

117TH CONGRESS
2D SESSION

S. _____

Maria Cantwell

To reauthorize the Maritime Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. CANTWELL (for herself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To reauthorize the Maritime Administration, 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 (a) SHORT TITLE.—This Act may be cited as the
5 “Maritime Administration Authorization Act for Fiscal
6 Year 2023”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title.

Sec. 2. Authorization of appropriations for the Maritime Administration.

TITLE I—GENERAL PROVISIONS

2

- Sec. 101. Study to inform a national maritime strategy.
- Sec. 102. National maritime strategy.
- Sec. 103. Modification of cargo preference 3-year eligibility rule.

TITLE II—MARITIME INFRASTRUCTURE

- Sec. 201. Marine highways.
- Sec. 202. GAO review of efforts to support and grow the United States Merchant Fleet.
- Sec. 203. GAO review of Federal efforts to enhance port infrastructure resiliency and disaster preparedness.
- Sec. 204. Study on foreign investment in shipping.
- Sec. 205. Report regarding alternate marine fuel bunkering facilities at ports.

TITLE III—MARITIME WORKFORCE

- Sec. 301. Sense of Congress on Merchant Marine.
- Sec. 302. Ensuring diverse mariner recruitment.
- Sec. 303. Low emissions vessels training.
- Sec. 304. Improving Protections for Midshipmen Act.
- Sec. 305. Board of Visitors.
- Sec. 306. Maritime Technical Advancement Act.
- Sec. 307. Study on CIP program at the USMMA.
- Sec. 308. Implementation of recommendations from the National Academy of Public Administration.
- Sec. 309. Service Academy faculty parity.
- Sec. 310. Updated Requirements for Fishing Crew Agreements.

TITLE IV—TECHNOLOGY INNOVATION AND RESILIENCE

- Sec. 401. Maritime Environmental and Technical Assistance Program.
- Sec. 402. Quieting Federal non-combatative vessels.
- Sec. 403. Study on stormwater impacts on salmon.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR THE**
 2 **MARITIME ADMINISTRATION.**

3 (a) **MARITIME ADMINISTRATION.**—There are author-
 4 ized to be appropriated to the Department of Transpor-
 5 tation for fiscal year 2023, for programs associated with
 6 maintaining the United States Merchant Marine, the fol-
 7 lowing amounts:

- 8 (1) For expenses necessary to support the
 9 United States Merchant Marine Academy,
 10 \$112,848,000, of which—

1 (A) \$87,848,000 shall be for Academy op-
2 erations;

3 (B) \$22,000,000 shall be for facilities
4 maintenance and repair and equipment; and

5 (C) \$3,000,000 shall be for training, staff-
6 ing, retention, recruiting, and contract manage-
7 ment for United States Merchant Marine Acad-
8 emy capital improvement projects.

9 (2) For expenses necessary to support the State
10 maritime academies, \$80,700,000, of which—

11 (A) \$2,400,000 shall be for the Student
12 Incentive Program;

13 (B) \$6,000,000 shall be for direct pay-
14 ments for State maritime academies;

15 (C) \$6,800,000 shall be for training ship
16 fuel assistance;

17 (D) \$8,080,000 shall be for offsetting the
18 costs of training ship sharing; and

19 (E) \$30,500,000 shall be for maintenance
20 and repair of State maritime academy training
21 vessels.

22 (3) For expenses necessary to support the Na-
23 tional Security Multi-Mission Vessel Program and to
24 meet requirements for shore-side infrastructure im-
25 provements, \$75,000,000.

1 (4) For expenses necessary to support Maritime
2 Administration operations and programs,
3 \$101,250,000, of which—

4 (A) \$15,000,000 shall be for the Maritime
5 Environmental and Technical Assistance pro-
6 gram authorized under section 50307 of title
7 46, United States Code;

8 (B) \$14,819,000 shall be for the Marine
9 Highways Program, including to make grants
10 as authorized under section 55601 of title 46,
11 United States Code; and

12 (C) \$67,433,000 shall be for headquarters
13 operations expenses.

