

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