

§ 30917. Disposition of amounts recovered by the United States

Amounts recovered in a civil action brought by the United States on a claim arising from the ownership, possession, or operation of a merchant vessel, or the ownership, possession, or carriage of cargo, shall be deposited in the Treasury to the credit of the department of the United States Government, or the federally-owned corporation, having control of the vessel or cargo, for reimbursement of the appropriation, insurance fund, or other fund from which the compensation for which the judgment was recovered was or will be paid.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1520.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30917, 46 App.:751., Mar. 9, 1920, ch. 95, §11, 41 Stat. 528; Pub. L. 97-31, §12(25)(D), Aug. 6, 1981, 95 Stat. 155.

The words "or in connection with" and "with respect to which such cause of action arises" are omitted as unnecessary.

§ 30918. Reports

The Secretary of each department of the United States Government, and the board of trustees of each federally-owned corporation, shall report to Congress at each session thereof all arbitration awards and settlements agreed to under this chapter since the previous session, for which the time to appeal has expired or been waived.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 30918, 46 App.:752., Mar. 9, 1920, ch. 95, §12, 41 Stat. 528; Aug. 30, 1954, ch. 1076, §1(26), 68 Stat. 968; Pub. L. 97-31, §12(25)(E), Aug. 6, 1981, 95 Stat. 155.

CHAPTER 311—SUITS INVOLVING PUBLIC VESSELS

- Sec. 31101. Short title. 31102. Waiver of immunity. 31103. Applicable procedure. 31104. Venue. 31105. Security when counterclaim filed. 31106. Exoneration and limitation. 31107. Interest. 31108. Arbitration, compromise, or settlement. 31109. Payment of judgment or settlement. 31110. Subpoenas to officers or members of crew. 31111. Claims by nationals of foreign countries. 31112. Lien not recognized or created. 31113. Reports.

§ 31101. Short title

This chapter may be cited as the "Public Vessels Act".

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31101, 46 App.:781 note.

SHORT TITLE

Act of March 3, 1925, ch. 428, 43 Stat. 1112, which enacted chapter 22 (§781 et seq.) of the former Appendix to this title, was popularly known as the "Public Vessels Act", prior to being repealed and restated in this chapter by Pub. L. 109-304, §6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710.

§ 31102. Waiver of immunity

(a) IN GENERAL.—A civil action in personam in admiralty may be brought, or an impleader filed, against the United States for—

- (1) damages caused by a public vessel of the United States; or (2) compensation for towage and salvage services, including contract salvage, rendered to a public vessel of the United States.

(b) COUNTERCLAIM OR SETOFF.—If the United States brings a civil action in admiralty for damages caused by a privately owned vessel, the owner of the vessel, or the successor in interest, may file a counterclaim in personam, or claim a setoff, against the United States for damages arising out of the same subject matter.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31102(a), 46 App.:781., Mar. 3, 1925, ch. 428, §1, 43 Stat. 1112. Row 2: 31102(b), 46 App.:783 (words before proviso), Mar. 3, 1925, ch. 428, §3 (words before proviso), 43 Stat. 1112.

In this section, the words "civil action" are substituted for "libel" because of rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (a), the words "Provided, That the cause of action arose after the 6th day of April, 1920" are omitted as unnecessary.

In subsection (b), the words "in rem or in personam" are omitted as unnecessary. The words "file a counterclaim in personam, or claim a setoff" are substituted for "file a cross libel in personam or claim a set-off or counterclaim" to conform to the terminology in the Federal Rules of Civil Procedure and to eliminate unnecessary words. The words "for damages arising out of the same subject matter" are substituted for "in such suit for and on account of any damages arising out of the same subject matter or cause of action" to eliminate unnecessary words.

§ 31103. Applicable procedure

A civil action under this chapter is subject to the provisions of chapter 309 of this title except to the extent inconsistent with this chapter.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 31103, 46 App.:782 (last sentence words before last comma), Mar. 3, 1925, ch. 428, §2 (last sentence words before last comma), 43 Stat. 1112.