AMENDMENT TO RULES COMMITTEE PRINT
117–31
OFFERED BY MR. GIMENEZ OF FLORIDA

At the end of division L, add the following:

SEC. 110002. PORT CRANES.

(a) Megacranes Procurement Grant Program.—Section 50302 of title 46, United States Code, is amended by adding at the end the following:

“(f) Megacranes Procurement Grant Program.—

“(1) In General.—The Administrator of the Maritime Administration shall provide grants to eligible applicants for the procurement of certain megacranes for use at ports located in the United States.

“(2) Application.—To be eligible for a grant under this subsection, an eligible applicant shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator considers appropriate, including any information related to the purchase of a megacrane.
“(3) USE OF FUNDS.—An eligible applicant receiving a grant under this subsection shall use the funds provided under the grant only to—

“(A) procure a megaerane, including to pay for any manufacturing costs associated with procuring a megaerane; or

“(B) replace foreign software on a megaerane in use before the date of enactment of the Port Cranes for America Act.

“(4) FEDERAL MATCH.—The Federal share of the cost of procurement of a megaerane or the replacement of foreign software on a megaerane in service before the date of enactment of the for which a grant is awarded under this subsection shall be not more than 80 percent.

“(5) RESTRICTION.—An eligible applicant receiving a grant under this subsection may not procure a foreign crane.

“(6) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE APPLICANT.—The term ‘eligible applicant’ has the meaning given such term in section 50302.

“(B) FOREIGN CRANE.—The term ‘foreign crane’ means a crane that is, in whole or in part, manufactured by an entity that is owned
or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

“(i) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of the Port Cranes for America Act;

“(ii) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a foreign country included on the priority watch list defined in subsection (g)(3) of such section; and

“(iii) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

“(C) MEGACRANE.—The term ‘megacrane’ means a container crane that has a lifting capacity in excess of 50 tons and that is not a foreign crane.

“(D) UNITED STATES.—The term ‘United States’ includes any territory of the United States.
“(g) **BUY AMERICA.**—The requirements of section 54101(d)(2) shall apply to any grant provided under this section.”.

(b) **FOREIGN CRANE ACQUISITION PROHIBITION.**—

(1) **IN GENERAL.**—Subchapter I of chapter 701 of title 46, United States Code, is amended by adding at the end the following:

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§ 70126. Foreign crane acquisition prohibition

“(a) **IN GENERAL.**—Notwithstanding any other provision of law, a foreign crane may not be acquired for operation in the United States.

“(b) **FOREIGN CRANE DEFINED.**—In this section, the term ‘foreign crane’ has the meaning given such term in section 50302(f) of title 46, United States Code.”.

(2) **CLERICAL AMENDMENT.**—The analysis for chapter 701 of title 46, United States Code, is amended by inserting after the item relating to section 70125 the following:

“70126. Foreign crane acquisition prohibition.”.

(3) **APPLICABILITY.**—This subsection, including the amendments made by this subsection, applies beginning on the date that is 3 years after the date of enactment of this Act.