

## MERCHANT MARINE ACT, 1928

**SEC. 1. DECLARATION OF POLICY. (46 App. U.S.C. 891 (2002)).** The policy and primary purpose declared in section 1 of Merchant Marine Act, 1920 (U. S. C., Title 46, App. 861) are hereby confirmed.

**SEC. 202. VESSELS OF SECRETARY; REMODELING AND IMPROVING. (46 App. U.S.C. 891b (2002)).** In addition to his power to recondition and repair vessels under section 12 of the Merchant Marine Act, 1920 as amended (U. S. C., Title 46, App. 871), the Secretary of Transportation may remodel and improve vessels owned by the United States and in its possession or under his control, so as to equip them adequately for competition in the foreign trade of the United States. Any vessel so remodeled or improved shall be documented under the laws of the United States and shall remain documented under such laws for not less than five years from the date of the completion of the remodeling or improving and so long as there remains due the United States any money or interest on account of such vessel, and during such period it shall be operated only on voyages which are not exclusively coastwise.

**SEC. 203. REPLACEMENT VESSELS. (46 App. U.S.C. 891c (2002)).** The necessity for the replacement of vessels owned by the United States and in the possession or under the control of the Secretary of Transportation and the construction for the board of additional up-to-date cargo, combination cargo and passenger, and passenger ships, to give the United States an adequate merchant marine, is hereby recognized, and the Secretary of Transportation is authorized and directed to present to Congress from time to time, recommendations setting forth what new vessels are required for permanent operation under the United States flag in foreign trade, and the estimated cost thereof, to the end that Congress may, from time to time, make provision for replacements and additions. All vessels built for the Secretary of Transportation shall be built in the United States, and they shall be planned with reference to their possible usefulness as auxiliaries to the naval and military services of the United States.

**SEC. 703. DEFINITIONS. (46 App. U.S.C. 891u (2002)).**

(a) When used in this Act, and for the purposes of this Act only, the words "foreign trade" mean trade between the United States, its Territories or possessions, or the District of Columbia and a foreign country: Provided, however, That the loading or the unloading of cargo, mail, or passengers at any port in any Territory or possession of the

United States shall be construed to be foreign trade if the stop at such Territory or possession is an intermediate stop on what would otherwise be a voyage in foreign trade.

(b) When used in this Act the term "citizen of the United States" includes a corporation, partnership, or association only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended.<sup>1</sup>

**SEC. 704. REAFFIRMATION OF STEAMSHIP LINE POLICY (46 App. U.S.C. 891v (2002)).** The policy and the primary purpose declared in section 7 of the Merchant Marine Act, 1920, are hereby reaffirmed.

**SEC. 705. SHIP OPERATIONS; ALLOCATIONS. (46 App. U.S.C. 891w (2002)).** In the allocations of the operations of the ships, the Secretary of Transportation shall distribute them as far as possible and without detriment to the service among the various ports of the country.

**SEC. 706. SHORT TITLE. (46 App. U.S.C. 891x (2002)).** This Act may be cited as the "Merchant Marine Act, 1928."

---

<sup>1</sup> The term "citizen of the United States" is defined in Section 703(b) of the Merchant Marine Act, 1928, but not used in that Act. It is defined to include a corporation, partnership, or association within the meaning of Section 2 of the Shipping Act, 1916. Section 2 (followed by provisions that affect Section 2 citizenship requirements), is located at page 188, supra.