

Editorial Notes

AMENDMENTS

2010—Subsec. (b)(2)(B). Pub. L. 111-281 amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “who performs regularly-assigned duties while engaged as a master, officer, or crewman on a vessel operating on the navigable waters of more than one State.”

2000—Pub. L. 106-489 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1984—Pub. L. 98-364 substituted “an individual employed on a fishing vessel or any fish processing vessel” for “a fisherman employed on a fishing vessel”.

§ 11109. Attachment of wages

(a) Wages due or accruing to a master or seaman are not subject to attachment or arrestment from any court, except for an order of a court about the payment by a master or seaman of any part of the master’s or seaman’s wages for the support and maintenance of the spouse or minor children of the master or seaman, or both. A payment of wages to a master or seaman is valid, notwithstanding any prior sale or assignment of wages or any attachment, encumbrance, or arrestment of the wages.

(b) An assignment or sale of wages or salvage made before the payment of wages does not bind the party making it, except allotments authorized by section 10315 of this title.

(c) This section applies to an individual employed on a fishing vessel or any fish processing vessel.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 580; Pub. L. 98-364, title IV, §402(15), July 17, 1984, 98 Stat. 450.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11109, 46:601

Section 11109 limits the attachment of a seaman’s wages and establishes certain rules for the assignment of a seaman’s wages. It also applies to fishermen on fishing vessels.

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1984—Subsec. (c). Pub. L. 98-364 substituted “an individual employed on a fishing vessel or any fish processing vessel” for “a fisherman on a fishing vessel”.

§ 11110. Seamen’s clothing

The clothing of a seaman is exempt from attachments and liens. A person detaining a seaman’s clothing shall be fined not more than \$500, imprisoned for not more than 6 months, or both.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 580.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11110, 46:563

Section 11110 exempts seamen’s clothing from attachments and liens. It also provides a penalty for violations.

§ 11111. Limit on amount recoverable on voyage

When a seaman is on a voyage on which a written agreement is required under this part,

not more than \$1 is recoverable from the seaman by a person for a debt incurred by the seaman during the voyage for which the seaman is signed on until the voyage is ended.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 581.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 11111, 46:602

Section 11111 limits the amount of money recoverable from a seaman for a debt incurred while on a voyage on which a shipping agreement is required.

§ 11112. Master’s lien for wages

The master of a documented vessel has the same lien against the vessel for the master’s wages and the same priority as any other seaman serving on the vessel.

(Added Pub. L. 99-307, §1(19)(B), May 19, 1986, 100 Stat. 446.)

§ 11113. Treatment of abandoned seafarers

(a) ABANDONED SEAFARERS FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account to be known as the Abandoned Seafarers Fund.

(2) AUTHORIZED USES.—Amounts in the Fund may be appropriated to the Secretary for use—

(A) to pay necessary support of a seafarer—

(i) who—

(I) was paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)), or for whom the Secretary has requested parole under such section; and

(II) is involved in an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard; or

(ii) who—

(I) is physically present in the United States;

(II) the Secretary determines was abandoned in the United States; and

(III) has not applied for asylum under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); and

(B) to reimburse a vessel owner or operator for the costs of necessary support of a seafarer who has been paroled into the United States to facilitate an investigation, reporting, documentation, or adjudication of any matter that is related to the administration or enforcement of law by the Coast Guard, if—

(i) the vessel owner or operator is not convicted of a criminal offense related to such matter; or

(ii) the Secretary determines that reimbursement is appropriate.

(3) CREDITING OF AMOUNTS TO FUND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), there shall be credited to the Fund the following:

(i) Penalties deposited in the Fund under section 9 of the Act to Prevent Pollution from Ships (33 U.S.C. 1908).