

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code)     | Source (Statutes at Large)   |
|-----------------|------------------------|--|
| 55335 .....     | 46 App.:1241t(a), (c). | Pub. L. 101-624, title XV, §1524(a), (c), Nov. 28, 1990, 104 Stat. 3667. |

In subsection (a)(3), the words “construction and purchase” before “agreement” are omitted because the source provision for section 55332(b) of the revised title does not say anything about construction.

In subsection (b), the words “vessels of the United States” are substituted for “United States-flag vessel” for consistency in the revised title.

**§ 55336. Civil penalty**

After notice and an opportunity for a hearing, the Secretary of Transportation may impose a civil penalty of not more than \$1,000,000 on the owner of an American Great Lakes vessel for any act for which the designation may be revoked under section 55335 of this title.

(Pub. L. 109-304, §8(c), Oct. 6, 2006, 120 Stat. 1650.)

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**CHAPTER 555—MISCELLANEOUS**

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| Sec.   |  |
| 55501. | United States Committee on the Marine Transportation System. |
| 55502. | Maritime Transportation System National Advisory Committee.  |

**Editorial Notes**

AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXIII [LXXXIII], §8332(c), Jan. 1, 2021, 134 Stat. 4704, added item 55502.

2014—Pub. L. 113-281, title III, §301(3), Dec. 18, 2014, 128 Stat. 3042, added item 55501 and struck out former items 55501 “Mobile trade fairs” and 55502 “United States Committee on the Marine Transportation System”.

2012—Pub. L. 112-213, title III, §310(b), Dec. 20, 2012, 126 Stat. 1568, added item 55502.

**§ 55501. United States Committee on the Marine Transportation System**

(a) ESTABLISHMENT.—There is established a United States Committee on the Marine Transportation System (in this section referred to as the “Committee”).

(b) PURPOSE.—The Committee shall serve as a Federal interagency coordinating committee for the purpose of—

- (1) assessing the adequacy of the marine transportation system (including ports, waterways, channels, and their intermodal connections);
- (2) promoting the integration of the marine transportation system with other modes of transportation and other uses of the marine environment; and
- (3) coordinating, improving the coordination of, and making recommendations with regard to Federal policies that impact the marine transportation system.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of—

- (A) the Secretary of Transportation;
- (B) the Secretary of Defense;
- (C) the Secretary of Homeland Security;
- (D) the Secretary of Commerce;
- (E) the Secretary of the Treasury;
- (F) the Secretary of State;
- (G) the Secretary of the Interior;
- (H) the Secretary of Agriculture;
- (I) the Attorney General;
- (J) the Secretary of Labor;
- (K) the Secretary of Energy;
- (L) the Administrator of the Environmental Protection Agency;
- (M) the Chairman of the Federal Maritime Commission;
- (N) the Chairman of the Joint Chiefs of Staff; and
- (O) the head of any other Federal agency who a majority of the voting members of the Committee determines can further the purpose and activities of the Committee.

(2) NONVOTING MEMBERS.—The Committee may include as many nonvoting members as a majority of the voting members of the Committee determines is appropriate to further the purpose and activities of the Committee.

(d) SUPPORT.—

(1) COORDINATING BOARD.—

(A) IN GENERAL.—There is hereby established, within the Committee, a Coordinating Board. Each member of the Committee may select a senior level representative to serve on such Board. The Board shall assist the Committee in carrying out its purpose and activities.

(B) CHAIR.—There shall be a Chair of the Coordinating Board. The Chair of the Coordinating Board shall rotate each year among the Secretary of Transportation, the Secretary of Defense, the Secretary of Homeland Security, and the Secretary of Commerce. The order of rotation shall be determined by a majority of the voting members of the Committee.

(2) EXECUTIVE DIRECTOR.—The Secretary of Transportation, in consultation with the Secretary of Defense, the Secretary of Homeland Security, and the Secretary of Commerce, shall appoint an Executive Director of the Committee.

(3) TRANSFERS.—Notwithstanding any other provision of law, the head of a Federal department or agency who is a member of the Committee may—

- (A) provide, on a reimbursable or non-reimbursable basis, facilities, equipment, services, personnel, and other support services to carry out the activities of the Committee; and
- (B) transfer funds to another Federal department or agency in order to carry out the activities of the Committee.

