

Stat. 4272; amended Pub. L. 103-331, title III, §339, Sept. 30, 1994, 108 Stat. 2496.)

#### AMENDMENTS

1994—Pub. L. 103-331 substituted “Waiver of collection” for “Rebate of” in section catchline and amended text generally. Prior to amendment, text read as follows:

“(a) The Corporation shall transfer to the Harbor Maintenance Trust Fund, at such times and under such terms and conditions as the Secretary of the Treasury may prescribe, all revenues derived from the collection of charges or tolls established under section 988 of this title.

“(b)(1) The Corporation shall certify to the Secretary of the Treasury, in such form and at such times as the Secretary of the Treasury shall prescribe—

“(A) the identity of any person who pays a charge or toll to the Corporation pursuant to section 988 of this title with respect to a commercial vessel (as defined in section 4462(a)(4) of title 26),

“(B) the amount of the toll or charge paid by such person with respect to such vessel.

“(2) Within 30 days of the receipt of a certification described in paragraph (1), the Secretary of the Treasury shall rebate, out of the Harbor Maintenance Trust Fund, to the person described in paragraph (1) the amount of the charge or toll paid pursuant to section 988 of this title.”

#### EFFECTIVE DATE

Section effective April 1, 1987, see section 805(b) of Pub. L. 99-662, set out as an Effective Date of 1986 Amendment note under section 984 of this title.

#### § 989. Special reports

(a) Repealed. Pub. L. 104-66, title I, §1121(j), Dec. 21, 1995, 109 Stat. 724.

(b) The Corporation, after July 17, 1957, shall submit special reports to the Congress whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding one million dollars, and such special reports shall include justification for the modifications.

(May 13, 1954, ch. 201, §10, 68 Stat. 96; Pub. L. 85-108, §1(5), July 17, 1957, 71 Stat. 308; Pub. L. 104-66, title I, §1121(j), Dec. 21, 1995, 109 Stat. 724.)

#### AMENDMENTS

1995—Subsec. (a). Pub. L. 104-66 struck out subsec. (a) which read as follows: “The Corporation shall submit to the President for transmission to the Congress at the beginning of each regular session an annual report of its operations under this chapter.”

1957—Pub. L. 85-108 designated existing provisions as subsec. (a) and added subsec. (b).

#### § 990. Offenses and penalties

##### (a) Application of penal statutes

All general penal statutes relating to the larceny, embezzlement, or conversion, of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

##### (b) Frauds and false entries, reports, or statements

Any person who, with intent to defraud the Corporation, or to deceive any director, officer,

or employee of the Corporation or any officer or employee of the United States, (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned not more than five years, or both.

##### (c) Receipt of compensation, or conspiracy, with intent to defraud, etc.

Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than \$5,000 or imprisoned not more than five years, or both.

(May 13, 1954, ch. 201, §9, 68 Stat. 96.)

#### CHAPTER 20—POLLUTION OF THE SEA BY OIL

#### §§ 1001 to 1011. Repealed. Pub. L. 96-478, § 12, Oct. 21, 1980, 94 Stat. 2303

Section 1001, Pub. L. 87-167, §2, Aug. 30, 1961, 75 Stat. 402; Pub. L. 89-551, §1(2), Sept. 1, 1966, 80 Stat. 372; Pub. L. 89-670, §6(g)(5), Oct. 15, 1966, 80 Stat. 941; Pub. L. 93-119, §2(1), Oct. 4, 1973, 87 Stat. 424; Pub. L. 97-449, §2(e)(1), Jan. 12, 1983, 96 Stat. 2440, defined terms used in this chapter.

Section 1002, Pub. L. 87-167, §3, Aug. 30, 1961, 75 Stat. 402; Pub. L. 89-551, §1(3), Sept. 1, 1966, 80 Stat. 373; Pub. L. 93-119, §2(2), Oct. 4, 1973, 87 Stat. 425, prohibited discharge of oil or oily mixtures, but included certain permissible discharges.

Section 1003, Pub. L. 87-167, §4, Aug. 30, 1961, 75 Stat. 402; Pub. L. 89-551, §1(4), Sept. 1, 1966, 80 Stat. 373; Pub. L. 93-119, §2(3), Oct. 4, 1973, 87 Stat. 425, excepted from the prohibition of section 1002 of this title discharges relating to securing safety of ship, prevention of damage to ship or cargo, saving life, and resulting from a damaged ship or unavoidable leakage.

Section 1004, Pub. L. 87-167, §5, Aug. 30, 1961, 75 Stat. 403; Pub. L. 89-551, §1(5), Sept. 1, 1966, 80 Stat. 374; Pub. L. 93-119, §2(4), Oct. 4, 1973, 87 Stat. 425, excepted from the prohibition of section 1002 of this title discharges relating to tanker ballast from cargo tank.

Section 1004a, Pub. L. 87-167, §6, as added Pub. L. 93-119, §2(5), Oct. 4, 1973, 87 Stat. 425, provided construction standards for United States tankers, the subsections relating to following subject matter: subsec. (a) tank arrangement and tank size limitation pursuant to provisions of annex C to convention and building contracts placed on or after effective date; subsec. (b) building contracts placed or keel laid before effective date; subsec. (c) domestic tankers without certificate of compliance or exemption prohibited from engaging in domestic or foreign trade; subsec. (d) foreign tankers with foreign registry but without certificate of compliance, consultation with foreign government, and denial of access; subsec. (e) foreign tankers without foreign registry and denial of access.

Section 1005, Pub. L. 87-167, §7, formerly §6, Aug. 30, 1961, 75 Stat. 403; renumbered and amended Pub. L. 93-119, §2(6), Oct. 4, 1973, 87 Stat. 426, related to penalties for violations, the subsections providing for following subject matter: subsec. (a) criminal penalties for willful violations and separate violations; subsec. (b) civil penalties for willful or negligent and other violations and separate violations; subsec. (c) liability of vessel and venue; and subsec. (d) administrative proceedings, assessment of civil penalties, remission, mitigation, or compromise of any penalty, notice and hearing, judicial proceedings, civil actions by Attorney General for collection of penalties, and trial de novo.