

111TH CONGRESS  
2D SESSION

# S. 3566

To authorize certain maritime programs of the Department of Transportation,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 12, 2010

Mr. LAUTENBERG (for himself and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize certain maritime programs of the Department  
of Transportation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. SHORT TITLE; AMENDMENT OF TITLE 46,**  
4 **UNITED STATES CODE; TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Maritime Administration Authorization Act for Fiscal  
7 Year 2011”.

8 (b) AMENDMENT OF TITLE 46, UNITED STATES  
9 CODE.—Except as otherwise expressly provided, whenever  
10 in this Act an amendment or repeal is expressed in terms

1 of an amendment to, or a repeal of, a section or other  
 2 provision, the reference shall be considered to be made to  
 3 a section or other provision of title 46, United States  
 4 Code.

5 (c) TABLE OF CONTENTS.—The table of contents for  
 6 this Act is as follows:

- Sec. 1. Short title; amendment of title 46, United States Code; table of contents.
- Sec. 2. Authorization of appropriations for fiscal year 2011.
- Sec. 3. Research authority.
- Sec. 4. Marine transportation system.
- Sec. 5. Amendments to the Short Sea transportation initiative.
- Sec. 6. Recycling of National Defense Reserve Fleet Vessels.
- Sec. 7. Green ships program.
- Sec. 8. Technical correction.

7 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL**  
 8 **YEAR 2011.**

9 There are authorized to be appropriated to the Sec-  
 10 retary of Transportation for programs of the Maritime  
 11 Administration the following amounts:

12 (1) OPERATIONS AND TRAINING.—For expenses  
 13 necessary for operations and training activities, not  
 14 to exceed \$158,665,000 for the fiscal year ending  
 15 September 30, 2011, of which—

16 (A) \$30,900,000 is for capital improve-  
 17 ments at the U.S. Merchant Marine Academy,  
 18 to remain available until expended; and

19 (B) \$11,007,000 is for maintenance and  
 20 repair for training ships at State Maritime  
 21 Schools, to remain available until expended.

1           (2) MARITIME GUARANTEED LOANS.—For ad-  
2           ministrative expenses related to loan guarantee com-  
3           mitments under chapter 537 of title 46, United  
4           States Code, not to exceed \$4,000,000, which shall  
5           be paid to the appropriation for “Operations and  
6           Training”, Maritime Administration.

7           (3) SHIP DISPOSAL.—For disposal of non-reten-  
8           tion vessels in the National Defense Reserve Fleet,  
9           \$10,000,000, to remain available until expended.

10          (4) MARITIME SECURITY PROGRAM.—For nec-  
11          essary expenses to maintain and preserve a U.S.-flag  
12          merchant fleet to serve the national security needs  
13          of the United States, \$174,000,000, to remain avail-  
14          able until expended.

15 **SEC. 3. RESEARCH AUTHORITY.**

16          Section 51301 is amended—

17               (1) by inserting “as an institution of higher  
18               education” after “Academy”; and

19               (2) by striking “States.” and inserting “States,  
20               to conduct research with respect to maritime-related  
21               matters, and to provide such other appropriate aca-  
22               demic support, assistance, training, and activities in  
23               accordance with the provisions of this chapter as the  
24               Secretary may authorize.”.

1 **SEC. 4. MARINE TRANSPORTATION SYSTEM.**

2 (a) REPORT ON STATUS OF SYSTEM.—Section  
3 50109(d) is amended to read as follows:

4 “(d) MARINE TRANSPORTATION SYSTEM.—

5 “(1) REPORT ON WATERWAYS.—Not later than  
6 July 31, 2012, the Secretary, in consultation with  
7 the Secretary of Defense and the commanding offi-  
8 cer of the Army Corps of Engineers, and with the  
9 concurrence of the Secretary of the department in  
10 which the Coast Guard is operating, shall submit a  
11 report to the Senate Committee on Commerce,  
12 Science, and Transportation and the House of Rep-  
13 resentatives Committees on Armed Services and on  
14 Transportation and Infrastructure on the status of  
15 the Nation’s coastal and inland waterways that—

16 “(A) describes the state of the United  
17 States’ marine transportation infrastructure, in-  
18 cluding intercoastal and inland waterway infra-  
19 structure;

20 “(B) provides estimates of the investment  
21 levels required—

22 “(i) to maintain the infrastructure;  
23 and

24 “(ii) to improve the infrastructure;  
25 and

1           “(C) describes the overall environmental  
2           management of the maritime transportation  
3           system and the integration of environmental  
4           stewardship into the overall system.

5           “(2) INTERCOASTAL AND INLAND WATER  
6           TRANSPORTATION.—The Secretary may investigate,  
7           make determinations concerning, and develop a re-  
8           pository of statistical information relating to inter-  
9           coastal water transportation, including its relation-  
10          ship to transportation by land and air to facilitate  
11          research, assessment, and maintenance of the mari-  
12          time transportation system.

13          “(3) AUTHORIZATION OF APPROPRIATIONS.—  
14          There are authorized to be appropriated to the Sec-  
15          retary such sums as may be necessary to carry out  
16          this subsection.”.

