[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.

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.

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.

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.

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.

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:

"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.

"(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

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

Service in U. S. courts.

Service in State courts.


Post, p. 766. Deposit of receipts, etc.
Payments from 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.

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

"(a) (1) American vessels (including vessels under construction), (2) cargoes shipped or to be shipped therein: Provided, 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.

"(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.

"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.

"(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.

"(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).

"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.

"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 con-
trary to or inconsistent with the provisions of this subtitle."

"Sec. 226. (a) The Commission in the administration of this sub-
title 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 set-
tlement agreed upon in respect of any claim. The determinations
of the Commission with respect to adjustments, compromises, settle-
ments, 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 regu-
lations 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 carry-
ing 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,
amay 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 Con-
gress 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 limita-
tion 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-