14 (5) For expenses necessary for the disposal of
15 obsolete vessels in the National Defense Reserve
16 Fleet of the Maritime Administration, \$6,000,000.

17 (6) For expenses necessary to maintain and
18 preserve a fleet of merchant vessels documented
19 under chapter 121 of title 46, United States Code,
20 to serve the national security needs of the United
21 States, as authorized under chapter 531 of title 46,
22 United States Code, \$318,000,000.

23 (7) For expenses necessary for the loan guar-
24 antee program authorized under chapter 537 of title
25 46, United States Code, \$33,000,000, of which—

1 (A) \$30,000,000 may be for the cost (as
2 defined in section 502(5) of the Federal Credit
3 Reform Act of 1990 (2 U.S.C. 661a(5))) of
4 loan guarantees under the program; and

5 (B) \$3,000,000, may be used for adminis-
6 trative expenses relating to loan guarantee com-
7 mitments under the program.

8 (8) For expenses necessary to provide assist-
9 ance to small shipyards and for maritime training
10 programs authorized under section 54101 of title 46,
11 United States Code, \$40,000,000.

12 (9) For expenses necessary to implement the
13 Port Infrastructure Development Program, as au-
14 thorized under section 54301 of title 46, United
15 States Code, \$750,000,000, to remain available until
16 expended, except that no such funds authorized
17 under this Act for this program may be used to pro-
18 vide a grant to purchase fully automated cargo han-
19 dling equipment that is remotely operated or re-
20 motely monitored with or without the exercise of
21 human intervention or control, if the Secretary of
22 Transportation determines such equipment would re-
23 sult in a net loss of jobs within a port or port ter-
24 minal. If such a determination is made, the data and
25 analysis for such determination shall be reported to

1 the Committee on Commerce, Science, and Trans-
2 portation of the Senate and the Committee on
3 Transportation and Infrastructure of the House of
4 Representatives not later than 3 days after the date
5 of the determination.

6 (b) AVAILABILITY OF AMOUNTS.—Amounts appro-
7 priated—

8 (1) pursuant to the authority provided in para-
9 graphs (1)(A), (2)(A), and (4)(A) of subsection (a)
10 shall remain available through September 30, 2023;
11 and

12 (2) pursuant to the authority provided in para-
13 graphs (1)(B), (1)(C), (2)(B), (2)(C), (2)(D),
14 (2)(E), (3), (4)(B), (4)(C), (5), (6), (7)(A), (7)(B),
15 (8), and (9) of subsection (a) shall remain available
16 without fiscal year limitation.

17 (c) TANKER SECURITY FLEET.—Section 53411 of
18 title 46, United States Code, is amended by striking
19 “\$60,000,000” and inserting “\$120,000,000”.

20 **TITLE I—GENERAL PROVISIONS**

21 **SEC. 101. STUDY TO INFORM A NATIONAL MARITIME** 22 **STRATEGY.**

23 (a) IN GENERAL.—The Secretary of Transportation
24 and the Secretary of the department in which the Coast
25 Guard is operating shall enter into an agreement with a

1 federally funded research and development center under
2 which such federally funded research and development
3 center shall conduct a study of the key elements and objec-
4 tives needed for a national maritime strategy. The strat-
5 egy shall address national objectives, as described in sec-
6 tion 50101 of title 46, United States Code, to ensure—

7 (1) a capable, commercially viable, militarily
8 useful fleet of merchant vessels documented under
9 chapter 121 of title 46, United States Code;

10 (2) a robust United States mariner workforce,
11 as described in section 50101 of title 46, United
12 States Code;

13 (3) strong United States domestic shipbuilding
14 infrastructure, and related shipbuilding trades
15 amongst skilled workers in the United States; and

16 (4) that the Navy Fleet Auxiliary Force, the
17 National Defense Reserve Fleet, the Military Sealift
18 Command, the Maritime Security Program under
19 chapter 531 of title 46, United States Code, the
20 Tanker Security Program under chapter 534 of title
21 46, United States Code, and the Cable Security Pro-
22 gram under chapter 532 of title 46, United States
23 Code, currently meet the economic and national se-
24 curity needs of the United States and would reliably

1 continue to meet those needs under future economic
2 or national security emergencies.

