

(May 13, 1954, ch. 201, §13, as added Nov. 17, 1986, Pub. L. 99-662, title XIV, §805(a)(4), 100 Stat. 4272; amended Sept. 30, 1994, Pub. L. 103-331, title III, §339, 108 Stat. 2496.)

AMENDMENTS

1994—Pub. L. 103-331 substituted “Waiver of collection” for “Rebate of” in section catchline and amended text generally. Prior to amendment, text read as follows:

“(a) The Corporation shall transfer to the Harbor Maintenance Trust Fund, at such times and under such terms and conditions as the Secretary of the Treasury may prescribe, all revenues derived from the collection of charges or tolls established under section 988 of this title.

“(b)(1) The Corporation shall certify to the Secretary of the Treasury, in such form and at such times as the Secretary of the Treasury shall prescribe—

“(A) the identity of any person who pays a charge or toll to the Corporation pursuant to section 988 of this title with respect to a commercial vessel (as defined in section 4462(a)(4) of title 26),

“(B) the amount of the toll or charge paid by such person with respect to such vessel.

“(2) Within 30 days of the receipt of a certification described in paragraph (1), the Secretary of the Treasury shall rebate, out of the Harbor Maintenance Trust Fund, to the person described in paragraph (1) the amount of the charge or toll paid pursuant to section 988 of this title.”

EFFECTIVE DATE

Section effective April 1, 1987, see section 805(b) of Pub. L. 99-662, set out as an Effective Date of 1986 Amendment note under section 984 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 26 section 9505.

§ 989. Annual and special reports

(a) The Corporation shall submit to the President for transmission to the Congress at the beginning of each regular session an annual report of its operations under this chapter.

(b) The Corporation, after July 17, 1957, shall submit special reports to the Congress whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding one million dollars, and such special reports shall include justification for the modifications.

(May 13, 1954, ch. 201, §10, 68 Stat. 96; July 17, 1957, Pub. L. 85-108, §1(5), 71 Stat. 308.)

AMENDMENTS

1957—Pub. L. 85-108 designated existing provisions as subsec. (a) and added subsec. (b).

§ 990. Offenses and penalties

(a) Application of penal statutes

All general penal statutes relating to the larceny, embezzlement, or conversion, of public moneys or property of the United States shall apply to the moneys and property of the Corporation.

(b) Frauds and false entries, reports, or statements

Any person who, with intent to defraud the Corporation, or to deceive any director, officer,

or employee of the Corporation or any officer or employee of the United States, (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than \$10,000 or imprisoned not more than five years, or both.

(c) Receipt of compensation, or conspiracy, with intent to defraud, etc.

Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than \$5,000 or imprisoned not more than five years, or both.

(May 13, 1954, ch. 201, §9, 68 Stat. 96.)

CROSS REFERENCES

Embezzlement, theft, conversion, etc., see section 641 et seq., of Title 18, Crimes and Criminal Procedure.

CHAPTER 20—POLLUTION OF THE SEA BY OIL

§§ 1001 to 1011. Repealed. Pub. L. 96-478, § 12, Oct. 21, 1980, 94 Stat. 2303

Section 1001, Pub. L. 87-167, §2, Aug. 30, 1961, 75 Stat. 402; Pub. L. 89-551, §1(2), Sept. 1, 1966, 80 Stat. 372; Pub. L. 89-670, §6(g)(5), Oct. 15, 1966, 80 Stat. 941; Pub. L. 93-119, §2(1), Oct. 4, 1973, 87 Stat. 424; Pub. L. 97-449, §2(e)(1), Jan. 12, 1983, 96 Stat. 2440, defined terms used in this chapter.

Section 1002, Pub. L. 87-167, §3, Aug. 30, 1961, 75 Stat. 402; Pub. L. 89-551, §1(3), Sept. 1, 1966, 80 Stat. 373; Pub. L. 93-119, §2(2), Oct. 4, 1973, 87 Stat. 425, prohibited discharge of oil or oily mixtures, but included certain permissible discharges.

Section 1003, Pub. L. 87-167, §4, Aug. 30, 1961, 75 Stat. 402; Pub. L. 89-551, §1(4), Sept. 1, 1966, 80 Stat. 373; Pub. L. 93-119, §2(3), Oct. 4, 1973, 87 Stat. 425, excepted from the prohibition of section 1002 of this title discharges relating to securing safety of ship, prevention of damage to ship or cargo, saving life, and resulting from a damaged ship or unavoidable leakage.

