

insufficient value for commercial and national defense purposes to warrant their maintenance and preservation, and except those vessels, the contracts for the construction of which are made after September 2, 1945, under the provisions of the Merchant Marine Act, 1936, as amended. A vessel under charter on March 1, 1948, shall not be placed in the reserve until the termination of such charter. Unless otherwise provided for by law, all vessels placed in such reserve shall be preserved and maintained by the Secretary of Transportation for the purpose of national defense. A vessel placed in such reserve shall in no case be used for any purpose whatsoever except that any such vessel may be used for account of any agency or department of the United States during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended, and that any such vessel may be used under a bare-boat charter entered into pursuant to authority vested in the Secretary of Transportation on July 1, 1950, or granted to the Secretary of Transportation after such date.

“(b) Any war-built vessel may be made available by the Secretary of Transportation to any State maintaining a marine school or nautical branch in accordance with the Act of July 29, 1941 (Public Law 191, Seventy-seventh Congress; 55 Stat. 607).”

1981—Subsec. (a). Pub. L. 97-31 substituted “Secretary of Transportation” first three times it appears for “Commission” and last two times it appears for “Secretary of Commerce”; “Department of Transportation” for “it”; and “he” for “it”.

Subsec. (b). Pub. L. 97-31 substituted “Secretary of Transportation” for “Commission”.

1950—Subsec. (a). Act June 30, 1950, amended subsec. (a) to provide that a vessel placed in reserve may not be used for any purpose whatsoever except (1) for the account of any Federal agency or department during the period in which vessels may be requisitioned under section 1242 of Title 46 and (2) and any such vessel may be used under a bare-boat charter entered into pursuant to the authority vested in the Secretary of Commerce.

1949—Subsec. (a). Joint Res. June 29, 1949, extended provisions of section from June 30, 1949, to June 30, 1950. Joint Res. Feb. 28, 1949, extended provisions of section from Mar. 1, 1949, to June 30, 1949.

1948—Subsec. (a). Act Feb. 27, 1948, extended provisions of section from Mar. 1, 1948, to Mar. 1, 1949.

1947—Subsec. (a). Act June 28, 1947, extended provisions of section from Dec. 31, 1947, to Mar. 1, 1948.

EFFECTIVE DATE OF 1992 AMENDMENT

Pub. L. 102-587, title VI, §6205(a), Nov. 4, 1992, 106 Stat. 5094, provided in part that: “The effective date of this subsection [amending this section] is December 12, 1989.”

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

VESSEL REPAIR AND MAINTENANCE PILOT PROGRAM

Pub. L. 104-239, §16, Oct. 8, 1996, 110 Stat. 3138, provided that:

“(a) IN GENERAL.—The Secretary of Transportation shall conduct a pilot program to evaluate the feasibility of using renewable contracts for the maintenance and repair of outported vessels in the Ready Reserve Force to enhance the readiness of those vessels. Under the pilot program, the Secretary, subject to the availability of appropriations and within 6 months after the date of the enactment of this Act [Oct. 8, 1996], shall award 9 contracts for this purpose.

“(b) USE OF VARIOUS CONTRACTING ARRANGEMENTS.—In conducting a pilot program under this section, the Secretary of Transportation shall use contracting arrangements similar to those used by the Department of Defense for procuring maintenance and repair of its vessels.

“(c) CONTRACT REQUIREMENTS.—Each contract with a shipyard under this section shall—

“(1) subject to subsection (d), provide for the procurement from the shipyard of all repair and maintenance (including activation, deactivation, and dry-docking) for 1 vessel in the Ready Reserve Force that is outported in the geographical vicinity of the shipyard;

“(2) be effective for 1 fiscal year; and

“(3) be renewable, subject to the availability of appropriations, for each subsequent fiscal year through fiscal year 1998.

“(d) LIMITATION OF WORK UNDER CONTRACTS.—A contract under this section may not provide for the procurement of operation or manning for a vessel that may be procured under another contract for the vessel to which section 11(d)(2) of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1774(d)(2)) [probably means “(50 U.S.C. App. 1744(d)(2))”, now 50 U.S.C. 4405(d)(2)] applies.

“(e) GEOGRAPHIC DISTRIBUTION.—The Secretary shall seek to distribute contract awards under this section to shipyards located throughout the United States.

