

the carriage of cargo in the domestic and foreign commerce of the United States; and

(2) the economic and technological aspects of the use of cargo containers as a method of carrying out the policy in section 50101 of this title.

(b) RESTRICTION.—In carrying out subsection (a) and the policy in section 50101 of this title, the United States Government may not give preference as between carriers based on the length, height, or width of cargo containers or the length, height, or width of cargo container cells. This restriction applies to all existing container vessels and any container vessel to be constructed or rebuilt.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1559.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50108	46 App.:1122(f).	June 29, 1936, ch. 858, title II, §212(f); as added Pub. L. 90–268, §1, Mar. 16, 1968, 82 Stat. 49; Pub. L. 97–31, §12(69), Aug. 6, 1981, 95 Stat. 159; Pub. L. 98–237, §20(c), Mar. 20, 1984, 98 Stat. 90.

§ 50109. Miscellaneous studies

(a) FOREIGN SUBSIDIES.—The Secretary of Transportation shall investigate, determine, and keep current records of the extent and character of the governmental aid and subsidies granted by foreign governments to their merchant marine.

(b) LAWS APPLICABLE TO AIRCRAFT.—The Secretary shall investigate, determine, and keep current records of the provisions of law relating to shipping that should be made applicable to aircraft engaged in foreign commerce to further the policy in section 50101 of this title, and any appropriate legislation in this regard.

(c) AID FOR COTTON, COAL, LUMBER, AND CEMENT.—The Secretary shall investigate, determine, and keep current records of the advisability of enactment of suitable legislation authorizing the Secretary, in an economic or commercial emergency, to aid farmers and producers of cotton, coal, lumber, and cement in any section of the United States in the transportation and landing of their products in any foreign port, which products can be carried in dry-cargo vessels by reducing rates, by supplying additional tonnage to any American operator, or by operation of vessels directly by the Secretary, until the Secretary considers the special rate reduction and operation unnecessary for the benefit of those farmers and producers.

(d) INTERCOASTAL AND INLAND WATER TRANSPORTATION.—The Secretary shall investigate, determine, and keep current records of inter-coastal and inland water transportation, including their relation to transportation by land and air.

(e) OBSOLETE TONNAGE AND TRAMP SERVICE.—The Secretary shall make studies and reports to Congress on—

(1) the scrapping or removal from service of old or obsolete merchant tonnage owned by the United States Government or in use in the merchant marine; and

(2) tramp shipping service and the advisability of citizens of the United States participating in that service with vessels under United States registry.

(f) MORTGAGE LOANS.—The Secretary shall investigate the legal status of mortgage loans on vessel property, with a view to the means of improving the security of those loans and of encouraging investment in American shipping.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1559.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50109(a)	46 App.:1121(f).	June 29, 1936, ch. 858, title II, §211(f), (h), (i), (j) (words after 2d semicolon), 49 Stat. 1989; Pub. L. 91–469, §4(2), 35(a), Oct. 21, 1970, 84 Stat. 1018, 1035; Pub. L. 97–31, §12(67), Aug. 6, 1981, 95 Stat. 159.
50109(b)	46 App.:1121(h).	
50109(c)	46 App.:1121(i).	
50109(d)	46 App.:1121(j) (words after 2d semicolon).	
50109(e)	46 App.:1123.	June 29, 1936, ch. 858, title II, §213, 49 Stat. 1991; Pub. L. 87–877, §2(c), (d), Oct. 24, 1962, 76 Stat. 1201; Pub. L. 94–273, §27, Apr. 21, 1976, 90 Stat. 380; Pub. L. 97–31, §12(71), Aug. 6, 1981, 95 Stat. 159; Pub. L. 105–85, div. C, title XXXVI, §3602, Nov. 18, 1997, 111 Stat. 2075.
50109(f)	46 App.:311 (4th sentence).	Sept. 7, 1916, ch. 451, §12 (4th sentence), 39 Stat. 732; Ex. Ord. No. 6166, §12, eff. June 10, 1933; June 29, 1936, ch. 858, title II, §204, title IX, §904, 49 Stat. 1987, 2016; Pub. L. 97–31, §12(27), Aug. 6, 1981, 95 Stat. 155.

§ 50110. Securing preference to vessels of the United States

(a) POSSIBILITIES OF PROMOTING CARRIAGE.—The Secretary of Transportation shall investigate, determine, and keep current records of the possibilities of promoting the carriage of United States foreign trade in vessels of the United States.

(b) INDUCEMENTS TO IMPORTERS AND EXPORTERS.—The Secretary shall study and cooperate with vessel owners in devising means by which the importers and exporters of the United States can be induced to give preference to vessels of the United States.

