

produces hydrographic products certified under this section.

(d) Hydrographic Services Account

(1) Establishment

There is established in the Treasury a separate account, which shall be known as the "Hydrographic Services Account".

(2) Content

The account shall consist of—

(A) amounts received by the United States as fees charged under subsection (b)(1)(C) of this section; and

(B) such other amounts as may be provided by law.

(3) Use

Amounts in the account shall be available to the Administrator, without further appropriation, for hydrographic services.

(e) Limitation on new fees and increases in existing fees for hydrographic services

After November 13, 1998, the Administrator may not—

(1) establish any fee or other charge for the provision of any hydrographic service except as authorized by this section; or

(2) increase the amount of any fee or other charge for the provision of any hydrographic service except as authorized by this section and section 1307 of title 44.

(Pub. L. 105-384, title III, §304, Nov. 13, 1998, 112 Stat. 3455.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 892d of this title.

§ 892c. Reports

(a) Repealed. Pub. L. 105-383, title IV, § 432(c), Nov. 13, 1998, 112 Stat. 3445

(b) Maintaining Federal expertise in hydrographic services

(1) In general

Not later than 6 months after November 13, 1998, the Administrator shall report to the Congress on a plan to ensure that Federal competence and expertise in hydrographic surveying will be maintained after the decommissioning of the 3 existing Administration hydrographic survey vessels.

(2) Contents

The report shall include—

(A) an evaluation of the seagoing capacity, personnel, and equipment necessary to maintain Federal expertise in hydrographic services;

(B) an estimated schedule for decommissioning the 3 existing survey vessels;

(C) a plan to maintain Federal expertise in hydrographic services after the decommissioning of these vessels; and

(D) an estimate of the cost of carrying out this plan.

(Pub. L. 105-384, title III, §305, Nov. 13, 1998, 112 Stat. 3456; Pub. L. 105-383, title IV, § 432(c), Nov. 13, 1998, 112 Stat. 3445.)

AMENDMENTS

1998—Pub. L. 105-383, which directed the amendment of this section by striking out subssecs. (a) and (d), was

executed by striking out subsec. (a), because no subsec. (d) has been enacted. Prior to amendment, subsec. (a) read as follows:

"(a) PORTS.—Not later than 6 months after November 13, 1998, the Administrator and the Commandant of the Coast Guard shall report to the Congress on—

"(1) the status of implementation of real-time tide and current data systems in United States ports;

"(2) existing safety and efficiency needs in United States ports that could be met by increased use of those systems; and

"(3) a plan for expanding those systems to meet those needs, including an estimate of the cost of implementing those systems in priority locations."

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-383, title IV, §432(a), Nov. 13, 1998, 112 Stat. 3444, provided that: "Subsections (b) and (c) [amending this section and section 892d of this title] shall take effect immediately after the later of—

"(1) the enactment of the Hydrographic Services Improvement Act of 1998 [Pub. L. 105-384, title III, Nov. 13, 1998]; or

"(2) the enactment of this Act [Nov. 13, 1998]."

§ 892d. Authorization of appropriations

There is authorized to be appropriated to the Administrator the following:

(1) To carry out nautical mapping and charting functions under the Act of 1947 and sections 892a and 892b of this title, except for conducting hydrographic surveys, \$33,000,000 for fiscal year 1999, \$34,000,000 for fiscal year 2000, and \$35,000,000 for fiscal year 2001.

(2) To conduct hydrographic surveys under section 892a(a)(1) of this title, including the leasing of ships, \$33,000,000 for fiscal year 1999, \$35,000,000 for fiscal year 2000, and \$37,000,000 for fiscal year 2001. Of these amounts, no more than \$16,000,000 is authorized for any one fiscal year to operate hydrographic survey vessels owned and operated by the Administration.

(3) To carry out geodetic functions under the Act of 1947, \$25,000,000 for fiscal year 1999, \$30,000,000 for fiscal year 2000, and \$30,000,000 for fiscal year 2001.

(4) To carry out tide and current measurement functions under the Act of 1947, \$22,500,000 for each of fiscal years 1999 through 2001. Of these amounts \$4,500,000 is authorized for each fiscal year to implement and operate a national quality control system for real-time tide and current and maintain the national tide network, and \$7,000,000 is authorized for each fiscal year to design and install real-time tide and current data measurement systems under section 892a(b)(4) of this title.

(Pub. L. 105-384, title III, §306, Nov. 13, 1998, 112 Stat. 3457; Pub. L. 105-383, title IV, § 432(b), Nov. 13, 1998, 112 Stat. 3445.)

AMENDMENTS

1998—Pub. L. 105-383 amended section generally, substituting present provisions for substantially identical provisions.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-383 effective immediately after enactment of Pub. L. 105-384, Nov. 13, 1998, see section 432(a) of Pub. L. 105-383, set out as a note under section 892c of this title.

