

§ 55119. Yukon River

Section 55102 of this title does not apply to the transportation of merchandise on the Yukon River until the Alaska Railroad is completed and the Secretary of Transportation finds that proper facilities will be available for transportation by citizens of the United States to properly handle the traffic.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1640.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
55119	46 App.:883 (4th proviso).	June 5, 1920, ch. 250, §27 (4th proviso), 41 Stat. 999; Exec. Order No. 6166, June 10, 1933, §12; July 2, 1935, ch. 355, 49 Stat. 442; June 29, 1936, ch. 858, title II, §204, title IX, §904, 49 Stat. 1987, 2016; Reorg. Plan No. 21 of 1950, eff. May 24, 1950, §204, 64 Stat. 1276; Pub. L. 97–31, §12(49), Aug. 6, 1981, 95 Stat. 157.

§ 55120. Transshipment of imported merchandise intended for immediate exportation

The Secretary of Homeland Security may prescribe regulations for the transshipment and transportation of merchandise that is imported into the United States by sea for immediate exportation to a foreign port by sea, or by a river, the right to ascend or descend which for the purposes of commerce is secured by treaty to the citizens of the United States and the subjects of a foreign power.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1641.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
55120	46 App.:291.	Feb. 17, 1898, ch. 26, §3, 30 Stat. 248.

§ 55121. Transportation of merchandise and passengers on Canadian vessels

(a) BETWEEN ROCHESTER AND ALEXANDRIA BAY.—Until passenger service is established by vessels of the United States between the port of Rochester, New York, and the port of Alexandria Bay, New York, the Secretary of Homeland Security may issue annually permits to Canadian passenger vessels to transport passengers between those ports. Canadian vessels holding such a permit are not subject to section 55103 of this title.

(b) WITHIN ALASKA OR BETWEEN ALASKA AND OTHER POINTS IN THE UNITED STATES.—Until the Secretary of Transportation determines that service by vessels of the United States is available to provide the transportation described in paragraph (1) or (2), sections 55102 and 55103 of this title do not apply to the transportation on Canadian vessels of—

- (1) passengers between ports in southeastern Alaska; or
- (2) passengers or merchandise between Hyder, Alaska, and other points in southeastern Alaska or in the United States outside Alaska.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1641.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
55121(a)	46 App.:289a.	Apr. 26, 1938, ch. 174, 52 Stat. 223; 1946 Reorg. Plan No. 3, §§101–104, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1097.
55121(b)	46 App.:289b.	Pub. L. 87–77, June 30, 1961, 75 Stat. 196; Pub. L. 97–31, §12(22), Aug. 6, 1981, 95 Stat. 155.

In subsection (a), the Secretary of Homeland Security is substituted for the Commissioner of Customs because the functions of the Customs Service and of the Secretary of the Treasury relating thereto were transferred to the Secretary of Homeland Security by section 403(1) of the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2178). The functions of the Commissioner of Customs previously were vested in the Secretary of the Treasury under section 321(c) of title 31. For prior related transfers of functions, see the transfer of functions note under 46 App. U.S.C. 289a.

§ 55122. Floating dry docks

(a) IN GENERAL.—Section 55102 of this title does not apply to the movement of a floating dry dock if—

- (1) the floating dry dock—
 - (A) is being used to launch or raise a vessel in connection with the construction, maintenance, or repair of that vessel;
 - (B) is owned and operated by—
 - (i) a shipyard located in the United States that is an eligible owner specified under section 12103(b) of this title; or
 - (ii) an affiliate of such a shipyard; and
 - (C) was owned or contracted for purchase by such shipyard or affiliate prior to the date of the enactment of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015; and

(2) the movement occurs within 5 nautical miles of the shipyard or affiliate that owns and operates such floating dry dock.

(b) DRY DOCKS FOR CONSTRUCTION OF CERTAIN NAVAL VESSELS.—

(1) IN GENERAL.—In applying subsection (a) to a floating dry dock used for the construction of naval vessels in a shipyard located in the United States, the ownership and operation requirement in paragraph (1)(B) of that subsection shall be treated as satisfied and “December 19, 2017” shall be substituted for the date referred to in paragraph (1)(C) of that subsection if the Secretary of the Navy determines that—

- (A) such dry dock is necessary for the timely completion of such construction; and
- (B) such dry dock—
 - (i) is owned and operated by—
 - (I) a shipyard located in the United States that is an eligible owner specified under section 12103(b); or
 - (II) an affiliate of such a shipyard; or
 - (ii) is—
 - (I) owned by the State in which the shipyard is located or a political subdivision of that State; and
 - (II) operated by a shipyard located in the United States that is an eligible owner specified under section 12103(b).