

cited as the ‘Negotiated Shipbuilding Contracting Act of 1976.’”

SHORT TITLE OF 1970 AMENDMENT

Pub. L. 91-469, §44, Oct. 21, 1970, 84 Stat. 1039, provided that: “This Act [see Tables for classification] may be cited as the ‘Merchant Marine Act of 1970.’”

SHORT TITLE OF 1936 AMENDMENT

Act June 29, 1936, ch. 858, title IX, §906, 49 Stat. 2016, as amended by Pub. L. 109-304, §19, Oct. 6, 2006, 120 Stat. 1710, provided that: “This Act [see Tables for classification] may be cited as the Merchant Marine Act, 1936.”

**§ 102. Barge**

In this title, the term “barge” means a non-self-propelled vessel.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1486.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 102 .....              | 46:2101(2).               |                                   |

**§ 103. Boundary Line**

In this title, the term “Boundary Line” means a line established under section 2(b) of the Act of February 19, 1895 (33 U.S.C. 151(b)).

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1486; Pub. L. 114-120, title III, §306(a)(1), Feb. 8, 2016, 130 Stat. 54.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 103 .....              | 46:2101(3).               |                                   |

**Editorial Notes**

AMENDMENTS

2016—Pub. L. 114-120 substituted “(33 U.S.C. 151(b)).” for “(33 U.S.C. 151).”

**§ 104. Citizen of the United States**

In this title, the term “citizen of the United States”, when used in reference to a natural person, means an individual who is a national of the United States as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1486.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 104 .....              | 46:2101(3a).              |                                   |

The words “when used in reference to a natural person” are added because of provisions in the title which treat entities as citizens. The words “or an individual citizen of the Trust Territory of the Pacific Islands who is exclusively domiciled in the Northern Mariana Islands within the meaning of section 1005(e) 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)” are omitted because the Covenant referred to became effective November 4, 1986, making citizens of the Northern Mariana Islands citizens or non-citizen nationals of the United States.

**§ 105. Consular officer**

In this title, the term “consular officer” means an officer or employee of the United States Government designated under regulations to issue visas.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1486.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 105 .....              | 46:2101(6).               |                                   |

**§ 106. Documented vessel**

In this title, the term “documented vessel” means a vessel for which a certificate of documentation has been issued under chapter 121 of this title.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1486.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 106 .....              | 46:2101(10).              |                                   |

**§ 107. Exclusive economic zone**

In this title, the term “exclusive economic zone” means the zone established by Presidential Proclamation 5030 of March 10, 1983 (16 U.S.C. 1453 note).

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 107 .....              | 46:2101(10a).             |                                   |

**§ 108. Fisheries**

In this title, the term “fisheries” includes processing, storing, transporting (except in foreign commerce), planting, cultivating, catching, taking, or harvesting fish, shellfish, marine animals, pearls, shells, or marine vegetation in the navigable waters of the United States or in the exclusive economic zone.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 108 .....              | 46:12101(a)(1).           |                                   |

**§ 109. Foreign commerce or trade**

(a) IN GENERAL.—In this title, the terms “foreign commerce” and “foreign trade” mean commerce or trade between a place in the United States and a place in a foreign country.

(b) CAPITAL CONSTRUCTION FUNDS AND CONSTRUCTION-DIFFERENTIAL SUBSIDIES.—In the context of capital construction funds under chapter 535 of this title, and in the context of construction-differential subsidies under title V of the Merchant Marine Act, 1936, the terms “foreign commerce” and “foreign trade” also include, in the case of liquid and dry bulk cargo carrying services, trading between foreign ports in ac-

cordance with normal commercial bulk shipping practices in a manner that will permit bulk vessels of the United States to compete freely with foreign bulk vessels in their operation or competition for charters, subject to regulations prescribed by the Secretary of Transportation.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 109 .....              | 46 App.:1244(a).          | June 29, 1936, ch. 858, title IX, §905(a), 49 Stat. 2016; June 23, 1938, ch. 600, §39(a), 52 Stat. 964; Pub. L. 91-469, §28, Oct. 21, 1970, 84 Stat. 1034; Pub. L. 92-402, §2, Aug. 22, 1972, 86 Stat. 617; Pub. L. 97-31, §12(133)(A), Aug. 6, 1981, 95 Stat. 165. |

In subsection (a), the words “its Territories or possessions, or the District of Columbia” are omitted because of the definition of “United States” in this chapter.

**Editorial Notes**

REFERENCES IN TEXT

The Merchant Marine Act, 1936, referred to in subsec. (b), is act June 29, 1936, ch. 858, 49 Stat. 1985. Title V of the Act enacted provisions set out as notes under section 53101 of this title. For complete classification of this Act to the Code, see Short Title of 1936 Amendment note set out under section 101 of this title and Tables.

**§ 110. Foreign vessel**

In this title, the term “foreign vessel” means a vessel of foreign registry or operated under the authority of a foreign country.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 110 .....              | 46:2101(12).              |                                   |

**§ 111. Numbered vessel**

In this title, the term “numbered vessel” means a vessel for which a number has been issued under chapter 123 of this title.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 111 .....              | 46:2101(17b).             |                                   |

**§ 112. State**

In this title, the term “State” means a State of the United States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 112 .....              | 46:2101(36).              |                                   |

**§ 113. Undocumented**

In this title, the term “undocumented” means not having and not required to have a certificate of documentation issued under chapter 121 of this title.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 113 .....              | 46:2101(41).              |                                   |

The words “certificate of documentation” are substituted for “document” for consistency with chapter 121.

**§ 114. United States**

In this title, the term “United States”, when used in a geographic sense, means the States of the United States, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>        | <i>Source (Statutes at Large)</i>   |
|------------------------|----------------------------------|---|
| 114 .....              | 46:2101(44).<br>46 App.:1244(g). | June 29, 1936, ch. 858, title IX, §905(g), 49 Stat. 2016; as added Pub. L. 96-453, §3(b), Oct. 15, 1980, 94 Stat. 2008. |

The language in 46 App. U.S.C. 1244(g) relating to the areas and installations in the Republic of Panama is omitted because those areas and installations were turned over to Panama by the end of 1999.

**§ 115. Vessel**

In this title, the term “vessel” has the meaning given that term in section 3 of title 1.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1487.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 115 .....              | 46:2101(45).              |                                   |

**§ 116. Vessel of the United States**

In this title, the term “vessel of the United States” means a vessel documented under chapter 121 of this title (or exempt from documentation under section 12102(c) of this title), numbered under chapter 123 of this title, or titled under the law of a State.

(Pub. L. 109-304, §4, Oct. 6, 2006, 120 Stat. 1488.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|-----------------------------------|
| 116 .....              | 46:2101(46).              |                                   |