

under subsection (a). The review may be taken on the Commission's own initiative or on the petition of a party to or an intervenor in the action, within the time and in the manner prescribed by the Commission. The vote of a majority of the Commission, less one member, is sufficient to bring an action before the Commission for review.

(c) **DEEMED ACTION OF COMMISSION.**—If the Commission declines review, or if review is not sought, within the time prescribed under subsection (b), the action taken under the delegation of authority is deemed to be the action of the Commission.

(Pub. L. 109-304, § 4, Oct. 6, 2006, 120 Stat. 1489, § 304; renumbered § 46104, Pub. L. 116-283, div. G, title LVXXXVI [LXXXVI], § 8605(a)(3), Jan. 1, 2021, 134 Stat. 4765.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
304 .....	46 App.:1111 note.	Reorg. Plan No. 7 of 1961, eff. Aug. 12, 1961, § 105(a)-(c), 75 Stat. 841.

**Editorial Notes**

AMENDMENTS

2021—Pub. L. 116-283 renumbered section 304 of this title as this section.

**§ 46105. Regulations**

(a) **IN GENERAL.**—The Federal Maritime Commission may prescribe regulations to carry out its duties and powers.

(b) **TRANSPARENCY.**—

(1) **IN GENERAL.**—In conjunction with the transmittal by the President to the Congress of the Budget of the United States for fiscal year 2021 and biennially thereafter, the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives reports that describe the Commission's progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

(2) **FORMAT OF REPORTS.**—Each report under paragraph (1) shall, among other things, clearly identify for each unfinished regulatory proceeding—

- (A) the popular title;
- (B) the current stage of the proceeding;
- (C) an abstract of the proceeding;
- (D) what prompted the action in question;
- (E) any applicable statutory, regulatory, or judicial deadline;
- (F) the associated docket number;
- (G) the date the rulemaking was initiated;
- (H) a date for the next action; and
- (I) if a date for the next action identified in the previous report is not met, the reason for the delay.

(Pub. L. 109-304, § 4, Oct. 6, 2006, 120 Stat. 1489, § 305; renumbered § 46105 and amended Pub. L. 116-283, div. G, title LVXXXVI [LXXXVI], § 8603, 8605(a)(3), Jan. 1, 2021, 134 Stat. 4761, 4765.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
305 .....	46 App.:1111(c) (related to rules and regulations). 46 App.:1716.	June 29, 1936, ch. 858, title II, § 201(c) (related to rules and regulations), 49 Stat. 1986. Pub. L. 98-237, § 17, Mar. 20, 1984, 98 Stat. 84.

The words “to carry out its duties and powers” are substituted for “in regard to its procedure and the conduct of its business” in 46 App. U.S.C. 1111(c) and “to carry out this chapter” in 46 App. U.S.C. 1716(a) for consistency in the revised title. The text of 46 App. U.S.C. 1716(b) is omitted as executed and obsolete.

**Editorial Notes**

AMENDMENTS

2021—Pub. L. 116-283, § 8605(a)(3), renumbered section 505 of this title as this section.

Pub. L. 116-283, § 8603, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

**Statutory Notes and Related Subsidiaries**

TRANSPARENCY IN UNFINISHED REGULATORY PROCEEDINGS

Pub. L. 115-282, title VII, § 712, Dec. 4, 2018, 132 Stat. 4298, provided that:

“(a) **IN GENERAL.**—Beginning not later than 60 days after the date of enactment of this Act [Dec. 4, 2018], the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives bi-annual reports that describe the Commission's progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

“(b) **FORMAT OF REPORTS.**—Each report under subsection (a) shall, among other things, clearly identify for each unfinished regulatory proceeding—

- “(1) the popular title;
- “(2) the current stage of the proceeding;
- “(3) an abstract of the proceeding;
- “(4) what prompted the action in question;
- “(5) any applicable statutory, regulatory, or judicial deadline;
- “(6) the associated docket number;
- “(7) the date the rulemaking was initiated;
- “(8) a date for the next action; and
- “(9) if a date for next action identified in the previous report is not met, the reason for the delay.”

**§ 46106. Annual report**

(a) **IN GENERAL.**—Not later than April 1 of each year, the Federal Maritime Commission shall submit a report to Congress. The report shall include the results of its investigations, a summary of its transactions, the purposes for which all of its expenditures were made, and any recommendations for legislation.

(b) **REPORT ON FOREIGN LAWS AND PRACTICES.**—The Commission shall include in its annual report to Congress—

- (1) a list of the 20 foreign countries that generated the largest volume of oceanborne liner cargo for the most recent calendar year in bilateral trade with the United States;
- (2) an analysis of conditions described in section 42302(a) of this title being investigated or found to exist in foreign countries;
- (3) any actions being taken by the Commission to offset those conditions;