

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large)  |
|-----------------|--------------------|---|
| 50305 .....     | 46 App.:1247.      | June 29, 1936, ch. 858, title IX, §908, as added Pub. L. 95-598, title III, §334, Nov. 6, 1978, 92 Stat. 2680; Pub. L. 97-31, §12(134), Aug. 6, 1981, 95 Stat. 165. |

In subsection (a)(1), before subparagraph (A), the words “Notwithstanding any other provision of law” and “bankruptcy, equity, or admiralty” are omitted as unnecessary.

In subsection (a)(2), the words “but the Secretary may demand a hearing” are substituted for “unless the Secretary shall deem a hearing necessary” for clarity.

In subsection (b)(1), the words “subject to the orders of the court” and “comply with the terms imposed by the court” are omitted as unnecessary.

In subsection (b)(2), the words “operating losses paid by the Secretary” are substituted for “the amount of such payments” for clarity.

In subsection (b)(3), the words “vessel operated by the United States” are substituted for “vessel of the United States” for clarity and consistency with chapter 309.

**§ 50306. Requiring testimony and records in investigations**

(a) IN GENERAL.—In conducting an investigation that the Secretary of Transportation considers necessary and proper to carry out this subtitle, the Secretary may administer oaths, take evidence, and subpoena persons to testify and produce documents relevant to the matter under investigation. Persons may be required to attend or produce documents from any place in the United States at any designated place of hearing.

(b) FEES AND MILEAGE.—Persons subpoenaed by the Secretary under subsection (a) shall be paid the same fees and mileage paid to witnesses in the courts of the United States.

(c) ENFORCEMENT OF SUBPOENAS.—If a person disobeys a subpoena issued under subsection (a), the Secretary may seek an order enforcing the subpoena from the district court of the United States for the district in which the person resides or does business. Process may be served in the judicial district in which the person resides or is found. The court may issue an order to obey the subpoena and punish a refusal to obey as a contempt of court.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1566.)

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| Revised Section | Source (U.S. Code) | Source (Statutes at Large)  |
|-----------------|--------------------|---|
| 50306 .....     | 46 App.:1124.      | June 29, 1936, ch. 858, title II, §214, 49 Stat. 1991; June 23, 1938, ch. 600, §3, 52 Stat. 954; Pub. L. 91-452, title II, §241, Oct. 15, 1970, 84 Stat. 930; Pub. L. 97-31, §12(72), Aug. 6, 1981, 95 Stat. 159; Pub. L. 98-237, §20(a), Mar. 20, 1984, 98 Stat. 89; Pub. L. 98-595, §2, Oct. 30, 1984, 98 Stat. 3132. |

In subsection (a), the word “affirmations” is omitted as unnecessary because of the definition of “oath” in 1 U.S.C. 1. The words “or any territory, district, or possession thereof” are omitted as unnecessary because of the definition of “United States” in chapter 1 of the revised title.

Subsection (c) is substituted for the source provision to eliminate unnecessary words.

**§ 50307. Maritime environmental and technical assistance program**

(a) IN GENERAL.—The Secretary of Transportation, acting through the Maritime Administrator, shall engage in the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system through the use of public vessels under the control of the Maritime Administration or private vessels under United States registry, and through partnerships and cooperative efforts with academic, public, private, and nongovernmental entities and facilities.

(b) COMPONENTS.—Under this section, the Secretary of Transportation shall identify, study, evaluate, test, demonstrate, or improve emerging marine technologies and practices to improve—

(1) environmental performance to meet United States Federal and international standards and guidelines, including—

- (A) reducing air emissions, water emissions, or other ship discharges;
  - (B) increasing fuel economy or the use of alternative fuels and alternative energy (including the use of shore power); or
  - (C) controlling aquatic invasive species; or
  - (D) reducing propeller cavitation; and
- (2) the efficiency and safety of domestic maritime industries.

(c) COORDINATION.—Coordination under subsection (b)(2) may include—

- (1) activities that are associated with the development or approval of validation and testing regimes; and
- (2) certification or validation of emerging technologies or practices that demonstrate significant environmental or other benefits to domestic maritime industries.

(d) ASSISTANCE.—The Secretary of Transportation may accept gifts, or enter into cooperative agreements, contracts, or other agreements with academic, public, private, and nongovernmental entities and facilities to carry out the activities authorized under subsection (a).

(e) USES.—The results of activities conducted under subsection (b)(1) shall be used to inform—

- (1) the policy decisions of the United States related to domestic regulations; and
- (2) the position of the United States on matters before the International Maritime Organization.

(f) LIMITATIONS ON THE USE OF FUNDS.—Not more than three percent of the funds appropriated to carry out this section may be used for administrative purposes.

(Added Pub. L. 112-213, title IV, §403(a), Dec. 20, 2012, 126 Stat. 1569; amended Pub. L. 116-92, div. C, title XXXV, §3503, Dec. 20, 2019, 133 Stat. 1969; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8504(b), Jan. 1, 2021, 134 Stat. 4747; Pub. L. 117-81, div. C, title XXXV, §3514, Dec. 27, 2021, 135 Stat. 2243.)

