

Secretary of Commerce for Export Administration and issuance of regulations.

Section 4618, Pub. L. 96-72, §16, Sept. 29, 1979, 93 Stat. 533; Pub. L. 99-64, title I, §117, July 12, 1985, 99 Stat. 153, defined terms as used in this chapter. See section 4801 of this title.

Section 4619, Pub. L. 96-72, §17, Sept. 29, 1979, 93 Stat. 534; Pub. L. 99-64, title I, §118, July 12, 1985, 99 Stat. 154, related to effect of this chapter on other laws authorizing control over exports. See section 4825 of this title.

Section 4620, Pub. L. 96-72, §18, Sept. 29, 1979, 93 Stat. 534; Pub. L. 97-145, §2(a), Dec. 29, 1981, 95 Stat. 1727; Pub. L. 99-64, title I, §119, July 12, 1985, 99 Stat. 154; Pub. L. 99-633, §1, Nov. 7, 1986, 100 Stat. 3522; Pub. L. 100-418, title II, §2430, Aug. 23, 1988, 102 Stat. 1362; Pub. L. 103-10, §1, Mar. 27, 1993, 107 Stat. 40, related to authorization of appropriations.

Section 4621, Pub. L. 96-72, §19(a), Sept. 29, 1979, 93 Stat. 535, set forth the effective date of this chapter.

Former sections 4614 to 4621 were formerly classified to sections 2411 to 2418 of the former Appendix to this title, respectively, prior to editorial reclassification and renumbering.

Prior sections 2411 to 2413 of the former Appendix to this title expired with the expiration of Pub. L. 91-184 on Sept. 30, 1979.

Section 2411, Pub. L. 91-184, §12, Dec. 30, 1969, 83 Stat. 846, related to the effect of other acts on provisions of the Export Administration Act of 1969.

Section 2412, Pub. L. 91-184, §14, formerly §13, Dec. 30, 1969, 83 Stat. 847; renumbered §14, Pub. L. 95-52, title I, §102, June 22, 1977, 91 Stat. 235, set forth the effective date of the Export Administration Act of 1969.

Section 2413, Pub. L. 91-184, §15, formerly §14, Dec. 30, 1969, 83 Stat. 847; Pub. L. 92-37, June 30, 1971, 85 Stat. 89; Pub. L. 92-150, Oct. 30, 1971, 85 Stat. 416; Pub. L. 92-284, Apr. 29, 1972, 86 Stat. 133; Pub. L. 92-412, title I, §106, Aug. 29, 1972, 86 Stat. 646; Pub. L. 93-327, June 30, 1974, 88 Stat. 287; Pub. L. 93-372, Aug. 14, 1974, 88 Stat. 444; Pub. L. 93-500, §13, Oct. 29, 1974, 88 Stat. 1557; renumbered §15 and amended Pub. L. 95-52, title I, §§101, 102, June 22, 1977, 91 Stat. 235, provided for the termination of authority granted by the Export Administration Act of 1969.

APPLICATION OF CERTAIN PROVISIONS OF EXPORT ADMINISTRATION ACT OF 1979

Pub. L. 113-276, title II, §209, Dec. 18, 2014, 128 Stat. 2994, provided that:

“(a) PROTECTION OF INFORMATION.—Section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)) [former 50 U.S.C. 4614(c)] has been in effect from August 20, 2001, and continues in effect on and after the date of the enactment of this Act [Dec. 18, 2014], pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and notwithstanding section 20 of the Export Administration Act of 1979 (50 U.S.C. App. 2419) [former 50 U.S.C. 4622]. Section 12(c)(1) of the Export Administration Act of 1979 is a statute covered by section 552(b)(3) of title 5, United States Code.

“(b) TERMINATION DATE.—Subsection (a) terminates at the end of the 4-year period beginning on the date of the enactment of this Act [Dec. 18, 2014].”

§§ 4622, 4623. Repealed. Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232

Section 4622, Pub. L. 96-72, §20, Sept. 29, 1979, 93 Stat. 535; Pub. L. 98-108, §1, Oct. 1, 1983, 97 Stat. 744; Pub. L. 98-207, Dec. 5, 1983, 97 Stat. 1391; Pub. L. 98-222, Feb. 29, 1984, 98 Stat. 36; Pub. L. 99-64, title I, §120, July 12, 1985, 99 Stat. 155; Pub. L. 100-418, title II, §2431, Aug. 23, 1988, 102 Stat. 1362; Pub. L. 103-10, §2, Mar. 27, 1993, 107 Stat. 40; Pub. L. 103-277, July 5, 1994, 108 Stat. 1407; Pub. L. 106-508, Nov. 13, 2000, 114 Stat. 2360, set forth the termination date of this chapter.