3 (b) INPUT.—In carrying out the study, the federally
4 funded research and development center shall solicit input
5 from—

6 (1) relevant Federal departments and agencies;

7 (2) nongovernmental organizations;

8 (3) United States companies;

9 (4) maritime labor organizations;

10 (5) commercial industries that depend on
11 United States mariners;

12 (6) domestic shipyards regarding shipbuilding
13 and repair capacity, and the associated skilled work-
14 force, such as the workforce required for transpor-
15 tation, offshore wind, fishing, and aquaculture;

16 (7) providers of maritime workforce training;

17 and

18 (8) any other relevant organizations.

19 (c) ELEMENTS OF THE STUDY.—The study con-
20 ducted under subsection (a) shall include consultation with
21 the Department of Transportation, the Department of De-
22 fense, the Department of Homeland Security, the National
23 Oceanic and Atmospheric Administration, and other rel-
24 evant Federal agencies, in the identification and evalua-
25 tion of—

1 (1) incentives needed to continue to meet the
2 shipbuilding and ship maintenance needs of the
3 United States for commercial and national security
4 purposes, including through a review of—

5 (A) the loans and guarantees program car-
6 ried out under chapter 537 of title 46, United
7 States Code, and how the development of new
8 offshore commercial industries, such as wind,
9 could be supported through modification of
10 such program or other Federal programs, and
11 thus also support the United States sealift in
12 the future;

13 (B) the barriers to participation in the
14 loans and guarantees program carried out
15 under chapter 537 of title 46, United States
16 Code, and how the program may be improved to
17 facilitate additional shipbuilding activities in the
18 United States; and

19 (C) the needed resources, human and fi-
20 nancial, for such incentives;

21 (2) incentives needed to maintain a commer-
22 cially viable United States-documented fleet, which
23 shall include—

24 (A) an examination of how the preferences
25 under section 2631 of title 10, United States

1 Code, and chapter 553 of title 46, United
2 States Code, the Maritime Security Program
3 under chapter 531 of title 46, United States
4 Code, the Tanker Security Program under
5 chapter 534 of title 46, United States Code,
6 and the Cable Security Program under chapter
7 532 of title 46, United States Code, should be
8 used to further maintain and grow a United
9 States-documented fleet and the identification
10 of other incentives that could be used that may
11 not be authorized at the time of the study; and

12 (B) estimates of the needed human and fi-
13 nancial resources for such incentives;

14 (3) the availability of United States mariners,
15 and future needs, including—

16 (A) the number of mariners needed for the
17 United States commercial and national security
18 needs over the next 30 years;

19 (B) the policies and programs (at the time
20 of the study) to recruit, train, and retain
21 United States mariners to support the United
22 States maritime workforce needs during peace
23 time and at war;

24 (C) how those programs could be improved
25 to grow the number of maritime workers

1 trained each year, including potential collabora-
2 tion between the uniformed services, the United
3 States Merchant Marine Academy, State mari-
4 time academies, maritime labor training cen-
5 ters, and the Centers of Excellence for Domes-
6 tic Maritime Workforce Training under section
7 51706 of title 46, United States Code, could be
8 used most effectively; and

9 (D) estimates of the necessary resources,
10 human and financial, to implement such pro-
11 grams in each relevant Federal agency over the
12 next 30 years; and

13 (4) the interaction among the elements de-
14 scribed under paragraphs (1) through (3).

15 (d) PUBLIC AVAILABILITY.—The study conducted
16 under subsection (a) shall be made publicly available on
17 a website of the Department of Transportation.

18 **SEC. 102. NATIONAL MARITIME STRATEGY.**

19 (a) IN GENERAL.—Not later than 60 days after the
20 date of the enactment of this Act, the Secretary of Trans-
21 portation, in consultation with the Secretary of the depart-
22 ment in which the Coast Guard is operating, and every
23 5 years thereafter, shall submit to the Committee on
24 Transportation and Infrastructure of the House of Rep-
25 resentatives and the Committee on Commerce, Science,

1 and Transportation of the Senate a national maritime
2 strategy.