(e) MARINE TRANSPORTATION SYSTEM ASSESSMENT AND STRATEGY.—Not later than one year after the date of enactment of this Act and every 5 years thereafter, the Committee shall

provide to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) steps taken to implement actions recommended in the document titled “National Strategy for the Marine Transportation System: A Framework for Action” and dated July 2008;

(2) a conditions and performance analysis of the marine transportation system;

(3) a discussion of the challenges the marine transportation system faces in meeting user demand, including estimates of investment levels required to ensure system infrastructure meets such demand;

(4) a plan, with recommended actions, for improving the marine transportation system to meet current and future challenges;

(5) steps taken to implement actions recommended in previous reports required under this subsection; and

(6) a compendium of the Federal programs engaged in the maritime transportation system.

(f) CONSULTATION.—In carrying out its purpose and activities, the Committee may consult with marine transportation system-related advisory committees, interested parties, and the public.

(Added Pub. L. 112–213, title III, §310(a), Dec. 20, 2012, 126 Stat. 1567, §55502; renumbered §55501, Pub. L. 113–281, title III, §301(2), Dec. 18, 2014, 128 Stat. 3042; amended Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], §8315, Jan. 1, 2021, 134 Stat. 4699.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of enactment of this Act, referred to in subsec. (e), probably means the date of enactment of Pub. L. 112–213, which enacted this section and was approved Dec. 20, 2012.

##### PRIOR PROVISIONS

A prior section 55501, Pub. L. 109–304, §8(c), Oct. 6, 2006, 120 Stat. 1650, related to mobile trade fairs to show and sell United States products at foreign ports and other global commercial centers, prior to repeal by Pub. L. 113–281, title III, §301(1), Dec. 18, 2014, 128 Stat. 3042.

##### AMENDMENTS

2021—Subsec. (e)(2). Pub. L. 116–283, §8315(1), substituted “a conditions and performance analysis” for “an assessment of the condition”.

Subsec. (e)(6). Pub. L. 116–283, §8315(2)–(4), added par. (6).

2014—Pub. L. 113–281 renumbered section 55502 of this title as this section.

#### § 55502. Maritime Transportation System National Advisory Committee

(a) ESTABLISHMENT.—There is established a Maritime Transportation System National Advisory Committee (in this section referred to as the “Committee”).

(b) FUNCTION.—The Committee shall advise the Secretary of Transportation on matters relating to the United States maritime transportation

system and its seamless integration with other segments of the transportation system, including the viability of the United States Merchant Marine.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 27 members appointed by the Secretary of Transportation in accordance with this section and section 15109.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

(A) At least one member shall represent the Environmental Protection Agency.

(B) At least one member shall represent the Department of Commerce.

(C) At least one member shall represent the Corps of Engineers.

(D) At least one member shall represent the Coast Guard.

(E) At least one member shall represent Customs and Border Protection.

(F) At least one member shall represent State and local governmental entities.

(G) Additional members shall represent private sector entities that reflect a cross-section of maritime industries, including port and water stakeholders, academia, and labor.

(H) The Secretary may appoint additional representatives from other Federal agencies as the Secretary considers appropriate.

(4) RESTRICTIONS ON MEMBERS REPRESENTING FEDERAL AGENCIES.—Members of the Committee that represent Federal agencies shall not—

(A) comprise more than one-third of the total membership of the Committee or of any subcommittee therein; or

(B) serve as the chair or co-chair of the Committee or of any subcommittee therein.

(5) ADMINISTRATION.—For purposes of section 15109—

(A) the Committee shall be treated as a committee established under chapter 151; and

(B) the Secretary of Transportation shall fulfill all duties and responsibilities and have all authorities of the Secretary of Homeland Security with regard to the Committee.

(Added Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], §8332(a), Jan. 1, 2021, 134 Stat. 4703.)

#### Editorial Notes

##### PRIOR PROVISIONS

A prior section 55502 was renumbered section 55501 of this title.

#### Statutory Notes and Related Subsidiaries

##### TREATMENT OF EXISTING COMMITTEE

Pub. L. 116–283, div. G, title LVXXXIII [LXXXIII], §8332(b), Jan. 1, 2021, 134 Stat. 4704, provided that: “Notwithstanding any other provision of law—

“(1) an advisory committee substantially similar to the Committee established by section 55502 of title 46,