

AMENDMENT TO RULES COMMITTEE PRINT

119-33

OFFERED BY MR. GRAVES OF MISSOURI

At the end of subtitle B of title XVII, add the following:

1 **SEC. 17___ . AMERICAN SUPPLY CHAIN SOVEREIGNTY INITIATIVE.**
2

3 (a) FINDINGS.—Congress finds that:

4 (1) The infiltration and influence of global maritime logistics networks by State-directed entities,
5 specifically platforms such as LOGINK and entities
6 identified under section 1260H of the William M.
7 (Mac) Thornberry National Defense Authorization
8 Act for Fiscal Year 2021, constitutes a direct and
9 immediate threat to United States national security
10 and Department of Defense mobilization capabilities.
11

12 (2) The velocity and security of maritime terminals are essential matters of interstate commerce
13 and national defense, requiring a unified, secure
14 Federal data architecture.
15

16 (3) The American Supply Chain Sovereignty
17 Initiative is explicitly intended to serve as a neutral,
18 federally protected public utility that preserves free-

1 market autonomy, protects business confidential in-
2 formation of American businesses of all sizes, and
3 ensures the United States military and domestic
4 workforce cannot be undermined by foreign logistics
5 platforms.

6 (b) AMERICAN SUPPLY CHAIN SOVEREIGNTY.—
7 Chapter 701 of title 49, United States Code, is amended
8 by inserting at the end the following:

9 **“§ 70104. American Supply Chain Sovereignty**

10 “(a) ESTABLISHMENT.—Not later than 180 days
11 after the date of enactment of this Act, the Secretary of
12 Transportation, in consultation with the Secretary of De-
13 fense, the Secretary of Homeland Security, the United
14 States Trade Representative, and the Federal Maritime
15 Commission, shall establish a program to be known as the
16 ‘American Supply Chain Sovereignty Initiative’. The Sec-
17 retary shall deploy the Initiative’s digital architecture for
18 inbound containerized freight not later than 12 months
19 after the date of enactment of this section. The Initiative
20 shall build upon the Freight Logistics Optimization Works
21 (FLOW) program to encompass both containerized and
22 bulk freight shipments, for imports and exports, in accord-
23 ance with the phased deployment authority established in
24 subsection (e)(4).

25 “(b) INTEGRATION OF DATA.—

1 “(1) AUTHORITY.—The Secretary is authorized
2 to collect and integrate—

3 “(A) voluntary business confidential infor-
4 mation provided by private sector supply chain
5 entities, including agricultural producers, en-
6 ergy producers, manufacturers, third-party lo-
7 gistics providers, commodity traders, ocean
8 common carriers, and commercial providers of
9 meteorological, geospatial, and navigational
10 data;

11 “(B) public sector administrative and
12 physical domain data, including customs data,
13 inbound and outbound vessel manifests, cross-
14 border intermodal manifests, inland waterway
15 infrastructure data, export control data, agri-
16 cultural shipment flows and transportation
17 market datasets maintained by the Agricultural
18 Marketing Service, and meteorological, hydro-
19 graphic, and geospatial data; and

20 “(C) advanced statistical and predictive
21 models.

22 “(2) OBJECTIVE.—The integrated data shall be
23 utilized to reduce inflationary pressures, optimize
24 routing alternatives, maximize the throughput capac-
25 ity of existing physical infrastructure, deter domestic

1 cargo theft, support the rapid movement of essential
2 cargo, and counter the integration and influence of
3 covered logistics platforms in United States supply
4 chains.

5 “(3) PROTECTION OF PERSONALLY IDENTIFI-
6 ABLE INFORMATION.—Nothing in this section shall
7 be construed to authorize the collection, storage, or
8 analysis of personally identifiable information re-
9 garding any individual. To support operational util-
10 ity, asset-level data may be retained and shared in
11 its granular form strictly with operational tier mem-
12 bers under subsection (e)(1). Data disseminated to
13 participant tier members shall be appropriately
14 anonymized and aggregated.

15 “(c) PROHIBITION ON OPERATIONAL EXECUTION
16 AND CONDITIONS FOR EXPEDITED SERVICE.—

17 “(1) PROHIBITION ON MANDATES.—Except as
18 authorized under section 101 of the Defense Produc-
19 tion Act of 1950 (50 U.S.C. 4511), nothing in this
20 section shall be construed to authorize the Secretary
21 to mandate physical operational execution across the
22 general supply chain, including the authority to re-
23 quire reservations for berths or gates, assign specific
24 vessels to specific terminals, or interfere with the

1 commercial rights of participants to negotiate pricing or operational schedules.