3 (b) CONTENTS.—The strategy required under sub-
4 section (a) shall—

5 (1) identify—

6 (A) international policies and Federal reg-
7 ulations and policies that reduce the competi-
8 tiveness of United States-documented vessels
9 with foreign vessels in domestic and inter-
10 national transportation markets; and

11 (B) the impact of reduced cargo flow due
12 to reductions in the number of members of the
13 United States Armed Forces stationed or de-
14 ployed outside of the United States; and

15 (2) include recommendations to—

16 (A) make United States-documented ves-
17 sels more competitive in shipping routes be-
18 tween United States and foreign ports;

19 (B) increase the use of United States-doc-
20 umented vessels to carry cargo imported to and
21 exported from the United States;

22 (C) ensure compliance by Federal agencies
23 with chapter 553 of title 46, United States
24 Code;

1 (D) increase the use of short sea transpor-
2 tation routes, including routes designated under
3 section 55601(e) of title 46, United States
4 Code, to enhance intermodal freight movements;

5 (E) enhance United States shipbuilding ca-
6 pability;

7 (F) invest in, and identify gaps in, infra-
8 structure needed to facilitate the movement of
9 goods at ports and throughout the transpor-
10 tation system, including innovative physical and
11 information technologies;

12 (G) enhance workforce training and re-
13 cruitment for the maritime workforce, including
14 training on innovative physical and information
15 technologies;

16 (H) increase the resilience of ports and the
17 marine transportation system; and

18 (I) increase the carriage of government-im-
19 pelled cargo on United States-documented ves-
20 sels pursuant to chapter 553 of title 46, United
21 States Code, section 2631 of title 10, United
22 States Code, or otherwise.

23 (c) UPDATE.—Not later than 6 months after the date
24 of receipt of the study conducted under section 101, the
25 Secretary of Transportation, in consultation with the Sec-

1 retary of the department in which the Coast Guard is op-
2 erating and the Secretary of Defense, shall—

3 (1) update the national maritime strategy re-
4 quired by section 603 of the Howard Coble Coast
5 Guard and Maritime Transportation Act of 2014
6 (Public Law 113–281);

7 (2) submit a report to Congress containing the
8 updated national maritime strategy; and

9 (3) make the updated national maritime strat-
10 egy publicly available on the website of the Depart-
11 ment of Transportation.

12 (d) **IMPLEMENTATION PLAN.**—Not later than 6
13 months after completion of the updated national maritime
14 strategy under subsection (c), and after the completion of
15 each strategy thereafter, the Secretary of Transportation,
16 in consultation with the Secretary of the department in
17 which the Coast Guard is operating and the Secretary of
18 Defense, shall publish on a publicly available website an
19 implementation plan for the most recent national maritime
20 strategy.

21 **SEC. 103. MODIFICATION OF CARGO PREFERENCE 3-YEAR**
22 **ELIGIBILITY RULE.**

23 Section 55305 of title 46, United States Code, is
24 amended—

25 (1) by striking subsection (a);

1 (2) by redesignating—

2 (A) subsection (b) as subsection (a); and

3 (B) subsections (c), (d), and (e), as sub-
4 sections (d), (e), and (f), respectively;

5 (3) in subsection (a), as redesignated by para-
6 graph (1), by striking “privately-owned commercial
7 vessels of the United States,” and inserting “pri-
8 vately-owned commercial vessels of the United
9 States, as provided under subsection (b),”; and

10 (4) by inserting after subsection (a), as redesi-
11 gnated by paragraph (1), the following:

12 “(b) ELIGIBLE VESSELS.—To be eligible to carry
13 cargo as provided under subsection (a), a privately-owned
14 commercial vessel shall be documented under the laws of
15 the United States—

16 “(1) for not less than 3 years; or

17 “(2) for less than 3 years if the vessel owner
18 signs an agreement with the Secretary providing
19 that—

20 “(A) the vessel shall remain documented
21 under the laws of the United States for not less
22 than 3 years; and

23 “(B) the vessel owner shall, upon request
24 of the Secretary, agree to enroll the vessel in an
25 emergency preparedness agreement or voluntary

1 agreement authorized under section 708 of the
2 Defense Production Act of 1950 (50 U.S.C.
3 4558) and shall remain so enrolled until the
4 vessel ceases to be documented under the laws
5 of the United States.

