

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|---|---|
| 50109(a) | 46 App.:1121(f). | June 29, 1936, ch. 858, title II, §211(f), (h), (i), (j) (words after 2d semicolon), 49 Stat. 1989; Pub. L. 91-469, §§4(2), 35(a), Oct. 21, 1970, 84 Stat. 1018, 1035; Pub. L. 97-31, §12(67), Aug. 6, 1981, 95 Stat. 159. |
| 50109(b) | 46 App.:1121(h). | |
| 50109(c) | 46 App.:1121(i). | |
| 50109(d) | 46 App.:1121(j) (words after 2d semicolon). | |
| 50109(e) | 46 App.:1123. | June 29, 1936, ch. 858, title II, §213, 49 Stat. 1991; Pub. L. 87-877, §2(c), (d), Oct. 24, 1962, 76 Stat. 1201; Pub. L. 94-273, §27, Apr. 21, 1976, 90 Stat. 380; Pub. L. 97-31, §12(71), Aug. 6, 1981, 95 Stat. 159; Pub. L. 105-85, div. C, title XXXVI, §3602, Nov. 18, 1997, 111 Stat. 2075. |
| 50109(f) | 46 App.:811 (4th sentence). | Sept. 7, 1916, ch. 451, §12 (4th sentence), 39 Stat. 732; Ex. Ord. No. 6166, §12, eff. June 10, 1933; June 29, 1936, ch. 858, title II, §204, title IX, §904, 49 Stat. 1987, 2016; Pub. L. 97-31, §12(27), Aug. 6, 1981, 95 Stat. 155. |

§ 50110. Securing preference to vessels of the United States

(a) POSSIBILITIES OF PROMOTING CARRIAGE.—The Secretary of Transportation shall investigate, determine, and keep current records of the possibilities of promoting the carriage of United States foreign trade in vessels of the United States.

(b) INDUCEMENTS TO IMPORTERS AND EXPORTERS.—The Secretary shall study and cooperate with vessel owners in devising means by which the importers and exporters of the United States can be induced to give preference to vessels of the United States.

(c) LIAISON WITH AGENCIES AND ORGANIZATIONS.—The Secretary shall establish and maintain liaison with such other agencies of the United States Government, and with such representative trade organizations throughout the United States, as may be concerned, directly or indirectly, with any movement of commodities in the waterborne export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States in the shipment of those commodities.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1560.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--|--|
| 50110(a) | 46 App.:1121(j) (words between 1st and 2d semicolons). | June 29, 1936, ch. 858, title II, §211(j) (words between 1st and 2d semicolons), 49 Stat. 1989; Pub. L. 91-469, §§4(2), 35(a), Oct. 21, 1970, 84 Stat. 1018, 1035; Pub. L. 97-31, §12(67), Aug. 6, 1981, 95 Stat. 159. |
| 50110(b) | 46 App.:1122(b)(1). | June 29, 1936, ch. 858, title II, §212(b)(1), (d), 49 Stat. 1990; Pub. L. 97-31, §12(69), Aug. 6, 1981, 95 Stat. 159; Pub. L. 98-237, §20(c), Mar. 20, 1984, 98 Stat. 90. |
| 50110(c) | 46 App.:1122(d). | |

§ 50111. Submission of annual MARAD authorization request

(a) SUBMISSION OF LEGISLATIVE PROPOSAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the Maritime Administration authorization request for that fiscal year.

(b) MARITIME ADMINISTRATION REQUEST DEFINED.—In this section, the term “Maritime Administration authorization request” means a proposal for legislation that, for a fiscal year—

- (1) recommends authorizations of appropriations for the Maritime Administration for that fiscal year, including with respect to matters described in subsection¹ 109(j) of title 49 or authorized in subtitle V of this title; and
- (2) addresses any other matter with respect to the Maritime Administration that the Secretary determines is appropriate.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1560; Pub. L. 114-92, div. A, title X, §1074(c)(1), Nov. 25, 2015, 129 Stat. 996.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------------------------|---|
| 50111(a) | 46 App.:811 (last sentence). | Sept. 7, 1916, ch. 451, §12 (last sentence), 39 Stat. 732; Ex. Ord. No. 6166, §12, eff. June 10, 1933; June 29, 1936, ch. 858, title II, §204, title IX, §904, 49 Stat. 1987, 2016; Pub. L. 97-31, §12(27), Aug. 6, 1981, 95 Stat. 155. |
| | 46 App.:1118 (related to Secretary). | June 29, 1936, ch. 858, title II, §208 (related to Secretary), 49 Stat. 1988; Pub. L. 94-273, §36, Apr. 21, 1976, 90 Stat. 380; Pub. L. 97-31, §12(65), Aug. 6, 1981, 95 Stat. 159. |
| | 46 App.:1160(f). | June 29, 1936, ch. 858, title V, §510(f), as added Aug. 4, 1939, ch. 417, §7, 53 Stat. 1184; Pub. L. 97-31, §12(91)(A)-(C), Aug. 6, 1981, 95 Stat. 161. |
| | 46 App.:1291. | June 29, 1936, ch. 858, title XII, §1211, as added Sept. 7, 1950, ch. 906, 64 Stat. 776; Pub. L. 89-348, §1(7), Nov. 8, 1965, 79 Stat. 1310. |
| 50111(b) | 46 App.:1118 note. | Pub. L. 106-398, §1 [div. C, title XXXV, §3506], Oct. 30, 2000, 114 Stat. 1654, 1654A-494. |
| 50111(c) | 46 App.:1122(g). | June 29, 1936, ch. 858, title II, §212(g), 49 Stat. 1990; Pub. L. 90-268, §1, Mar. 16, 1968, 82 Stat. 49; Pub. L. 97-31, §12(69), Aug. 6, 1981, 95 Stat. 159; Pub. L. 98-237, §20(c), Mar. 20, 1984, 98 Stat. 90. |