3 “(2) AFFIRMATION OF VOLUNTARY PARTICIPATION.—Participation in the data-sharing framework shall be voluntary. Nothing in this section may be interpreted to authorize the Secretary to dictate commercial execution, market share allocation, or command-and-control logistics models utilized by State-owned enterprises or foreign adversaries during the normal course of business.

11 “(3) OPERATIONAL REQUIREMENT FOR EXPEDITED SERVICE.—Notwithstanding paragraphs (1) and (2), the administrative designation and digital signaling of expedited cargo under subsection (d) is contingent upon the good-faith physical execution of any participant electing to offer or utilize the expedited service tier consistent with operational requirements for subsection (e) as defined by the Secretary.

19 “(d) EXPEDITED SERVICE TIER AND ACCOUNT-
20 ABILITY.—

21 “(1) CRITERIA FOR EXPEDITED CARGO.—The
22 Secretary shall use vessel and shipment-specific details provided by the Initiative to establish objective
23 criteria to be used by the Secretary of the department in which the Coast Guard is operating to bet-
24
25

1 ter target vessels to assure compliance with the port
2 safety requirements of chapter 700 of title 46. The
3 additional details the Initiative provides shall enrich
4 existing information to better determine risk profiles
5 of vessels to further assure vessel, facility and port
6 safety. Details shall only be provided for the purpose
7 of establishing criteria only if the Secretary verifies
8 the cargo data on which details are based is trans-
9 ferred via a trusted data chain.

10 “(2) TRUSTED DATA CHAIN.—The Secretary
11 shall promulgate technologically neutral data stand-
12 ards for verifying cargo data is transferred via a
13 trusted data chain. These standards shall require a
14 tamper-evident digital attestation, originating from
15 the physical point of execution, to verify that the
16 data provenance has not been irreversibly scrubbed
17 or masked by a proxy server affiliated with a covered
18 logistics platform or an entity identified under sec-
19 tion 1260H of the William M. (Mac) Thornberry
20 National Defense Authorization Act for Fiscal Year
21 2021 (10 U.S.C. 113 note).

22 “(3) COMMERCIAL INTERMEDIARY SAFE HAR-
23 BOR.—Nothing in paragraph (2) shall penalize the
24 lawful routing of data by authorized third-party lo-
25 gistics providers, customs brokers, or freight for-

1 warders, provided the intermediary utilizes a secure
2 architecture that preserves the original point-of-ori-
3 gin cryptographic attestation.

4 “(4) TRANSITION PERIOD.—The Secretary shall
5 establish a 24-month transition period from oper-
6 ational deployment, during which provisional eligi-
7 bility for expedited service may be granted utilizing
8 legacy electronic data transmission protocols and
9 third-party audits, but after which the tamper-evi-
10 dent digital attestation requirements shall be strictly
11 enforced.

12 “(5) NATIONAL INTEREST WAIVER.—The Sec-
13 retary may temporarily waive the requirements in
14 paragraph (2) for specific entities or trade lanes for
15 a period not to exceed 180 days, renewable, to avoid
16 unnecessary supply chain disruptions which threaten
17 port safety.

18 “(6) CAPACITY ALLOCATION FOR SMALL BUSI-
19 NESSES.—The Secretary is authorized to implement
20 appropriate mechanisms to prevent the unreasonable
21 displacement of general commerce. Nothing in this
22 paragraph grants authority to impose physical ter-
23 minal throughput quotas.

24 “(7) ESSENTIAL CARGO AND ABSTRACTION.—
25 The Secretary, in consultation with the heads of

1 other relevant Federal agencies as determined ap-
2 propriate by the Secretary, may at any time des-
3 ignate commodities as essential cargo for the pur-
4 poses of maintaining the efficiency and resiliency of
5 freight supply chains in support of port safety, and
6 economic efficiency and productivity. During a de-
7 clared national emergency, the President may de-
8 velop a non-public Essential Commodity Target List,
9 exempt from disclosure under section 552 of title 5.
10 The Secretary shall not transmit the underlying
11 Harmonized Tariff Schedule code or national secu-
12 rity justification for any designation made under
13 this paragraph to the commercial entity executing
14 the physical movement of the cargo.