6 “(e) VIOLATION OF AGREEMENT.—A vessel under an
7 agreement executed pursuant to subsection (b)(2) may be
8 seized by and forfeited to the United States if, in violation
9 of that agreement—

10 “(1) the vessel owner places the vessel under
11 foreign registry; or

12 “(2) a person operates the vessel under the au-
13 thority of a foreign country.”

14 **TITLE II—MARITIME**
15 **INFRASTRUCTURE**

16 **SEC. 201. MARINE HIGHWAYS.**

17 (a) SHORT TITLE.—This section may be cited as the
18 “Marine Highway Promotion Act”.

19 (b) FINDINGS.—Congress finds the following:

20 (1) Our Nation’s waterways are an integral
21 part of the transportation network of the United
22 States.

23 (2) Using the Nation’s coastal, inland, and
24 other waterways can support commercial transpor-

1 tation, and alleviates surface transportation conges-
2 tion and burdensome road and bridge repair costs.

3 (3) Marine highways are serviced by docu-
4 mented United States Flag vessels and manned by
5 United States citizens, providing added resources for
6 national security and to aid in times of crisis.

7 (4) According to the United States Army Corps
8 of Engineers, inland navigation is a key element of
9 economics development and is essential in maintain-
10 ing economic competitiveness and national security.

11 (c) UNITED STATES MARINE HIGHWAY PROGRAM.—

12 (1) IN GENERAL.—Section 55601 of title 46,
13 United States Code, is amended to read as follows:

14 **“§ 55601. United States Marine Highway Program**

15 **“(a) PROGRAM.—**

16 **“(1) ESTABLISHMENT.—**The Maritime Admin-
17 istrator shall establish a Marine Highway Program
18 to be known as the ‘United States Marine Highway
19 Program’. Under such program, the Maritime Ad-
20 ministrator shall—

21 **“(A)** designate marine highway routes as
22 extensions of the surface transportation system
23 under subsection (b); and

1 “(B) subject to the availability of appro-
2 priations, make grants or enter into contracts
3 or cooperative agreements under subsection (c).

4 “(2) PROGRAM ACTIVITIES.—In carrying out
5 the Marine Highway Program established under
6 paragraph (1), the Maritime Administrator may—

7 “(A) coordinate with ports, State depart-
8 ments of transportation, localities, other public
9 agencies, and the private sector on the develop-
10 ment of landside facilities and infrastructure to
11 support marine highway transportation;

12 “(B) develop performance measures for
13 such Marine Highway Program;

14 “(C) collect and disseminate data for the
15 designation and delineation of marine highway
16 routes under subsection (b); and

17 “(D) conduct research on solutions to im-
18 pediments to marine highway services eligible
19 for assistance under subsection (c)(1).

20 “(b) DESIGNATION OF MARINE HIGHWAY
21 ROUTES.—

22 “(1) AUTHORITY.—The Maritime Adminis-
23 trator may designate or modify a marine highway
24 route as an extension of the surface transportation
25 system if —

1 “(A) such a designation or modification is
2 requested by—

3 “(i) the government of a State or ter-
4 ritory;

5 “(ii) a metropolitan planning organi-
6 zation;

7 “(iii) a port authority;

8 “(iv) a non-Federal navigation dis-
9 trict; or

10 “(v) a Tribal government; and

11 “(B) the Maritime Administrator deter-
12 mines such marine highway route satisfies at
13 least one covered function under subsection (d).

14 “(2) DETERMINATION.—Not later than 180
15 days after the date on which the Maritime Adminis-
16 trator receives a request for designation or modifica-
17 tion of a marine highway route under paragraph (1),
18 the Maritime Administrator shall make a determina-
19 tion of whether to make the requested designation or
20 modification.

