

pant for the vessel has entered into an arrangement to obtain and operate under the operating agreement for the participating Fleet vessel a replacement vessel that, upon commencement of such operation, will be eligible to be included in the Fleet under section 53402(b) of this title.

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418.)

§ 53410. Regulations

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

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418.)

§ 53411. Authorization of appropriations

There are authorized to be appropriated for payments under section 53406, amounts as follows, to remain available until expended:

- (1) \$122,400,000 for each of fiscal years 2025 and 2026.
- (2) \$167,600,000 for each of fiscal years 2027 and 2028.
- (3) \$172,120,000 for each of fiscal years 2029 and 2030.
- (4) \$176,780,000 for each of fiscal years 2031 and 2032.
- (5) \$181,560,000 for each of fiscal years 2033 and 2034.
- (6) \$186,460,000 for each of fiscal years 2035 and 2036.
- (7) \$191,480,000 for each of fiscal years 2037 and 2038.
- (8) \$196,660,000 for each of fiscal years 2039 and 2040.

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418; amended Pub. L. 117-263, div. C, title XXXV, § 3501(b)(1), Dec. 23, 2022, 136 Stat. 3064; Pub. L. 118-159, div. C, title XXXV, § 3531(c), Dec. 23, 2024, 138 Stat. 2312.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118-159 amended section generally. Prior to amendment, text read as follows: “There is authorized to be appropriated for payments under section 53406, \$60,000,000 for each of fiscal years 2022 and 2023, and \$120,000,000 for fiscal years 2024 through 2035, to remain available until expended.”

2022—Pub. L. 117-263 substituted “and 2023, and \$120,000,000 for fiscal years 2024 through 2035” for “through 2035”.

§ 53412. Acquisition of Fleet vessels

(a) IN GENERAL.—Upon replacement of a Fleet vessel under an operating agreement under this chapter, and subject to agreement by the program participant of the vessel, the Secretary of Transportation is authorized, subject to the concurrence of the Secretary of Defense, acquire the vessel being replaced for inclusion in the National Defense Reserve Fleet.

(b) REQUIREMENTS.—To be eligible for acquisition by the Secretary of Transportation under this section a vessel shall—

- (1) have been covered by an operating agreement under this chapter for not less than 3 years; and

(2) meet recapitalization requirements for the Ready Reserve Force.

(c) FAIR MARKET VALUE.—A fair market value shall be established by the Maritime Administration for acquisition of an eligible vessel under this section.

(d) APPROPRIATIONS.—Vessel acquisitions under this section shall be subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts authorized to be appropriated for the National Defense Reserve Fleet. Amounts authorized to be appropriated to carry out the Maritime Security Program may not be used to carry out this section.

(Added Pub. L. 116-283, div. C, title XXXV, § 3511(a), Jan. 1, 2021, 134 Stat. 4418.)

CHAPTER 535—CAPITAL CONSTRUCTION FUNDS

Sec.	
53501.	Definitions.
53502.	Regulations.
53503.	Establishing a capital construction fund.
53504.	Deposits and withdrawals.
53505.	Ceiling on deposits.
53506.	Investment and fiduciary requirements.
53507.	Nontaxation of deposits.
53508.	Separate accounts within a fund.
53509.	Qualified withdrawals.
53510.	Tax treatment of qualified withdrawals and basis of property.
53511.	Tax treatment of nonqualified withdrawals.
53512.	FIFO and LIFO withdrawals.
53513.	Corporate reorganizations and partnership changes.
53514.	Relationship of old fund to new fund.
53515.	Records and reports.
53516.	Termination of agreement after change in regulations.
53517.	Reports.

§ 53501. Definitions

In this chapter:

(1) AGREEMENT VESSEL.—The term “agreement vessel” means—

(A) an eligible vessel or a qualified vessel that is subject to an agreement under this chapter; and

(B) a barge or container that is part of the complement of a vessel described in subparagraph (A) if provided for in the agreement.

(2) ELIGIBLE VESSEL.—The term “eligible vessel” means—

(A) a vessel—

(i) constructed in the United States (and, if reconstructed, reconstructed in the United States), constructed outside the United States but documented under the laws of the United States on April 15, 1970, or constructed outside the United States for use in the United States foreign trade pursuant to a contract made before April 15, 1970;

(ii) documented under the laws of the United States; and

(iii) operated in the foreign or domestic trade of the United States or in the fisheries of the United States; and

(B) a commercial fishing vessel—

(i) constructed in the United States and, if reconstructed, reconstructed in the United States;