15 “(8) REVOCATION FOR ABUSE.—The Secretary
16 may suspend or revoke participation in any tier of
17 the Initiative for any entity determined to have
18 knowingly submitted false or misleading data re-
19 garding the urgency, details, or strategic value of a
20 shipment.

21 “(e) TIERED INFORMATION SHARING ARCHITEC-
22 TURE.—

23 “(1) OPERATIONAL TIER MEMBERS.—The Sec-
24 retary may share operational data with directly in-
25 terested parties as necessary to facilitate the phys-

1 ical movement of cargo, provided such disclosures
2 shall not include business confidential information.

3 Permitted disclosures may be made:

4 “(A) To a participating ocean common car-
5 rier, container-level or commodity-level data
6 necessary to facilitate origin stowage plans and
7 priority cargo blocks.

8 “(B) To a participating marine terminal
9 operator, predictive arrival times and container-
10 level or tank-and-hold-level priority-mapped ves-
11 sel stowage plans to support the expedited
12 movement of priority containers, pipeline mani-
13 fold scheduling, and the dynamic coordination
14 of export receiving windows for outbound expe-
15 dited cargo.

16 “(C) To a participating port authority,
17 anonymized volume and capacity forecasts rel-
18 evant to such authority’s jurisdiction.

19 “(D) To participating railroad carriers, ag-
20 gregated demand forecasts to plan railcar sup-
21 ply.

22 “(E) To participating motor carriers, con-
23 tainer-specific predictive availability strictly to
24 optimize dispatch scheduling and facilitate ad-
25 vanced terminal and gate coordination.

1 “(F) To providers of intermodal chassis,
2 aggregated demand forecasts and empty equip-
3 ment priority status to optimize equipment
4 availability.

5 “(G) To off-dock container yards,
6 transload facilities, and warehouses, predictive
7 availability strictly for cargo explicitly routed to
8 such facility.

9 “(H) To a maritime operator on inland
10 waterways, predictive queuing and lock status
11 for transiting vessels and barges.

12 “(I) To a pipeline operator or port-side
13 bulk storage facility, predictive arrival times,
14 volume, and priority status of liquid or dry bulk
15 vessels.

16 “(J) To the Army Corps of Engineers, pre-
17 dictive vessel-specific data for barge and deep-
18 draft vessel traffic across inland waterways and
19 federally-maintained coastal channels necessary
20 to optimize lockage scheduling, water level man-
21 agement, dredging schedules, trust fund utiliza-
22 tion, and infrastructure maintenance.

23 “(K) To a licensed customs broker, read-
24 only visibility of clearance status.

1 “(2) PARTICIPANT TIER MEMBERS.—The Sec-
2 retary may share aggregated, anonymized
3 benchmarking data with other voluntary members.

4 “(A) PROHIBITION ON REAL-TIME TRACK-
5 ING.—Data shared under this paragraph shall
6 not provide continuous, real-time location track-
7 ing of individual commercial assets.

8 “(B) PROHIBITION ON RESALE AND VEN-
9 DOR EXCEPTION.—No entity receiving data
10 under this paragraph shall sell, license, or in-
11 corporate such data into a commercial product
12 offered to third parties. However, a participant
13 may transmit data to an approved contracted
14 technology service provider or terminal oper-
15 ating system strictly to facilitate the internal lo-
16 gistics operations of the participant, provided
17 the vendor is contractually prohibited from uti-
18 lizing the data for any other purpose.

19 “(3) PROHIBITION ON COMMERCIAL COMPETI-
20 TION.—The Secretary shall not develop, offer, or as-
21 sess a fee for premium software modules that rep-
22 licate commercially available fleet management, com-
23 mercial routing, or reservation booking products.

24 “(4) PHASED DEPLOYMENT.—The Secretary
25 may implement data ingestion and dissemination in

1 phases through technologically neutral interfaces.
2 Following the initial operational deployment for in-
3 bound containerized freight not later than 12
4 months after the date of enactment of this section,
5 the Secretary shall subsequently integrate outbound
6 containerized exports and dry and liquid bulk com-
7 modities as technological readiness and commercial
8 adoption permit. The Secretary shall publish an an-
9 nual report providing high-level statistical sum-
10 maries of supply chain performance that shall not
11 reveal business confidential information.