21 “(3) NOTIFICATION.—Not later than 14 days
22 after the date on which the Maritime Administrator
23 makes the determination whether to make the re-
24 quested designation or modification, the Maritime

1 Administrator shall send the requester a notification
2 of the determination.

3 “(4) MAP.—

4 “(A) IN GENERAL.—Not later than 120
5 days after the date of enactment of the Marine
6 Highway Promotion Act, and thereafter each
7 time a marine highway route is designated or
8 modified, the Administrator shall make publicly
9 available a map showing the location of marine
10 highway routes, including such routes along the
11 coasts, in the inland waterways, and at sea.

12 “(B) COORDINATION.—The Administrator
13 shall coordinate with the National Oceanic and
14 Atmospheric Administration to incorporate the
15 map into the Marine Cadastre.

16 “(c) ASSISTANCE FOR MARINE HIGHWAY SERV-
17 ICES.—

18 “(1) IN GENERAL.—The Maritime Adminis-
19 trator may make grants to, or enter into contracts
20 or cooperative agreements with an eligible entity to
21 implement a marine highway service or component
22 of a marine highway service, if the Administrator de-
23 termines the service—

24 “(A) satisfies at least one covered function
25 under subsection (d);

1 “(B) uses vessels documented under chap-
2 ter 121 of this title; and

3 “(C)(i) implements strategies developed
4 under section 55603; or

5 “(ii) develops, expands, or promotes—

6 “(I) marine highway transportation
7 services; or

8 “(II) shipper utilization of marine
9 highway transportation.

10 “(2) ELIGIBLE ENTITY.—In this subsection, the
11 term ‘eligible entity’ means—

12 “(A) a State, a political subdivision of a
13 State, or a local government;

14 “(B) a United States metropolitan plan-
15 ning organization;

16 “(C) a United States port authority;

17 “(D) a Tribal government in the United
18 States; or

19 “(E) a United States private sector oper-
20 ator of marine highway services or private sec-
21 tor owners of facilities with an endorsement let-
22 ter from the marine highway route sponsor de-
23 scribed in subsection (b)(1)(A).

24 “(3) APPLICATION.—

1 “(A) IN GENERAL.—To be eligible to re-
2 ceive a grant or enter into a contract or cooper-
3 ative agreement under this subsection to imple-
4 ment a marine highway service, an eligible enti-
5 ty shall submit an application in such form and
6 manner, at such time, and containing such in-
7 formation as the Maritime Administrator may
8 require, including—

9 “(i) a comprehensive description of—

10 “(I) the regions to be served by
11 the marine highway service;

12 “(II) the marine highway route
13 that the service will use, which may
14 include connection to existing or
15 planned transportation infrastructure
16 and intermodal facilities, key naviga-
17 tional factors such as available draft,
18 channel width, bridge air draft, or
19 lock clearance, and any foreseeable
20 impacts on navigation or commerce,
21 and a map of the proposed route;

22 “(III) the marine highway service
23 supporters, which may include busi-
24 ness affiliations, private sector stake-
25 holders, State departments of trans-

1 portation, metropolitan planning orga-
2 nizations, municipalities, or other gov-
3 ernmental entities (including Tribal
4 governments), as applicable;

5 “(IV) the estimated volume of
6 passengers, if applicable, or cargo
7 using the service, and predicted
8 changes in such volume during the 5-
9 year period following the date of the
10 application;

11 “(V) the need for the service;

12 “(VI) the definition of the suc-
13 cess goal for the service, such as vol-
14 umes of cargo or passengers moved,
15 or contribution to environmental miti-
16 gation, safety, reduced vehicle miles
17 traveled, or reduced maintenance and
18 repair costs;

19 “(VII) the methodology for im-
20 plementing the service, including a de-
21 scription of the proposed operational
22 framework of the service including the
23 origin, destination, and any inter-
24 mediate stops on the route, transit

1 times, vessel types, and service fre-
2 quency; and

3 “(VIII) any existing programs or
4 arrangements that can be used to
5 supplement or leverage assistance
6 under the program; and

7 “(ii) a demonstration, to the satisfac-
8 tion of the Maritime Administrator, that—

9 “(I) the marine highway service
10 is financially viable;

11 “(II) the funds or other assist-
12 ance provided under this subsection
13 will be spent or used efficiently and
14 effectively; and

15 “(III) a market exists for the
16 services of the proposed marine high-
17 way service, as evidenced by contracts
18 or written statements of intent from
19 potential customers.

