

damages to a contractor arising from activation of commercial transportation resources under an Emergency Preparedness Agreement.

(Added Pub. L. 108-136, div. C, title XXXV, § 3531(a), Nov. 24, 2003, 117 Stat. 1814; amended Pub. L. 109-304, § 13(a)(6), Oct. 6, 2006, 120 Stat. 1701; Pub. L. 111-84, div. C, title XXXV, § 3505, Oct. 28, 2009, 123 Stat. 2720; Pub. L. 112-239, div. C, title XXXV, § 3508(g), Jan. 2, 2013, 126 Stat. 2225.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the National Defense Authorization Act for Fiscal Year 2010, referred to in subsec. (b)(3)(A), is the date of enactment of Pub. L. 111-84, which was approved Oct. 28, 2009.

AMENDMENTS

2013—Subsec. (b)(1). Pub. L. 112-239 amended par. (1) generally. Prior to amendment, text read as follows: “An Emergency Preparedness Agreement under this section shall require that upon a request by the Secretary of Defense during time of war or national emergency, or whenever determined by the Secretary of Defense to be necessary for national security or contingency operation (as that term is defined in section 101 of title 10, United States Code), a contractor for a vessel covered by an operating agreement under this chapter shall make available commercial transportation resources (including services).”

2009—Subsec. (b)(3). Pub. L. 111-84 added par. (3).

2006—Subsec. (f). Pub. L. 109-304 substituted “section 55302(a), 55304, 55305, or 55314 of this title, section 2631 of title 10” for “section 2631 of title 10, United States Code, the Act of March 26, 1934 (46 U.S.C. App. 1241-1), section 901(a), 901(b), or 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(a), 1241(b), or 1241f)” in introductory provisions and “sections 55302(a), 55304, 55305, and 55314 of this title and section 2631 of title 10” for “section 2631 of title 10, United States Code, the Act of March 26, 1934 (46 U.S.C. App. 1241-1), and sections 901(a), 901(b), and 901b of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(a), 1241(b), and 1241b)” in par. (2).

§ 53108. Regulatory relief

(a) OPERATION IN FOREIGN COMMERCE.—A contractor for a vessel included in an operating agreement under this chapter may operate the vessel in the foreign commerce of the United States without restriction.

(b) OTHER RESTRICTIONS.—The restrictions of section 55305(a) of this title concerning the building, rebuilding, or documentation of a vessel in a foreign country shall not apply to a vessel for any day the operator of that vessel is receiving payments for operation of that vessel under an operating agreement under this chapter.

(c) TELECOMMUNICATIONS EQUIPMENT.—The telecommunications and other electronic equipment on an existing vessel that is redocumented under the laws of the United States for operation under an operating agreement under this chapter shall be deemed to satisfy all Federal Communications Commission equipment certification requirements, if—

(1) such equipment complies with all applicable international agreements and associated guidelines as determined by the country in which the vessel was documented immediately before becoming documented under the laws of the United States;

(2) that country has not been identified by the Secretary as inadequately enforcing international regulations as to that vessel; and

(3) at the end of its useful life, such equipment will be replaced with equipment that meets Federal Communications Commission equipment certification standards.

(Added Pub. L. 108-136, div. C, title XXXV, § 3531(a), Nov. 24, 2003, 117 Stat. 1816; amended Pub. L. 109-304, § 13(a)(7), Oct. 6, 2006, 120 Stat. 1701.)

Editorial Notes

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-304 substituted “section 55305(a) of this title” for “section 901(b)(1) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1241(b)(1))”.

§ 53109. Repealed. Pub. L. 112-239, div. C, title XXXV, § 3508(h), Jan. 2, 2013, 126 Stat. 2225

Section, Pub. L. 108-136, div. C, title XXXV, § 3531(a), Nov. 24, 2003, 117 Stat. 1817, related to special rule regarding age of participating fleet vessel.

§ 53110. Regulations

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

(Added Pub. L. 108-136, div. C, title XXXV, § 3531(a), Nov. 24, 2003, 117 Stat. 1817.)

