

fee or other consideration for participating in arranging insurance when the Secretary directly insures any of the risk.

(h) **EMPLOYMENT OF MARINE INSURANCE EXPERTS.**—The Secretary, without regard to the laws and regulations on the employment of Federal employees, may appoint and prescribe the duties of experts in marine insurance as the Secretary considers necessary to carry out this chapter.

(i) **SERVICES OF OTHER GOVERNMENT AGENCIES.**—With the consent of another agency of the United States Government, the Secretary may use information, services, facilities, officers, and employees of the agency in carrying out this chapter.

(j) **VESSEL LOCATION REPORTING.**—The Secretary may prescribe by regulation vessel location reporting requirements for a vessel insured under this chapter.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1630.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
53910(a)	46 App.:1289(c) (1st sentence).	June 29, 1936, ch. 858, title XII, §1209(a)(1), (b)–(f), as added Sept. 7, 1950, ch. 906, 64 Stat. 775; Aug. 3, 1956, ch. 929, §1, 70 Stat. 984; Pub. L. 94–523, §4, Oct. 17, 1976, 90 Stat. 2474.
53910(b)	46 App.:1289(a)(1) (1st–19th words).	
53910(c)	46 App.:1289(b) (1st sentence).	
53910(d)	46 App.:1289(b) (last sentence).	
53910(e)	46 App.:1289(a)(1) (20th–last words).	
53910(f)	46 App.:1289(d).	
53910(g)	46 App.:1289(c) (last sentence).	
53910(h)	46 App.:1289(e).	
53910(i)	46 App.:1289(f).	
53910(j)	46 App.:1283(a) (last sentence).	

Subsection (e) is substituted for “may adjust and pay losses, compromise and settle claims, whether in favor of or against the United States and pay the amount of any judgment rendered against the United States in any suit, or the amount of any settlement agreed upon, in respect of any claim under insurance authorized by this subchapter” to eliminate unnecessary words.

§ 53911. Civil actions for losses

(a) **IN GENERAL.**—If there is a disagreement about a loss insured under this chapter, a civil action in admiralty may be brought against the United States in the district court of the United States for the district in which the plaintiff or the plaintiff’s agent resides. If the plaintiff has no residence in the United States, the action may be brought in the United States District Court for the District of Columbia or in the district court for any district in which the Attorney General agrees to accept service. Any person who may have an interest in the insurance may be made a party, either initially or on the motion of either party.

(b) **EXCLUSIVE REMEDY.**—A civil action against the United States under this section is exclusive of any other action by reason of the same subject matter against an officer, employee, or

agent employed or retained by the Government under this chapter.

(c) **PROCEDURE.**—A civil action under this section shall be heard and determined under chapter 309 of this title.

(d) **TOLLING OF LIMITATIONS PERIOD.**—If a claim is filed with the Secretary of Transportation, the running of the limitations period for bringing a civil action is suspended until the Secretary denies the claim, and for 60 days thereafter. The Secretary is deemed to have denied the claim if the Secretary does not act on the claim within 6 months after the claim is filed, unless the Secretary for good cause shown agrees with the claimant on a different period for the Secretary to act on the claim.

(e) **INTERPLEADER.**—If the Secretary acknowledges the indebtedness of the Government under the insurance and there is a dispute about the persons entitled to receive payment, the Government may bring a civil action interpleading those persons. The action shall be brought in the United States District Court for the District of Columbia or in the district court for the district in which any of those persons resides. A person not residing or found in the district may be made a party by service in any reasonable manner the court directs. If the court is satisfied that unknown persons might make a claim under the insurance, the court may direct service on those unknown persons by publication in the Federal Register. Judgment after service by publication in the Federal Register discharges the Government from further liability to all persons.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1631.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
53911	46 App.:1292.	June 29, 1936, ch. 858, title XII, §1212, as added Sept. 7, 1950, ch. 906, 64 Stat. 776.

§ 53912. Expiration date

The authority of the Secretary of Transportation to provide insurance and reinsurance under this chapter expires on December 31, 2020.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1632; Pub. L. 110–417, div. C, title XXXV, §3509, Oct. 14, 2008, 122 Stat. 4769; Pub. L. 113–66, div. C, title XXXV, §3502, Dec. 26, 2013, 127 Stat. 1085.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
53912	46 App.:1294.	June 29, 1936, ch. 858, title XII, §1214, as added Sept. 7, 1950, ch. 906, 64 Stat. 777; Aug. 3, 1955, ch. 492, 69 Stat. 440; Pub. L. 86-120, July 31, 1959, 73 Stat. 266; Pub. L. 89-89, July 27, 1965, 79 Stat. 264; Pub. L. 91-469, §34, Oct. 21, 1970, 84 Stat. 1035; Pub. L. 94-523, §5, Oct. 17, 1976, 90 Stat. 2474; Pub. L. 96-195, Feb. 25, 1980, 94 Stat. 63; Pub. L. 99-59, July 3, 1985, 99 Stat. 110; Pub. L. 101-115, §7(b), Oct. 13, 1989, 103 Stat. 694; Pub. L. 104-106, title X, §1094, Feb. 10, 1996, 110 Stat. 461; Pub. L. 104-239, §12, Oct. 8, 1996, 110 Stat. 3134; Pub. L. 108-375, div. C, title XXXV, §3502(a), Oct. 28, 2004, 118 Stat. 2195.

