

Shipping Board (which was abolished in 1933) and presumably is not intended to apply to the Secretary.

Editorial Notes

AMENDMENTS

2015—Pub. L. 114-92 amended section generally. Prior to amendment, section related to annual reports to Congress.

§ 50112. National Maritime Enhancement Institutes

(a) DESIGNATION.—The Secretary of Transportation may designate National Maritime Enhancement Institutes.

(b) ACTIVITIES.—Activities undertaken by an institute may include—

- (1) conducting research about methods to improve the performance of maritime industries;
- (2) enhancing the competitiveness of domestic maritime industries in international trade;
- (3) forecasting trends in maritime trade;
- (4) assessing technological advancements;
- (5) developing management initiatives and training;
- (6) analyzing economic and operational impacts of regulatory policies and international negotiations or agreements pending before international bodies;
- (7) assessing the compatibility of domestic maritime infrastructure systems with overseas transport systems;
- (8) fostering innovations in maritime transportation pricing; and
- (9) improving maritime economics and finance.

(c) APPLICATION FOR DESIGNATION.—An institution seeking designation as a National Maritime Enhancement Institute shall submit an application under regulations prescribed by the Secretary.

(d) CRITERIA FOR DESIGNATION.—The Secretary shall designate an institute under this section on the basis of the following criteria:

- (1) The demonstrated research and extension resources available to the applicant for carrying out the activities specified in subsection (b).
- (2) The ability of the applicant to provide leadership in making national and regional contributions to the solution of both long-range and immediate problems of the domestic maritime industry.
- (3) The existence of an established program of the applicant encompassing research and training directed to enhancing maritime industries.
- (4) The demonstrated ability of the applicant to assemble and evaluate pertinent information from national and international sources and to disseminate results of maritime industry research and educational programs through a continuing education program.
- (5) The qualification of the applicant as a nonprofit institution of higher learning.

(e) FINANCIAL AWARDS.—The Secretary may make awards on an equal matching basis to an institute designated under subsection (a) from amounts appropriated. The aggregate annual

amount of the Federal share of the awards by the Secretary may not exceed \$500,000.

(f) UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—The Secretary may make a grant under section 5505 of title 49 to an institute designated under subsection (a) for maritime and maritime intermodal research under that section as if the institute were a university transportation center. In making a grant, the Secretary, through the Office of the Assistant Secretary for Research and Technology of the Department of Transportation, shall advise the Maritime Administration on the availability of funds for the grants and consult with the Administration on making the grants.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1561; Pub. L. 113-76, div. L, title I, Jan. 17, 2014, 128 Stat. 574.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
50112	46 App.:1121-2.	Pub. L. 101-115, §8, Oct. 13, 1989, 103 Stat. 694; Pub. L. 101-595, title VII, §702, Nov. 16, 1990, 104 Stat. 2994; Pub. L. 102-241, §47, Dec. 19, 1991, 105 Stat. 2227; Pub. L. 106-398, §1 [div. C, title XXXV, §3504], Oct. 30, 2000, 114 Stat. 1654, 1654A-493; Pub. L. 108-426, Nov. 30, 2004, §2(c)(4), 118 Stat. 2424.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Office of the Assistant Secretary for Research and Technology of the Department of Transportation” substituted for “Research and Innovative Technology Administration” in subsec. (f) on authority of title I of div. L of Pub. L. 113-76, set out in part as a note under former section 112 of Title 49, Transportation.

§ 50113. Use and performance reports by operators of vessels

(a) FILING REQUIREMENT.—The Secretary of Transportation by regulation may require the operator of a vessel in the waterborne foreign commerce of the United States to file such report, account, record, or memorandum on the use and performance of the vessel as the Secretary considers desirable to assist in carrying out this subtitle. The report, account, record, or memorandum shall be signed and verified, and be filed at the times and in the manner, as provided by regulation.

(b) CIVIL PENALTY.—An operator not filing a report, account, record, or memorandum required by the Secretary under this section is liable to the United States Government for a civil penalty of \$50 for each day of the violation. A penalty imposed under this section on the operator of a vessel constitutes a lien on the vessel involved in the violation. A civil action in rem to enforce the lien may be brought in the district court of the United States for any district in which the vessel is found. The Secretary may remit or mitigate any penalty imposed under this section.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1562.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
50113	46 App.:1122a.	June 29, 1936, ch. 858, title II, §212(A), as added June 25, 1956, ch. 437, 70 Stat. 332; Aug. 6, 1981, Pub. L. 97-31, §12(70), 95 Stat. 159.