Section 1004, Pub. L. 87-167, §5, Aug. 30, 1961, 75 Stat. 403; Pub. L. 89-551, §1(5), Sept. 1, 1966, 80 Stat. 374; Pub. L. 93-119, §2(4), Oct. 4, 1973, 87 Stat. 425, excepted from the prohibition of section 1002 of this title discharges relating to tanker ballast from cargo tank.

Section 1004a, Pub. L. 87-167, §6, as added Pub. L. 93-119, §2(5), Oct. 4, 1973, 87 Stat. 425, provided construction standards for United States tankers, the subsections relating to following subject matter: subsec. (a) tank arrangement and tank size limitation pursuant to provisions of annex C to convention and building contracts placed on or after effective date; subsec. (b) building contracts placed or keel laid before effective date; subsec. (c) domestic tankers without certificate of compliance or exemption prohibited from engaging in domestic or foreign trade; subsec. (d) foreign tankers with foreign registry but without certificate of compliance, consultation with foreign government, and denial of access; subsec. (e) foreign tankers without foreign registry and denial of access.

Section 1005, Pub. L. 87-167, §7, formerly §6, Aug. 30, 1961, 75 Stat. 403; renumbered and amended Pub. L. 93-119, §2(6), Oct. 4, 1973, 87 Stat. 426, related to penalties for violations, the subsections providing for following subject matter: subsec. (a) criminal penalties for willful violations and separate violations; subsec. (b) civil penalties for willful or negligent and other violations and separate violations; subsec. (c) liability of vessel and venue; and subsec. (d) administrative pro-

ceedings, assessment of civil penalties, remission, mitigation, or compromise of any penalty, notice and hearing, judicial proceedings, civil actions by Attorney General for collection of penalties, and trial de novo.

Section 1006, Pub. L. 87-167, §8, formerly §7, Aug. 30, 1961, 75 Stat. 403; renumbered Pub. L. 93-119, §2(7), Oct. 4, 1973, 87 Stat. 427, provided for suspension or revocation of license of officers of offending vessels.

Section 1007, Pub. L. 87-167, §9, formerly §8, Aug. 30, 1961, 75 Stat. 403; Pub. L. 90-578, title IV, §402(b)(2), Oct. 17, 1968, 82 Stat. 1118; renumbered and amended Pub. L. 93-119, §2(8), Oct. 4, 1973, 87 Stat. 427, related to personnel for enforcement of provisions, arrest of offenders and procedure, and ship fittings and equipment.

Section 1008, Pub. L. 87-167, §10, formerly §9, Aug. 30, 1961, 75 Stat. 404; Pub. L. 89-551, §1(6), Sept. 1, 1966, 80 Stat. 374; renumbered and amended Pub. L. 93-119, §2(9), Oct. 4, 1973, 87 Stat. 427, provided for oil record books, the subsections relating to following subject matter: subsec. (a) printing and regulations of the Secretary; subsec. (b) supplying the books without charge and their inspection and surrender; subsec. (c) operations requiring recordation; subsec. (d) entries and signatures; and subsec. (e) rules and regulations.

Section 1009, Pub. L. 87-167, §11, formerly §10, Aug. 30, 1961, 75 Stat. 404; Pub. L. 89-551, §1(7), Sept. 1, 1966, 80 Stat. 375; renumbered and amended Pub. L. 93-119, §2(10), Oct. 4, 1973, 87 Stat. 428, authorized the Secretary to promulgate regulations for the administration of specific sections of this chapter.

Section 1010, Pub. L. 87-167, §12, formerly §11, Aug. 30, 1961, 75 Stat. 404; renumbered and amended Pub. L. 93-119, §2(11), Oct. 4, 1973, 87 Stat. 428, related to boarding of ships, production of records, and evidence of violations by foreign ships.

Section 1011, Pub. L. 87-167, §12, Aug. 30, 1961, 75 Stat. 404; Pub. L. 89-551, §1(8), Sept. 1, 1966, 80 Stat. 375, specified prohibited zones and provided for reduction or extension of such zones.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 2, 1983, see section 14(a) of Pub. L. 96-478, set out as an Effective Date note under section 1901 of this title.

SHORT TITLE

Pub. L. 87-167, §1, Aug. 30, 1961, 75 Stat. 402, as amended by Pub. L. 89-551, §1(1), Sept. 1, 1966, 80 Stat. 372, which provided that Pub. L. 87-167 could be cited as the "Oil Pollution Act, 1961, as amended", was repealed by Pub. L. 96-478, §12, Oct. 21, 1980, 94 Stat. 2303.

Pub. L. 93-119, §1, Oct. 4, 1973, 87 Stat. 424, which provided that Pub. L. 93-119 could be cited as the "Oil Pollution Act Amendments of 1973" was repealed by Pub. L. 96-478, §12, Oct. 21, 1980, 94 Stat. 2303.

