

vided in this section or in chapter 109 of this title.

(b) When discharging a seaman, a consular officer who fails to require the payment of the wages due a seaman at the time, and of the extra wages due under subsection (a) of this section, is accountable to the United States Government for the total amount.

(c) A seaman discharged under this section with the consent of the seaman is entitled to wages up to the time of discharge, but not for any additional period.

(d) If the seaman is discharged involuntarily, and it appears that the discharge was not because of neglect of duty, incompetency, or injury incurred on the vessel, the master shall provide the seaman with employment on a vessel agreed to by the seaman or shall provide the seaman with one month's extra wages.

(e) Expenses for the maintenance and return of an ill or injured seaman to the United States shall be paid by the Secretary of State. If a seaman is incapacitated by illness or injury and prompt discharge is necessary, but a personal appearance of the master before a consular officer is impracticable, the master may provide transportation to the seaman to the nearest consular officer for discharge.

(f) A deduction from wages of the seaman is permitted only if the deduction appears in the account of the seaman required to be delivered under section 10310 of this title, except for matters arising after delivery of the account, in which case a supplementary account is required. During a voyage, the master shall record in the official logbook the matters about which deductions are to be made with the amounts of the deductions. The entries shall be made as the matters occur. The master shall produce the official logbook at the time of payment of wages, and also before a competent authority on the hearing of any complaint or question about the payment of wages.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 568.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 10318 | 46:682 46:683 |

Section 10318 establishes consular officers' responsibilities in discharging seamen and the seamen's right to wages when discharged and when incapacitated by illness or injury. It also requires a master to record in the official logbook all matters for which deductions are to be made from seamen's wages.

§ 10319. Costs of a criminal conviction

In a proceeding about a seaman's wages, if it is shown that the seaman was convicted during the voyage of an offense by a competent tribunal and sentenced by the tribunal, the court hearing the case may direct that a part of the wages due the seaman, but not more than \$15, be applied to reimburse the master for costs properly incurred in procuring the conviction and sentence.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 569.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 10319 | 46:707 |

Section 10319 provides that if a seaman was convicted during a voyage by a tribunal, that the court may direct that up to \$15 of the seaman's wages be used to reimburse the master for the costs incurred.

§ 10320. Records of seamen

The Secretary shall prescribe regulations requiring vessel owners to maintain records of seamen on matters of engagement, discharge, and service. A vessel owner shall make these records available to the seaman and the Coast Guard on request.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 569; Pub. L. 103-206, title IV, §411, Dec. 20, 1993, 107 Stat. 2437.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|-----------------------------------|
| 10320 | |

Section 10320 authorizes the Secretary to provide for the maintenance of records of the engagement, discharge, or service of seamen.

Editorial Notes

AMENDMENTS

1993—Pub. L. 103-206 amended heading and text of section generally. Prior to amendment, text read as follows: "The Secretary may prescribe regulations for reporting by a master of matters about the engagement, discharge, or service of seamen that may be needed in keeping central records of seamen."

Statutory Notes and Related Subsidiaries

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.

§ 10321. General penalty

(a) A person violating any provision of this chapter or a regulation prescribed under this chapter is liable to the United States Government for a civil penalty of not more than \$5,000.

(b) The vessel is liable in rem for any penalty assessed under this section.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 569; Pub. L. 103-206, title IV, §412, Dec. 20, 1993, 107 Stat. 2437.)

HISTORICAL AND REVISION NOTES

| <i>Revised section</i> | <i>Source section (U.S. Code)</i> |
|------------------------|--|
| 10321 | 46:567 46:568 46:571 46:661 46:665 |

Section 10321 makes a vessel on which a seaman is carried to sea in violation of this chapter or regulation