

AMENDMENT TO RULES COMMITTEE PRINT

117-31

OFFERED BY MR. GIMENEZ OF FLORIDA

At the end of division L, add the following:

1 **SEC. 110002. PORT CRANES.**

2 (a) MEGACRANE PROCUREMENT GRANT PRO-
3 GRAM.—Section 50302 of title 46, United States Code, is
4 amended by adding at the end the following:

5 “(f) MEGACRANE PROCUREMENT GRANT PRO-
6 GRAM.—

7 “(1) IN GENERAL.—The Administrator of the
8 Maritime Administration shall provide grants to eli-
9 gible applicants for the procurement of certain
10 megacrane for use at ports located in the United
11 States.

12 “(2) APPLICATION.—To be eligible for a grant
13 under this subsection, an eligible applicant shall sub-
14 mit to the Administrator an application at such
15 time, in such manner, and containing such informa-
16 tion as the Administrator considers appropriate, in-
17 cluding any information related to the purchase of
18 a megacrane.

1 “(3) USE OF FUNDS.—An eligible applicant re-
2 ceiving a grant under this subsection shall use the
3 funds provided under the grant only to—

4 “(A) procure a megacrane, including to
5 pay for any manufacturing costs associated
6 with procuring a megacrane; or

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

10 “(4) FEDERAL MATCH.—The Federal share of
11 the cost of procurement of a megacrane or the re-
12 placement of foreign software on a megacrane in
13 service before the date of enactment of the for which
14 a grant is awarded under this subsection shall be
15 not more than 80 percent.

16 “(5) RESTRICTION.—An eligible applicant re-
17 ceiving a grant under this subsection may not pro-
18 cure a foreign crane.

19 “(6) DEFINITIONS.—In this subsection:

20 “(A) ELIGIBLE APPLICANT.—The term ‘el-
21 igible applicant’ has the meaning given such
22 term in section 50302.

23 “(B) FOREIGN CRANE.—The term ‘foreign
24 crane’ means a crane that is, in whole or in
25 part, manufactured by an entity that is owned

1 or controlled by, is a subsidiary of, or is other-
2 wise related legally or financially to a corpora-
3 tion based in a country that—

4 “(i) is identified as a nonmarket econ-
5 omy country (as defined in section 771(18)
6 of the Tariff Act of 1930 (19 U.S.C.
7 1677(18))) as of the date of enactment of
8 the Port Cranes for America Act;

9 “(ii) was identified by the United
10 States Trade Representative in the most
11 recent report required by section 182 of
12 the Trade Act of 1974 (19 U.S.C. 2242)
13 as a foreign country included on the pri-
14 ority watch list defined in subsection (g)(3)
15 of such section; and

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

19 “(C) MEGACRANE.—The term ‘megacrane’
20 means a container crane that has a lifting ca-
21 pacity in excess of 50 tons and that is not a
22 foreign crane.

23 “(D) UNITED STATES.—The term ‘United
24 States’ includes any territory of the United
25 States.

1 “(g) BUY AMERICA.—The requirements of section
2 54101(d)(2) shall apply to any grant provided under this
3 section.”.

4 (b) FOREIGN CRANE ACQUISITION PROHIBITION.—

5 (1) IN GENERAL.—Subchapter I of chapter 701
6 of title 46, United States Code, is amended by add-
7 ing at the end the following:

8 **“§ 70126. Foreign crane acquisition prohibition**

9 “(a) IN GENERAL.—Notwithstanding any other pro-
10 vision of law, a foreign crane may not be acquired for op-
11 eration in the United States.

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

15 (2) CLERICAL AMENDMENT.—The analysis for
16 chapter 701 of title 46, United States Code, is
17 amended by inserting after the item relating to sec-
18 tion 70125 the following:

“70126. Foreign crane acquisition prohibition.”.

19 (3) APPLICABILITY.—This subsection, including
20 the amendments made by this subsection, applies be-
21 ginning on the date that is 3 years after the date
22 of enactment of this Act.

