

Public Law 938

CHAPTER 904

JOINT RESOLUTION

To authorize the Secretary of Commerce to sell certain war-built vessels.

August 3, 1956
[S. J. Res. 177]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 11 of the Merchant Ship Sales Act of 1946, as amended, and section 510 (h) of the Merchant Marine Act, 1936, as amended, the Secretary of Commerce is authorized to sell within one year after the enactment of this joint resolution to the highest responsible bidder who is a citizen of the United States, within the meaning of section 2 of the Shipping Act, 1916, as amended, for employment on essential trade routes 3 and 4 to Cuba and Mexico, any two war-built vessels under the jurisdiction of the Secretary of Commerce, on an as is, where is, basis, provided that the Secretary of Commerce shall determine before entering into such sales that the purchaser possesses the ability, experience, financial resources, and other qualifications necessary to enable it to operate and maintain the vessels in service on that portion of essential trade routes 3 and 4 between Atlantic Coast ports of the United States and Cuba and Mexico and to maintain adequate service on such portion of such routes. The upset prices of the vessels shall be their sales prices computed under the Merchant Ship Sales Act of 1946, as of January 15, 1951, depreciated (after reduction for residual value) on a straight line basis for the period from January 15, 1951, to the date of execution of the contract of sale, on the basis of the portion of a twenty-year useful life of the vessels remaining after January 15, 1951.

(b) Each such sale shall be on the basis of the payment by the purchaser of not less than 25 per centum of the vessel sales price at the time of execution of the vessel sales contract, with the balance payable in approximately equal annual installments over the remainder of the economic life of the vessel, which economic life is to be determined by the Maritime Administration, with interest on the portion of the vessel sales price remaining unpaid at the rate of 3½ per centum per annum. The obligation of the purchaser with respect to payment of such unpaid balance, with interest, shall be secured by a preferred mortgage on the vessels in form satisfactory to the Maritime Administrator.

(c) (1) Such sales shall be made upon such conditions as the Secretary of Commerce deems necessary to protect the interests of the United States.

(2) Vessels sold under this Act shall be employed exclusively as dry cargo common carriers on that portion of essential trade routes 3 and 4 between Atlantic Coast ports of the United States and Cuba and Mexico, until the end of their useful lives, as determined under subsection (b) of this Act, or until they are replaced by new tonnage, whichever happens first. These restrictions shall run at law and in equity with the titles to the vessels and are binding upon all subsequent owners.

(d) Any contract of sale executed under authority of this Act shall provide that in the event the United States shall, through purchase or requisition, acquire ownership of any such vessel, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated sales price under such contract (together with the actual depreciated cost of capital improvements thereon); that in computing the depreciated acquisition cost of such vessel, the depreciation shall be computed on the vessel on the schedule adopted or accepted by the Secretary of the Treasury for income tax purposes as applicable to such vessel; that such vessel shall remain documented

Vessels.
Sale of tankers.
60 Stat. 49.
50 USC app. 1744.
68 Stat. 680.
46 USC 1160.

39 Stat. 729.
46 USC 844.

under the laws of the United States during the remainder of the economic life of the vessel or as long as there remains due the United States any principal or interest on account of the sales price, which ever is the longer period; and that the foregoing provisions respecting the requisition or the acquisition of ownership by the United States, and documentation shall run with the title to such vessel and be binding on all owners thereof.

Approved August 3, 1956.

Public Law 939

CHAPTER 905

August 3, 1956
[S. 3391]

AN ACT

To provide for the regulation of the interstate transportation of migrant farm workers.

Migrant farm
workers.
Interstate trans-
portation.
49 Stat. 544.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 (a) of part II of the Interstate Commerce Act, as amended (49 U. S. C. 303 (a)), is further amended by adding at the end thereof the following new subsections reading as follows:

"(22) The term 'carrier of migrant workers by motor vehicle' means any person, including any 'contract carrier by motor vehicle', but not including any 'common carrier by motor vehicle', who or which transports in interstate or foreign commerce at any one time three or more migrant workers to or from their employment by any motor vehicle other than a passenger automobile or station wagon, except migrant workers transporting themselves or their immediate families.

"(23) The term 'migrant worker' means any individual proceeding to or returning from employment in agriculture as defined in section 3 (f) of the Fair Labor Standards Act of 1938, as amended (29 U. S. C. 203 (f)), or section 3121 (g) of the Internal Revenue Code of 1954 (26 U. S. C. 3121 (g))."

SEC. 2. Section 204 (a) of part II of such Act, as amended (49 U. S. C. 304 (a)) is amended by adding a new subsection as follows:

"(3a) Notwithstanding any other provision of section 203 (b), to establish for carriers of migrant workers by motor vehicle reasonable requirements with respect to comfort of passengers, qualifications and maximum hours of service of operators, and safety of operation and equipment. Such requirements shall apply to any such carrier only in the case of transportation of any migrant worker for a total distance of more than seventy-five miles, and then only if such transportation is across the boundary line of any State, the District of Columbia, or Territory of the United States, or a foreign country. When such requirements are established, the term 'motor carrier' shall be construed to include carriers of migrant workers by motor vehicle in the administration of sections 204 (c); 205; 220; 221; 222 (a), (b), (d), (f) and (g); and 224."

SEC. 3. Section 13 (b) (1) of the Fair Labor Standards Act, as amended (29 U. S. C. 213 (b) (1)) shall not apply in the case of any employee with respect to whom the Interstate Commerce Commission has power to establish qualifications and maximum hours of service solely by virtue of section 204 (a) (3a) of the Interstate Commerce Act.

Approved August 3, 1956.

52 Stat. 1060.
68A Stat. 424.

49 Stat. 546.
49 USC 303.

49 USC 304, 305,
320-322, 324.

52 Stat. 1068.

Supra.