

**MEMORANDUM OF UNDERSTANDING
AMONG THE
DEPARTMENTS OF TRANSPORTATION, DEFENSE,
COMMERCE, INTERIOR, AGRICULTURE, TREASURY AND THE
ENVIRONMENTAL PROTECTION AGENCY
REGARDING THE
INTERAGENCY COMMITTEE ON THE
MARINE TRANSPORTATION SYSTEM (ICMTS)**

1. **PARTIES.** The parties to this Agreement are: the Department of Transportation, represented by the Coast Guard, the Maritime Administration, the Federal Highway Administration, the Federal Railroad Administration, the Federal Transit Administration, the Saint Lawrence Seaway Development Corporation, the Research and Special Programs Administration, the Bureau of Transportation Statistics, and the Secretary's Office of Intermodalism; the Department of Defense, represented by the Army Corps of Engineers, the National Imagery and Mapping Agency, the U.S. Transportation Command and the U.S. Navy, represented by the Military Sealift Command; the Department of Commerce, represented by the National Oceanic and Atmospheric Administration; the Department of Interior, represented by the Minerals Management Service; the Department of Treasury, represented by the U.S. Customs Service; the Department of Agriculture, represented by the Agricultural Marketing Service; and the Environmental Protection Agency.

2. **AUTHORITY.** This agreement is authorized under the following provisions: 14 U.S.C. 141 (Coast Guard); 46 App U.S. 1117 (Maritime Administration); 49 U.S.C. 103 (Federal Railroad Administration); 49 U.S.C. 107 (Federal Transit Administration); 49 U.S.C. 104 and 23 U.S.C. 502 (Federal Highway Administration); 33 U.S.C. 984(a)(5) and 987(a) (Saint Lawrence Seaway Development Corporation); 49 U.S.C. 112 (Research and Special Programs Administration); 49 U.S.C. 111 (Bureau of Transportation Statistics); 33 U.S.C. 540 (U.S. Army Corps of Engineers); 10 U.S.C. 442 (National Imagery and Mapping Agency); 10 U.S.C. Chapter 6; DOD Directive 5158.4 (U.S. Transportation Command); SECNAV Instruction 5430.11E (Military Sealift Command); 15 U.S.C. 1512 and 33 U.S.C. 883a (National Oceanic and Atmospheric Administration); 43 U.S.C. 1331 (Minerals Management Service); 19 U.S.C. 1434 (vessel entry) and 46 U.S.C. App. 91 (vessel clearance) (U.S. Customs Service); 42 U.S.C. 4332, 33 U.S.C. 1254, and 33 U.S.C. 1443 (Environmental Protection Agency); and 7 U.S.C. 1291 (Agricultural Adjustment Act of 1938), 7 U.S.C. 1622(j) (Agricultural Marketing Act of 1946); and Departmental Regulation 1314-01, 6-23-82 (Department of Agriculture).

3. **PURPOSE.** To create an interagency partnership of Federal agencies with responsibility for the Marine Transportation System (MTS) – waterways, ports and their intermodal connections -committed to viewing the MTS as a system and coordinating overlapping agency functions to ensure that policies, strategies, and goals are consistent with national needs. The ICMTS will coordinate the implementation of recommendations in the September 1999 Report to Congress, *An Assessment of the U.S. Marine Transportation System*, and the recommendations developed by the Marine Transportation System National

Advisory Council (MTSNAC), and adopted by the Administration. The ICMTS facilitates communication between Federal agencies to develop strategies to minimize or eliminate duplicated efforts. The ICMTS is the national level Federal coordinating body (Figure 1) recommended by the MTS Task Force in their September 1999 Report to Congress. It is envisioned that subsequent agreements between agencies will be implemented, as needed, to carry out specific work actions necessary to achieve the goals of ICMTS.

