be made by the Secretary of Transportation under authority of this subsection until the Maritime Administration shall have given due notice to all interested parties and shall have afforded such parties an opportunity for a public hearing on such charters and shall have certified its findings to the Secretary of Transportation. The Secretary of Transportation is authorized to include in such charters such restrictions and conditions as the Maritime Administration determines to be necessary or appropriate to protect the public interest in respect of such charters and to protect privately owned vessels against competition from vessels chartered under this section: *Provided, however*, That all such charters shall contain a provision that they will be reviewed and