

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective upon completion and submission to Congress of report on United States-flagged fuel tanker vessel capacity and upon publication of certification related to program for United States-flagged fuel tanker vessels, see section 3511(d) of Pub. L. 116-283, set out as a note under section 53401 of this title.

#### § 53410. Regulations

The Secretary of Transportation and the Secretary of Defense may each prescribe rules as necessary to carry out their respective responsibilities under this chapter.

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418.)

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#### § 53411. Authorization of appropriations

There is authorized to be appropriated for payments under section 53406, \$60,000,000 for each of fiscal years 2022 through 2035, to remain available until expended.

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418.)

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#### § 53412. Acquisition of Fleet vessels

(a) **IN GENERAL.**—Upon replacement of a Fleet vessel under an operating agreement under this chapter, and subject to agreement by the program participant of the vessel, the Secretary of Transportation is authorized, subject to the concurrence of the Secretary of Defense, acquire the vessel being replaced for inclusion in the National Defense Reserve Fleet.

(b) **REQUIREMENTS.**—To be eligible for acquisition by the Secretary of Transportation under this section a vessel shall—

(1) have been covered by an operating agreement under this chapter for not less than 3 years; and

(2) meet recapitalization requirements for the Ready Reserve Force.

(c) **FAIR MARKET VALUE.**—A fair market value shall be established by the Maritime Administration for acquisition of an eligible vessel under this section.

(d) **APPROPRIATIONS.**—Vessel acquisitions under this section shall be subject to the avail-

ability of appropriations. Amounts made available to carry out this section shall be derived from amounts authorized to be appropriated for the National Defense Reserve Fleet. Amounts authorized to be appropriated to carry out the Maritime Security Program may not be used to carry out this section.

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### CHAPTER 535—CAPITAL CONSTRUCTION FUNDS

#### Sec.

53501.	Definitions.
53502.	Regulations.
53503.	Establishing a capital construction fund.
53504.	Deposits and withdrawals.
53505.	Ceiling on deposits.
53506.	Investment and fiduciary requirements.
53507.	Nontaxation of deposits.
53508.	Separate accounts within a fund.
53509.	Qualified withdrawals.
53510.	Tax treatment of qualified withdrawals and basis of property.
53511.	Tax treatment of nonqualified withdrawals.
53512.	FIFO and LIFO withdrawals.
53513.	Corporate reorganizations and partnership changes.
53514.	Relationship of old fund to new fund.
53515.	Records and reports.
53516.	Termination of agreement after change in regulations.
53517.	Reports.

#### § 53501. Definitions

In this chapter:

(1) **AGREEMENT VESSEL.**—The term “agreement vessel” means—

(A) an eligible vessel or a qualified vessel that is subject to an agreement under this chapter; and

(B) a barge or container that is part of the complement of a vessel described in subparagraph (A) if provided for in the agreement.

(2) **ELIGIBLE VESSEL.**—The term “eligible vessel” means—

(A) a vessel—

(i) constructed in the United States (and, if reconstructed, reconstructed in the United States), constructed outside the United States but documented under the laws of the United States on April 15, 1970, or constructed outside the United States for use in the United States foreign trade pursuant to a contract made before April 15, 1970;

(ii) documented under the laws of the United States; and

(iii) operated in the foreign or domestic trade of the United States or in the fisheries of the United States; and

(B) a commercial fishing vessel—