

which a trustee or receiver may be appointed for a corporation operating a vessel of United States registry between the United States and a foreign country, on which the United States Government holds a mortgage, the court may appoint the Secretary of Transportation as the sole trustee or receiver (subject to the direction of the court) if—

(A) the court finds that the appointment will—

(i) inure to the advantage of the estate and the parties in interest; and

(ii) tend to carry out the purposes of this subtitle; and

(B) the Secretary expressly consents to the appointment.

(2) APPOINTMENT OF OTHER PERSON.—The appointment of another person as trustee or receiver without a hearing becomes effective when ratified by the Secretary, but the Secretary may demand a hearing.

(b) OPERATION OF VESSELS.—

(1) IN GENERAL.—If the court is unwilling to allow the trustee or receiver to operate the vessel in foreign commerce without financial aid from the Government pending termination of the proceeding, and the Secretary certifies to the court that the continued operation of the vessel is essential to the foreign commerce of the United States and is reasonably calculated to carry out the purposes of this subtitle, the court may allow the Secretary to operate the vessel, either directly or through a managing agent or operator employed by the Secretary. The Secretary must agree to comply with terms imposed by the court sufficient to protect the parties in interest. The Secretary also must agree to pay all operating losses resulting from the operation. The operation shall be for the account of the trustee or receiver.

(2) PAYMENT OF OPERATING LOSSES AND OTHER AMOUNTS.—The Secretary has no claim against the corporation, its estate, or its assets for operating losses paid by the Secretary, but the Secretary may pay amounts for depreciation the Secretary considers reasonable and other amounts the court considers just. The payment of operating losses and the other amounts and compliance with terms imposed by the court shall be in satisfaction of any claim against the Secretary resulting from the operation of the vessel.

(3) DEEMED OPERATION BY GOVERNMENT.—A vessel operated by the Secretary under this subsection is deemed to be a vessel operated by the United States under chapter 309 of this title.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1565.)

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.)

HISTORICAL AND REVISION NOTES

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) EMERGING MARINE TECHNOLOGIES AND PRACTICES.—

(1) IN GENERAL.—The Secretary of Transportation, acting through the Maritime Administrator, shall engage in or support the study, research, development, assessment, and de-

ployment of emerging marine technologies and practices related to the maritime transportation system through eligible entities.

(2) COMPONENTS.—Under this subsection, the Secretary of Transportation shall identify, study, evaluate, test, demonstrate, improve, or support efforts related to, emerging marine technologies and practices to improve—

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

(i) reducing air emissions, water emissions, or other ship discharges;

(ii) increasing fuel economy or the use of alternative fuels and alternative energy (including the use of shore power); or

(iii) controlling aquatic invasive species;

or

(iv) reducing incidental vessel-generated underwater noise, such as noise from propeller cavitation or hydrodynamic flow; and

(B) the efficiency and safety of domestic maritime industries.

(3) COORDINATION.—Coordination with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include—

(A) activities that are associated with the development or approval of validation and testing regimes; and

(B) certification or validation of emerging technologies or practices that demonstrate significant environmental or other benefits to domestic maritime industries.

(4) ASSISTANCE.—The Secretary of Transportation may accept gifts, or enter into cooperative agreements, contracts, or other agreements with eligible entities to carry out the activities authorized under this subsection.

(5) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a competitive grant program to award grants to eligible entities for projects in the United States consistent with the goals of this subsection to study, evaluate, test, demonstrate, or apply technologies and practices to improve environmental performance.

(b) USES.—The results of activities conducted under this section 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.

(c) VESSELS.—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public vessels under the control of the Maritime Administration, upon approval of the Maritime Administrator.

(d) ELIGIBLE ENTITY DEFINED.—In this section, the term “eligible entity” means—

(1) a private entity, including a nonprofit organization;

(2) a State, regional, or local government or entity, including special districts;

(3) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education

Assistance Act (25 U.S.C. 5304)) or a consortium of Indian Tribes;

(4) an institution of higher education as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

(5) a partnership or collaboration of entities described in paragraphs (1) through (4).

(e) CENTER FOR MARITIME INNOVATION.—

(1) IN GENERAL.—The Secretary of Transportation shall, through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the “Center”) to support the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system.

(2) SELECTION.—The Center shall be—

(A) selected through a competitive process of eligible entities, and if a private entity, a domestic entity;

(B) based in the United States with technical expertise in emerging marine technologies and practices related to the maritime transportation system; and

(C) located in close proximity to eligible entities with expertise in United States emerging marine technologies and practices, including the use of alternative fuels and the development of both vessel and shoreside infrastructure.