“(f) REPORTS.—The Secretary shall submit to the Congress—

“(1) an interim report on the effectiveness of each contract under this section in providing for economic and efficient repair and maintenance of the vessel included in the contract, no later than 20 months after the date of the enactment of this Act [Oct. 8, 1996]; and

“(2) a final report on that effectiveness no later than 6 months after the termination of all contracts awarded pursuant to this section.”

§ 4406. Reconversion of vessels for normal commercial operation; applicability of other laws to construction contracts; coastwise trade; disposition of moneys; Great Lakes trade

(a) The Secretary is authorized to reconvert or restore for normal operation in commercial services and to convert for operation on the Great Lakes, including the Saint Lawrence River and Gulf, and their connecting waterways, including removal of national defense or war-service features, any vessel authorized to be sold or chartered under this Act. The Secretary is authorized to make such replacements, alterations, or modifications with respect to any vessel authorized to be sold or chartered under this Act, and to install therein such special features, as may be necessary or advisable to make such vessel suitable for commercial operation on trade routes or services or comparable as to commercial utility to other such vessels of the same general type.

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

(Mar. 8, 1946, ch. 82, §12, 60 Stat. 49; Sept. 28, 1950, ch. 1093, §§1, 2, 64 Stat. 1078; Pub. L. 97-31, §12(158), Aug. 6, 1981, 95 Stat. 168; 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. 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 1745 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1989—Subsecs. (b) to (e). Pub. L. 101-225, which directed repeal of subsecs. (b) to (f), was executed by striking out subsecs. (b) to (e) as the probable intent of Congress because there was no subsec. (f). Subsecs. (b) to (e) provided in subsec. (b) that section 202 of the War Mobilization and Reconversion Act was inapplicable to contracts of the Commission for or relating to construction of ships, in subsec. (c) that no vessel sold or chartered to a citizen of the United States be prohibited from engaging in the coastwise trade of the United States merely because it was under foreign registry on or after May 27, 1941, in subsec. (d) that all moneys received be deposited in the Treasury to the credit of miscellaneous receipts, and in subsec. (e) that the Secretary make allowances to purchasers of not more than ten vessels sold for exclusive use on the Great Lakes.

1981—Subsecs. (a), (c), (d). Pub. L. 97-31, §12(158)(A), substituted “Secretary” for “Commission” wherever appearing.

Subsec. (e). Pub. L. 97-31, §12(158)(B), substituted “Secretary of Transportation” for “Secretary of Commerce”.

1950—Subsec. (a). Act Sept. 28, 1950, §1, provided for conversion for operation on the Great Lakes, including the Saint Lawrence River and Gulf, and their connecting waterways.

Subsec. (e). Act Sept. 28, 1950, §2, added subsec. (e).

CHAPTER 55—DEFENSE PRODUCTION

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ELIMINATION OF TITLE 50, APPENDIX

Act Sept. 8, 1950, ch. 932, 64 Stat. 798, 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.

CODIFICATION

Chapter is comprised of the portions of act Sept. 8, 1950, ch. 932, as amended, that had not previously been repealed when the Act was editorially reclassified as this chapter. As enacted, this Act contained titles I through VII. Titles II, IV, V, and VI of the Act were repealed by Pub. L. 111-67, §2(a)(2), Sept. 30, 2009, 123 Stat. 2007. Titles I, III, and VII of the Act have been codified in this chapter to appear as subchapters I to III, respectively. For complete classification of this Act to the Code, see Tables.

TERMINATION DATE

For termination of certain provisions of this chapter, see section 4564(a) of this title.

§ 4501. Short title

This chapter, divided into subchapters, may be cited as “the Defense Production Act of 1950”.

(Sept. 8, 1950, ch. 932, §1, 64 Stat. 798.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning act Sept. 8, 1950, ch. 932, 64 Stat. 798, known as the Defense Production Act of 1950, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 2061 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

SHORT TITLE OF 2009 AMENDMENT

Pub. L. 111-67, §1(a), Sept. 30, 2009, 123 Stat. 2006, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Reauthorization of 2009’.”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-367, §1, Oct. 8, 2008, 122 Stat. 4026, provided that: “This Act [see Tables for classification] may be cited as the ‘Defense Production Act Extension and Reauthorization of 2008’.”

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110-49, §1(a), July 26, 2007, 121 Stat. 246, provided that: “This Act [see Tables for classification] may be cited as the ‘Foreign Investment and National Security Act of 2007’.”

SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-195, §1, Dec. 19, 2003, 117 Stat. 2892, provided that: “This Act [see Tables for classification]