In subsection (a), the words “on or before the 1st day of December in each year” in 46 App. U.S.C. 811 (last sentence) are omitted for consistency with the April 1 date in 46 App.:1118. The words “and of the operations of any corporation in which the United States is a stockholder, and the names and compensation of all persons employed by the Secretary of Transportation” in 46 App. U.S.C. 811 (last sentence) are omitted because the provision originally applied to the United States

¹ So in original. Probably should be “section”.

Shipping Board (which was abolished in 1933) and presumably is not intended to apply to the Secretary.

AMENDMENTS

2015—Pub. L. 114-92 amended section generally. Prior to amendment, section related to annual reports to Congress.

§ 50112. National Maritime Enhancement Institutes

(a) DESIGNATION.—The Secretary of Transportation may designate National Maritime Enhancement Institutes.

(b) ACTIVITIES.—Activities undertaken by an institute may include—

- (1) conducting research about methods to improve the performance of maritime industries;
- (2) enhancing the competitiveness of domestic maritime industries in international trade;
- (3) forecasting trends in maritime trade;
- (4) assessing technological advancements;
- (5) developing management initiatives and training;
- (6) analyzing economic and operational impacts of regulatory policies and international negotiations or agreements pending before international bodies;
- (7) assessing the compatibility of domestic maritime infrastructure systems with overseas transport systems;
- (8) fostering innovations in maritime transportation pricing; and
- (9) improving maritime economics and finance.

(c) APPLICATION FOR DESIGNATION.—An institution seeking designation as a National Maritime Enhancement Institute shall submit an application under regulations prescribed by the Secretary.

(d) CRITERIA FOR DESIGNATION.—The Secretary shall designate an institute under this section on the basis of the following criteria:

- (1) The demonstrated research and extension resources available to the applicant for carrying out the activities specified in subsection (b).
- (2) The ability of the applicant to provide leadership in making national and regional contributions to the solution of both long-range and immediate problems of the domestic maritime industry.
- (3) The existence of an established program of the applicant encompassing research and training directed to enhancing maritime industries.
- (4) The demonstrated ability of the applicant to assemble and evaluate pertinent information from national and international sources and to disseminate results of maritime industry research and educational programs through a continuing education program.
- (5) The qualification of the applicant as a nonprofit institution of higher learning.

(e) FINANCIAL AWARDS.—The Secretary may make awards on an equal matching basis to an institute designated under subsection (a) from amounts appropriated. The aggregate annual amount of the Federal share of the awards by the Secretary may not exceed \$500,000.

(f) UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—The Secretary may make a grant under section 5505 of title 49 to an institute designated under subsection (a) for maritime and maritime intermodal research under that section as if the institute were a university transportation center. In making a grant, the Secretary, through the Office of the Assistant Secretary for Research and Technology of the Department of Transportation, shall advise the Maritime Administration on the availability of funds for the grants and consult with the Administration on making the grants.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1561; Pub. L. 113-76, div. L, title I, Jan. 17, 2014, 128 Stat. 574.)

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| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 50112 | 46 App.:1121-2. | Pub. L. 101-115, §8, Oct. 13, 1989, 103 Stat. 694; Pub. L. 101-595, title VII, §702, Nov. 16, 1990, 104 Stat. 2994; Pub. L. 102-241, §47, Dec. 19, 1991, 105 Stat. 2227; Pub. L. 106-398, §1 [div. C, title XXXV, §3504], Oct. 30, 2000, 114 Stat. 1654, 1654A-493; Pub. L. 108-426, Nov. 30, 2004, §2(c)(4), 118 Stat. 2424. |

CHANGE OF NAME

“Office of the Assistant Secretary for Research and Technology of the Department of Transportation” substituted for “Research and Innovative Technology Administration” in subsec. (f) on authority of title I of div. L of Pub. L. 113-76, set out in part as a note under former section 112 of Title 49, Transportation.

§ 50113. Use and performance reports by operators of vessels

(a) FILING REQUIREMENT.—The Secretary of Transportation by regulation may require the operator of a vessel in the waterborne foreign commerce of the United States to file such report, account, record, or memorandum on the use and performance of the vessel as the Secretary considers desirable to assist in carrying out this subtitle. The report, account, record, or memorandum shall be signed and verified, and be filed at the times and in the manner, as provided by regulation.

(b) CIVIL PENALTY.—An operator not filing a report, account, record, or memorandum required by the Secretary under this section is liable to the United States Government for a civil penalty of \$50 for each day of the violation. A penalty imposed under this section on the operator of a vessel constitutes a lien on the vessel involved in the violation. A civil action in rem to enforce the lien may be brought in the district court of the United States for any district in which the vessel is found. The Secretary may remit or mitigate any penalty imposed under this section.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1562.)