

**§ 305. Regulations**

The Federal Maritime Commission may prescribe regulations to carry out its duties and powers.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1489.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>  | <i>Source (Statutes at Large)</i>  |
|------------------------|--|--|
| 305 .....              | 46 App.:1111(c) (related to rules and regulations).<br>46 App.:1716. | June 29, 1936, ch. 858, title II, §201(c) (related to rules and regulations), 49 Stat. 1986.<br>Pub. L. 98-237, §17, Mar. 20, 1984, 98 Stat. 84. |

The words “to carry out its duties and powers” are substituted for “in regard to its procedure and the conduct of its business” in 46 App. U.S.C. 1111(c) and “to carry out this chapter” in 46 App. U.S.C. 1716(a) for consistency in the revised title. The text of 46 App. U.S.C. 1716(b) is omitted as executed and obsolete.

**§ 306. Annual report**

(a) IN GENERAL.—Not later than April 1 of each year, the Federal Maritime Commission shall submit a report to Congress. The report shall include the results of its investigations, a summary of its transactions, the purposes for which all of its expenditures were made, and any recommendations for legislation.

(b) REPORT ON FOREIGN LAWS AND PRACTICES.—The Commission shall include in its annual report to Congress—

(1) a list of the 20 foreign countries that generated the largest volume of oceanborne liner cargo for the most recent calendar year in bilateral trade with the United States;

(2) an analysis of conditions described in section 42302(a) of this title being investigated or found to exist in foreign countries;

(3) any actions being taken by the Commission to offset those conditions;

(4) any recommendations for additional legislation to offset those conditions; and

(5) a list of petitions filed under section 42302(b) of this title that the Commission rejected and the reasons for each rejection.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1489.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>             | <i>Source (Statutes at Large)</i>  |
|------------------------|---------------------------------------|--|
| 306(a) .....           | 46 App.:1118 (related to Commission). | June 29, 1936, ch. 858, title II, §208 (related to Commission), 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. |
| 306(b) .....           | 46 App.:1710a(g).                     | Pub. L. 100-418, title X, §10002(g), Aug. 23, 1988, 102 Stat. 1572.  |

In subsection (a), the words “a statement of all receipts under this chapter” are omitted as inapplicable to the Commission.

**§ 307. Expenditures**

(a) IN GENERAL.—The Federal Maritime Commission may make such expenditures as are necessary in the performance of its functions from funds appropriated or otherwise made available to it, which appropriations are authorized.

(b) PROHIBITION.—Notwithstanding subsection (a), the Federal Maritime Commission may not expend any funds appropriated or otherwise made available to it to a non-Federal entity to issue an award, prize, commendation, or other honor that is not related to the purposes set forth in section 40101.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1490; Pub. L. 114-120, title IV, §403, Feb. 8, 2016, 130 Stat. 67.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>                | <i>Source (Statutes at Large)</i>  |
|------------------------|--|--|
| 307 .....              | 46 App.:1111(d) (related to Commission). | June 29, 1936, ch. 858, title II, §201(d) (related to Commission), 49 Stat. 1986; Pub. L. 97-31, §12(58)(B), Aug. 6, 1981, 95 Stat. 158. |

The words “by this chapter”, “after June 29, 1936”, and “further” are omitted as unnecessary.

AMENDMENTS

2016—Pub. L. 114-120 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

**§ 308. Authorization of appropriations**

There is authorized to be appropriated to the Federal Maritime Commission \$24,700,000 for each of fiscal years 2016 and 2017 for the activities of the Commission authorized under this chapter and subtitle IV.

(Added Pub. L. 114-120, title IV, §401(a), Feb. 8, 2016, 130 Stat. 67.)

**CHAPTER 5—OTHER GENERAL PROVISIONS**

- Sec. 501. Waiver of navigation and vessel-inspection laws.
- 502. Cargo exempt from forfeiture.
- 503. Notice of seizure.
- 504. Remission of fees and penalties.
- 505. Penalty for violating regulation or order.

**§ 501. Waiver of navigation and vessel-inspection laws**

(a) ON REQUEST OF SECRETARY OF DEFENSE.—On request of the Secretary of Defense, the head of an agency responsible for the administration of the navigation or vessel-inspection laws shall waive compliance with those laws to the extent the Secretary considers necessary in the interest of national defense.

(b) BY HEAD OF AGENCY.—

(1) IN GENERAL.—When the head of an agency responsible for the administration of the navigation or vessel-inspection laws considers it necessary in the interest of national defense, the individual, following a determination by the Maritime Administrator, acting in the Administrator’s capacity as Director, National Shipping Authority, of the non-availability of qualified United States flag capacity to meet national defense requirements, may waive compliance with those laws to the extent, in the manner, and on the terms the individual, in consultation with the Administrator, acting in that capacity, prescribes.

(2) DETERMINATIONS.—The Maritime Administrator shall—