

[CHAPTER 446]

AN ACT

To provide for leave of absence, with pay, for any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States.

June 29, 1940
[H. R. 6507]
[Public, No. 676]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compensation of any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States shall not be diminished during the term of such jury service by reason of such absence, except as provided in section 3, nor shall such period of service be deducted from the time allowed for any leave of absence authorized by law.

U. S. or D. C. employees.
Absence for jury service; pay.

SEC. 2. Any employee specified in section 1 who may be called upon for jury service in any court of the United States shall not receive any compensation for such service.

Service in U. S. courts.

SEC. 3. There shall be credited against the amount of compensation payable by the United States to any employee specified in section 1 for such period as such employee may be absent on account of jury service in the court of any State any amounts which such employee may receive from such State on account of such jury service.

Service in State courts.

Approved, June 29, 1940.

[CHAPTER 447]

AN ACT

To amend the Merchant Marine Act, 1936, as amended, to provide for marine war-risk insurance and reinsurance and for marine risk reinsurance, and for other purposes.

June 29, 1940
[H. R. 6572]
[Public, No. 677]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the Merchant Marine Act, 1936, as amended, is amended by adding at the end thereof a subtitle to read as follows:

Merchant Marine Act, 1936, amendment.
49 Stat. 1985.
46 U. S. C., Supp. V, §§ 1111-1126.

"SUBTITLE—INSURANCE

"SEC. 221. (a) For the purpose of protecting the water-borne commerce of the United States from the impediments and burdens arising from the lack of adequate facilities for the insurance of such commerce, due to extraordinary risks arising under existing war conditions, the Commission is authorized to provide marine insurance and reinsurance against loss or damage by the risks of war and reinsurance against loss or damage by marine risks, as prescribed in this subtitle, whenever it appears to the Commission that such insurance adequate for the needs of the water-borne commerce of the United States cannot be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States.

U. S. Maritime Commission.
Marine war-risk insurance and reinsurance; marine-risk reinsurance.

"(b) There shall be in the Treasury of the United States a revolving fund to be known as the marine and war-risk insurance fund (hereinafter referred to as the fund), to be used for carrying out the provisions of this subtitle, and to be constituted of such sums as may be appropriated to such fund and of moneys and receipts credited thereto as herein provided. There are hereby authorized to be appropriated to such fund such sums as may be necessary to carry out the provisions of this subtitle. All moneys received from premiums and from salvage or other recoveries, and all receipts in connection with this subtitle shall be deposited to the credit of such

Marine and war-risk insurance fund.

Appropriation authorized.
Post, p. 766.
Deposit of receipts, etc.

Payments from fund. fund. Payments of return premiums, losses, settlements, judgments, and all liabilities incurred by the United States under this subtitle shall be made from such fund.

Insurable property. "SEC. 222. The Commission may insure against loss or damage by the risks of war, property, as follows:

American vessels; cargoes, etc. *Provido.* Contraband. " (a) (1) American vessels (including vessels under construction), (2) cargoes shipped or to be shipped therein: *Provido.* That in the event of the suspension of the present neutrality law no vessel or its officers and crew, carrying contraband and no cargo of contraband shall be insured under any provision of this Act, (3) their disbursements, and freight and passage moneys, and (4) personal effects of the masters, officers, and crews of such vessels.

U. S.-owned commercial vessels; cargoes, etc. " (b) (1) Commercial vessels (including vessels under construction) owned or controlled by the United States or any department or agency thereof, (2) cargoes owned by the Government or in which the Government has an insurable interest, to the extent of such interest, (3) their disbursements, and freight and passage moneys, and (4) personal effects of the masters, officers, and crews thereof.

Reinsurance of companies. "SEC. 223. (a) The Commission may reinsure any company authorized to do an insurance business in any State of the United States on account of marine and marine war risks, including protection and indemnity risks, assumed by any such company, on (1) property or interests as set forth in section 222 (a) and (b) of this subtitle, and (2) masters, officers, and crews of American vessels (including any such vessel owned or controlled by or chartered to the Commission) against loss of life, personal injury, or detention by any government except that of the United States following capture.

War risks. " (b) The Commission may reinsure, in whole or in part, with companies authorized to do an insurance business in a State of the United States, war risks assumed by the Commission under this subtitle.