AMENDMENTS

- 2013—Pub. L. 113-66 substituted “December 31, 2020” for “December 31, 2015”.
- 2008—Pub. L. 110-417 substituted “December 31, 2015.” for “December 31, 2010.”

CHAPTER 541—MISCELLANEOUS

Sec¹

54101. Assistance for small shipyards and maritime communities¹

PRIOR PROVISIONS

A prior chapter 541, Miscellaneous, consisting of section 54101 and relating to assistance for small shipyards and maritime communities, added by Pub. L. 110-181, div. C, title XXXV, §3523(a)(6)(A), Jan. 28, 2008, 122 Stat. 599, was repealed by Pub. L. 110-417, div. C, title XXXV, §3508(b), Oct. 14, 2008, 122 Stat. 4769, as amended by Pub. L. 111-84, div. A, title X, §1073(c)(14), Oct. 28, 2009, 123 Stat. 2475, effective Oct. 14, 2008, and as if included in Pub. L. 110-417 as enacted.

§ 54101. Assistance for small shipyards and maritime communities

(a) ESTABLISHMENT OF PROGRAM.—Subject to the availability of appropriations, the Administrator of the Maritime Administration shall execute agreements with shipyards to provide assistance—

- (1) in the form of grants, loans, and loan guarantees to small shipyards for capital improvements; and
- (2) for maritime training programs to foster technical skills and operational productivity in communities whose economies are related to or dependent upon the maritime industry.

(b) AWARDS.—In providing assistance under the program, the Administrator shall—

- (1) take into account—
 - (A) the economic circumstances and conditions of maritime communities;
 - (B) projects that would be effective in fostering efficiency, competitive operations, and quality ship construction, repair, and reconfiguration; and
 - (C) projects that would be effective in fostering employee skills and enhancing productivity; and

(2) make grants within 120 days after the date of enactment of the appropriations Act for the fiscal year concerned.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Assistance provided under this section may be used—

- (A) to make capital and related improvements in small shipyards located in or near maritime communities;
- (B) to provide training for workers in communities whose economies are related to the maritime industry; and
- (C) for such other purposes as the Administrator determines to be consistent with and supplemental to such activities.

(2) ADMINISTRATIVE COSTS.—Not more than 2 percent of amounts made available to carry out the program may be used for the necessary costs of grant administration.

(d) PROHIBITED USES.—Grants awarded under this section may not be used to construct buildings or other physical facilities or to acquire land unless such use is specifically approved by the Administrator in support of subsection (c)(1)(C).

(e) MATCHING REQUIREMENTS; ALLOCATION.—

(1) FEDERAL FUNDING.—Except as provided in paragraph (2), Federal funds for any eligible project under this section shall not exceed 75 percent of the total cost of such project.

(2) EXCEPTION.—If the Administrator determines that a proposed project merits support and cannot be undertaken without a higher percentage of Federal financial assistance, the Administrator may award a grant for such project with a lesser matching requirement than is described in paragraph (1).

(3) ALLOCATION OF FUNDS.—The Administrator may not award more than 25 percent of the funds appropriated to carry out this section for any fiscal year to any small shipyard in one geographic location that has more than 600 employees.

(f) APPLICATIONS.—

(1) IN GENERAL.—To be eligible for assistance under this section, an applicant shall submit an application, in such form, and containing such information and assurances as the Administrator may require, within 60 days after the date of enactment of the appropriations Act for the fiscal year concerned.

(2) MINIMUM STANDARDS FOR PAYMENT OR REIMBURSEMENT.—Each application submitted under paragraph (1) shall include—

- (A)¹ a comprehensive description of—
 - (i) the need for the project;
 - (ii) the methodology for implementing the project; and
 - (iii) any existing programs or arrangements that can be used to supplement or leverage assistance under the program.

(3) PROCEDURAL SAFEGUARDS.—The Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

- (A) grant funds are used for the purposes for which they were made available;

¹ So in original. Probably should be followed by a period.

¹ So in original. There is no subpar. (B).