12 “(5) PRIORITY FOR INFRASTRUCTURE
13 GRANTS.—In awarding discretionary grants for
14 freight infrastructure projects, including grants
15 under the Port Infrastructure Development Program
16 and the Nationally Significant Multimodal Freight
17 and Highway Projects program, the Secretary may
18 give priority consideration to applications submitted
19 by or on behalf of operators that are active partici-
20 pants in good standing in the Initiative.

21 “(f) INTERAGENCY COORDINATION FOR NATIONAL
22 DEFENSE.—

23 “(1) STRICTLY LIMITED DATA SHARING.—The
24 Secretary may share data, analysis, and predictive
25 models derived from the Initiative strictly and exclu-

1 sively with the Department of Defense, the Depart-
2 ment of Homeland Security, and the Department of
3 Commerce, however, business confidential informa-
4 tion and asset-level data not designated for expedited
5 service under subsection (d) shall be masked or
6 withheld from the Department of Homeland Security
7 and the Department of Commerce.

8 “(2) PROHIBITION ON UNILATERAL EXPAN-
9 SION.—To preserve the confidentiality of the Initia-
10 tive, the Secretary may not share data, analysis, or
11 predictive models derived from the Initiative with
12 any other Federal or State agency, including the De-
13 partment of Justice, the Environmental Protection
14 Agency, or the Department of Labor, unless directed
15 to do so by the President for the purposes of na-
16 tional defense during a declared national emergency.

17 “(3) PERMITTED USES.—Data made available
18 under this subsection may be used strictly and exclu-
19 sively to support national mobilization, identify any
20 foreign adversary regardless of destination, facilitate
21 lawful trade, and detect anomalous transshipments
22 or the routing of United States-bound cargo through
23 contiguous foreign ports.

24 “(4) PRESERVATION OF AUTHORITIES.—Noth-
25 ing in this subsection supersedes the independent

1 authorities of the Department of Homeland Security
2 or the Department of Commerce.

3 “(5) BI-DIRECTIONAL EXCHANGE.—The Sec-
4 retary of Homeland Security shall transmit to the
5 Initiative the real-time disposition and release status
6 of cargo, including Automated Export System clear-
7 ances. The Secretary of Transportation may share a
8 binary indication of this status with operational tier
9 members, provided that no Department of Homeland
10 Security targeting methodologies, inspection codes,
11 or law enforcement sensitive information is disclosed
12 to any private sector participant.

13 “(g) PRESERVATION OF INFORMATION PROTECTIONS
14 AND PROHIBITED USES.—

15 “(1) EXEMPTION FROM DISCLOSURE.—Infor-
16 mation submitted to or generated by the Initiative
17 shall be exempt from disclosure under section
18 552(b)(3) of title 5 and shall be deemed confidential
19 business information under section 1905 of title 18.

20 “(2) STATISTICAL CONFIDENTIALITY AND EN-
21 FORCEMENT PROHIBITION.—No Federal agency may
22 compel the production or use of data protected
23 under this subsection to initiate civil or administra-
24 tive enforcement against a submitting entity, includ-
25 ing as evidence for violations of the Shipping Act of

1 1984 or any regulation regarding detention and de-
2 murrage.

3 “(3) SECONDARY USE PROHIBITION.—Under no
4 circumstances shall data derived from the Initiative
5 be shared with any Federal, Tribal, or State agency
6 for the purpose of enforcing civil, environmental, oc-
7 cupational safety, tax, revenue, or labor regulations,
8 except that nothing in this paragraph shall prohibit
9 the Department of Homeland Security or the De-
10 partment of Commerce from utilizing data submitted
11 for expedited service under subsection (d) to inves-
12 tigate and enforce laws relating to trade remedies,
13 customs revenue, illegal transnational freight diver-
14 sion, or the evasion of border duties.

15 “(4) WORKFORCE PROTECTION.—Data derived
16 from the Initiative shall not be introduced by any
17 Federal agency to intervene in labor disputes. Par-
18 ticipation in the Initiative shall not be introduced by
19 an employer to mandate labor reductions or elimi-
20 nate recognized job classifications under any existing
21 collective bargaining agreement. Nothing in this sec-
22 tion shall be construed to diminish, modify, or su-
23 persede an employer’s contractual obligation under
24 any collective bargaining agreement to disclose rel-
25 evant data workflows, share macro-level logistics in-

1 formation, or negotiate any material changes to
2 staffing levels or the core job duties of union per-
3 sonnel resulting from digital data integration. Rou-
4 tine software updates, predictive ETA notifications,
5 and dynamic yard optimization that do not alter
6 contractual staffing ratios or job classifications shall
7 not, by virtue of this section, be subject to additional
8 regulatory or compulsory arbitration triggers outside
9 the existing procedures established by the collective
10 bargaining agreement.