Statutory Notes and Related Subsidiaries

INTERIM RULES

Pub. L. 108-136, div. C, title XXXV, § 3533, Nov. 24, 2003, 117 Stat. 1818, provided that: “The Secretary of Transportation and the Secretary of Defense may each prescribe interim rules necessary to carry out their respective responsibilities under this subtitle [subtitle C (§§ 3531-3537) of title XXXV of div. C of Pub. L. 108-136, enacting this chapter, amending former section 12102 of this title and sections 808 and 1162 of the former Appendix to this title, repealing sections 1187 to 1187e and 1222 of the former Appendix to this title, enacting provisions set out as a note under section 53101 of this title, and amending provisions set out as a note under section 1187 of the former Appendix to this title] and the amendments made by this subtitle. For this purpose, the Secretaries are exempted from compliance with the notice and comment requirements of section 553 of title 5, United States Code. All interim rules prescribed under the authority of this section that are not earlier superseded by final rules shall expire no later than 270 days after the effective date of this subtitle [see Effective Date note set out under section 53101 of this title].”

§ 53111. Authorization of appropriations

There are authorized to be appropriated for payments under section 53106, to remain available until expended—

- (1) \$300,000,000 for each of fiscal years 2018, 2019, and 2020;
- (2) \$494,008,000 for fiscal year 2021;
- (3) \$318,000,000 for each of fiscal years 2022, 2023, and 2024;
- (4) \$390,000,000 for each of fiscal years 2025 and 2026;
- (5) \$400,500,000 for each of fiscal years 2027 and 2028;

- (6) \$411,300,000 for each of fiscal years 2029 and 2030;
- (7) \$422,400,000 for each of fiscal years 2031 and 2032.
- (8) \$433,800,000 for each of fiscal years 2033 and 2034;
- (9) \$445,560,000 for each of fiscal years 2035 and 2036;
- (10) \$457,560,000 for each of fiscal years 2037 and 2038; and
- (11) \$469,920,000 for each of fiscal years 2039 and 2040.

(Added Pub. L. 108-136, div. C, title XXXV, § 3531(a), Nov. 24, 2003, 117 Stat. 1817; amended Pub. L. 111-383, div. C, title XXXV, § 3502(3), Jan. 7, 2011, 124 Stat. 4518; Pub. L. 112-239, div. C, title XXXV, § 3508(i), Jan. 2, 2013, 126 Stat. 2225; Pub. L. 114-92, div. C, title XXXV, § 3504(b), Nov. 25, 2015, 129 Stat. 1219; Pub. L. 114-113, div. O, title I, § 101(e)(2), Dec. 18, 2015, 129 Stat. 2988; Pub. L. 115-232, div. C, title XXXV, § 3546(p), Aug. 13, 2018, 132 Stat. 2327; Pub. L. 116-92, div. C, title XXXV, § 3502(d), Dec. 20, 2019, 133 Stat. 1969; Pub. L. 116-283, div. C, title XXXV, § 3501(c)(1), Jan. 1, 2021, 134 Stat. 4397; Pub. L. 118-159, div. C, title XXXV, § 3502(d), Dec. 23, 2024, 138 Stat. 2305.)

