

117TH CONGRESS  
2D SESSION

# H. R. 6488

To amend title 46, United States Code, to establish a grant program for the procurement of megacranes for use at United States ports, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2022

Mr. GIMENEZ introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 46, United States Code, to establish a grant program for the procurement of megacranes for use at United States ports, and for other purposes.

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 “Port Cranes for Amer-  
5 ica Act”.

6 **SEC. 2. MEGACRANE PROCUREMENT GRANT PROGRAM.**

7 Section 50302 of title 46, United States Code, is  
8 amended by adding at the end the following:

1       “(f) MEGACRANE PROCUREMENT GRANT PRO-  
2 GRAM.—

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

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

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

18                       “(A) procure a megacrane, including to  
19 pay for any manufacturing costs associated  
20 with procuring a megacrane; or

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

24               “(4) FEDERAL MATCH.—The Federal share of  
25 the cost of procurement of a megacrane or the re-

1 placement of foreign software on a megacrane in  
2 service before the date of enactment of the Port  
3 Cranes for America Act for which a grant is award-  
4 ed under this subsection shall be not more than 80  
5 percent.

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

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

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

13 “(B) FOREIGN CRANE.—The term ‘foreign  
14 crane’ means a crane that is, in whole or in  
15 part, manufactured by an entity that is owned  
16 or controlled by, is a subsidiary of, or is other-  
17 wise related legally or financially to a corpora-  
18 tion based in a country that—

19 “(i) is identified as a nonmarket econ-  
20 omy country (as defined in section 771(18)  
21 of the Tariff Act of 1930 (19 U.S.C.  
22 1677(18))) as of the date of enactment of  
23 the Port Cranes for America Act;

24 “(ii) was identified by the United  
25 States Trade Representative in the most

1 recent report required by section 182 of  
2 the Trade Act of 1974 (19 U.S.C. 2242)  
3 as a foreign country included on the pri-  
4 ority watch list defined in subsection (g)(3)  
5 of such section; and

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

9 “(C) MEGACRANE.—The term ‘megacrane’  
10 means a container crane that has a lifting ca-  
11 pacity in excess of 50 tons and that is not a  
12 foreign crane.

13 “(D) UNITED STATES.—The term ‘United  
14 States’ includes any territory of the United  
15 States.

16 “(g) BUY AMERICA.—The requirements of section  
17 54101(d)(2) shall apply to any grant provided under this  
18 section.”.

19 **SEC. 3. FOREIGN CRANE ACQUISITION PROHIBITION.**

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

1 **“§ 70126. Foreign crane acquisition prohibition**

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

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

8       (b) CLERICAL AMENDMENT.—The analysis for chap-  
9 ter 701 of title 46, United States Code, is amended by  
10 inserting after the item relating to section 70125 the fol-  
11 lowing:

      “70126. Foreign crane acquisition prohibition.”.

12       (c) APPLICABILITY.—This section, including the  
13 amendments made by this section, applies beginning on  
14 the date that is 3 years after the date of enactment of  
15 this Act.

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