

112TH CONGRESS  
1ST SESSION

# H. R. 3202

To amend title 46, United States Code, to require the Maritime Administrator, in making determinations regarding the non-availability of qualified United States flag capacity to meet national defense requirements, to identify any actions that could be taken to enable such capacity to meet some or all of those requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 2011

Mr. CUMMINGS (for himself, Mr. LANDRY, Mr. THOMPSON of Mississippi, Mr. KING of New York, Mrs. MILLER of Michigan, Mr. LOBIONDO, Ms. BROWN of Florida, Ms. HIRONO, Mr. RAHALL, and Mr. LARSEN of Washington) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 46, United States Code, to require the Maritime Administrator, in making determinations regarding the non-availability of qualified United States flag capacity to meet national defense requirements, to identify any actions that could be taken to enable such capacity to meet some or all of those requirements, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Mariners  
3 Job Protection Act”.

4 **SEC. 2. IDENTIFICATION OF ACTIONS TO ENABLE QUALI-**  
5 **FIED UNITED STATES FLAG CAPACITY TO**  
6 **MEET NATIONAL DEFENSE REQUIREMENTS.**

7 (a) IDENTIFICATION OF ACTIONS.—Section 501(b) of  
8 title 46, United States Code, is amended—

9 (1) by inserting “(1)” before “When the head”;

10 and

11 (2) by adding at the end the following:

12 “(2) The Administrator of the Maritime Administra-  
13 tion shall—

14 “(A) in each determination referred to in para-  
15 graph (1), identify any actions that could be taken  
16 to enable qualified United States flag capacity to  
17 meet national defense requirements;

18 “(B) provide each such determination to the  
19 Secretary of Transportation and the head of the  
20 agency referred to in paragraph (1) for which the  
21 determination is made; and

22 “(C) publish each such determination on the  
23 Internet site of the Department of Transportation  
24 within 48 hours after it is provided to the Secretary  
25 of Transportation.

1       “(3)(A) The Secretary of Transportation, in con-  
2 sultation with the Secretary of Homeland Security, shall  
3 notify the Committees on Appropriations, Transportation  
4 and Infrastructure, and Homeland Security of the House  
5 of Representatives and the Committees on Appropriations  
6 and Commerce, Science, and Transportation of the Sen-  
7 ate—

8               “(i) of any request for a waiver of the naviga-  
9 tion or vessel-inspection laws under this section not  
10 later than 48 hours after receiving the request; and

11               “(ii) of the issuance of any waiver of compli-  
12 ance of such a law not later than 48 hours after  
13 such issuance.

14       “(B) The Secretary shall include in each notification  
15 under subparagraph (A)(ii) an explanation of—

16               “(i) the reasons the waiver is necessary; and

17               “(ii) the reasons actions referred to in subpara-  
18 graph (A) are not feasible.”.

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