Section 4623, Pub. L. 96-72, §21, Sept. 29, 1979, 93 Stat. 535, set forth savings provisions relating to the Export

Control Act of 1949 and the Export Administration Act of 1969.

Former sections 4622 and 4623 were formerly classified to sections 2419 to 2420 of the former Appendix to this title, respectively, prior to editorial reclassification and renumbering.

CONTINUATION OF EXPORT CONTROL REGULATIONS

Provisions relating to continued effectiveness of the Export Administration Act of 1979, 50 U.S.C. 4601 et seq., and to issuance and continued effectiveness of rules, regulations, orders, licenses, and other forms of administrative action and delegations of authority relating to administration of that Act, were contained in the following:

Ex. Ord. No. 13222, Aug. 17, 2001, 66 F.R. 44025, and notices of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 13206, Apr. 4, 2001, 66 F.R. 18397, listed in a table under section 1701 of this title.

Ex. Ord. No. 12924, Aug. 19, 1994, 59 F.R. 43437, revoked by Ex. Ord. No. 13206, §1, Apr. 4, 2001, 66 F.R. 18397, and notices of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 12923, June 30, 1994, 59 F.R. 34551, revoked by Ex. Ord. No. 12924, §4, Aug. 19, 1994, 59 F.R. 43438, listed in a table under section 1701 of this title.

Ex. Ord. No. 12867, Sept. 30, 1993, 58 F.R. 51747, listed in a table under section 1701 of this title.

Ex. Ord. No. 12730, Sept. 30, 1990, 55 F.R. 40373, revoked by Ex. Ord. No. 12867, Sept. 30, 1993, 58 F.R. 51747, and notices of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 12525, July 12, 1985, 50 F.R. 28757, listed in a table under section 1701 of this title.

Ex. Ord. No. 12470, Mar. 30, 1984, 49 F.R. 13099, revoked by Ex. Ord. No. 12525, July 12, 1985, 50 F.R. 28757, and notice of continuation, listed in a table under section 1701 of this title.

Ex. Ord. No. 12451, Dec. 20, 1983, 48 F.R. 56563, listed in a table under section 1701 of this title.

Ex. Ord. No. 12444, Oct. 14, 1983, 48 F.R. 48215, revoked by Ex. Ord. No. 12451, Dec. 20, 1983, 48 F.R. 56563, listed in a table under section 1701 of this title.

CHAPTER 57—CLAIMS UNDER THE CLARIFICATION ACT

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| Sec.
4701. | Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions. |
| 4702. | Insurance awards by War Shipping Administrators; findings and actions as conclusive. |
| 4703. | Payment of compensation; insurance. |
| 4704. | United States as entitled to all benefits of exemption and limitation of liability accorded to owners of vessels. |
| 4705. | Termination of section 4701(a); authority of United States Maritime Commission vested in Administrator of War Shipping Administration. |

CODIFICATION

Act Mar. 24, 1943, ch. 26, 57 Stat. 45, 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. For disposition of sections of the former Appendix to this title, see Table II, set out preceding section 1 of this title.

§ 4701. Rights of American seamen on privately owned and operated American vessels extended to seamen employed through the War Shipping Administration; exceptions; definitions

(a) Officers and members of crews (hereinafter referred to as “seamen”) employed on United

States or foreign flag vessels as employees of the United States through the War Shipping Administration¹ shall, with respect to (1) laws administered by the Public Health Service and the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3) of this section; (2) death, injuries, illness, maintenance and cure, loss of effects, detention, or repatriation, or claims arising therefrom not covered by the foregoing clause (1); and (3) collection of wages and bonuses and making of allotments, have all of the rights, benefits, exemptions, privileges, and liabilities, under law applicable to citizens of the United States employed as seamen on privately owned and operated American vessels. Such seamen, because of the temporary wartime character of their employment by the War Shipping Administration, shall not be considered as officers or employees of the United States for the purposes of the United States Employees Compensation Act, as amended [5 U.S.C. 8101 et seq.]; the Civil Service Retirement Act, as amended [5 U.S.C. 8331 et seq.]; the Act of Congress approved March 7, 1942 (Pub. Law 490, Seventy-seventh Congress) or the Act entitled "An Act to provide benefits for the injury, disability, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor", approved December 2, 1942 (Public Law 784, Seventy-seventh Congress) [42 U.S.C. 1701 et seq.]. Claims arising under clause (1) hereof shall be enforced in the same manner as such claims would be enforced if the seaman were employed on a privately owned and operated American vessel. Any claim referred to in clause (2) or (3) hereof shall, if administratively disallowed in whole or in part, be enforced pursuant to the provisions of the Suits in Admiralty Act [46 U.S.C. 30901 et seq.], notwithstanding the vessel on which the seaman is employed is not a merchant vessel within the meaning of such Act. Any claim, right, or cause of action of or in respect of any such seaman accruing on or after October 1, 1941, and prior to March 24, 1943, may be enforced, and upon the election of the seaman or his surviving dependent or beneficiary, or his legal representative to do so shall be governed, as if this section had been in effect when such claim, right, or cause of action accrued, such election to be made in accordance with rules and regulations prescribed by the Administrator, War Shipping Administration. Rights of any seaman under the Social Security Act [42 U.S.C. 301 et seq.], as amended by subsection (b)(2) and (3), and claims therefor shall be governed solely by the provisions of such Act, so amended. When used in this subsection the term "administratively disallowed" means a denial of a written claim in accordance with rules or regulations prescribed by the Administrator, War Shipping Administration. When used in this subsection the terms "War Shipping Administration" and "Administrator, War Shipping Administration" shall be deemed to include the United States Maritime Commission with respect to the period beginning October 1, 1941, and ending February 11, 1942, and the term "seaman" shall be deemed to include any seaman employed as an employee

