

116TH CONGRESS  
1ST SESSION

# H. R. 5351

To amend the Internal Revenue Code of 1986 to exempt certain shipping from the harbor maintenance tax.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2019

Mr. HIGGINS of New York (for himself and Mr. KELLY of Pennsylvania) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend the Internal Revenue Code of 1986 to exempt certain shipping from the harbor maintenance tax.

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. SHORT TITLE.**

4 This Act may be cited as the “Short Sea Shipping  
5 Act of 2019”.

6 **SEC. 2. EXEMPTION OF CERTAIN COMMERCIAL CARGO**  
7 **FROM THE HARBOR MAINTENANCE TAX.**

8 (a) IN GENERAL.—Section 4462 of the Internal Rev-  
9 enue Code of 1986 is amended by redesignating subsection

1 (i) as subsection (j) and by inserting after subsection (h)  
2 the following new subsection:

3 “(i) EXEMPTION FOR CERTAIN SHORT SEA SHIP-  
4 PING CARGO.—

5 “(1) IN GENERAL.—No tax shall be imposed  
6 under section 4461(a) with respect to commercial  
7 cargo (other than bulk cargo) which—

8 “(A) is loaded at a port in the United  
9 States mainland and is unloaded at—

10 “(i) another port in the United States  
11 mainland after transport solely by coastal  
12 route or river, or

13 “(ii) a port in Canada located in the  
14 Great Lakes St. Lawrence Seaway System,  
15 or

16 “(B) is loaded at a port in Canada located  
17 in the Great Lakes St. Lawrence Seaway Sys-  
18 tem and is unloaded at a port in the United  
19 States mainland.

20 “(2) DEFINITIONS.—In this subsection:

21 “(A) BULK CARGO.—The term ‘bulk cargo’  
22 has the meaning given that term by section  
23 53101(1) of title 46, United States Code.

24 “(B) GREAT LAKES ST. LAWRENCE SEA-  
25 WAY SYSTEM.—The term ‘Great Lakes St.

1           Lawrence Seaway System’ means the waterway  
2           between Duluth, Minnesota, and Nova Scotia,  
3           encompassing the 5 Great Lakes, their con-  
4           necting channels, and the St. Lawrence River.

5           “(C) UNITED STATES MAINLAND.—The  
6           term ‘United States mainland’ has the meaning  
7           given such term in subsection (b)(3).”.

8           (b) EFFECTIVE DATE.—The amendments made by  
9           this section shall apply to port use after the date of the  
10          enactment of this Act.

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