11 “(5) IMMUNITY FROM DISCOVERY AND CYBER
12 LIABILITY.—Data submitted to the Initiative shall
13 be immune from legal process and not subject to
14 subpoena in any civil action. No cause of action shall
15 lie against any participant for a cybersecurity inci-
16 dent reliably determined to have originated solely
17 from the authorized connection to the Initiative.

18 “(6) LIMITATIONS ON TARGETING.—No Federal
19 agency may use data from the Initiative to identify
20 or target specific entities for independent audit or
21 investigation in an attempt to circumvent the prohi-
22 bitions in this subsection, except as explicitly author-
23 ized for the Department of Homeland Security
24 under paragraph (3).

1 “(7) PRESERVATION OF INDEPENDENT JURIS-
2 DICTION.—Nothing in this subsection supersedes the
3 independent statutory authority of the Federal Mari-
4 time Commission, the Surface Transportation
5 Board, or the Department of Justice to compel the
6 production of information through standard lawful
7 subpoenas conducted entirely outside the mecha-
8 nisms and data architecture of the Initiative.

9 “(8) DATA DESTRUCTION.—The Secretary shall
10 ensure that business confidential information re-
11 ceived and maintained by the Initiative is destroyed
12 or irreversibly anonymized not later than 24 months
13 after the date of ingestion.

14 “(9) EXPANDED FLUIDITY MONITORING.—Not-
15 withstanding paragraph (2), the Secretary may
16 share anonymized, system-wide velocity metrics with
17 the Federal Maritime Commission and the Surface
18 Transportation Board, provided that aggregation
19 prevents reverse-engineering, and no metric is
20 shared until a minimum of 30 days has elapsed from
21 the date of transmittal.

22 “(10) EXCEPTIONS FOR ENFORCEMENT AND
23 BAD ACTORS.—The prohibitions in paragraph (2)
24 shall not apply to the investigation and enforcement
25 of laws relating to trade remedies, customs revenue,

1 transnational freight diversion, or the evasion of bor-
2 der duties under paragraph (3), nor to any entity
3 certified by the Secretary of Commerce as a foreign
4 adversary (consistent with section 50309 of title 46)
5 engaging in economic coercion.

6 “(h) PRESERVATION OF DATA CONTAINMENT AND
7 ANTITRUST PROTOCOLS.—

8 “(1) LIMITATION ON DAMAGES.—In any civil or
9 criminal action under the antitrust laws of the
10 United States, conduct strictly limited to sharing
11 operational data directly with the Initiative under
12 subsection (e) shall not be deemed illegal per se, but
13 judged on the basis of reasonableness. Participants
14 operating within authorized parameters shall not be
15 liable for treble damages under section 4 of the
16 Clayton Act (15 U.S.C. 15).

17 “(2) GOOD FAITH UTILIZATION REQUIRE-
18 MENT.—The exemption granted under paragraph
19 (1) shall be strictly contingent upon a participant’s
20 good faith utilization of the data to actively facilitate
21 the physical prioritization and block stowage of eligi-
22 ble cargo.

23 “(3) PRICING FIREWALL.—The exemption shall
24 not apply to any agreement or data exchange re-
25 garding freight rates, surcharges, or contract terms,

1 nor to direct, peer-to-peer exchange of proprietary
2 capacity data outside the secure digital architecture
3 of the Initiative.

4 “(4) PROTOCOL REVIEW AND REBUTTABLE
5 PRESUMPTION.—Prior to finalizing protocols, the
6 Secretary shall consult with the Federal Maritime
7 Commission, the Attorney General, and the Federal
8 Trade Commission for a 60-day review period. Upon
9 the expiration of the 60-day consultation period, the
10 Secretary, with the concurrence of the Federal Mari-
11 time Commission, shall retain sole and final author-
12 ity to approve and promulgate the data-sharing pro-
13 tocols. A lack of consensus among the consulted
14 agencies shall not delay or prevent the operational
15 implementation of the Initiative. A participant act-
16 ing in good faith conformity with the resulting pro-
17 tocols shall possess a statutory rebuttable presump-
18 tion of legality. Congress explicitly vests primary ju-
19 risdiction over the competitive evaluation of the Ini-
20 tiative with the Federal Maritime Commission. The
21 Attorney General shall formally consult with the
22 Federal Maritime Commission prior to initiating any
23 enforcement action.

