

Public Law 95-173
95th Congress

An Act

To authorize appropriations for fiscal year 1978 for certain maritime programs of the Department of Commerce, and for other purposes.

Nov. 12, 1977
[S. 1019]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Maritime Appropriation Authorization Act for Fiscal Year 1978".

Maritime
Appropriation
Authorization Act
for Fiscal Year
1978.

SEC. 2. Funds are authorized to be appropriated without fiscal year limitation as the appropriation Act may provide for the use of the Department of Commerce, for the fiscal year 1978, as follows:

(1) for acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, not to exceed \$135,000,000;

(2) for payment of obligations incurred for operating-differential subsidy, not to exceed \$372,109,000: *Provided, however,* That no funds authorized by this paragraph may be paid after the 240th day after the date of the enactment of this Act to any liner company unless its chief executive officer certifies under oath to the Secretary of Commerce that he (A) is using and will use reasonable diligence to insure that, for the period during which these funds are to be received, no company owner, employee, or agent will pay any rebates which are illegal under the Shipping Act, 1916, and (B) will fully cooperate with the Federal Maritime Commission in its investigation of illegal rebating in United States foreign and domestic trades, and in its efforts to end such illegal procedures;

Rebates,
prohibited use of
funds.

Certification.

46 USC 801.

(3) for expenses necessary for research and development activities, not to exceed \$20,725,000;

(4) for reserve fleet expenses, not to exceed \$5,137,000;

(5) for maritime training at the Merchant Marine Academy at Kings Point, New York, not to exceed \$14,656,000; and

(6) for financial assistance to State marine schools, not to exceed \$5,970,000.

SEC. 3. There are authorized to be appropriated for the fiscal year 1978, in addition to the amounts authorized by section 2 of this Act, such additional supplemental amounts for the activities for which appropriations are authorized under section 2 of this Act, as may be necessary for increases in salary, pay, retirement, or other employee benefits authorized by law, and for increased costs of public utilities, food service, and other expenses of the Merchant Marine Academy at Kings Point, New York.

Additional
appropriations.

SEC. 4. Section 4 of the Maritime Academy Act of 1958 (46 U.S.C. 1383) is amended by striking out "\$75,000" and inserting in lieu thereof "\$100,000".

SEC. 5. Section 6(a) of the Maritime Academy Act of 1958, as amended (46 U.S.C. 1385(a)), is amended by striking out "\$600" and inserting in lieu thereof "\$1,200".

SEC. 6. (a) Section 209(b) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1119(b)), is further amended by striking out "and" after the semicolon at the end of item (7), and by inserting immediately after item (8) the following new items:

46 USC 1126.

"(9) expenses necessary for extension and correspondence courses authorized under section 216(c) of this Act; and

"(10) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, or general administration;".

Effective date.

46 USC 1119
note.

(b) The amendment made by subsection (a) of this section shall be effective for fiscal years beginning after September 30, 1978.

SEC. 7. Subsections (c) and (d) of section 216 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1126), are each amended by striking out "Commission" wherever it appears therein and inserting in lieu thereof "Secretary of Commerce".

SEC. 8. Section 509 of the Merchant Marine Act, 1936 (46 U.S.C. 1159) is amended by inserting in the fourth sentence thereof immediately after "eight knots" the following: "or in the case of a ferry operating solely in point-to-point transportation which is designed to be of not less than seventy-five gross tons and to be capable of a sustained speed of not less than eight knots,".

Assistant
Secretary of
Commerce,
establishment of
additional office.
15 USC 1507b.

SEC. 9. (a) There shall be in the Department of Commerce, in addition to the Assistant Secretaries provided by law as of the date of the enactment of this Act, one additional Assistant Secretary of Commerce who shall be appointed by the President, by and with the advice and consent of the Senate. Such Assistant Secretary shall receive compensation at the rate prescribed by law for Assistant Secretaries of Commerce, and shall perform such duties as the Secretary of Commerce shall prescribe.

(b) Section 5315 of title 5, United States Code, is amended by striking out paragraph (12) and inserting in lieu thereof:

"(12) Assistant Secretaries of Commerce (8).".

Approved November 12, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-332 accompanying H.R. 4963 (Comm. on Merchant Marine and Fisheries) and 95-747 (Comm. of Conference).

SENATE REPORT No. 95-160 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 123 (1977):

May 24, considered and passed Senate.

July 13, considered and passed House, amended, in lieu of H.R. 4963.

Oct. 31, House agreed to conference report.

Nov. 1, Senate agreed to conference report.