

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
57107	46 App.:1125a.	Feb. 6, 1941, ch. 5, § 4, 55 Stat. 6; Pub. L. 97-31, § 12(74), Aug. 6, 1981, 95 Stat. 160.

In subsection (b), the words “heretofore or hereafter”, “diminish or otherwise”, and “and, to the amount of such obligation or expenditure, diminish” are omitted as unnecessary.

Editorial Notes

AMENDMENTS

2019—Subsec. (c). Pub. L. 116-92 added subsec. (c).

§ 57108. Consideration of ballast and equipment in determining selling price

The Maritime Administration may not sell a vessel until its ballast and equipment have been inventoried and their value considered in determining the selling price of the vessel.

(Pub. L. 109-304, § 8(c), Oct. 6, 2006, 120 Stat. 1661.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
57108	46 App.:864b.	June 29, 1949, ch. 281, § 1 (proviso), 63 Stat. 349; Pub. L. 97-31, § 12(36), Aug. 6, 1981, 95 Stat. 156.

§ 57109. Operation of vessels purchased, chartered, or leased from Secretary of Transportation

Unless otherwise authorized by the Secretary of Transportation, a vessel purchased, chartered, or leased from the Secretary may be operated only under a certificate of documentation with a registry or coastwise endorsement. Such a vessel, while employed solely as a merchant vessel, is subject to the laws, regulations, and liabilities governing merchant vessels, whether the United States Government has an interest in the vessel as an owner or holds a mortgage, lien, or other interest.

(Pub. L. 109-304, § 8(c), Oct. 6, 2006, 120 Stat. 1661.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
57109	46 App.:808(b).	Sept. 7, 1916, ch. 451, § 9(b), 39 Stat. 730; July 15, 1918, ch. 152, § 3, 40 Stat. 900; re-stated June 5, 1920, ch. 250, § 18, 41 Stat. 994; 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(26), Aug. 6, 1981, 95 Stat. 155; Pub. L. 100-710, title I, § 104(b)(2), Nov. 23, 1988, 102 Stat. 4750.

The words “only under a certificate of documentation with a registry or coastwise endorsement” are substituted for “only under such registry or enrollment and license” for clarity and to use the appropriate current language.

§ 57110. Salvage recoveries for subrogated ownership of vessels and cargoes

(a) SALVAGE AGREEMENTS.—The Secretary of Transportation is authorized to enter into marine salvage agreements for the recoveries, sale, and disposal of sunken or damaged vessels, cargoes, or properties owned or insured by or on behalf of the Maritime Administration, the United States Shipping Board, the U.S. Shipping Bureau, the United States Maritime Commission, or the War Shipping Administration.

(b) MILITARY CRAFT.—The Secretary of Transportation shall consult with the Secretary of the military department concerned prior to engaging in or authorizing any activity under subsection (a) that will disturb sunken military craft, as such term is defined in section 1408(3) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 10 U.S.C. 113 note).

(c) RECOVERIES.—Notwithstanding any other provision of law, the net proceeds from salvage agreements entered into as authorized in subsection (a) shall remain available until expended and be distributed as follows:

(1) Fifty percent shall be available to the Administrator of the Maritime Administration for the payment or reimbursement of expenses incurred by or on behalf of State maritime academies or the United States Merchant Marine Academy for facility and training ship maintenance, repair, and modernization, and for the purchase of simulators and fuel.

(2) The remainder shall be distributed for maritime heritage preservation to the Department of the Interior for grants as authorized by section 308703 of title 54.

(Added Pub. L. 116-92, div. C, title XXXV, § 3509(a), Dec. 20, 2019, 133 Stat. 1977, § 57111; re-numbered § 57110, Pub. L. 118-31, div. C, title XXXV, § 3514(j)(1)(A), Dec. 22, 2023, 137 Stat. 811.)

Editorial Notes

AMENDMENTS

2023—Pub. L. 118-31 renumbered section 57111 of this title as this section.

§ 57111. Definition of obsolete vessel

In this chapter, the term “obsolete vessel” means a vessel that—

(1) is or will be in the custody and control of the Maritime Administration for purposes of disposing of the vessel; and

(2) has been determined by the Secretary of Transportation to be of insufficient value, with respect to the programs of the Maritime Administration, to warrant—

- (A) preserving for future use or spare parts harvesting; or
- (B) retaining in the National Defense Reserve Fleet.

(Added Pub. L. 118-31, div. C, title XXXV, § 3514(j)(1)(B), Dec. 22, 2023, 137 Stat. 811.)

Editorial Notes

PRIOR PROVISIONS

A prior section 57111 was renumbered section 57110 of this title.

