

118TH CONGRESS  
2D SESSION

# S. 3846

To establish a task force on waterway freight diversification and economic development in the Ohio, Allegheny, and Monongahela River corridors, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Mr. CASEY (for himself and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To establish a task force on waterway freight diversification and economic development in the Ohio, Allegheny, and Monongahela River corridors, 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 “Waterway Activation  
5 that Targets Economic Revitalization, Welcomes Activity,  
6 and Yields Success Act” or the “WATERWAYS Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds that—

1           (1) inland waterways provide a valuable re-  
2           source for moving agricultural, energy, and other  
3           commodities to market in the United States;

4           (2) further utilization of the waterways would  
5           benefit the United States because barges are among  
6           the safest and most environmentally responsible  
7           ways to transport freight, with barge transport being  
8           more fuel efficient and having lower emissions than  
9           other methods, while also resulting in fewer injuries  
10          per worker than rail or truck transport;

11          (3) given existing issues with supply chains, it  
12          is critical that the Federal Government work to ex-  
13          pand and promote inland waterway access, especially  
14          in regions that are coal communities or have suf-  
15          fered from deindustrialization; and

16          (4) it is of critical importance that the invest-  
17          ments made possible by the Infrastructure Invest-  
18          ment and Jobs Act (Public Law 117–58; 135 Stat.  
19          429), Public Law 117–169 (commonly known as the  
20          “Inflation Reduction Act of 2022”) (136 Stat.  
21          1818), and other recent legislation, such as Public  
22          Law 117–167 (commonly known as the “CHIPS  
23          and Science Act of 2022”) (136 Stat. 1366), are  
24          made with an eye toward utilizing the inland water-

1 ways network to maximize the impact of those in-  
 2 vestments.

3 **SEC. 3. TASK FORCE ON WATERWAY FREIGHT DIVERSIFICA-**  
 4 **TION AND ECONOMIC DEVELOPMENT.**

5 (a) DEFINITIONS.—In this section:

6 (1) COVERED STATE.—The term “covered  
 7 State” means each of the States of Pennsylvania,  
 8 West Virginia, Indiana, Illinois, Kentucky, Ohio, and  
 9 Tennessee.

10 (2) INTERAGENCY WORKING GROUP.—The term  
 11 “Interagency Working Group” means the Inter-  
 12 agency Working Group on Coal and Power Plant  
 13 Communities and Economic Revitalization estab-  
 14 lished by section 218 of Executive Order 14008 (86  
 15 Fed. Reg. 7628; relating to “Tackling the Climate  
 16 Crisis at Home and Abroad”).

17 (3) TASK FORCE.—The term “task force”  
 18 means the task force established under subsection

19 (b).

20 (b) ESTABLISHMENT.—The Interagency Working  
 21 Group shall establish a task force on waterway freight di-  
 22 versification and economic development in the Ohio, Alle-  
 23 gheny, and Monongahela River corridors.

24 (c) MEMBERSHIP.—

1           (1) IN GENERAL.—The task force shall be com-  
2 posed of—

3           (A) from the Federal Government, rep-  
4 resentatives of—

5                   (i) the Department of Transportation;

6                   (ii) the Corps of Engineers;

7                   (iii) the Department of Energy;

8                   (iv) the Department of Commerce;

9                   (v) the Department of Agriculture;

10                  (vi) the Economic Development Ad-  
11 ministration;

12                  (vii) the Maritime Administration;

13                  (viii) the Department of Labor;

14                  (ix) the Appalachian Regional Com-  
15 mission;

16                  (x) the Coast Guard;

17                  (xi) the Environmental Protection  
18 Agency;

19                  (xii) the Department of the Interior;

20                  and

21                  (xiii) any other Federal agency or de-  
22 partment the Co-Chairs of the Interagency  
23 Working Group determine to be appro-  
24 priate;

1 (B) at the discretion of a covered State,  
2 representatives of relevant agencies of the cov-  
3 ered State; and

4 (C) local stakeholders involved in economic  
5 development, transportation, community devel-  
6 opment, and water resource development and  
7 conservation along the Ohio, Allegheny, and  
8 Monongahela River corridors, such as metro-  
9 politan and rural planning organizations, eco-  
10 nomic development districts, units of local gov-  
11 ernment, and community-based organizations.

12 (2) APPOINTMENT.—The Co-Chairs of the  
13 Interagency Working Group shall appoint the mem-  
14 bers of the task force under paragraph (1).

15 (d) DUTIES.—The task force shall—

16 (1) convene on an ad hoc basis to study, and  
17 develop recommendations to improve, waterway  
18 freight use and economic development in the Ohio,  
19 Allegheny, and Monongahela River corridors;

20 (2) facilitate investment in the Ohio, Allegheny,  
21 and Monongahela River corridors by identifying crit-  
22 ical projects and connecting those projects with Fed-  
23 eral, State, and local funding opportunities;

24 (3) coordinate and activate stakeholders around  
25 waterway development; and

1           (4) submit to the Interagency Working Group  
2           an annual report that describes—

3                   (A) the recommendations of the task force  
4                   under paragraph (1) and the progress in imple-  
5                   menting those recommendations; and

6                   (B) the activities of the task force under  
7                   paragraphs (2) and (3).

8           (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
9           authorized to be appropriated to carry out this section  
10          \$5,000,000 for each of fiscal years 2024 through 2034,  
11          to remain available until expended.

12          **SEC. 4. SAVINGS PROVISION.**

13          Nothing in this Act—

14                   (1) satisfies any requirement for government-to-  
15                   government consultation with an Indian Tribe; or

16                   (2) affects or modifies a treaty or any other  
17                   right of an Indian Tribe.

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