(3) COORDINATION.—The Secretary of Transportation shall coordinate with other agencies critical for science, research, and regulation of emerging marine technologies for the maritime sector, including the Department of Energy, the Environmental Protection Agency, the National Science Foundation, and the Coast Guard, when establishing the Center.

(4) FUNCTIONS.—The Center shall—

(A) support eligible entities regarding the development and use of clean energy and necessary infrastructure to support the deployment of clean energy on vessels of the United States;

(B) monitor and assess, on an ongoing basis, the current state of knowledge regarding emerging marine technologies in the United States;

(C) identify any significant gaps in emerging marine technologies research specific to the United States maritime industry, and seek to fill those gaps;

(D) conduct research, development, testing, and evaluation for equipment, technologies, and techniques to address the components under subsection (a)(2);

(E) provide—

(i) guidance on best available technologies;

(ii) technical analysis;

(iii) assistance with understanding complex regulatory requirements; and

(iv) documentation of best practices in the maritime industry, including training and informational webinars on solutions for the maritime industry; and

(F) work with academic and private sector response training centers and Domestic Maritime Workforce Training and Education

Centers of Excellence to develop maritime strategies applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleets.

(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; Pub. L. 117–263, div. C, title XXXV, § 3543(a), Dec. 23, 2022, 136 Stat. 3098.)

### Editorial Notes

#### AMENDMENTS

2022—Subsec. (a). Pub. L. 117–263, § 3543(a)(1), designated existing provisions as par. (1) and inserted subsec. heading.

Subsec. (a)(1). Pub. L. 117–263, § 3543(a)(7)(A), inserted “or support” after “engage in” and substituted “eligible entities.” for “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.”

Subsec. (a)(2). Pub. L. 117–263, § 3543(a)(4), (7)(B), redesignated subsec. (b) as par. (2), realigned margins, and substituted “this subsection” for “this section” and “improve, or support efforts related to,” for “or improve” in introductory provisions.

Subsec. (a)(3). Pub. L. 117–263, § 3543(a)(4), (7)(C), redesignated subsec. (c) as par. (3), realigned margins, and substituted “with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include” for “under subsection (b)(2) may include” in introductory provisions.

Subsec. (a)(4). Pub. L. 117–263, § 3543(a)(4), (7)(D), redesignated subsec. (d) as par. (4), realigned margins, and substituted “eligible entities” for “academic, public, private, and nongovernmental entities and facilities” and “this subsection” for “subsection (a)”.

Subsec. (a)(5). Pub. L. 117–263, § 3543(a)(7)(E), added par. (5).

Subsec. (b). Pub. L. 117–263, § 3543(a)(8), substituted “this section” for “subsection (b)(1)” in introductory provisions.

Pub. L. 117–263, § 3543(a)(5), redesignated subsec. (e) as (b). Former subsec. (b) redesignated (a)(2).

Pub. L. 117–263, § 3543(a)(2)(B), redesignated pars. (1) and (2) as subpars. (A) and (B), respectively, and realigned margins.

Subsec. (b)(1). Pub. L. 117–263, § 3543(a)(2)(A), redesignated subpars. (A) to (D) as cls. (i) to (iv), respectively, realigned margins, and substituted “incidental vessel-generated underwater noise, such as noise from propeller cavitation or hydrodynamic flow” for “propeller cavitation” in cl. (iv).

Subsec. (c). Pub. L. 117–263, § 3543(a)(9), added subsec. (c). Former subsec. (c) redesignated (a)(3).

Pub. L. 117–263, § 3543(a)(3), redesignated pars. (1) and (2) as subpars. (A) and (B), respectively, and realigned margins.

Subsec. (d). Pub. L. 117–263, § 3543(a)(9), added subsec. (d). Former subsec. (d) redesignated (a)(4).

Subsec. (e). Pub. L. 117–263, § 3543(a)(9), added subsec. (e). Former subsec. (e) redesignated (b).

Subsec. (f). Pub. L. 117–263, § 3543(a)(6), struck out subsec. (f). Text read as follows: “Not more than three percent of the funds appropriated to carry out this section may be used for administrative purposes.”

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).

### Statutory Notes and Related Subsidiaries

#### DEADLINE FOR IMPLEMENTATION

Pub. L. 117–263, div. C, title XXXV, § 3543(b), Dec. 23, 2022, 136 Stat. 3100, provided that: “The Secretary of Transportation shall establish the United States Center for Maritime Innovation under subsection (e) of section 50307 of title 46, United States Code, as added by subsection (a), by not later than one year after the date of the enactment of this Act [Dec. 23, 2022].”

### § 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 Agency, 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