CHAPTER 18—LONGSHORE AND HARBOR WORKERS' COMPENSATION

Sec. 901. Short title.

Sec.		Sec.	
902.	Definitions.		
903.	Coverage.		(d) Right to compensation controverted.
	(a) Disability or death; injuries occurring upon navigable waters of United States.		(e) Additional compensation for overdue installment payments payable without award.
	(b) Government officers and employees.		(f) Additional compensation for overdue installment payments payable under terms of award.
	(c) Intoxication; willful intention to kill.		(g) Notice of payment; penalty.
	(d) Small vessels.		(h) Investigations, examinations, and hearings for controverted, stopped, or suspended payments.
	(e) Credit for benefits paid under other laws.		(i) Deposit by employer.
904.	Liability for compensation.		(j) Reimbursement for advance payments.
905.	Exclusiveness of liability.		(k) Receipt for payment.
	(a) Employer liability; failure of employer to secure payment of compensation.	915.	Invalid agreements.
	(b) Negligence of vessel.	916.	Assignment and exemption from claims of creditors.
	(c) Outer Continental Shelf.	917.	Lien against compensation.
906.	Compensation.	918.	Collection of defaulted payments; special fund.
	(a) Time for commencement.	919.	Procedure in respect of claims.
	(b) Maximum rate of compensation.		(a) Filing of claim.
	(c) Applicability of determinations.		(b) Notice of claim.
907.	Medical services and supplies.		(c) Investigations; order for hearing; notice; rejection or award.
	(a) General requirement.		(d) Provisions governing conduct of hearing; administrative law judges.
	(b) Physician selection; administrative supervision; change of physicians and hospitals.		(e) Filing and mailing of order rejecting claim or making award.
	(c) Physicians and health care providers not authorized to render medical care or provide medical services.		(f) Awards after death of employee.
	(d) Request of treatment or services prerequisite to recovery of expenses; formal report of injury and treatment; suspension of compensation for refusal of treatment or examination; justification.		(g) Transfer of case.
	(e) Physical examination; medical questions; report of physical impairment; review or reexamination; costs.		(h) Physical examination of injured employee.
	(f) Place of examination; exclusion of physicians other than examining physician of Secretary; good cause for conclusions of other physicians respecting impairment; examination by employer's physician; suspension of proceedings and compensation for refusal of examination.	920.	Presumptions.
	(g) Fees and charges for examinations, treatment, or service; limitation; regulations.	921.	Review of compensation orders.
	(h) Third party liability.		(a) Effectiveness and finality of orders.
	(i) Physicians' ineligibility for subsection (e) physical examinations and reviews because of workmen's compensation claim employment or fee acceptance or participation.		(b) Benefits Review Board; establishment; members; chairman; quorum; voting; questions reviewable; record; conclusiveness of findings; stay of payments; remand.
	(j) Procedure; judicial review.		(c) Court of appeals; jurisdiction; persons entitled to review; petition; record; determination and enforcement; service of process; stay of payments.
	(k) Refusal of treatment on religious grounds.		(d) District court; jurisdiction; enforcement of orders; application of beneficiaries of awards or deputy commissioner; process for compliance with orders.
908.	Compensation for disability.		(e) Institution of proceedings for suspension, setting aside, or enforcement of compensation orders.
909.	Compensation for death.	921a.	Appearance of attorneys for Secretary, deputy commissioner, or Board.
910.	Determination of pay.	922.	Modification of awards.
911.	Guardian for minor or incompetent.	923.	Procedure before deputy commissioner or Board.
912.	Notice of injury or death.	924.	Witnesses.
	(a) Time limitation.	925.	Witness fees.
	(b) Form and content.	926.	Costs in proceedings brought without reasonable grounds.
	(c) Delivery requirements.	927.	Powers of deputy commissioners or Board.
	(d) Failure to give notice.	928.	Fees for services.
913.	Filing of claims.		(a) Attorney's fee; successful prosecution of claim.
	(a) Time to file.		(b) Attorney's fee; successful prosecution for additional compensation; independent medical evaluation of disability controversy; restriction of other assessments.
	(b) Failure to file.		(c) Approval; payment; lien.
	(c) Effect on incompetents and minors.		(d) Costs; witnesses' fees and mileage; prohibition against diminution of compensation to claimant.
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914.	Payment of compensation.		
	(a) Manner of payment.		
	(b) Period of installment payments.		
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Sec. 929.	Record of injury or death.	Sec. 944.	Special fund.
930.	Reports to Secretary.		(a) Establishment; administration; custody, trust.
	(a) Time for sending; contents; copy to deputy commissioner.		(b) Disbursements; bond of custodian.
	(b) Additional reports.		(c) Payments into fund.
	(c) Use as evidence.		(d) Investigations; records, availability; recordkeeping; provisions of sections 49 and 50 of title 15 applicable to Secretary.
	(d) Compliance by mailing.		(e) Depositories; investments.
	(e) Penalty for failure or refusal to send report.		(f) Limitation of liability.
	(f) Tolling provision.		(g) Audit by Comptroller General; finality of payment determinations; credits of disbursing officers.
931.	Penalty for misrepresentation.		(h) Civil actions for civil penalties and unpaid assessments.
	(a) Felony; fine; imprisonment.		(i) Proceeds available for certain payments.
	(b) List of persons disqualified from representing claimants.		(j) Audit to Congress.
	(c) False statements or representation to reduce, deny, or terminate benefits.	945 to 947.	Repealed.
932.	Security for compensation.	948.	Laws inapplicable.
933.	Compensation for injuries where third persons are liable.	948a.	Discrimination against employees who bring proceedings; penalties; deposit of payments in special fund; civil actions; entitlement to restoration of employment and compensation, qualifications requirement; liability of employer for penalties and payments; insurance policy exemption from liability.
	(a) Election of remedies.	949.	Effect of unconstitutionality.
	(b) Acceptance of compensation operating as assignment.	950.	Separability.
	(c) Payment into section 944 fund operating as assignment.		
	(d) Institution of proceedings or compromise by assignee.		
	(e) Recoveries by assignee.		
	(f) Institution of proceedings by person entitled to compensation.		
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934.	Compensation notice.		
935.	Substitution of carrier for employer.		
936.	Insurance policies.		
937.	Certificate of compliance with chapter.		
938.	Penalties.		
	(a) Failure to secure payment of compensation.		
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	(c) Effect on other liability of employer.		
939.	Administration by Secretary.		
	(a) Prescribing rules and regulations; appointing and fixing compensation of employees; making expenditures.		
	(b) Establishing compensation districts.		
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940.	Deputy commissioners.		
	(a) Appointment; use of personnel and facilities of boards, commissions, or other agencies; expenses and salaries.		
	(b) Appointment in Territories and District of Columbia; compensation.		
	(c) Transfers to other districts; temporary details.		
	(d) Maintaining offices.		
	(e) Records and papers.		
	(f) Conflict of interest.		
941.	Safety rules and regulations.		
	(a) Safe place of employment; installation of safety devices and safeguards.		
	(b) Studies and investigations by Secretary.		
	(c) Inspection of places and practices of employment.		
	(d) Requests for advice; variations from safety rules and regulations.		
	(e) Jurisdiction to restrain violations.		
	(f) Violations and penalties.		
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942.	Annual report.		
943.	Repealed.		