(c) LIAISON WITH AGENCIES AND ORGANIZATIONS.—The Secretary shall establish and maintain liaison with such other agencies of the United States Government, and with such representative trade organizations throughout the United States, as may be concerned, directly or indirectly, with any movement of commodities in the waterborne export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States in the shipment of those commodities.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1560.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50110(a)	46 App.:1121(j) (words between 1st and 2d semicolons).	June 29, 1936, ch. 858, title II, §211(j) (words between 1st and 2d semicolons), 49 Stat. 1989; Pub. L. 91-469, §§4(2), 35(a), Oct. 21, 1970, 84 Stat. 1018, 1035; Pub. L. 97-31, §12(67), Aug. 6, 1981, 95 Stat. 159.
50110(b)	46 App.:1122(b)(1).	June 29, 1936, ch. 858, title II, §212(b)(1), (d), 49 Stat. 1990; Pub. L. 97-31, §12(69), Aug. 6, 1981, 95 Stat. 159; Pub. L. 98-237, §20(c), Mar. 20, 1984, 98 Stat. 90.
50110(c)	46 App.:1122(d).	

§ 50111. Submission of annual MARAD authorization request

(a) SUBMISSION OF LEGISLATIVE PROPOSAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the Maritime Administration authorization request for that fiscal year.

(b) MARITIME ADMINISTRATION REQUEST DEFINED.—In this section, the term “Maritime Administration authorization request” means a proposal for legislation that, for a fiscal year—

- (1) recommends authorizations of appropriations for the Maritime Administration for that fiscal year, including with respect to matters described in subsection¹ 109(j) of title 49 or authorized in subtitle V of this title; and
- (2) addresses any other matter with respect to the Maritime Administration that the Secretary determines is appropriate.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1560; Pub. L. 114-92, div. A, title X, §1074(c)(1), Nov. 25, 2015, 129 Stat. 996.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50111(a)	46 App.:811 (last sentence).	Sept. 7, 1916, ch. 451, §12 (last sentence), 39 Stat. 732; Ex. Ord. No. 6166, §12, eff. June 10, 1933; June 29, 1936, ch. 858, title II, §204, title IX, §904, 49 Stat. 1987, 2016; Pub. L. 97-31, §12(27), Aug. 6, 1981, 95 Stat. 155.
	46 App.:1118 (related to Secretary).	June 29, 1936, ch. 858, title II, §208 (related to Secretary), 49 Stat. 1988; Pub. L. 94-273, §36, Apr. 21, 1976, 90 Stat. 380; Pub. L. 97-31, §12(65), Aug. 6, 1981, 95 Stat. 159.
	46 App.:1160(f).	June 29, 1936, ch. 858, title V, §510(f), as added Aug. 4, 1939, ch. 417, §7, 53 Stat. 1184; Pub. L. 97-31, §12(91)(A)-(C), Aug. 6, 1981, 95 Stat. 161.
	46 App.:1291.	June 29, 1936, ch. 858, title XII, §1211, as added Sept. 7, 1950, ch. 906, 64 Stat. 776; Pub. L. 89-348, §1(7), Nov. 8, 1965, 79 Stat. 1310.
50111(b)	46 App.:1118 note.	Pub. L. 106-398, §1 [div. C, title XXXV, §3506], Oct. 30, 2000, 114 Stat. 1654, 1654A-494.

¹ So in original. Probably should be “section”.

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50111(c)	46 App.:1122(g).	June 29, 1936, ch. 858, title II, §212(g), 49 Stat. 1990; Pub. L. 90-268, §1, Mar. 16, 1968, 82 Stat. 49; Pub. L. 97-31, §12(69), Aug. 6, 1981, 95 Stat. 159; Pub. L. 98-237, §20(c), Mar. 20, 1984, 98 Stat. 90.

In subsection (a), the words “on or before the 1st day of December in each year” in 46 App. U.S.C. 811 (last sentence) are omitted for consistency with the April 1 date in 46 App.:1118. The words “and of the operations of any corporation in which the United States is a stockholder, and the names and compensation of all persons employed by the Secretary of Transportation” in 46 App. U.S.C. 811 (last sentence) are omitted because the provision originally applied to the United States Shipping Board (which was abolished in 1933) and presumably is not intended to apply to the Secretary.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-92 amended section generally. Prior to amendment, section related to annual reports to Congress.

§ 50112. National Maritime Enhancement Institutes

(a) DESIGNATION.—The Secretary of Transportation may designate National Maritime Enhancement Institutes.

(b) ACTIVITIES.—Activities undertaken by an institute may include—

- (1) conducting research about methods to improve the performance of maritime industries;
- (2) enhancing the competitiveness of domestic maritime industries in international trade;
- (3) forecasting trends in maritime trade;
- (4) assessing technological advancements;
- (5) developing management initiatives and training;
- (6) analyzing economic and operational impacts of regulatory policies and international negotiations or agreements pending before international bodies;
- (7) assessing the compatibility of domestic maritime infrastructure systems with overseas transport systems;
- (8) fostering innovations in maritime transportation pricing; and
- (9) improving maritime economics and finance.

(c) APPLICATION FOR DESIGNATION.—An institution seeking designation as a National Maritime Enhancement Institute shall submit an application under regulations prescribed by the Secretary.

(d) CRITERIA FOR DESIGNATION.—The Secretary shall designate an institute under this section on the basis of the following criteria:

- (1) The demonstrated research and extension resources available to the applicant for carrying out the activities specified in subsection (b).
- (2) The ability of the applicant to provide leadership in making national and regional contributions to the solution of both long-range and immediate problems of the domestic maritime industry.