of the United States through the War Shipping Administration on vessels made available to or subchartered to other agencies or departments of the United States.

(b) Omitted.

(c) The War Shipping Administration and its agents or persons acting on its behalf or for its account may, for convenience of administration, with the approval of the Administrator, make payments of any taxes, fees, charges, or exactions to the United States or its agencies.

(Mar. 24, 1943, ch. 26, §1, 57 Stat. 45; Apr. 4, 1944, ch. 161, §§1, 2, 58 Stat. 188; Mar. 24, 1945, ch. 36, §1(a), 59 Stat. 38.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (a), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, which is classified generally to chapter 7 (§301 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The United States Employees Compensation Act, as amended, referred to in subsec. (a), is act Sept. 7, 1916, ch. 458, 39 Stat. 742, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and the provisions thereof were reenacted by the first section thereof as subchapter I (§8101 et seq.) of chapter 81 of Title 5, Government Organization and Employees.

The Civil Service Retirement Act, as amended, referred to in subsec. (a), is act May 29, 1930, ch. 349, 46 Stat. 468, as amended generally by act July 31, 1956, ch. 804, §401, 70 Stat. 743, which was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, and reenacted by the first section thereof as subchapter III (§8331 et seq.) of chapter 83 of Title 5.

The Act of Congress approved March 7, 1942 (Public Law 784, Seventy-seventh Congress), referred to in subsec. (a), is act Mar. 7, 1942, ch. 166, 56 Stat. 143, as amended, popularly known as the Missing Persons Act, and was classified to sections 1001 to 1018 of the former Appendix to this title. The Act was repealed by Pub. L. 89-554, Sept. 6, 1966, §8(a), 80 Stat. 632, and reenacted by the first section thereof as subchapter VII of chapter 55 of Title 5, Government Organization and Employees, and chapter 10 of Title 37, Pay and Allowances of the Uniformed Services.

The Act entitled "An Act to provide benefits for the injury, disability, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor", approved December 2, 1942 (Public Law 784, Seventy-seventh Congress), referred to in subsec. (a), is act Dec. 2, 1942, ch. 668, 56 Stat. 1028, titles I and II of which are popularly known as the War Hazards Compensation Act, and is classified principally to chapter 12 (§1701 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 42 and Tables.

The Suits in Admiralty Act, referred to in subsec. (a), is act Mar. 9, 1920, ch. 95, 41 Stat. 525, which was classified generally to chapter 20 (§§741 to 743, 744 to 752) of former Title 46, Appendix, Shipping, and was repealed and restated in chapter 309 of Title 46, Shipping, by Pub. L. 109-304, §§6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710. Section 30901 of Title 46 provides that chapter 309 of Title 46 may be cited as the Suits in Admiralty Act. For disposition of sections of former Title 46, Appendix, to Title 46, see Disposition Table preceding section 101 of Title 46.

CODIFICATION

Section was formerly classified to section 1291 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

Section is comprised of section 1 of act Mar. 24, 1943. In subsec. (b) of section 1 of the Act, par. (1) amended

¹ See Transfer of Functions note below.

section 1426 of the Internal Revenue Code of 1939, act Feb. 10, 1939, ch. 2, 53 Stat. 177, which was repealed by section 7851 of the Internal Revenue Code of 1986, Title 26; par. (2) amended section 409 of Title 42, The Public Health and Welfare; and par. (3) amended section 907 of the Social Security Act Amendments of 1939, act Aug. 10, 1939, ch. 666, title IX, §907, 53 Stat. 1402, which is not classified to the Code.

