

and attendance at the rate provided for witnesses in the district courts of the United States.

(d) An official designated to conduct an investigation under this part may issue subpoenas as provided in this section and administer oaths to witnesses.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 538.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
6304	46:239(e) 46:239(f)

Section 6304 provides an officer investigating a marine casualty with the necessary subpoena authority to require the attendance and testimony of witnesses and the production of evidence. It also authorizes a district court of the United States to direct compliance with a subpoena.

§ 6305. Reports of investigations

(a) The Secretary shall prescribe regulations about the form and manner of reports of investigations conducted under this part.

(b) Reports of investigations conducted under this part shall be made available to the public. This subsection does not require the release of information described by section 552(b) of title 5 or protected from disclosure by another law of the United States.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 538; Pub. L. 105-383, title III, §305, Nov. 13, 1998, 112 Stat. 3420.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
6305	46:239(g) 46:239(k)

Section 6305 requires the Secretary to prescribe regulations about the form and manner of reports of investigations of marine casualties. It also provides that the reports shall be available to the public, except for any information they contain related to national security.

AMENDMENTS

1998—Subsec. (b). Pub. L. 105-383 substituted “. This subsection does not require the release of information described by section 552(b) of title 5 or protected from disclosure by another law of the United States.” for “, except to the extent that they contain information related to the national security.”

§ 6306. Penalty

A person attempting to coerce a witness, or to induce a witness, to testify falsely in connection with a marine casualty, or to induce a witness to leave the jurisdiction of the United States, shall be fined \$5,000, imprisoned for one year, or both.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 538.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
6306	46:239(i)

Section 6306 provides for a \$5,000 criminal penalty for anyone attempting to coerce or to induce a witness to a marine casualty investigation to testify falsely or to leave the jurisdiction of the United States.

§ 6307. Notifications to Congress

(a) The Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of any hearing, before the hearing occurs, investigating a major marine casualty involving a death under section 6301 of this title.

(b) The Secretary shall submit to a committee referred to in subsection (a) of this section information on a major marine casualty that is requested by that committee or the chairman of the committee if the submission of that information is not prohibited by a law of the United States.

(c) The Secretary shall submit annually to Congress a summary of the marine casualties reported during the prior fiscal year, together with a brief statement of action taken concerning those casualties.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 538; Pub. L. 107-295, title IV, §408(c)(1), Nov. 25, 2002, 116 Stat. 2117.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
6307	46:239(j) 33:366

Subsection (a) requires the Secretary to notify the Merchant Marine and Fisheries Committee and the Senate Commerce Committee in advance of any hearing concerning a major marine accident (as defined by regulation) where there has been a loss of life.

Subsection (b) requires the Coast Guard to supply the Merchant Marine and Fisheries Committee and the Senate Commerce Committee with any requested marine casualty information, if its release is not specifically prohibited by law.

Subsection (c) requires the Secretary to submit an annual report to Congress summarizing the marine casualties reported during the prior fiscal year, with a brief statement of action taken concerning those casualties.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-295 substituted “Transportation and Infrastructure” for “Merchant Marine and Fisheries”.

§ 6308. Information barred in legal proceedings

(a) Notwithstanding any other provision of law, no part of a report of a marine casualty investigation conducted under section 6301 of this title, including findings of fact, opinions, recommendations, deliberations, or conclusions, shall be admissible as evidence or subject to discovery in any civil or administrative proceedings, other than an administrative proceeding initiated by the United States.

(b) Any member or employee of the Coast Guard investigating a marine casualty pursuant to section 6301 of this title shall not be subject to deposition or other discovery, or otherwise testify in such proceedings relevant to a marine casualty investigation, without the permission of the Secretary. The Secretary shall not withhold permission for such employee or member to testify, either orally or upon written questions, on solely factual matters at a time and place and in a manner acceptable to the Secretary if the information is not available elsewhere or is not obtainable by other means.