

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 C, title XXXV, §3523(a)(6)(A), Jan. 28, 2008, 122 Stat. 599, was repealed by Pub.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).

(B) grantees have properly accounted for all expenditures of grant funds; and

(C) grant funds not used for such purposes and amounts not obligated or expended are returned.

(4) PROJECT APPROVAL REQUIRED.—The Administrator may not award a grant under this section unless the Administrator determines that—

(A) sufficient funding is available to meet the matching requirements of subsection (e);

(B) the project will be completed without unreasonable delay; and

(C) the recipient has authority to carry out the proposed project.

(g) AUDITS AND EXAMINATIONS.—All grantees under this section shall maintain such records as the Administrator may require and make such records available for review and audit by the Administrator.

(h) SMALL SHIPYARD DEFINED.—In this section, the term “small shipyard” means a shipyard facility in one geographic location that does not have more than 1,200 employees.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator of the Maritime Administration for each of fiscal years 2015 through 2017 to carry out this section—

(1) \$5,000,000 for training grants; and

(2) \$25,000,000 for capital and related improvements.

(Added Pub. L. 110–417, div. C, title XXXV, § 3508(a), Oct. 14, 2008, 122 Stat. 4767; amended Pub. L. 113–281, title III, § 303, Dec. 18, 2014, 128 Stat. 3043.)

PRIOR PROVISIONS

A prior section 54101, added and amended Pub. L. 110–181, div. C, title XXXV, § 3523(a)(6)(B)–(D), Jan. 28, 2008, 122 Stat. 599, which related to assistance for small shipyards and maritime communities, 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.

AMENDMENTS

2014—Subsec. (i). Pub. L. 113–281 substituted “2015 through 2017” for “2009 through 2013” in introductory provisions.

PART D—PROMOTIONAL PROGRAMS

CHAPTER 551—COASTWISE TRADE

Sec.	
55101.	Application of coastwise laws.
55102.	Transportation of merchandise.
55103.	Transportation of passengers.
55104.	Transportation of passengers between Puerto Rico and other ports in the United States.
55105.	Transportation of hazardous waste.
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Sec.	
55114.	Unloading fish from foreign vessels.
55115.	Supplies on fish processing vessels.
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55119.	Yukon River.
55120.	Transshipment of imported merchandise intended for immediate exportation.
55121.	Transportation of merchandise and passengers on Canadian vessels.
55122.	Floating dry docks.

AMENDMENTS

2014—Pub. L. 113–291, div. C, title XXXV, § 3502(b), Dec. 19, 2014, 128 Stat. 3904, added item 55122.

2008—Pub. L. 110–181, div. C, title XXXV, § 3527(b)(2), Jan. 28, 2008, 122 Stat. 602, inserted “valueless material or” before “dredged material” in item 55110.

§ 55101. Application of coastwise laws

(a) IN GENERAL.—Except as provided in subsection (b), the coastwise laws apply to the United States, including the island territories and possessions of the United States.

(b) EXCEPTIONS.—The coastwise laws do not apply to—

(1) American Samoa;

(2) the Northern Mariana Islands, except as provided in section 502(b) of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (48 U.S.C. 1801 note); or

(3) the Virgin Islands until the President declares by proclamation that the coastwise laws apply to the Virgin Islands.

(Pub. L. 109–304, § 8(c), Oct. 6, 2006, 120 Stat. 1632; Pub. L. 110–181, div. C, title XXXV, § 3527(a), Jan. 28, 2008, 122 Stat. 602.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
55101(a)	46 App.:877 (words before last proviso).	June 5, 1920, ch. 250, § 21, 41 Stat. 997; Apr. 16, 1936, ch. 228, 49 Stat. 1207; Pub. L. 97–31, § 12(47), Aug. 6, 1981, 95 Stat. 157.
55101(b)(1) ..	48:1664.	June 14, 1934, ch. 523, 48 Stat. 963.
55101(b)(2) ..	48:1801 note (Covenant § 503(b)).	Pub. L. 94–241, § 1, Mar. 24, 1976, 90 Stat. 263; Pub. L. 98–213, § 9, Dec. 8, 1983, 97 Stat. 1461; Pub. L. 104–208, div. A, title I, § 101(d) [title I], Sept. 30, 1996, 110 Stat. 3009–196.
55101(b)(3) ..	46 App.:877 note.	Proc. No. 3215, Dec. 12, 1957, 72 Stat. c19.
55101(b)(4) ..	46 App.:877 (last proviso).	

In subsection (a), the words “apply to the United States, including” are substituted for “extend to” for clarity. The words “From and after February 1, 1922” and “not covered thereby on June 5, 1920” are omitted as obsolete. The requirement to establish adequate steamship service to the island Territories and possessions is omitted as obsolete.

Subsection (b)(2) is based on section 503(b) of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (48 U.S.C. 1801 note).

Subsection (b)(3) is based on Proc. No. 3215, Dec. 12, 1957, 72 Stat. c19, which provided that the President, “under and by virtue of the authority vested in me by the aforesaid section 21 of the Merchant Marine Act, 1920 [46 App. U.S.C. 877], do hereby declare and proclaim