

Secretary shall report to Congress within 30 days an action eliminating priority loading under this section.

(Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1642, §55301; renumbered §55123, Pub. L. 116–283, div. A, title X, §1024(b)(1)(A), Jan. 1, 2021, 134 Stat. 3842.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
55301	46 App.:1121–1.	Pub. L. 96–387, §5, Oct. 7, 1980, 94 Stat. 1546; Pub. L. 97–31, §12(68), Aug. 6, 1981, 95 Stat. 159; Pub. L. 99–662, title IX, §947, Nov. 17, 1986, 100 Stat. 4200.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116–283 renumbered section 55301 of this title as this section.

CHAPTER 553—PASSENGER AND CARGO PREFERENCES

SUBCHAPTER I—GENERAL¹

Sec.	
55301.	Report on administration of programs by other Federal departments and agencies.
55302.	Transportation of United States Government personnel.
55303.	Motor vehicles owned by United States Government personnel.
55304.	Exports financed by the United States Government.
55305.	Cargoes procured, furnished, or financed by the United States Government.

SUBCHAPTER II—EXPORT TRANSPORTATION OF AGRICULTURAL COMMODITIES

55311.	Findings and purposes.
55312.	Determining prevailing world market price.
55313.	Exemption of certain agricultural exports from cargo preference provisions.
55314.	Transportation requirements for certain exports sponsored by the Secretary of Agriculture.
55315.	Minimum tonnage. [55316, 55317. Repealed.]
55318.	Effect on other law.

SUBCHAPTER III—AMERICAN GREAT LAKES VESSELS

55331.	Definitions.
55332.	Designating American Great Lakes vessels.
55333.	Exemption from restriction on transporting certain cargo.
55334.	Restrictions on operations.
55335.	Revocations and terminations of designations.
55336.	Civil penalty.

Editorial Notes

AMENDMENTS

2023—Pub. L. 118–31, div. C, title XXXV, §3521(a)(2), Dec. 22, 2023, 137 Stat. 819, added item 55301.

2021—Pub. L. 116–283, div. A, title X, §1024(b)(1)(B)(i), Jan. 1, 2021, 134 Stat. 3842, which directed amendment of the analysis for subchapter I of this chapter by striking out item 55301, was executed by striking item 55301 “Priority loading for coal” from this analysis to reflect the probable intent of Congress.

¹ So in original. Does not conform to subchapter heading.

2013—Pub. L. 113–67, div. A, title VI, §602(b), Dec. 26, 2013, 127 Stat. 1188, struck out items 55316 “Financing the transportation of agricultural commodities” and 55317 “Termination of subchapter”.

SUBCHAPTER I—GOVERNMENT IMPELLED TRANSPORTATION

Editorial Notes

AMENDMENTS

2021—Pub. L. 116–283, div. A, title X, §1024(b)(2), Jan. 1, 2021, 134 Stat. 3842, substituted “GOVERNMENT IMPELLED TRANSPORTATION” for “GENERAL” in heading.

§ 55301. Report on administration of programs by other Federal departments and agencies

(a) IN GENERAL.—The Administrator of the Maritime Administration shall annually submit to Congress a report on the administration by—

(1) the Department of Defense of section 2631 of title 10; and

(2) other Federal departments and agencies of programs the Administrator determines are subject to section 55305 of this title.

(b) CONTENTS.—Each annual report required under subsection (a) shall include, for each Federal department or agency that administers a program covered by the report—

(1) the gross tonnage of cargo (equipment, materials, or agricultural products), expressed by type of cargo, transported on United States flag vessels as compared to on foreign vessels; and

(2) the total number of United States flag vessels and total number of foreign vessels contracted by each department or agency.

(c) AGENCY REPORTING REQUIREMENTS.—Not later than January 31 of each year, the head of each Federal department or agency that administers a program covered by a report required under subsection (a) shall submit to the Administrator of the Maritime Administration the information described in subsection (b) for that department or agency.

(Added Pub. L. 118–31, div. C, title XXXV, §3521(a)(1), Dec. 22, 2023, 137 Stat. 819.)

Editorial Notes

PRIOR PROVISIONS

A prior section 55301 was renumbered section 55123 of this title.

§ 55302. Transportation of United States Government personnel

(a) IN GENERAL.—An officer or employee of the United States Government traveling by sea on official business overseas or to or from a territory or possession of the United States shall travel and transport personal effects on a vessel documented under the laws of the United States if such a vessel is available, unless the necessity of the mission requires the use of a foreign vessel.

(b) REGULATIONS.—The Administrator of General Services shall prescribe regulations under which agencies may not pay for or reimburse an officer or employee for travel or transportation

expenses incurred on a foreign vessel in the absence of satisfactory proof of the necessity of using the vessel.