Procurement of insurance by agencies, etc. " (c) Any department or agency of the United States is hereby authorized to procure insurance from the Commission as provided for in section 222 (b) of this subtitle, except as provided in the Government Losses in Shipment Act, approved July 8, 1937 (50 Stat. 479).

5 U. S. C., Supp. V, §§ 134-134h.

War-risk insurance for masters, etc., of American vessels.

"SEC. 224. Whenever the Commission determines that insurance for masters, officers, and crews of American vessels against loss of life, personal injury, or detention by any government except that of the United States following capture, arising from risks of war, cannot, with the aid of reinsurance provided for under this subtitle, be obtained on reasonable terms and conditions from companies authorized to do an insurance business in a State of the United States, the Commission is authorized to provide such insurance on a basis corresponding to the war risk insurance protection supplied, prior to such determination, for such personnel by companies authorized to do business in a State of the United States.

Suits against U. S.

"SEC. 225. In the event of disagreement as to a claim for losses or the amount thereof, on account of insurance under this subtitle, an action on the claim may be brought and maintained against the United States in the district court of the United States sitting in admiralty in the district in which the claimant or his agent may reside, or in case the claimant has no residence in the United States, in a district court in which the Attorney General of the United States shall agree to accept service. Said suits shall proceed and shall be heard and determined according to the provisions of an Act entitled 'An Act authorizing suits against the United States in admiralty, suits for salvage services, and providing for the release of merchant vessels belonging to the United States from arrest and

attachment in foreign jurisdictions, and for other purposes', approved March 9, 1920, as amended (known as the Suits in Admiralty Act), insofar as such provisions are not inapplicable and are not contrary to or inconsistent with the provisions of this subtitle."

"SEC. 226. (a) The Commission in the administration of this subtitle is authorized to adjust and pay losses, compromise and settle claims whether in favor of or against the Government, and to pay the amount of any judgment rendered in respect of any suit or settlement agreed upon in respect of any claim. The determinations of the Commission with respect to adjustments, compromises, settlements, and payments hereunder shall not be subject to review by any other executive or accounting officer of the Government.

"(b) The Commission is authorized to prescribe such forms and policies, to change or modify such forms and policies as may be necessary or appropriate under the circumstances, and to fix and adjust, as may be required by circumstances, the rates and changes of rates of insurance provided for in this subtitle.

"(c) The Commission is authorized and directed to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this subtitle. The Commission is authorized, in administering the provisions of this subtitle, to exercise its powers, perform its duties and functions, and make its expenditures, in accordance with commercial practice in the marine insurance business.

"(d) The Commission, without regard to the laws, rules, or regulations relating to the employment of employees of the United States, may appoint and prescribe the duties of such number of experts in marine insurance as the Commission may deem necessary in carrying out the provisions of this subtitle. The Commission, with the consent of any executive department, independent establishment, or other agency of the Government, including any field service thereof, may avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this subtitle.

"(e) The Commission shall include in the annual report to Congress a detailed statement of all activities and of all expenditures and receipts under this subtitle for the period covered by such report.

"(f) When used in this subtitle the term 'American vessels' means vessels registered, enrolled, or licensed under the laws of the United States.

"SEC. 227. Nothing in this subtitle shall be deemed to affect the rights of seamen under any provision of existing law.

"SEC. 228. All the provisions of this subtitle shall expire by limitation March 10, 1942, or sooner upon a proclamation by the President that the extraordinary condition upon which it is predicated is passed."

Approved, June 29, 1940.

[CHAPTER 448]

AN ACT

Authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia, and the Government of the Punjab, India.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized, if he finds that the public interest renders such a course advisable, to detail J. L. Savage, chief designing engineer of the Bureau of Reclamation, Department of the Interior, for temporary service under the Government of the State of New South Wales, Australia, and the Government of the Punjab, India. Such detail, if authorized by the President, shall be made in accord-

41 Stat. 525.
46 U. S. C. §§ 741-752; Supp. V, §§ 745-752.
Authority to compromise and settle claims, etc.

Determinations not subject to designated review.

Policies and rates of insurance.

Rules and regulations.

Personnel.

Report to Congress.

"American vessels" defined.

Rights of seamen.

Expiration date.

June 29, 1940
[H. R. 7254]
[Public, No. 678]

J. L. Savage.
Detail of, for service in Australia and India.