

(b) The time during which a claimant may file suit of the type described in section 7721 of this title is computed by excluding the time during which a stay under this section or any extension of such a stay is in effect.

(Aug. 10, 1956, ch. 1041, 70A Stat. 484.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7724 .....	46 U.S.C. 792 (less applicability to duration of stay). 46 U.S.C. 796.	July 3, 1944, ch. 399, § 2 (less applicability to duration of stay), 58 Stat. 724. July 3, 1944, ch. 399, § 6, 58 Stat. 726.

In subsection (b) the words “upon a claim against the United States” and “as to any proceedings by or on behalf of such claimant for the taking of a deposition or the production of evidence in connection with or in relation to such claim” are omitted as surplusage.

**§ 7725. Stay extended or shortened**

The Secretary of the Navy, when a stay under this chapter is in effect, may file with the court, or a judge of the court, a certificate extending or shortening the time stated in the prior certificate. The filing of such a new certificate extends or shortens the stay to the period specified in the new certificate or terminates the stay if the new certificate so states.

(Aug. 10, 1956, ch. 1041, 70A Stat. 484.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7725 .....	46 U.S.C. 794 (1st, and 9th (less proviso), sentences).	July 3, 1944, ch. 399, § 4 (1st, and 9th (less proviso), sentences), 58 Stat. 724.

The words “or suspension”, “either of prosecution of the suit or of the taking of testimony”, “during which the prosecution of such suit or taking of such deposition or production of evidence would tend to endanger the security of the United States or of such operations in time of war, or to interfere therewith”, “as the case may be”, and “in relation to which it is made shall continue in effect” are omitted as surplusage.

**§ 7726. Reconsideration of stay**

(a) A claimant or party who considers himself adversely affected by a stay under this chapter may serve a written notice on the Secretary of the Navy at Washington, D.C., requesting him to reconsider the stay previously issued and to issue a new certificate. The notice shall identify the stay by means of an attached copy of the certificate of the Secretary or a sufficient description of the stay. The notice may not contain any recital of the facts or circumstances involved.

(b) Within ten days after receiving notice under this section, the Secretary or his designee shall hold a secret meeting at which the claimant or party, or his representative, may present any facts and arguments he thinks material.

(c) Within ten days after a hearing under this section, the Secretary shall file with the court that ordered the stay a new certificate stating whether the stay is then to be terminated or for what period the stay is to continue in effect. If

the Secretary fails to file a new certificate, the court, upon application by the claimant or party, shall issue an order directing the Secretary to file a new certificate within a specified time.

(Aug. 10, 1956, ch. 1041, 70A Stat. 485.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7726(a) .....	46 U.S.C. 794 (2d, 3d, and 4th sentences).	July 3, 1944, ch. 399, § 4 (2d, 3d, and 4th sentences), 58 Stat. 724.
7726(b) .....	46 U.S.C. 794 (5th sentence).	July 3, 1944, ch. 399, § 4 (5th sentence), 58 Stat. 724.
7726(c) .....	46 U.S.C. 794 (6th and 7th sentences).	July 3, 1944, ch. 399, § 4 (6th and 7th sentences), 58 Stat. 724.

In subsection (a) the words “then in effect”, “upon which the stay is based”, and “for its identification” are omitted as surplusage.

In subsection (b) the words “with respect to whether or not a stay should be issued or maintained” are omitted as surplusage. The words “his designee” are substituted for the words “some official designated by him” for brevity.

In subsection (c) the words “that ordered the stay” are substituted for the words “in which said stay is pending or the court in which the proceeding stayed was instituted” for brevity and clarity.

**§ 7727. Duration of stay**

A stay of proceedings under this chapter remains in effect for the period specified in the certificate upon which it was based unless the Secretary of the Navy issues a new certificate under section 7725 or 7726 of this title changing the termination date. However, a stay under this chapter may not remain in force longer than six months after the cessation of hostilities.

(Aug. 10, 1956, ch. 1041, 70A Stat. 485.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7727 .....	46 U.S.C. 791 (1st sentence as applicable to duration of stay, and proviso as applicable to duration of stay). 46 U.S.C. 792 (as applicable to duration of stay). 646 U.S.C. 794 (8th sentence and proviso of 9th sentence).	July 3, 1944, ch. 399, § 1 (1st sentence as applicable to duration of stay, and proviso as applicable to duration of stay), 58 Stat. 723. July 3, 1944, ch. 399, § 2 (as applicable to duration of stay), 58 Stat. 724. July 3, 1944, ch. 399, § 4 (8th sentence and proviso of 9th sentence), 58 Stat. 724.

**§ 7728. Restricted certificate**

The Secretary of the Navy may restrict a certificate issued under this chapter so that it stays only the taking of testimony of certain witnesses or the production of evidence on certain subjects. The proceedings not stayed may continue.

(Aug. 10, 1956, ch. 1041, 70A Stat. 485.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7728 .....	46 U.S.C. 794 (10th sentence).	July 3, 1944, ch. 399, § 4 (10th sentence), 58 Stat. 724.