

§ 7681. Reciprocal privileges to cobelligerent

(a) A cobelligerent of the United States that consents to the exercise of jurisdiction conferred by section 7652(a) of this title with respect to any prize of the United States brought into the territorial waters of the cobelligerent or appropriated for the use of the United States within those territorial waters shall be given, upon proclamation by the President of the United States, like privileges with respect to any prize captured under the authority of that cobelligerent and brought into the territorial waters of the United States or appropriated for the use of the cobelligerent within the territorial waters of the United States.

(b) Reciprocal recognition shall be given to the jurisdiction acquired by courts of a cobelligerent under this section and full faith and credit shall be given to all proceedings had or judgments rendered in the exercise of that jurisdiction.

(Aug. 10, 1956, ch. 1041, 70A Stat. 483.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7681	34 U.S.C. 1165.	Aug. 18, 1942, ch. 553, § 7, 56 Stat. 747.

The words “taking or” before “appropriation” and the words “taken or” before “appropriated” are omitted as surplusage.

RECIPROCAL PRIVILEGES

The Governments listed below are accorded like privileges with respect to prizes captured under authority of the said Governments and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Governments, namely: Australia, Proc. No. 2617, Aug. 16, 1944, 9 F.R. 9969; Canada, Proc. No. 2594, Sept. 27, 1943, 8 F.R. 13217; India, Proc. No. 2601, Dec. 6, 1943, 8 F.R. 16351; New Zealand, Proc. No. 2582, Apr. 2, 1943, 8 F.R. 4275; United Kingdom, Proc. No. 2575, Feb. 2, 1944, 8 F.R. 1429.

CHAPTER 657—STAY OF JUDICIAL PROCEEDINGS

Sec.	
7721.	Scope of chapter.
7722.	Stay of suit.
7723.	Stay of proceedings for preserving evidence after stay of suit.
7724.	Stay of proceedings for taking evidence before suit is filed.
7725.	Stay extended or shortened.
7726.	Reconsideration of stay.
7727.	Duration of stay.
7728.	Restricted certificate.
7729.	Investigation before issue of certificate.
7730.	Evidence admissible when witness is not available.

§ 7721. Scope of chapter

(a) This chapter applies to any suit against the United States under chapter 311 of title 46 for—

(1) damage caused by a vessel in the naval service; or

(2) compensation for towage or salvage services, including contract salvage, rendered to a vessel in the naval service.

(b) In this chapter, the term “vessel in the naval service” means—

(1) any vessel of the Navy, manned by the Navy, or chartered on bareboat charter to the Navy; or

(2) when the Coast Guard is operating as a service in the Navy, any vessel of the Coast Guard, manned by the Coast Guard, or chartered on bareboat charter to the Coast Guard.

(Aug. 10, 1956, ch. 1041, 70A Stat. 483; Pub. L. 96-513, title V, § 513(43), Dec. 12, 1980, 94 Stat. 2935; Pub. L. 100-26, § 7(k)(10), Apr. 21, 1987, 101 Stat. 284; Pub. L. 103-35, title II, § 201(c)(11), May 31, 1993, 107 Stat. 98; Pub. L. 109-304, § 17(a)(6), Oct. 6, 2006, 120 Stat. 1706.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7721(a)	46 U.S.C. 791 (2d sentence).	July 3, 1944, ch. 399, § 1 (2d sentence), 58 Stat. 723.
7721(b)	46 U.S.C. 793.	July 3, 1944, ch. 399, § 3, 58 Stat. 724.

In subsection (a) the words “wherein a claim is made” are omitted as surplusage. The words “vessel in the naval service” are substituted for the words “vessel in the Navy, or in the naval service” for brevity. No change in meaning results, since the term used in subsection (a) is defined in subsection (b).

In subsection (b) the words “service in” are substituted for the words “part of” to conform to the terminology used in 14 U.S.C. 3.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-304 substituted “chapter 311 of title 46” for “the Act of March 3, 1925 (commonly referred to as the ‘Public Vessels Act’) (46 U.S.C. App. 781-790)”.

1993—Subsec. (a). Pub. L. 103-35 substituted “(46 U.S.C. App. 781-790)” for “(46 U.S.C. 781-790)”.

1987—Subsec. (b). Pub. L. 100-26 inserted “, the term” after “In this chapter”.

1980—Subsec. (a). Pub. L. 96-513 substituted “the Act of March 3, 1925 (commonly referred to as the ‘Public Vessels Act’) (46 U.S.C. 781-790)” for “sections 781-790 of title 46”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-513 effective Dec. 12, 1980, see section 701(b)(3) of Pub. L. 96-513, set out as a note under section 101 of this title.

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.

§ 7722. Stay of suit

(a) Whenever in time of war the Secretary of the Navy certifies to a court, or to a judge of a court, in which a suit described in section 7721 of this title is pending, that the prosecution of the suit would tend to endanger the security of naval operations in the war, or would tend to interfere with those operations, all further proceedings in the suit shall be stayed.

(b) A stay under this section does not suspend the issue of process to take or preserve evidence to be used in the trial or prevent the completion