

Subsec. (h). Pub. L. 98-426, §24(b), redesignated subsec. (i) as (h). Former subsec. (h) redesignated (g).

Pub. L. 98-426, §24(c), inserted “and unpaid assessments” after “civil penalties”.

Pub. L. 98-426, §27(a)(2), substituted “Secretary” for “commissioner”. See Transfer of Functions note set out under section 902 of this title.

Subsec. (i). Pub. L. 98-426, §24(b), redesignated subsec. (j) as (i). Former subsec. (i) redesignated (h).

Subsec. (i)(1). Pub. L. 98-426, §24(d)(1), struck out “and 911” after “sections 910”, inserted “certain” before “initial”, and struck out “which occurred prior to the effective date of this subsection” after “disability or death”.

Subsec. (i)(4). Pub. L. 98-426, §24(d)(2), inserted “(e)” after “section 907”.

Subsec. (j). Pub. L. 98-426, §24(b), redesignated (k) as (j). Former subsec. (j) redesignated (i).

Pub. L. 98-426, §24(e), substituted “The fund shall be audited annually and the results of such audit shall be included in the annual report required by section 942 of this title” for “At the close of each fiscal year the Secretary shall submit to the Congress a complete audit of the fund”.

Subsec. (k). Pub. L. 98-426, §24(b), redesignated subsec. (k) as (j).

1972—Subsec. (a). Pub. L. 92-576, §8(a), substituted “special fund” for “special fund for the purpose of making payments in accordance with the provisions of subsections (f) and (g) of section 908, of subsection (b) of section 918, and of subsection (c) of section 939 of this title”.

Subsec. (c)(1). Pub. L. 92-576, §8(b), increased compensation payment for death to \$5,000 from \$1,000; inserted provision for compensation which would otherwise be compensable under this chapter; deleted second sentence, less two provisos, now incorporated in subsec. (j)(2) of this section; deleted first such proviso for priority of payments authorized by subsec. (f) over other payments authorized from the fund; and deleted second such proviso, now incorporated in subsec. (k) of this section.

Subsec. (c)(2), (3). Pub. L. 92-576, §8(b), added par. (2) and redesignated former par. (2) as (3).

Subsec. (d). Pub. L. 92-576, §8(b), added subsec. (d). Former subsec. (d) redesignated (f).

Subsec. (e). Pub. L. 92-576, §8(b), added subsec. (e). Former subsec. (e) redesignated (g).

Subsecs. (f) to (i). Pub. L. 92-576, §8(b), redesignated former subsecs. (d) to (g) as (f) to (i), respectively.

Subsec. (j). Pub. L. 92-576, §8(d), added pars. (1), (3), and (4), and incorporated former part of first sentence of subsec. (a) and former second sentence, less provisos, of subsec. (c)(1), in provisions designated as par. (2).

Subsec. (k). Pub. L. 92-576, §8(d), incorporated former provisions of subsec. (c)(1), last proviso, in provisions designated as subsec. (k).

1956—Subsec. (a). Act July 26, 1956, §8(a), substituted “, of subsection (b) of section 918 of this title, and of subsection (c) of section 939 of this title” for “of this title.”

Subsec. (c)(1). Act July 26, 1956, §8(b), substituted provisions relating to availability of fund for payments under sections 908(f) and (g), 918(b), and 939(c) of this title, proviso that subsec. (f) payments have priority, and further proviso requiring annual audit, for former provision that fifty per centum of each payment shall be available for the payments under section 908(f) and (g) of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-426 effective Sept. 28, 1984, see section 28(e)(1) of Pub. L. 98-426, set out as a note under section 901 of this title.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-576 effective 30 days after Oct. 27, 1972, see section 22 of Pub. L. 92-576, set out as a note under section 902 of this title.

TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Treasury, with certain exceptions, to Secretary of the Treasury with power to delegate, see Reorg. Plan No. 26 of 1950, §§1, 2, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, 1281, set out in the Appendix to Title 5, Government Organization and Employees. Functions of Coast Guard, and Commandant of Coast Guard, were excepted from transfer when Coast Guard is operating as part of Navy under sections 1 and 3 of Title 14, Coast Guard.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 907, 908, 910, 918, 922, 933, 939, 942, 948a of this title; title 30 section 932.

§§ 945 to 947. Repealed. Pub. L. 98-426, §25, Sept. 28, 1984, 98 Stat. 1654

Section 945, act Mar. 4, 1927, ch. 509, §45, 44 Stat. 1445, provided for creation of a fund to provide for payment of all expenses connected with administration of this chapter. See section 944 of this title.

Section 946, act Mar. 4, 1927, ch. 509, §46, 44 Stat. 1445, appropriated \$250,000 to be available for expenses of administration of this chapter for fiscal years ending June 30, 1927, and June 30, 1928.

Section 947, act Mar. 4, 1927, ch. 509, §47, 44 Stat. 1445, provided for availability of appropriations for salaries and contingent expenses in administration of this chapter.

EFFECTIVE DATE OF REPEAL

Repeal effective Sept. 28, 1984, see section 28(e)(1) of Pub. L. 98-426, set out as an Effective Date of 1984 Amendment note under section 901 of this title.

§ 948. Laws inapplicable

Nothing in sections 183, 184 to 186, 188, or 189 of title 46, Appendix, shall be held to limit the amount for which recovery may be had (1) in any suit at law or in admiralty where an employer has failed to secure compensation as required by this chapter, or (2) in any proceeding for compensation, any addition to compensation, or any civil penalty.

(Mar. 4, 1927, ch. 509, §48, 44 Stat. 1446.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 30 section 932.

§ 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

It shall be unlawful for any employer or his duly authorized agent to discharge or in any other manner discriminate against an employee as to his employment because such employee has claimed or attempted to claim compensation from such employer, or because he has testified or is about to testify in a proceeding under this chapter. The discharge or refusal to employ a person who has been adjudicated to have filed a fraudulent claim for compensation is not a violation of this section. Any employer who violates this section shall be liable to a penalty of not less than \$1,000 or more than \$5,000, as may be determined by the deputy commissioner. All such penalties shall be paid to the