

AMENDMENT TO RULES
COMMITTEE PRINT 118-36
OFFERED BY MR. EZELL OF MISSISSIPPI

At the end of subtitle C of title XXXV, add the following:

1 **SEC. 35__.** **STUDY ON THE MOVEMENT OF CRITICAL**
2 **CARGO THROUGH MARINE TERMINALS AND**
3 **PORTS.**

4 (a) **STUDY.**—Not later than one year after the date
5 of the enactment of this section, the Secretary of Trans-
6 portation, in coordination with the Secretary of Defense
7 and in consultation with the head of each relevant Federal
8 agency, shall conduct a study on the movement of critical
9 cargo through marine terminals and ports, including an
10 examination of—

11 (1) efforts to expedite the movement of critical
12 cargo through ports and marine terminals; and

13 (2) methodologies, practices, and processes
14 for—

15 (A) moving such cargo during an event for
16 which an emergency is declared by the Presi-
17 dent or a Federal agency;

1 (B) identifying critical cargo and expe-
2 diting the movement of such cargo through the
3 marine terminals and ports;

4 (C) expediting the movement of critical
5 cargo across all modes of transportation after
6 leaving marine terminals and ports;

7 (D) improving the readiness of the Armed
8 Forces through the expedited movement of crit-
9 ical cargo; and

10 (E) mitigating the impact on the move-
11 ment of other cargo that is not critical.

12 (b) REQUEST FOR INFORMATION.—The Secretary of
13 Transportation shall issue a request for information in the
14 Federal Register seeking public comment on the matters
15 to be considered in the study under subsection (a).

16 (c) VOLUNTARY PILOT PROGRAM.—

17 (1) IN GENERAL.—In carrying out the study
18 under subsection (a), the Secretary may establish
19 one or more voluntary pilot programs to test the ef-
20 fectiveness of any methodology, practice, or process
21 for expediting the movement of critical cargo
22 through ports and marine terminals.

23 (2) LIMITATIONS.—In carrying out any pilot
24 program under paragraph (1), the Secretary—

1 (A) may not purchase any fully automated
2 cargo handling equipment that is remotely oper-
3 ated or remotely monitored, with or without
4 human intervention or control; and

5 (B) shall ensure any such pilot program
6 does not result in a net loss of jobs within a
7 marine terminal or port.

8 (d) REPORT.—Not later than two years after the date
9 of the enactment of this section, the Secretary shall sub-
10 mit to the appropriate committees of Congress a report
11 containing—

12 (1) the findings of the study conducted under
13 subsection (a); and

14 (2) recommendations with respect to the meth-
15 odologies, practices, and processes examined in such
16 study, including recommendations for using data
17 from commercial and governmental data tracking
18 initiatives to—

19 (A) determine when cargo is critical and
20 needs to be expedited;

21 (B) identify such cargo at port and marine
22 terminals; and

23 (C) expedite the movement and distribu-
24 tion of such cargo to end users.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to interfere with or supersede any
3 agreement regarding port labor.

4 (f) DEFINITIONS.—In this section:

5 (1) The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committees on Armed Services of
8 the Senate and the House of Representatives;

9 (B) the Committee on Commerce, Science,
10 and Transportation of the Senate; and

11 (C) the Committee on Transportation and
12 Infrastructure of the House of Representatives.

13 (2) The term “relevant Federal agency”
14 means—

15 (A) the Department of Health and Human
16 Services; and

17 (B) any other Federal agency determined
18 relevant by the Secretary of Transportation.

