

[see Effective Date note set out under section 53101 of this title].”

**§ 53111. Authorization of appropriations**

There are authorized to be appropriated for payments under section 53106, to remain available until expended—

- (1) \$156,000,000 for each of fiscal years 2006, 2007, and 2008;
- (2) \$174,000,000 for each of fiscal years 2009, 2010, and 2011;
- (3) \$186,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, and 2018;
- (4) \$210,000,000 for each of fiscal years 2019, 2020, and 2021; and
- (5) \$222,000,000 for each fiscal year thereafter through fiscal year 2025.

(Added Pub. L. 108-136, div. C, title XXXV, §3531(a), Nov. 24, 2003, 117 Stat. 1817; amended Pub. L. 111-383, div. C, title XXXV, §3502(3), Jan. 7, 2011, 124 Stat. 4518; Pub. L. 112-239, div. C, title XXXV, §3508(i), Jan. 2, 2013, 126 Stat. 2225.)

AMENDMENTS

2013—Par. (2). Pub. L. 112-239, §3508(i)(1), struck out “and” at end.

Pars. (3) to (5). Pub. L. 112-239, §3508(i)(2), which directed amendment of par. (3) “to read as follows” and then set out pars. (3) to (5), was executed by amending par. (3) generally and adding pars. (4) and (5) to reflect the probable intent of Congress. Prior to amendment, par. (3) read as follows: “\$186,000,000 for each fiscal year thereafter through fiscal year 2025.”

2011—Par. (3). Pub. L. 111-383 substituted “2025” for “2015”.

**CHAPTER 533—CONSTRUCTION RESERVE FUNDS**

- Sec. 53301. Definitions.
- 53302. Authority for construction reserve funds.
- 53303. Persons eligible to establish funds.
- 53304. Vessel ownership.
- 53305. Eligible fund deposits.
- 53306. Recognition of gain for tax purposes.
- 53307. Basis for determining gain or loss and for depreciating new vessels.
- 53308. Order and proportions of deposits and withdrawals.
- 53309. Accumulation of deposits.
- 53310. Obligation of deposits and period for construction of certain vessels.
- 53311. Taxation of deposits on failure of conditions.
- 53312. Assessment and collection of deficiency tax.

**§ 53301. Definitions**

- (a) IN GENERAL.—In this chapter:
  - (1) CONSTRUCTION CONTRACT.—The term “construction contract” includes, for a taxpayer constructing a new vessel in a shipyard owned by that taxpayer, an agreement between the taxpayer and the Secretary of Transportation for that construction containing provisions the Secretary considers advisable to carry out this chapter.
  - (2) NEW VESSEL.—The term “new vessel” means—
    - (A) a vessel—
      - (i) constructed in the United States after December 31, 1939, constructed with a construction-differential subsidy under title V of the Merchant Marine Act, 1936, or constructed with financing or a financing

guarantee under chapter 537 or 575 of this title;

- (ii) documented or agreed with the Secretary to be documented under the laws of the United States; and

- (iii)(I) of a type, size, and speed that the Secretary determines is suitable for use on the high seas or Great Lakes in carrying out this subtitle, but not less than 2,000 gross tons or less than 12 knots speed unless the Secretary certifies in each case that a vessel of lesser tonnage or speed is desirable for use by the United States Government in case of war or national emergency; or

- (II) constructed to replace a vessel bought or requisitioned by the Government; and

(B) a vessel reconstructed or reconditioned for use only on the Great Lakes, including the Saint Lawrence River and Gulf, if the Secretary finds that the reconstruction or reconditioning will promote the objectives of this subtitle.

(b) ADDITIONAL TAX-RELATED TERMS.—Other terms used in this chapter have the same meaning as in chapter 1 of the Internal Revenue Code of 1986 (26 U.S.C. ch. 1).

(Pub. L. 109-304, §8(c), Oct. 6, 2006, 120 Stat. 1587.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
53301(a)(1) ..	46 App.:1161(n).	June 29, 1936, ch. 858, title V, §511(n), as added Dec. 23, 1944, ch. 714, §2, 58 Stat. 920; Pub. L. 97-31, §12(92)(A), Aug. 6, 1981, 95 Stat. 161.
53301(a)(2)(A).	46 App.:1161(a).	June 29, 1936, ch. 858, title V, §511(a), as added Oct. 10, 1940, ch. 849, 54 Stat. 1106; Pub. L. 97-31, §12(92)(A), Aug. 6, 1981, 95 Stat. 161.
53301(a)(2)(B).	46 App.:1161(o).	June 29, 1936, ch. 858, title V, §511(o), as added July 17, 1952, ch. 939, §14, 66 Stat. 764; Pub. L. 97-31, §12(92)(A), Aug. 6, 1981, 95 Stat. 161.
53301(b) .....	46 App.:1161(m).	June 29, 1936, ch. 858, title V, §511(m), as added Oct. 10, 1940, ch. 849, 54 Stat. 1108.

In subsection (a)(2)(A)(i), the words “constructed with a construction-differential subsidy under title V of the Merchant Marine Act, 1936, or constructed with financing or a financing guarantee under chapter 537 or 575 of this title” are substituted for “the construction of which has been financed under subchapters V or VII of this chapter, or the construction of which has been aided by a mortgage insured under subchapter XI of this chapter” because of the reorganization of the material and the omission from the revised title of the provisions relating to the construction-differential subsidy program.

Subsection (a)(2)(B) is substituted for the source provision to state more directly that a vessel described in the source provision is a new vessel for purposes of this chapter.

REFERENCES IN TEXT

The Merchant Marine Act, 1936, referred to in subsec. (a)(2)(A)(i), is act June 29, 1936, ch. 858, 49 Stat. 1985. Title V of the Act enacted provisions set out as notes under section 53101 of this title. For complete classification of this Act to the Code, see Short Title of 1936