20 “(B) PRE-PROPOSAL.—Prior to accepting
21 a full application under subparagraph (A), the
22 Maritime Administrator may require that an el-
23 igible entity first submit a pre-proposal that
24 contains a brief description of the items under
25 subparagraph (A).

1 “(C) PRE-PROPOSAL FEEDBACK.—Not
2 later than 30 days after receiving a pre-pro-
3 posal, the Maritime Administrator shall provide
4 feedback to the eligible entity that submitted
5 the pre-proposal to encourage or discourage the
6 eligible entity from submitting a full applica-
7 tion. An eligible entity may still submit a full
8 application even if that eligible entity is not en-
9 couraged to do so after submitting a pre-pro-
10 posal.

11 “(4) TIMING OF GRANT NOTICE.—The Mari-
12 time Administrator shall post a Notice of Funding
13 Opportunity regarding grants, contracts, or coopera-
14 tive agreements under this subsection not more than
15 60 days after the date of enactment of the appro-
16 priations Act for the fiscal year concerned.

17 “(5) GRANT APPLICATION FEEDBACK.—Fol-
18 lowing the award of grants for a particular fiscal
19 year, the Maritime Administrator may provide feed-
20 back to applicants to help applicants improve future
21 applications if the feedback is requested by that ap-
22 plicant.

23 “(6) TIMING OF GRANTS.—The Maritime Ad-
24 ministrator shall award grants, contracts, or cooper-
25 ative agreements under this subsection not later

1 than 270 days after the date of the enactment of the
2 appropriations Act for the fiscal year concerned.

3 “(7) NON-FEDERAL SHARE.—

4 “(A) IN GENERAL.—An applicant shall
5 provide not less than 20 percent of the costs
6 from non-Federal sources, except as provided in
7 subparagraph (B).

8 “(B) TRIBAL AND RURAL AREAS.—The
9 Maritime Administrator may increase the Fed-
10 eral share of service costs above 80 percent for
11 a service located in a Tribal or rural area.

12 “(C) TRIBAL GOVERNMENT.—The Mari-
13 time Administrator may increase the Federal
14 share of service costs above 80 percent for a
15 service benefitting a Tribal Government.

16 “(D) PREFERENCE.—In awarding grants,
17 or entering in contracts or cooperative agree-
18 ments under this subsection, the Maritime Ad-
19 ministrator shall give a preference to marine
20 highway services that present the most finan-
21 cially viable transportation services and require
22 the lowest percentage Federal share of the
23 costs.

24 “(8) REUSE OF UNEXPENDED GRANT FUNDS.—
25 Notwithstanding paragraph (6), amounts awarded

1 under this subsection that are not expended by the
2 recipient within 3 years after obligation of funds or
3 that are returned under paragraph (10)(C) shall re-
4 main available to the Maritime Administrator to
5 make grants and enter into contracts and coopera-
6 tive agreements under this subsection.

7 “(9) ADMINISTRATIVE COSTS.—Not more than
8 3 percent of the total amount made available to
9 carry out this subsection for any fiscal year may be
10 used for the necessary administrative costs associ-
11 ated with grants, contracts, and cooperative agree-
12 ments made under this subsection.

13 “(10) PROCEDURAL SAFEGUARDS.—The Mari-
14 time Administrator, in consultation with the Office
15 of the Inspector General, shall issue guidelines to es-
16 tablish appropriate accounting, reporting, and review
17 procedures to ensure that—

18 “(A) amounts made available to carry out
19 this subsection are used for the purposes for
20 which they were made available;

21 “(B) recipients of funds under this sub-
22 section (including through grants, contracts, or
23 cooperative agreements) have properly ac-
24 counted for all expenditures of such funds; and

1 “(C) any such funds that are not obligated
2 or expended for the purposes for which they
3 were made available are returned to the Admin-
4 istrator.

