(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1517.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30707	46 App.:194.	Feb. 13, 1893, ch. 105, § 5, 27 Stat. 446.

In subsection (a), the words ''and who refuses to issue on demand the bill of lading herein provided for'' are omitted as unnecessary. The words ''shall be fined under title 18'' are substituted for ''shall be liable to a fine not exceeding $2,000'' because of chapter 227 of title 18.

In subsection (b), the words ''A civil action in rem to enforce the lien may be brought in the district court of the United States for any district in which the vessel is found'' are substituted for ''such vessel may be libeled therefor in any district court of the United States'' for clarity and to modernize the language.

CHAPTER 309—SUITS IN ADMIRALTY AGAINST THE UNITED STATES

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§ 30901. Short title

This chapter may be cited as the ''Suits in Admiralty Act''.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1517.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30901	46 App.:741 note.	

SHORT TITLE

Act Mar. 9, 1920, ch. 95, 41 Stat. 525, which enacted chapter 20 (§ 741 et seq.) of the former Appendix to this title, was popularly known as the ''Suits in Admiralty Act'', prior to being repealed and restated in this chapter by Pub. L. 109–304, §§ 6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710.

§ 30902. Definition

In this chapter, the term ''federally-owned corporation'' means a corporation in which the United States owns all the outstanding capital stock.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1517.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30902	46 App.:741 (11th–26th words).	Mar. 9, 1920, ch. 95, § 1 (11th–26th words), 41 Stat. 525.

The term ''federally-owned corporation'' is defined in this section and used in this chapter to avoid repeating the substance of the definition in several sections in this chapter. The words ''or its representatives'' are omitted as unnecessary.

§ 30903. Waiver of immunity

(a) IN GENERAL.—In a case in which, if a vessel were privately owned or operated, or if cargo were privately owned or possessed, or if a private person or property were involved, a civil action in admiralty could be maintained, a civil action in admiralty in personam may be brought against the United States or a federally-owned corporation. In a civil action in admiralty brought by the United States or a federally-owned corporation, an admiralty claim in personam may be filed or a setoff claimed against the United States or corporation.

(b) NON-JURY.—A claim against the United States or a federally-owned corporation under this section shall be tried without a jury.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
30903	46 App.:742 (1st, 3d sentences).	Mar. 9, 1920, ch. 95, § 2 (1st, 3d sentences), 41 Stat. 525; Pub. L. 86–770, § 3, Sept. 13, 1960, 74 Stat. 912; Pub. L. 104–324, title XI, § 1105, Oct. 19, 1996, 110 Stat. 3967.

In subsection (a), the words ''civil action'' are substituted for ''proceeding'' and ''libel'' because of rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.) and for consistency in the chapter. The words ''civil action in admiralty in personam'' are substituted for ''any appropriate nonjury proceeding in personam'' for clarity. The words ''in rem or in personam in any district'' are omitted as unnecessary. The words ''admiralty claim'' are substituted for ''cross libel'' for consistency in this chapter and with the various means of asserting a claim (such as by counterclaim or cross-claim) allowed by the Federal Rules of Civil Procedure. The words ''with the same force and effect as if the libel had been filed by a private party'' are omitted as unnecessary.

Subsection (b) is substituted for the word ''nonjury'' to clarify that the nonjury requirement applies to any claim against the United States or a federally-owned corporation under this section regardless of which party brings the action.

§ 30904. Exclusive remedy

If a remedy is provided by this chapter, it shall be exclusive of any other action arising out of the same subject matter against the officer, employee, or agent of the United States or the federally-owned corporation whose act or omission gave rise to the claim.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1518.)