**Editorial Notes****AMENDMENTS**

2021—Subsec. (a). Pub. L. 116-283 substituted “maritime transportation” for “marine transportation”.

Subsecs. (e), (f). Pub. L. 117-81 added subsec. (e) and redesignated former subsec. (e) as (f).

2019—Subsec. (a). Pub. L. 116-92, § 3503(1), substituted “The Secretary of Transportation, acting through the Maritime Administrator, shall engage in the study” for “The Secretary of Transportation may engage in the environmental study”.

Subsec. (b). Pub. L. 116-92, § 3503(2), in introductory provisions of par. (1), substituted “shall identify, study, evaluate, test, demonstrate, or improve emerging marine technologies and practices to improve—” for “may—” and “environmental performance to meet United States Federal and international standards and guidelines, including—” for “(1) identify, study, evaluate, test, demonstrate, or improve emerging marine technologies and practices that are likely to achieve environmental improvements by—”, in subpar. (C) of par. (1), substituted “species; or” for “species; and”, added subpar. (D) of par. (1), and, in par. (2), substituted “the efficiency and safety of domestic maritime industries.” for “coordinate with the Environmental Protection Agency, the Coast Guard, and other Federal, State, local, or tribal agencies, as appropriate.”

Subsec. (c)(2). Pub. L. 116-92, § 3503(3), substituted “or other benefits to domestic maritime industries” for “benefits”.

Subsec. (e). Pub. L. 116-92, § 3503(4), added subsec. (e).

**§ 50308. Maritime transportation system emergency relief program**

(a) **GENERAL AUTHORITY.**—The Maritime Administrator may make grants to, and enter into contracts and agreement with, eligible State and Tribal entities and eligible entities for—

(1) the costs of capital projects to protect, repair, reconstruct, or replace equipment and facilities of the United States maritime transportation system that the Maritime Administrator determines is in danger of suffering serious physical damage, or has suffered serious physical damage, as a result of an emergency; and

(2) eligible operating costs of United States maritime transportation equipment and facilities in an area directly affected by an emergency during—

(A) the one-year period beginning on the date of a declaration of an emergency referred to in subparagraph (A) or (B) of subsection (j)(4); and

(B) an additional one-year period beginning one year after the date of an emergency referred to in subparagraph (A) or (B) of subsection (j)(4), if the Maritime Administrator, in consultation with the Administrator of the Federal Emergency Management Administration,<sup>1</sup> determines there is a compelling need arising out of the emergency for which the declaration is made.

(b) **ALLOCATION.**—

(1) **IN GENERAL.**—The Maritime Administrator shall determine an appropriate method for the equitable allocation and distribution of funds under this section to eligible State and Tribal entities and eligible entities.

(2) **PRIORITY.**—To the extent practicable, in allocating and distributing funds under this

section, the Maritime Administrator shall give priority to applications submitted by eligible State or Tribal entities.

(c) **APPLICATIONS.**—An applicant for assistance under this section shall submit an application for such assistance to the Maritime Administrator at such time, in such manner, and containing such information and assurances as the Maritime Administrator may require.

(d) **COORDINATION OF EMERGENCY FUNDS.**—

(1) **USE OF FUNDS.**—Funds appropriated to carry out this section shall be in addition to any other funds available under this chapter.

(2) **NO EFFECT ON OTHER GOVERNMENT ACTIVITY.**—The provision of funds under this section shall not affect the ability of any other agency of the Government, including the Federal Emergency Management Agency, or a State agency, a local governmental entity, organization, or person, to provide any other funds otherwise authorized by law.

(e) **GRANT REQUIREMENTS.**—A grant awarded under this section that is made to address an emergency referred to in subsection (j)(4)(B) shall be—

(1) subject to the terms and conditions the Maritime Administrator determines are necessary;

(2) made only for expenses that are not reimbursed under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or any Federal, State, or local assistance program; and

(3) made only for expenses that are not reimbursed under any type of marine insurance.

(f) **FEDERAL SHARE OF COSTS.**—The Federal share payable of the costs for which a grant is made under this section shall be 100 percent.

(g) **ADMINISTRATIVE COSTS.**—Of the amounts available to carry out this section, not more than two percent may be used for administration of this section.

(h) **QUALITY ASSURANCE.**—The Maritime Administrator shall institute adequate policies, procedures, and internal controls to prevent waste, fraud, abuse, and program mismanagement for the distribution of funds under this section.

(i) **REPORTS.**—On an annual basis, the Maritime Administrator 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 a report on the financial assistance provided under this section during the year covered by the report. Each such report shall include, for such year, a description of such assistance provided and of how such assistance—

(1) affected the United States maritime transportation system;

(2) mitigated the financial impact of the emergency on the recipient of the assistance; and

(3) protected critical infrastructure in the United States.

(j) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE STATE OR TRIBAL ENTITY.**—The term “eligible State or Tribal entity” means—

<sup>1</sup> So in original. Probably should be “Agency.”