§ 50114. National maritime strategy

(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Commander of United States Transportation Command, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a national maritime strategy; and

(2) not less often than once every five years after the submission of such strategy, an update to the strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall include each of the following:

(1) An identification of—

(A) international policies and Federal regulations and policies that reduce the competitiveness of United States-documented vessels with foreign vessels in domestic and international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States.

(2) Recommendations to—

(A) make United States-documented vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States-documented vessels to carry cargo imported to and exported from the United States;

(C) ensure compliance by Federal agencies with chapter 553;

(D) increase the use of short sea transportation routes, including routes designated under section 55601(b), to enhance intermodal freight movements;

(E) enhance United States shipbuilding capability;

(F) invest in, and identify gaps in, infrastructure needed to facilitate the movement of goods at ports and throughout the transportation system, including innovative physical and information technologies;

(G) enhance workforce training and recruitment for the maritime workforce, including training on innovative physical and information technologies;

(H) increase the resilience of ports and the marine transportation system;

(I) increase the carriage of government-impelled cargo on United States-documented vessels pursuant to chapter 553 of title 46, section 2631 of title 10, or otherwise; and

(J) maximize the cost effectiveness of Federal funding for carriage of non-defense government impelled cargo for the purposes of maintaining a United States flag fleet for national and economic security.

(c) UPDATE.—Upon the release of a strategy or update under subsection (a), the Secretary of Transportation shall make such strategy or update publicly available on the website of the Department of Transportation.

(d) IMPLEMENTATION PLAN.—Not later than six months after the submission of a strategy or update under subsection (a), the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Secretary of Defense, shall make publicly available on an appropriate website an implementation plan for such strategy or update.

(Added Pub. L. 117-263, div. C, title XXXV, §3542(b)(1), Dec. 23, 2022, 136 Stat. 3096.)

Statutory Notes and Related Subsidiaries

ACCOUNTABILITY FOR NATIONAL MARITIME STRATEGY

Pub. L. 118-31, div. C, title XXXV, §3537, Dec. 22, 2023, 137 Stat. 835, provided that:

“(a) BIENNIAL BRIEFING.—

“(1) REQUIREMENT.—Not less than twice annually, the Administrator of the Maritime Administration, in consultation with the National Security Council, the Secretary of State, the Secretary of Transportation, and the Secretary of Homeland Security, shall provide to the appropriate congressional committees briefings on the status of establishing the type of national maritime strategy required under section 50114 of title 46, United States Code. The Chief of Naval Operations, the Commandant of the Marine Corps, and the Commandant of the Coast Guard shall participate in each briefing required under this paragraph.

“(2) USE.—The Administrator shall use the briefings required under paragraph (1) to augment and influence the national maritime strategy discussion with national security focused stakeholders across the administration, until an updated strategy is published and endorsed by the President of the United States.

“(b) ELEMENTS.—As the national maritime strategy relates to national security, each briefing under subsection (a) shall include the following:

“(1) Recommendations for a whole-of-Government approach to orchestrating national instruments of power to shape all elements of the maritime enterprise of the United States, domestic and international, on the high seas or domestic waterways.

“(2) An assessment of great power competition in the maritime domain, to include opportunities for increased cooperation with allied and partner global maritime industry leaders to improve national shipbuilding and shipping, while promoting the international rules-based maritime order.

“(3) An analysis of existing shipyards to build and capitalize on the virtuous cycle between commercial and military shipbuilding and repair, including areas of improvement.

“(4) An analysis of opportunities for private or public financing to increase the capacity, efficiency, and effectiveness of United States shipyards, including infrastructure, labor force, technology, and global competitiveness.

“(5) An analysis of potential improvements to national or cooperative arrangements for sealfit capacity and shipping, including for contested logistics.

“(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives];

“(2) and [sic] the Committee on Transportation and Infrastructure of the House of Representatives; and

“(3) the Committee on Commerce, Science, and Transportation of the Senate.”