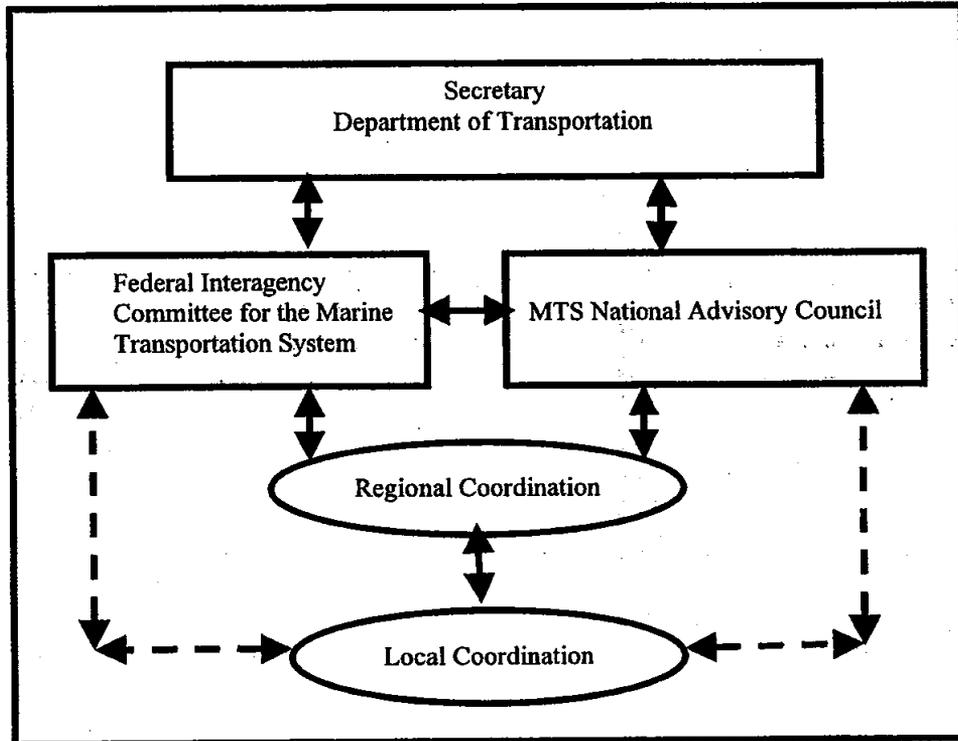


Figure 1

4. RESPONSIBILITIES:

Coast Guard

- a. The Assistant Commandant for Marine Safety and Environmental Protection will serve as Chairperson of the ICMTS. The Chairperson will appoint a full-time salaried U.S. Coast Guard employee to serve as Executive Director to assist in managing the ICMTS. The chairperson may call a meeting when deemed necessary.
- b. The Coast Guard will maintain ICMTS records, prepare a summary of each meeting and forward electronically to each ICMTS member.

All Member Agencies

- a. Each participating agency, identified as a party in paragraph 1, will have one voting member. If possible, an alternate participant should be designated. Any member may call upon officials from their Department or agency to serve as advisors, subcommittee chairs, and to participate in the meetings of the ICMTS.

Committee. Responsibilities fall into the following three general areas: coordination, communication, and facilitation.

Coordination

- a. Avoid potential for duplicated efforts among MTS-responsible Federal agencies and coordinate complementary activities. Identify and eliminate barriers to interagency cooperation. Coordinate interagency MTS matters by discussing agency positions; exchanging information; developing policy, procedures, research methods and programs; and sponsoring analyses of the MTS.
- b. Identify, evaluate, and promote specific research and development projects and programs that would benefit from interagency partnering or collaboration.
- c. Coordinate positions for presentation at national level intermodal forums. ICMTS will ensure that actions do not conflict with mandated statutory responsibilities or jurisdiction.
- d. Provide expertise to local/regional committees to address MTS issues involving multiple agencies.
- e. Review the regulatory system process at Federal, State, and local levels to identify jurisdictional overlaps and gaps.

Communication

- a. Assure safe and environmentally sound use of the MTS, while optimizing its multiple use for transportation, recreation, commerce and defense purposes.
- b. Facilitate communication and coordination among MTS-responsible agencies at the local/regional and national levels.
- c. Enhance public awareness of the importance of the MTS to our Nation's economy.
- d. Sponsor stakeholder outreach such as R&D conferences and other forums needed to achieve the mission.