SHORT TITLE

Act Mar. 24, 1943, ch. 26, 57 Stat. 45, which enacted this chapter, is popularly known as the Clarification Act.

TRANSFER OF FUNCTIONS

War Shipping Administration terminated as of Sept. 1, 1946, and functions, powers, duties, etc., transferred to United States Maritime Commission for period Sept. 1, 1946, to Dec. 31, 1946, for purpose of liquidating Administration, by act July 8, 1946, ch. 543, title II, §202, 60 Stat. 501.

United States Maritime Commission abolished by Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, which transferred part of its functions and part of functions of its Chairman to Federal Maritime Board and Chairman thereof, that Board having been created by that Plan as an agency within Department of Commerce with an independent status in some respects, and transferred remainder of Commission's functions and functions of its Chairman to Secretary of Commerce, with power vested in Secretary to authorize their performance by Maritime Administrator, the head of Maritime Administration, which likewise was established by the Plan in Department of Commerce with provision that Chairman of Federal Maritime Board should, ex officio, be that Administrator.

Federal Maritime Board, including offices of members of Board, abolished by section 304 of Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, 26 F.R. 7315, 75 Stat. 843, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Board transferred either to Federal Maritime Commission or to Secretary of Commerce by sections 103 and 202 of Reorg. Plan No. 7 of 1961.

Maritime Administration transferred from Department of Commerce to Department of Transportation by Maritime Act of 1981, Pub. L. 97-31, Aug. 6, 1981, 95 Stat. 151, which was repealed in part by Pub. L. 109-304, §19, Oct. 6, 2006, 120 Stat. 1710. See section 109 of Title 49, Transportation.

Functions of Public Health Service, Surgeon General of Public Health Service, and all other officers and employees of Public Health Service, and functions of all agencies of or in Public Health Service transferred to Secretary of Health, Education, and Welfare by Reorg. Plan No. 3 of 1966, 31 F.R. 8855, 80 Stat. 1610, effective June 25, 1966, set out in the Appendix to Title 5, Government Organization and Employees. Secretary of Health, Education, and Welfare redesignated Secretary of Health and Human Services by section 3508(b) of Title 20, Education.

VESSEL OPERATIONS UNDER REVOLVING FUND

Vessel operations conducted under Vessel Operations Revolving Fund, applicability of subsecs. (a) and (c) of this section to, see section 50301(a) to (e) of Title 46, Shipping.

§ 4702. Insurance awards by War Shipping Administrators; findings and actions as conclusive

(a) Omitted.

(b) Whenever the Administrator, War Shipping Administration,¹ finds that, on or after October

1, 1941, and before thirty days after March 24, 1943, a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission, the War Shipping Administration, or the War Department² or operated by, or for the account of, or at the direction or under the control of the Commission, the Administration, or the War Department, has suffered death, injury, detention, or other casualty, for which the War Shipping Administration would be authorized to provide insurance under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended by this Act, the Administrator may declare that such death, injury, detention, or other casualty, shall be deemed and considered to be covered by such insurance at the time of the disaster or accident, if the Administrator finds that such action is required to make equitable provision for loss or injury related to the war effort and not otherwise adequately provided for: *Provided*, That in making provision for insurance under this subsection the Administrator shall not provide for payments in excess of those generally provided for in comparable cases under insurance hereafter furnished under the said Subtitle—Insurance of title II, as amended: *Provided further*, That any money paid to any person by reason of insurance provided for under this subsection shall apply in pro tanto satisfaction of the claim of such person against the United States arising from the same loss or injury. There shall be no recovery of any money paid on account of insurance provided for the master, officers, or members of the crew of, or individuals transported on, any vessel under this subsection or under Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, from any person who in the judgment of the Administrator, War Shipping Administration, is without fault, and when in the judgment of the Administrator such recovery would defeat the purposes of benefits otherwise authorized or would be against equity and good conscience. The declarations, findings, and actions of or by the Administrator under this subsection shall be final and conclusive.

(c) The Administrator, War Shipping Administration, is also authorized to make payments, in accordance with rate schedules provided by the United States Employees' Compensation Act [5 U.S.C. 8101 et seq.], to a master, officer, or member of the crew of, or any persons transported on, a vessel owned by or chartered to the Maritime Commission or the War Shipping Administration or operated by, or for the account of, or at the direction or under the control of the Commission or the Administration, for permanent total or partial disability as long as such disability resulting from causes related to the war effort whether heretofore or hereafter arising exists; such payments to commence if and when insurance benefits provided by the War Shipping Administration for such person shall have been exhausted.

(d) The War Shipping Administration shall have the right of intervention and a lien and right of recovery in the cases and to the extent of any payments paid and payable under this

¹ See Transfer of Functions note below.

² See Change of Name note below.