17          (b) CONTAINER-ON-BARGE TRANSPORTATION.—

18                 (1) ASSESSMENT AND REPORT.—Within 6  
19                 months after the date of enactment of this Act, the  
20                 Maritime Administration shall assess the potential  
21                 for using container-on-barge transportation on the  
22                 inland waterways system and submit a report, to-  
23                 gether with the Administration’s findings, conclu-  
24                 sions, and recommendations, to the Senate Com-  
25                 mittee on Commerce, Science, and Transportation

1 and the House of Representatives Committees on  
2 Armed Services and on Transportation and Infra-  
3 structure. If the Administration determines that it  
4 would be in the public interest, the report may in-  
5 clude recommendations for a plan to increase aware-  
6 ness of the potential for use of such container-on-  
7 barge transportation and recommendations for the  
8 development and implementation of such a plan.

9 (2) FACTORS CONSIDERED.—In conducting the  
10 assessment, the Administration shall consider—

11 (A) the environmental benefits of increas-  
12 ing container-on-barge movements on our in-  
13 land waterways system;

14 (B) regional differences in the inland wa-  
15 terways system;

16 (C) existing programs established at coast-  
17 al and Great Lakes ports for establishing  
18 awareness of deep sea shipping operations;

19 (D) mechanisms to ensure that implemen-  
20 tation of the plan would not be inconsistent  
21 with the antitrust laws; and

22 (E) potential frequency of service at inland  
23 river ports.

1 **SEC. 5. AMENDMENTS TO THE SHORT SEA TRANSPOR-**  
2 **TATION INITIATIVE.**

3 (a) PROGRAM PURPOSE.—Section 55601(a) is  
4 amended by striking “program to mitigate landside con-  
5 gestion.” and inserting “program.”.

6 (b) DESIGNATION OF ROUTES.—Section 55601(c) is  
7 amended by striking “to use the waterways to relieve  
8 landside congestion along coastal corridors.” and inserting  
9 “to make more efficient use of the Nation’s waterways.”.

10 (c) PROJECT DESIGNATION.—Section 55601(d) is  
11 amended to read as follows:

12 “(d) PROJECT DESIGNATION.—The Secretary may  
13 designate a project as a short sea transportation project  
14 if the Secretary determines that the project will provide  
15 transportation services for passengers or freight (or both)  
16 that may reduce congestion on landside infrastructure or  
17 lead to other public benefits, as determined by the Sec-  
18 retary, using documented vessels.”.

19 (d) DOCUMENTATION.—Section 55605 is amended—

20 (1) by striking “by vessel” and inserting “by  
21 documented vessel”; and

22 (2) by inserting “or its territories” after  
23 “United States” each place it appears.

1 **SEC. 6. RECYCLING OF NATIONAL DEFENSE RESERVE**  
2 **FLEET VESSELS.**

3 Section 113(e)(15) of title 40, United States Code,  
4 is amended to read as follows:

5 “(15) the Maritime Administration with respect  
6 to the acquisition, procurement, operation, mainte-  
7 nance, preservation, sale, lease, charter, construc-  
8 tion, reconstruction, reconditioning (including outfit-  
9 ting and equipping incidental to construction, recon-  
10 struction, or reconditioning) or disposal for recycling  
11 (including related contracts for towing, dry-docking,  
12 sale or purchase of services for recycling, and vessel  
13 management), of a merchant vessel or shipyard, ship  
14 site, terminal, pier, dock, warehouse, or other instal-  
15 lation necessary or appropriate for carrying out a  
16 program of the Administration authorized by law or  
17 non-administrative activities incidental to a program  
18 of the Administration authorized by law, but the Ad-  
19 ministration shall, to the maximum extent it con-  
20 siders practicable, consistent with the purposes of its  
21 programs and the effective, efficient conduct of its  
22 activities, coordinate its operations with the require-  
23 ments of this subtitle and with policies and regula-  
24 tions prescribed under this subtitle;”.

1 **SEC. 7. GREEN SHIPS PROGRAM.**

2 (a) IN GENERAL.—The Maritime Administrator may  
3 establish a green ships program to engage in environ-  
4 mental study and assessment through the use of public  
5 vessels under the control of the Maritime Administration,  
6 private vessels under United States registry made avail-  
7 able by agreement, and through partnerships and coopera-  
8 tive efforts with academic, public, and non-governmental  
9 entities to identify, evaluate, demonstrate, or improve  
10 technologies likely to achieve environmental improvements  
11 through reduction of air or water emissions, improvement  
12 of fuel economy, or control of aquatic invasive species.

13 (b) PUBLIC ACCESS; REPORTS.—The Maritime Ad-  
14 ministrator shall—

15 (1) make available to the public the results of  
16 activities undertaken by the program as frequently  
17 and as widely disseminated as feasible, but in no  
18 case less than once each year; and

19 (2) with the concurrence of the Secretary of  
20 Transportation or his designee, submit an annual re-  
21 port to the Senate Committee on Commerce,  
22 Science, and Transportation and the House of Rep-  
23 resentatives Committee on Transportation and In-  
24 frastructure on the activities, expenditures, and re-  
25 sults of the program during the preceding year.

1           (c) FUNDING.—The Maritime Administrator may  
2 apply such funds as may be appropriated, and such funds  
3 or resources as become available by gift, cooperative agree-  
4 ment, or otherwise, to carry out the program.

5 **SEC. 8. TECHNICAL CORRECTION.**

6 Chapter 571 is amended—

7           (1) by striking the section heading of section  
8 57103 and inserting the following:

9 **“§ 57103. Donation of non-retention vessel in the Na-**  
10 **tional Defense Reserve Fleet”;**

11 and

12           (2) by striking the item relating to section  
13 57103 in the table of contents for chapter 571 and  
14 inserting the following:

“57103. Donation of non-retention vessel in the National Defense Reserve  
Fleet”.

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