24 “(5) SAVINGS CLAUSE FOR EXISTING IMMUNI-
25 TIES.—Nothing in this section shall be construed to

1 modify, diminish, restrict, or supersede the existing
2 antitrust immunities, exemptions, or jurisdiction es-
3 tablished under the Shipping Act of 1984 (subtitle
4 IV of title 46). The limitations on liability provided
5 in this subsection are additive, and apply only to the
6 digital transmission of data to the Initiative, leaving
7 all other commercial conduct subject to existing stat-
8 utory and regulatory enforcement.

9 “(i) RELATIONSHIP TO OTHER LAWS.—

10 “(1) LIMITED STATUTORY EXEMPTION.—Sec-
11 tion 11904 shall not prohibit the disclosure of spe-
12 cific data elements to authorized participants strictly
13 as defined in this section.

14 “(2) FACA EXEMPTION.—Chapter 10 of title 5
15 shall not apply to any working group or task force
16 established by the Secretary to refine the predictive
17 models of the Initiative.

18 “(3) TRANSFER OF FUNCTIONS.—No data col-
19 lected by the Bureau of Transportation Statistics
20 under the FLOW program prior to enactment may
21 be transferred to the Initiative without the explicit
22 written consent of the submitting entity.

23 “(j) FINANCIAL SUSTAINABILITY AND FISCAL ALLO-
24 CATIONS.—For a five-year period starting in fiscal year
25 2027, there is authorized to be appropriated \$22,000,000

1 annually. Funds authorized for the program shall be
2 strictly limited to the actual, verifiable costs of admin-
3 istering the Initiative and shall not be utilized to cross-
4 subsidize unrelated agency operations. Such amounts au-
5 thorized shall be adjusted for inflation in subsequent
6 years.

7 “(k) DEFINITIONS.—In this section:

8 “(1) COVERED LOGISTICS PLATFORM.—The
9 term ‘covered logistics platform’ means a logistics
10 software, terminal operating system, or data aggrega-
11 tion platform that the Secretary, in consultation
12 with the Secretary of Defense, the Commander of
13 the United States Transportation Command, the
14 Secretary of Commerce, and the Secretary of Home-
15 land Security, identifies as being owned by, system-
16 ically integrated with, or utilizing proprietary soft-
17 ware licensed by an entity that is—

18 “(A) identified pursuant to section 1260H
19 of the William M. (Mac) Thornberry National
20 Defense Authorization Act for Fiscal Year 2021
21 (10 U.S.C. 113 note);

22 “(B) included on the Entity List main-
23 tained by the Bureau of Industry and Security
24 and set forth in Supplement No. 4 to part 744
25 of title 15, Code of Federal Regulations; or

1 “(C) identified as a foreign adversary, or
2 subject to the jurisdiction, direction, or control
3 of a foreign adversary, as defined in section
4 791.4 of title 15, Code of Federal Regulations.

5 “(2) FOREIGN ADVERSARY.—The term ‘foreign
6 adversary’ has the meaning given that term in sec-
7 tion 791.4 of title 15, Code of Federal Regulations.

8 “(3) INITIATIVE.—The term ‘Initiative’ means
9 the American Supply Chain Sovereignty Initiative
10 established under subsection (a).

11 “(4) MARINE TERMINAL OPERATOR.—The term
12 ‘marine terminal operator’ has the meaning given
13 that term in section 40102 of title 46.

14 “(5) OCEAN COMMON CARRIER.—The term
15 ‘ocean common carrier’ has the meaning given that
16 term in section 40102 of title 46.

17 “(6) PARTICIPANT.—The term ‘participant’
18 means any individual or entity participating in the
19 Initiative that complies with the proportional, recip-
20 rocal data-sharing requirements established by the
21 Secretary for their specific operational category or
22 tier of participation, provided that the data is sub-
23 mitted in the format and cadence the Secretary de-
24 termines necessary for the Initiative to function
25 properly.

1 “(7) SECRETARY.—The term ‘Secretary’ means
2 the Secretary of Transportation.”.

3 (c) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 701 of title 49, United States Code, is amended by
5 inserting after the item relating to section 70103 the fol-
6 lowing:

“70104. American Supply Chain Sovereignty.”.