§ 57112. Requirements for purchasing federally auctioned vessels

(a) IN GENERAL.—To be eligible to purchase a covered vessel from the Federal Government, a person shall provide proof of—

- (1) liability insurance for the operator of such covered vessel;
- (2) financial resources sufficient to cover maintenance costs of such covered vessel; and
- (3) with respect to a covered vessel requiring documentation under chapter 121, an admiralty bond or stipulation.

(b) COVERED VESSEL DEFINED.—In this section, the term “covered vessel” means—

- (1) a government owned vessel disposed of in accordance with this part and section 548 of title 40;
- (2) a vessel seized or forfeited pursuant to any law, and auctioned by the Federal Government, including a vessel seized or forfeited pursuant to section 7301 or 7302 of the Internal Revenue Code of 1986; or
- (3) a fishing vessel seized or forfeited pursuant to section 310 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1860).

(Added Pub. L. 118-159, div. C, title XXXV, § 3532(a), Dec. 23, 2024, 138 Stat. 2312.)

Editorial Notes

REFERENCES IN TEXT

Sections 7301 and 7302 of the Internal Revenue Code of 1986, referred to in subsec. (b)(2), are classified to sections 7301 and 7302, respectively, of Title 26, Internal Revenue Code.

CHAPTER 573—VESSEL TRADE-IN PROGRAM

Sec.	
57301.	Definitions.
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57308.	Use of vessels at least 25 years old.

§ 57301. Definitions

In this chapter:

(1) NEW VESSEL.—The term “new vessel” means a vessel—

- (A) constructed under this subtitle and acquired within 2 years after the date of completion; or
- (B) constructed in a domestic shipyard on private account and not under this subtitle, and documented under the laws of the United States.

(2) OBSOLETE VESSEL.—The term “obsolete vessel” means a vessel that—

- (A) is of at least 1,350 gross tons;
- (B) the Secretary of Transportation believes should, because of its age, obsolescence, or other reasons, be replaced in the public interest; and
- (C) has been owned by a citizen of the United States for at least 3 years immediately before its acquisition under this chapter.

(Pub. L. 109-304, § 8(c), Oct. 6, 2006, 120 Stat. 1662.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
57301	46 App.:1160(a).	June 29, 1936, ch. 858, title V, § 510(a), as added Aug. 4, 1939, ch. 417, § 7, 53 Stat. 1183; July 17, 1952, ch. 939, § 7, 66 Stat. 762; Pub. L. 85-332, Feb. 20, 1958, 72 Stat. 17; Pub. L. 87-755, Oct. 5, 1962, 76 Stat. 751; Pub. L. 91-469, § 12(a), Oct. 21, 1970, 84 Stat. 1022; Pub. L. 97-31, § 12(91), Aug. 6, 1981, 95 Stat. 161.

In paragraph (1)(A), the words “or is purchased under section 1204 of this Appendix, as amended, by the person turning in an obsolete vessel under this section” are omitted because the purchase authority under 46 App. U.S.C. 1204 was impliedly repealed by section 14 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1735 note).

§ 57302. Authority to acquire vessels

To promote the construction of new, safe, and efficient vessels to carry the domestic and foreign waterborne commerce of the United States, the Secretary of Transportation may acquire an obsolete vessel in exchange for an allowance of credit toward the cost of construction or purchase of a new vessel as provided in this chapter.

(Pub. L. 109-304, § 8(c), Oct. 6, 2006, 120 Stat. 1662.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
57302	46 App.:1160(b) (1st, last sentences).	June 29, 1936, ch. 858, title V, § 510(b) (1st, last sentences), as added Aug. 4, 1939, ch. 417, § 7, 53 Stat. 1184; Pub. L. 87-401, subd. (1), Oct. 5, 1961, 75 Stat. 833; Pub. L. 91-469, § 35(a), Oct. 21, 1970, 84 Stat. 1035; Pub. L. 97-31, § 12(91), Aug. 6, 1981, 95 Stat. 161.

The words “toward the cost of construction or purchase of a new vessel” are added for clarity. The text of 46 App. U.S.C. 1160(b) (last sentence) is omitted as obsolete.

§ 57303. Utility value and tonnage requirements

(a) UTILITY VALUE.—The utility value of a new vessel to be acquired under this chapter for operation in the domestic or foreign commerce of the United States may not be substantially less than that of the obsolete vessel acquired in exchange under this chapter.

(b) TONNAGE.—If the Secretary of Transportation finds that the new vessel will have a utility value at least equal to that of the obsolete vessel, the new vessel may be of lesser gross tonnage than the obsolete vessel. However, the gross tonnage of the new vessel must be at least one-third the gross tonnage of the obsolete vessel.

(Pub. L. 109-304, § 8(c), Oct. 6, 2006, 120 Stat. 1662.)