

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
304 .....	46 App.:1111 note.	Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, §105(a)–(c), 75 Stat. 841.

**§ 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
305 .....	46 App.:1111(c) (related to rules and regulations). 46 App.:1716.	June 29, 1936, ch. 858, title II, §201(c) (related to rules and regulations), 49 Stat. 1986. 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.

## TRANSPARENCY IN UNFINISHED REGULATORY PROCEEDINGS

Pub. L. 115–282, title VII, §712, Dec. 4, 2018, 132 Stat. 4298, provided that:

“(a) IN GENERAL.—Beginning not later than 60 days after the date of enactment of this Act [Dec. 4, 2018], the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives bi-annual reports that describe the Commission’s progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

“(b) FORMAT OF REPORTS.—Each report under subsection (a) shall, among other things, clearly identify for each unfinished regulatory proceeding—

- “(1) the popular title;
- “(2) the current stage of the proceeding;
- “(3) an abstract of the proceeding;
- “(4) what prompted the action in question;
- “(5) any applicable statutory, regulatory, or judicial deadline;
- “(6) the associated docket number;
- “(7) the date the rulemaking was initiated;
- “(8) a date for the next action; and
- “(9) if a date for next action identified in the previous report is not met, the reason for the delay.”

**§ 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;

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

(6) an analysis of the impacts on competition for the purchase of certain covered services by alliances of ocean common carriers acting pursuant to an agreement under this part<sup>1</sup> between or among ocean common carriers, including a summary of actions, including corrective actions, taken by the Commission to promote such competition.

(c) DEFINITION OF CERTAIN COVERED SERVICES.—In this section, the term “certain covered services” has the meaning given the term in section 40102.

(Pub. L. 109–304, §4, Oct. 6, 2006, 120 Stat. 1489; Pub. L. 115–282, title VII, §703, Dec. 4, 2018, 132 Stat. 4294.)

## HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
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.

## AMENDMENTS

2018—Subsec. (b)(6). Pub. L. 115–282, §703(1), added par. (6).

Subsec. (c). Pub. L. 115–282, §703(2), added subsec. (c).

**§ 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.)

<sup>1</sup> So in original. Subtitle I of title 46 does not contain parts.