Editorial Notes

AMENDMENTS

- 2024—Par. (3). Pub. L. 118-159, § 3502(d)(1), substituted “and 2024” for “2024, and 2025”.
- Par. (4). Pub. L. 118-159, § 3502(d)(3), added par. (4). Former par. (4) redesignated (5).
- Par. (5). Pub. L. 118-159, § 3502(d)(4), substituted “\$400,500,000” for “\$348,000,000” and “2027” for “2026, 2027.”
- Pub. L. 118-159, § 3502(d)(2), redesignated par. (4) as (5). Former par. (5) redesignated (6).
- Par. (6). Pub. L. 118-159, § 3502(d)(5), substituted “\$411,300,000” for “\$378,000,000” and “and 2030;” for “, 2030, and 2031; and”.
- Pub. L. 118-159, § 3502(d)(2), redesignated par. (5) as (6). Former par. (6) redesignated (7).
- Par. (7). Pub. L. 118-159, § 3502(d)(6), substituted “\$422,400,000” for “\$408,000,000” and “2031 and 2032” for “2032, 2033, 2034, and 2035”.
- Pub. L. 118-159, § 3502(d)(2), redesignated par. (6) as (7).
- Pars. (8) to (11). Pub. L. 118-159, § 3502(d)(7), added pars. (8) to (11).
- 2021—Par. (2). Pub. L. 116-283 substituted “\$494,008,000” for “\$314,007,780”.
- 2019—Pars. (3) to (6). Pub. L. 116-92 substituted “\$318,000,000 for each of fiscal years 2022, 2023, 2024, and 2025;” for “\$222,000,000 for each fiscal year thereafter through fiscal year 2025.” in par. (3) and added pars. (4) to (6).
- 2018—Pub. L. 115-232 redesignated pars. (5) to (7) as (1) to (3), respectively, and struck out former pars. (1) to (4) which set out authorized amounts for fiscal years 2006 to 2017.
- 2015—Par. (3). Pub. L. 114-113, § 101(e)(2)(A), substituted “and 2015” for “2015, 2017, and 2018;”.
- Pub. L. 114-92 struck out “2016,” after “2015.”
- Pars. (4) to (7). Pub. L. 114-113, § 101(e)(2)(B), (C), added pars. (4) to (6), redesignated former par. (5) as (7), and struck out former par. (4) which read as follows: “\$210,000,000 for each of fiscal years 2019, 2020, and 2021; and”.
- 2013—Par. (2). Pub. L. 112-239, § 3508(i)(1), struck out “and” at end.
- Pars. (3) to (5). Pub. L. 112-239, § 3508(i)(2), which directed amendment of par. (3) “to read as follows” and then set out pars. (3) to (5), was executed by amending par. (3) generally and adding pars. (4) and (5) to reflect the probable intent of Congress. Prior to amendment,

par. (3) read as follows: “\$186,000,000 for each fiscal year thereafter through fiscal year 2025.”

2011—Par. (3). Pub. L. 111-383 substituted “2025” for “2015”.

CHAPTER 532—CABLE SECURITY FLEET

Sec. 53201.	Definitions.
53202.	Establishment of the Cable Security Fleet.
53203.	Award of operating agreements.
53204.	Effectiveness of operating agreements.
53205.	Obligations and rights under operating agreements.
53206.	Payments.
53207.	National security requirements.
53208.	Regulatory relief.
53209.	Authorization of appropriations.

§ 53201. Definitions

In this chapter:

(1) **CABLE SERVICES.**—The term “cable services” means the installation, maintenance, or repair of submarine cables and related equipment, and related cable vessel operations.

(2) **CABLE VESSEL.**—The term “cable vessel” means a vessel—

(A) classed as a cable ship or cable vessel by, and designed in accordance with the rules of, the American Bureau of Shipping, or another classification society accepted by the Secretary; and

(B) capable of installing, maintaining, and repairing submarine cables.

(3) **CABLE FLEET.**—The term “Cable Fleet” means the Cable Security Fleet established under section 53202(a).

(4) **CONTINGENCY AGREEMENT.**—The term “Contingency Agreement” means the agreement required by section 53207.

(5) **CONTRACTOR.**—The term “Contractor” means an owner or operator of a vessel that enters into an Operating Agreement for a cable vessel with the Secretary under section 53203.

(6) **FISCAL YEAR.**—The term “fiscal year” means any annual period beginning on October 1 and ending on September 30.

(7) **OPERATING AGENCY.**—The term “Operating Agency” means that agency or component of the Department of Defense so designated by the Secretary of Defense under this chapter.

(8) **OPERATING AGREEMENT OR AGREEMENT.**—The terms “Operating Agreement” or “Agreement” mean the agreement required by section 53203.

(9) **PERSON.**—The term “person” includes corporations, partnerships, and associations existing under or authorized by the laws of the United States, or any State, Territory, District, or possession thereof, or of any foreign country.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

(11) **UNITED STATES.**—The term “United States” includes the States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

(12) **UNITED STATES CITIZEN TRUST.**—

(A) Subject to paragraph (C), the term “United States citizen trust” means a trust that is qualified under this paragraph.