Facilitation

- a. Identify, evaluate, develop, and promote implementation of the recommendations in the

September 1999 Report to Congress, *An Assessment of the U.S. Marine Transportation System*, and other Federal policies and programs to ensure effective development and management of the MTS.

- b. Assess the effectiveness of all components of the MTS and develop measures and means for continuous evaluation of safety and efficiency.
- c. Provide subject matter expertise to The Department of Transportation's MTSNAC by serving on subcommittees. The MTSNAC is composed of non-Federal members who advise the Secretary of Transportation on matters relating to the MTS - waterways, ports and their intermodal connections. Consider MTSNAC advice and recommendations for possible implementation.
- d. Identify, evaluate, develop, and promote implementation of Federal policies and make recommendations concerning resource utilization to ensure effective public funding decisions, support services, and management of the MTS. This might include the coordinated development of budget submissions to communicate the interdependency of the system and its components to financial decisionmakers.

5. POINTS OF CONTACT. See Appendix 1.

6. OTHER PROVISIONS.

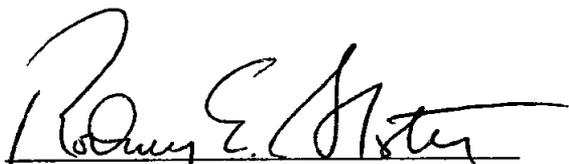
- a. Meetings of the ICMTS will be held at least quarterly or when deemed necessary by the Chairperson.
- b. The ICMTS may establish subcommittees to work on specific issues outside ICMTS meetings. Subcommittee work is subject to the approval of the ICMTS.
- c. Members of the ICMTS and/or subcommittees may work with the private sector by serving on subcommittees of the MTSNAC.
- d. With majority approval, additional members may be added to ICMTS. The ICMTS Chair will execute the necessary document to add parties to this agreement.
- e. Nothing in this agreement shall be construed to obligate the appropriations of the participating Federal agencies. All commitments made under this agreement are subject to the availability of funds.

7. EFFECTIVE DATE. The terms of this agreement will become effective on April 25, 2000.

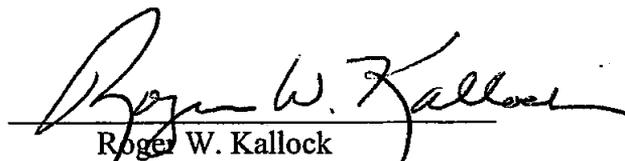
8. MODIFICATION. This agreement may be modified upon the mutual written consent of all parties.

9. **TERMINATION.** The terms of this agreement, as modified with the consent of all parties, will remain in effect until terminated upon agreement of all parties. Any party may terminate its participation in this agreement with 30 days written notice to the other parties. This MOU shall be reviewed every five (5) years to assure continued applicability.

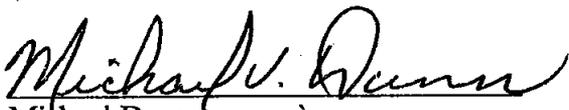
APPROVED BY:



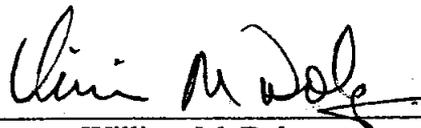
Rodney E. Slater
Secretary of Transportation
U.S. Department of Transportation



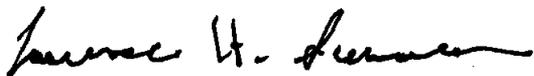
Roger W. Kallock
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Michael Dunn
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Regulatory Programs
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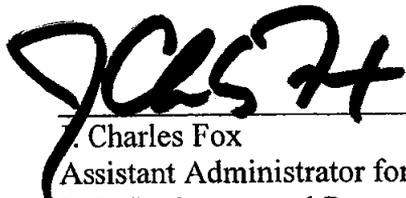
William M. Daley
Secretary of Commerce
U.S. Department of Commerce



Lawrence Summers
Secretary of Treasury
U.S. Department of Treasury



Walt Rosenbusch
Director
Minerals Management Service



Charles Fox
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Appendix 1 - Agency Points of Contact

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