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 5 section 8171; title 30 sections 931, 932; title 42 sections 251, 405, 1651, 1653, 1702; title 43 section 1333.

§ 901. Short title

This chapter may be cited as “Longshore and Harbor Workers’ Compensation Act.”

(Mar. 4, 1927, ch. 509, §1, 44 Stat. 1424; Pub. L. 98–426, §27(d)(1), Sept. 28, 1984, 98 Stat. 1654.)

AMENDMENTS

1984—Pub. L. 98–426 substituted “Longshore” for “Longshoremen’s”.

EFFECTIVE DATE OF 1984 AMENDMENT

Section 28(a)–(g) of Pub. L. 98–426 provided that:

“(a) Except as otherwise provided in this section, the amendments made by this Act [enacting section 942 of this title, amending this section, sections 902 to 910, 912 to 914, 917 to 919, 921 to 923, 928 to 935, 938 to 940, 944, and 948a of this title, and section 932 of Title 30, Mineral Lands and Mining, repealing sections 945 to 947 of this title, and enacting provisions set out as notes under this section and section 907 of this title] shall be effective on the date of enactment of this Act [Sept. 28, 1984] and shall apply both with respect to claims filed after such date and to claims pending on such date.

“(b) The amendments made by sections 7(a), 7(e), 8(f), 11(b), 11(c), and 13 [amending sections 907, 908, 912, and 914 of this title] shall be effective 90 days after the date of enactment of this Act [Sept. 28, 1984] and shall apply both with respect to claims filed after such 90th day and to claims pending on such 90th day.

“(c) The amendments made by sections 2(a), 3(a), 5, and 8(b) [amending sections 902, 903, 905, and 908 of this title] shall apply with respect to any injury after the date of enactment of this Act [Sept. 28, 1984].

“(d) The amendments made by sections 6(a), 8(d), and 9 [amending sections 906, 908, and 909 of this title] shall apply with respect to any death after the date of enactment of this Act [Sept. 28, 1984].

“(e)(1) The amendments made by sections 2(c), 8(c)(1), 8(e)(4), 8(e)(5), 8(g), 10(b), 15 through 20, and 22 through 27 [enacting section 942 of this title, amending this section and sections 902, 908 to 910, 914, 918, 919, 921 to 923,