

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,

United States Code, and that was in force or in effect on the day before the date of the enactment of this Act [Jan. 1, 2021], including the charter, membership, and other aspects of such advisory committee, may remain in force or in effect for the 2-year period beginning on the date of the enactment of this section; and

“(2) during such 2-year period—

“(A) requirements relating the Maritime Transportation System National Advisory Committee established by such section shall be treated as satisfied by such substantially similar advisory committee; and

“(B) the enactment of this section shall not be the basis—

“(i) to deem, find, or declare such committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

“(ii) to suspend the activities of such committee; or

“(iii) to bar the members of such committee from a meeting.”

## CHAPTER 556—MARINE HIGHWAYS

Sec.	
55601.	Marine highways transportation program.
55602.	Cargo and shippers.
[55603.	Repealed.]
55604.	Research on marine highway transportation.
55605.	Marine highway transportation defined.

### Editorial Notes

#### AMENDMENTS

2021—Pub. L. 116-283, div. G, title LVXXXIII [LXXXIII], §8332(d)(1), (2), (7), Jan. 1, 2021, 134 Stat. 4704, 4705, amended chapter heading similarly, substituting “MARINE HIGHWAYS” for “SHORT SEA TRANSPORTATION”, struck out item 55603 “Interagency coordination”, and substituted “Marine highways transportation program” for “Short sea transportation program” in item 55601, “Research on marine highway transportation” for “Research on short sea transportation” in item 55604, and “Marine highway transportation defined” for “Short sea transportation defined” in item 55605.

### § 55601. Marine highways transportation program

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a marine highway transportation program to be known as the “America’s Marine highway program” and designate marine highway transportation projects to be conducted under the program to provide a coordinated and capable alternative to landside transportation or to promote marine highway transportation.

(b) PROGRAM ELEMENTS.—The program shall encourage the use of marine highway transportation through the development and expansion of—

(1) vessels documented under chapter 121 of this title;

(2) shipper utilization;

(3) port and landside infrastructure; and

(4) marine transportation strategies by State and local governments.

(c) MARINE HIGHWAY TRANSPORTATION ROUTES.—The Secretary shall designate marine highway transportation routes as extensions of the surface transportation system to focus public and private efforts to use the waterways to relieve landside congestion along coastal cor-

ridors or to promote marine highway transportation. The Secretary may collect and disseminate data for the designation and delineation of marine highway transportation routes.

(d) PROJECT DESIGNATION.—The Secretary may designate a project to be a marine highway transportation project if the Secretary determines that the project uses documented vessels and—

(1) mitigates landside congestion; or

(2) promotes marine highway transportation.

(e) ELEMENTS OF PROGRAM.—For a marine highway transportation project designated under this section, the Secretary may—

(1) promote the development of marine highway transportation services;

(2) coordinate, with ports, State departments of transportation, localities, other public agencies, and the private sector and on the development of landside facilities and infrastructure to support marine highway transportation services; and

(3) develop performance measures for the marine highway transportation program.

(f) MULTISTATE, STATE AND REGIONAL TRANSPORTATION PLANNING.—The Secretary, in consultation with Federal entities and State and local governments, may develop strategies to encourage the use of marine highway transportation for transportation of passengers and cargo. The Secretary may—

(1) assess the extent to which States and local governments include marine highway transportation and other marine transportation solutions in their transportation planning;

(2) encourage State departments of transportation to develop strategies, where appropriate, to incorporate marine highway transportation, ferries, and other marine transportation solutions for regional and interstate transport of freight and passengers in their transportation planning; and

(3) encourage groups of States and multi-State transportation entities to determine how marine highway transportation can address congestion, bottlenecks, and other interstate transportation challenges.

(g) GRANTS.—

(1) IN GENERAL.—The Secretary shall establish and implement a marine highway transportation grant program to implement projects or components of a project designated under subsection (d).

(2) APPLICATIONS.—In order to receive a grant under the program, an applicant shall—

(A) submit an application to the Secretary, in such form and manner, at such time, and containing such information as the Secretary may require; and

(B) demonstrate to the satisfaction of the Secretary that—

(i) the project is financially viable;

(ii) the funds received will be spent efficiently and effectively; and

(iii) a market exists for the services of the proposed project as evidenced by contracts or written statements of intent from potential customers.

(3) NON-FEDERAL SHARE.—An applicant shall provide at least 20 percent of the project costs