

109TH CONGRESS
1ST SESSION

S. 93

To increase the role of the Secretary of Transportation in administering section 901 of the Merchant Marine Act, 1936, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To increase the role of the Secretary of Transportation in administering section 901 of the Merchant Marine Act, 1936, 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. TRANSPORTATION IN AMERICAN VESSELS OF**
4 **GOVERNMENT PERSONNEL AND CERTAIN**
5 **CARGOES.**

6 Paragraph (2) of section 901(b) of the Merchant Ma-
7 rine Act, 1936 (46 U.S.C. App. 1241(b)(2)), is amended
8 to read as follows:

9 “(2)(A) Notwithstanding any other provision of law,
10 the Secretary of Transportation shall have the sole respon-

1 sibility for designating a program as subject to the re-
 2 quirements of this subsection. Each department or agency
 3 that has responsibility for a program that is designated
 4 by the Secretary pursuant to the preceding sentence shall
 5 administer such program in accordance with regulations
 6 promulgated by the Secretary.

7 “(B) The Secretary of Transportation shall—

8 “(i) conduct an annual review of the adminis-
 9 tration of a program designated pursuant to sub-
 10 paragraph (A) as subject to the requirements of this
 11 subsection; and

12 “(ii) submit an annual report to Congress con-
 13 taining the results of the review described in clause
 14 (i).

15 “(C) The Secretary of Transportation shall prescribe
 16 regulations—

17 “(i) to carry out the provisions of this sub-
 18 section; and

19 “(ii) to provide penalties and sanctions for vio-
 20 lation of this subsection.”.

21 **SEC. 2. CONFORMING CARGO PREFERENCE YEAR TO FED-**
 22 **ERAL FISCAL YEAR.**

23 Section 901b of the Merchant Marine Act, 1936 (46
 24 U.S.C. App. 1241f) is amended—

25 (1) in subsection (a)—

1 (A) by striking paragraph (2); and

2 (B) in paragraph (1)—

3 (i) by striking “(a)(1)” and inserting

4 “(a)”; and

5 (ii) by striking “specified in sub-

6 section (b)” and inserting “exported as de-

7 scribed in subsection (b) in a fiscal year”;

8 and

9 (2) in subsection (c)(2)—

10 (A) by striking “calendar” and inserting

11 “fiscal”; and

12 (B) by striking “for 12 month periods

13 commencing April 1, 1986” and inserting “the

14 12-month period beginning on April 1 of each

15 year before 2003, the 18-month period begin-

16 ning on April 1, 2003, and each 12-month pe-

17 riod beginning on October 1 of 2004 and each

18 year thereafter”.

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