

§ 60503. Reciprocal suspension of discriminating duties

(a) GENERAL AUTHORITY.—On receiving satisfactory proof from the government of a foreign country that it has suspended, in any part, the imposition of discriminating duties for any class of vessels owned by citizens of the United States or goods imported in those vessels, the President may proclaim a reciprocal suspension of discriminating duties for the same class of vessels owned by citizens of that country or goods imported in those vessels.

(b) EFFECTIVE AND EXPIRATION DATES.—A suspension under this section takes effect retroactively from the date the President received the proof from the foreign government, and expires when that government stops granting the reciprocal suspension.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1680.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60503	46 App.:141.	R.S. §4228; July 24, 1897, ch. 13, 30 Stat. 214.

In this section, the word “goods” is substituted for “produce, manufactures, or merchandise”, “merchandise”, and “cargoes” for consistency in the chapter. Other changes are made to eliminate unnecessary words.

§ 60504. Reciprocal privileges for recreational vessels

When the President is satisfied that yachts owned by residents of the United States and used only for pleasure are allowed to arrive at, depart from, and cruise in the waters of a foreign port without entering, clearing, or paying any duties or fees (including cruising license fees), the Secretary of Homeland Security may allow yachts from that foreign port used only for pleasure to arrive at and depart from the ports of the United States and to cruise in the waters of the United States without paying any duties or fees. However, the Secretary may require foreign yachts to obtain a license to cruise in the waters of the United States. The license shall be in the form prescribed by the Secretary and contain limitations about length of time, direction, place of cruising and action, and other matters the Secretary considers appropriate. The license shall be issued without cost to the yacht.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1680.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60503	46 App.:104.	May 28, 1908, ch. 212, §5, 35 Stat. 425; Aug. 5, 1909, ch. 6, §37 (3d par.), 36 Stat. 112; June 26, 1948, ch. 673, 62 Stat. 1051.

The Secretary of Homeland Security is substituted for the Commissioner of Customs because the functions of the Customs Service and of the Secretary of the Treasury relating thereto were transferred to the Secretary of Homeland Security by section 403(1) of the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2178). The functions of the Commissioner of Customs

previously were vested in the Secretary of the Treasury under section 321(c) of title 31. For prior related transfers of functions, see the transfer of functions note under 46 App. U.S.C. 104.

§ 60505. Retaliatory suspension of commercial privileges

(a) GENERAL AUTHORITY.—The President may proclaim a suspension of commercial privileges to vessels of a foreign country when—

(1) vessels of that country have been given the same commercial privileges in the ports and waters of the United States given to vessels of the United States (except the privilege of engaging in coastwise commerce); and

(2) vessels of the United States are denied commercial privileges in the ports or waters of that country given to vessels of that country.

(b) APPLICATION.—A suspension under this section shall apply to the same commercial privileges denied to vessels of the United States in the ports or waters of the foreign country, and to the same class of vessels of that country as the class of vessels of the United States denied the privileges.

(c) EFFECTIVE DATE.—The President shall designate the effective date of the suspension in the proclamation.

(d) PENALTIES.—

(1) SEIZURE AND FORFEITURE.—If the master, officer, or agent of a vessel of a foreign country does an act for the vessel in the ports or waters of the United States in violation of a proclamation issued under this section, the vessel and the goods on the vessel may be seized by, and forfeited to, the United States Government.

(2) FINE OR IMPRISONMENT.—A person opposing an official of the Government enforcing this section shall be fined under title 18, imprisoned for not more than 2 years, or both.

(Pub. L. 109–304, §9(b), Oct. 6, 2006, 120 Stat. 1681.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
60505	46 App.:142.	June 19, 1886, ch. 421, §17, 24 Stat. 82.

In this section, the words “vessels of the United States” are used instead of both “vessels of the United States” and “American vessels” for consistency in the section. The words “vessels of a foreign country” and “vessels of that country” are substituted for “foreign country whose vessels”, “national vessels”, “vessels of such foreign country”, and similar references, for consistency. The words “ports and waters” and “ports or waters” are substituted for “ports”, “harbors, ports, or waters”, and “ports, harbors, or waters” for consistency.

In subsection (a), before paragraph (1), the words “on receiving satisfactory information of the continuance of such discriminations against any vessels of the United States” are omitted as unnecessary. In paragraph (1), the words “given the same commercial privileges” are substituted for “placed on the same footing” for clarity and for consistency in the section.

Subsection (b) is substituted for “excluding . . . from the exercise of such commercial privileges in the ports of the United States as are denied to American vessels in the ports of such foreign country, all vessels of such foreign country of a similar character to the vessels of the United States thus discriminated against” for clarity and to eliminate unnecessary words.