SAVINGS PROVISION

Section 12(a) of Pub. L. 96-478 provided in part that any criminal or civil penalty proceeding under this chapter for a violation occurring prior to Oct. 2, 1983, may be initiated or continued to conclusion as though this chapter had not been repealed.

Any rights or liabilities existing on Oct. 2, 1983, not to be affected and any regulations or procedures promulgated or effected pursuant to this chapter to remain in effect until modified or superseded, see section 14(c) of Pub. L. 96-478, set out as a note under section 1901 of this title.

SEPARABILITY

Pub. L. 87-167, §14, formerly §15, Aug. 30, 1961, 75 Stat. 407, renumbered by Pub. L. 93-119, §2(13), Oct. 4, 1973, 87 Stat. 428, which provided for the separability of the provisions of Pub. L. 87-167, was repealed by Pub. L. 96-478, §12, Oct. 21, 1980, 94 Stat. 2303.

§ 1012. Repealed. Pub. L. 89-551, §1(9), Sept. 1, 1966, 80 Stat. 375

Section, Pub. L. 87-167, §13, Aug. 30, 1961, 75 Stat. 405, set out the form and required entries for the oil record book.

§§ 1013 to 1016. Repealed. Pub. L. 96-478, §12, Oct. 21, 1980, 94 Stat. 2303

Section 1013, Pub. L. 87-167, §13, formerly §14, Aug. 30, 1961, 75 Stat. 407; renumbered Pub. L. 93-119, §2(13), Oct. 4, 1973, 87 Stat. 428, authorized appropriations to carry out this chapter.

Section 1014, Pub. L. 87-167, §15, formerly §16, Aug. 30, 1961, 75 Stat. 407; renumbered and amended Pub. L. 93-119, §2(14), Oct. 4, 1973, 87 Stat. 428, related to effect of this chapter on section 1321 of this title and section 89 of Title 14, Coast Guard.

Section 1015, Pub. L. 87-167, §17, Aug. 30, 1961, 75 Stat. 407; Pub. L. 89-551, §1(10), Sept. 1, 1966, 80 Stat. 375, specified the effective date of this chapter and provided savings provision for rights, liabilities, procedures, or regulations existing on the effective date of this chapter. Pub. L. 93-119, §2(15), Oct. 4, 1973, 87 Stat. 428, which provided for the repeal of this section was repealed by section 12 of Pub. L. 96-478.

Section 1016, Pub. L. 93-119, §3, Oct. 4, 1973, 87 Stat. 428, provided effective date of 1973 amendments to this chapter by Pub. L. 93-119, the subsections covering the following subject matter: subsec. (a) general effective date; subsec. (b) savings provision; and subsec. (c) effective date of section 1004(d) and (e) of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 2, 1983, see section 14(a) of Pub. L. 96-478, set out as an Effective Date note under section 1901 of this title.

CHAPTER 21—INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA

PRIOR PROVISIONS

For prior provisions, see note set out under section 1602 of this title.

§§ 1051 to 1053, 1061 to 1094. Repealed. Pub. L. 95-75, §10, July 27, 1977, 91 Stat. 311

Section 1051, Pub. L. 88-131, §1, Sept. 24, 1963, 77 Stat. 194, authorized the President to proclaim the International Regulations for Preventing Collisions at Sea. See section 1602 of this title.

Section 1052, Pub. L. 88-131, §2, Sept. 24, 1963, 77 Stat. 194, provided for certification for alternative compliance covering Navy and Coast Guard vessels of special construction or purpose. See section 1605 of this title.

Section 1053, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 195, constituted an introductory statement for the regulations. See section 1602 of this title.

Section 1061, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 195, generally described the scope of sections 1061 to 1094.

Section 1062, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 196, set out the requirements for vessels while under way.

Section 1063, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 197, set the requirements for towing or pushing other vessels or seaplanes.

Section 1064, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 197, related to vessels and seaplanes not under command, and vessels engaged in certain operations.

Section 1065, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 198, related to sailing vessels under way, vessels or seaplanes being towed, and vessels being pushed ahead.

Section 1066, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 199, related to vessels in bad weather.

Section 1067, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 199, related to substitute lights for power-driven vessels towing or pushing other vessels, vessels under oars or sails, vessels being towed or pushed ahead, and rowing boats.

Section 1068, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 200, related to pilot-vessels on and off duty.

Section 1069, Pub. L. 88-131, §4, Sept. 24, 1963, 77 Stat. 201, related to fishing vessels and trawling vessels.