

(2) pay the owner an amount sufficient to recondition the vessel to that condition, less ordinary wear and tear.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1656.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
56307	46 App.:1242(a) (4th sentence).	June 29, 1936, ch. 858, title IX, §902(a) (4th sentence), 49 Stat. 2015; Pub. L. 97–31, §12(131), Aug. 6, 1981, 95 Stat. 165.

The words “requisitioned for use but not ownership” are substituted for “taken and used under authority of this section, but the ownership thereof is not required by the United States” to eliminate unnecessary words.

§ 56308. Transfer of substitute vessels

In the case of any vessel constructed in the United States after January 1, 1937, which has been taken by the United States for use in any manner, the Secretary of Transportation, if in his opinion the transfer would aid in carrying out the policies of this Act,¹ is authorized to transfer to the owner of such vessel another vessel which is deemed by the Secretary to be of comparable type with adjustments for depreciation and difference in design or speed, and to the extent applicable, such other adjustments and terms and conditions, including transfer of mortgage obligations in favor of the United States binding upon the old vessel, as the Secretary may prescribe.

(Added and amended Pub. L. 115–91, div. C, title XXXV, §3502(a)(2), (b)(5), Dec. 12, 2017, 131 Stat. 1910.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means act Mar. 8, 1946, ch. 82, 60 Stat. 41, known as the Merchant Ship Sales Act of 1946, which was classified principally to chapter 54 (§4401 et seq.) of Title 50, War and National Defense. The Act has been repealed, except for sections 8(d) and 11, which were transferred to this section and section 57100 of this title, respectively, by Pub. L. 115–91. Provisions relating to the policies of the Act were contained in section 4401 of Title 50 prior to repeal by Pub. L. 115–91.

CODIFICATION

Section, as added and amended by Pub. L. 115–91, is based on act Mar. 8, 1946, ch. 82, §8(d), 60 Stat. 46, as amended by Pub. L. 97–31, §12(154), Aug. 6, 1981, 95 Stat. 167, which was formerly classified to section 4404(d) of Title 50, War and National Defense, before being transferred to this chapter and renumbered as this section.

AMENDMENTS

2017—Pub. L. 115–91, §3502(b)(5)(C), which directed striking out “adjustments with respect to the retained vessels as provided for in section 9, and”, was executed by striking out “adjustments with respect to the retained vessel as provided for in section 9, and” after “extent applicable,” to reflect the probable intent of Congress.

Pub. L. 115–91, §3502(b)(5)(B), which directed insertion of “of Transportation” after “Secretary”, was executed by making the insertion after “Secretary” the first

¹ See References in Text note below.

time appearing to reflect the probable intent of Congress.

Pub. L. 115–91, §3502(b)(5)(A), inserted section enumerator and catchline.

Pub. L. 115–91, §3502(a)(2), transferred section 8(d) of act Mar. 8, 1946, to this chapter and renumbered it as this section. See Codification note above.

§ 56309. Emergency foreign vessel acquisition; purchase or requisition of vessels lying idle in United States waters

During any period in which vessels may be requisitioned under this chapter, the President is authorized and empowered through the Secretary of Transportation to purchase, or to requisition, or for any part of such period to charter or requisition the use of, or to take over the title to or possession of, for such use or disposition as he shall direct, any merchant vessel not owned by citizens of the United States which is lying idle in waters within the jurisdiction of the United States and which the President finds to be necessary to the national defense. Just compensation shall be determined and made to the owner or owners of any such vessel in accordance with the applicable provisions of this chapter. Such compensation hereunder, or advances on account thereof, shall be deposited with the Treasurer of the United States in a separate deposit fund. Payments for such compensation and also for payment of any valid claim upon such vessel in accord with the provisions of section 56305, shall be made from such fund upon the certificate of the Secretary of Transportation.

(Added and amended Pub. L. 115–91, div. C, title XXXV, §3504(a), Dec. 12, 2017, 131 Stat. 1911.)

Editorial Notes

CODIFICATION

Section, as added and amended by section 3504(a) of Pub. L. 115–91, is based on act Aug. 9, 1954, ch. 659, §1, 68 Stat. 675; Pub. L. 96–70, title III, §3302(c), Sept. 27, 1979, 93 Stat. 498; Pub. L. 97–31, §12(152), Aug. 6, 1981, 95 Stat. 167, which was formerly classified to section 196 of Title 50, War and National Defense, before being transferred to this chapter and renumbered as this section.

AMENDMENTS

2017—Pub. L. 115–91, §3504(a)(2), inserted section enumerator and catchline and, in text, substituted “this chapter” for “section 902 of the Merchant Marine Act, 1936, as amended” in two places and “section 56305” for “the second paragraph of subsection (d) of such section 902, as amended”.

Pub. L. 115–91, §3504(a)(1), transferred section 1 of act Aug. 9, 1954, to this chapter and renumbered it as this section. See Codification note above.

Statutory Notes and Related Subsidiaries

REFERENCES

Pub. L. 115–91, div. C, title XXXV, §3504(f), Dec. 12, 2017, 131 Stat. 1913, provided that: “Any reference in a law, regulation, document, paper, or other record of the United States to a section that is redesignated and transferred by this section [sections 1 to 3 of act Aug. 9, 1954, former 50 U.S.C. 196 to 198] is deemed to refer to such section as so redesignated and transferred [now 46 U.S.C. 56309 to 56311].”