(Pub. L. 109-304, §8(c), Oct. 6, 2006, 120 Stat. 1642.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
55302	46 App.:1241(a).	June 29, 1936, ch. 858, title IX, §901(a), 49 Stat. 2015; Aug. 26, 1954, ch. 936, 68 Stat. 832; Pub. L. 104-316, title I, §125, Oct. 19, 1996, 110 Stat. 3839.

In subsection (a), the words “by sea” are added for clarity. The words “a territory or possession of the United States” are substituted for “any of the possessions of the United States” for consistency in the revised title.

Executive Documents

EXEMPTIONS

Functions authorized by Foreign Assistance Act of 1961 as exempt, see Ex. Ord. No. 11223, eff. May 12, 1965, 30 F.R. 6635, set out under section 2393 of Title 22, Foreign Relations and Intercourse.

§ 55303. Motor vehicles owned by United States Government personnel

Notwithstanding any other law, privately-owned American shipping services may be used to transport motor vehicles owned by personnel of the United States Government whenever transportation of those vehicles at Government expense is otherwise authorized by law.

(Pub. L. 109-304, §8(c), Oct. 6, 2006, 120 Stat. 1642.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
55303	46 App.:1241(c).	June 29, 1936, ch. 858, title IX, §901(c), as added May 28, 1956, ch. 325, 70 Stat. 187.

§ 55304. Exports financed by the United States Government

It is the sense of Congress that any loans made by an instrumentality of the United States Government to foster the exporting of agricultural or other products shall provide that the products may be transported only on vessels of the United States unless, as to any or all of those products, the Secretary of Transportation, after investigation, certifies to the instrumentality that vessels of the United States are not available in sufficient number, in sufficient tonnage capacity, on necessary schedules, or at reasonable rates.

(Pub. L. 109-304, §8(c), Oct. 6, 2006, 120 Stat. 1642.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
55304	46 App.:1241-1.	Mar. 26, 1934, ch. 90, 48 Stat. 500; June 29, 1936, ch. 858, §204, 49 Stat. 1987; Pub. L. 97-31, §12(127), Aug. 6, 1981, 95 Stat. 165.

This section codifies the Joint Resolution of March 26, 1934 (ch. 90, 48 Stat. 500) (also commonly known as

Public Resolution 17). The codification of this provision is not intended to change its status as a “Sense of Congress” provision in any way. The words “Reconstruction Finance Corporation or” are omitted as obsolete because the Reconstruction Finance Corporation was abolished by section 6 of Reorganization Plan No. 1 of 1957 (5 App. U.S.C.).

§ 55305. Cargoes procured, furnished, or financed by the United States Government

(a) **MINIMUM TONNAGE.**—When the United States Government procures, contracts for, or otherwise obtains for its own account, or furnishes to or for the account of a foreign country, organization, or persons without provision for reimbursement, any equipment, materials, or commodities, or provides financing in any way with Federal funds for the account of any persons unless otherwise exempted, within or without the United States, or advances funds or credits, or guarantees the convertibility of foreign currencies in connection with the furnishing or obtaining of the equipment, materials, or commodities, the appropriate agencies shall take steps necessary and practicable to ensure that at least 50 percent of the gross tonnage of the equipment, materials, or commodities (computed separately for dry bulk carriers, dry cargo liners, and tankers) which may be transported on ocean vessels is transported on privately-owned commercial vessels of the United States, as provided under subsection (b), to the extent those vessels are available at fair and reasonable rates for commercial vessels of the United States, in a manner that will ensure a fair and reasonable participation of commercial vessels of the United States in those cargoes by geographic areas.

(b) **ELIGIBLE VESSELS.**—To be eligible to carry cargo as provided under subsection (a), a privately-owned commercial vessel shall be documented under the laws of the United States—

- (1) for not less than three years; or
- (2) after January 1, 2030, for less than three years, if the vessel owner signs an agreement with the Secretary providing that—

(A) the vessel shall remain documented under the laws of the United States for not less than three years; and

(B) the vessel owner shall, upon request of the Secretary, agree to enroll the vessel in an emergency preparedness agreement or voluntary agreement authorized under section 708 of the Defense Production Act of 1950 (50 U.S.C. 4558) and shall ensure the vessel remains so enrolled until the vessel ceases to be documented under the laws of the United States.

(c) **VIOLATION OF AGREEMENT.**—A vessel under an agreement executed pursuant to subsection (b)(2) may be seized by, and forfeited to, the United States if, in violation of that agreement—

- (1) the vessel owner places the vessel under foreign registry; or
- (2) a person operates the vessel under the authority of a foreign country.

(d) **WAIVERS.**—(1) Notwithstanding any other provision of law, when the President, the Secretary of Defense, or the Secretary of Transportation declares the existence of an emergency