5 “(11) CONDITIONS ON PROVISION OF FUNDS.—
6 The Maritime Administrator may not award funds
7 an applicant under this subsection unless the Mari-
8 time Administrator determines that—

9 “(A) sufficient funding is available to meet
10 the non-Federal share requirement of para-
11 graph (7);

12 “(B) the marine highway service for which
13 such funds are provided will be completed with-
14 out unreasonable delay; and

15 “(C) the recipient of such funds has au-
16 thority to implement the proposed marine high-
17 way service.

18 “(d) COVERED FUNCTIONS.—A covered function
19 under this subsection is one of the following:

20 “(1) Promotion of marine highway transpor-
21 tation.

22 “(2) Provision of a coordinated and capable al-
23 ternative to landside transportation.

24 “(3) Mitigation or relief of landside congestion.

1 “(e) PROHIBITED USES.—Funds awarded under this
2 section may not be used to—

3 “(1) raise sunken vessels, construct buildings or
4 other physical facilities, or acquire land unless such
5 activities are necessary for the establishment or op-
6 eration of a marine highway service implemented
7 using grant funds provided, or pursuant to a con-
8 tract or cooperative entered into under, subsection
9 (c); or

10 “(2) improve port or land-based infrastructure
11 outside the United States.

12 “(f) GEOGRAPHIC DISTRIBUTION.—In making
13 grants, contracts, and cooperative agreements under this
14 section the Maritime Administrator shall take such meas-
15 ures so as to ensure an equitable geographic distribution
16 of funds.

17 “(g) AUDITS AND EXAMINATIONS.—All recipients
18 (including recipients of grants, contracts, and cooperative
19 agreements) under this section shall maintain such
20 records as the Maritime Administrator may require and
21 make such records available for review and audit by the
22 Maritime Administrator.”.

23 (2) RULES.—

24 (A) FINAL RULE.—Not later than 1 year
25 after the date of enactment of this Act, the Sec-

1 retary of Transportation shall prescribe such
2 final rules as are necessary to carry out the
3 amendments made by this subsection.

4 (B) INTERIM RULES.—The Secretary of
5 Transportation may prescribe temporary in-
6 terim rules necessary to carry out the amend-
7 ments made by this subsection. For this pur-
8 pose, the Maritime Administrator, in pre-
9 scribing rules under this subparagraph, is ex-
10 cepted from compliance with the notice and
11 comment requirements of section 553 of title 5,
12 United States Code, prior to the effective date
13 of the interim rules. All interim rules prescribed
14 under the authority of this subparagraph shall
15 request comment and remain in effect until
16 such time as the interim rules are superseded
17 by a final rule, following notice and comment.

18 (C) SAVINGS CLAUSE.—The requirements
19 under section 55601 of title 46, United States
20 Code, as amended by this subsection, shall take
21 effect only after the interim rule described in
22 subparagraph (B) is promulgated by the Sec-
23 retary.

24 (d) MULTISTATE, STATE, AND REGIONAL TRANSPOR-
25 TATION PLANNING.—Chapter 556 of title 46, United

1 States Code, is amended by inserting after section 55602
2 the following:

3 **“SEC. 55603. MULTISTATE, STATE, AND REGIONAL TRANS-**
4 **PORTATION PLANNING.**

5 “(a) IN GENERAL.—The Maritime Administrator, in
6 consultation with the heads of other appropriate Federal
7 departments and agencies, State and local governments,
8 and appropriate private sector entities, may develop strat-
9 egies to encourage the use of marine highway transpor-
10 tation for the transportation of passengers and cargo.

11 “(b) STRATEGIES.—If the Maritime Administrator
12 develops the strategies described in subsection (a), the
13 Maritime Administrator may—

14 “(1) assess the extent to which States and local
15 governments include marine highway transportation
16 and other marine transportation solutions in trans-
17 portation planning;

18 “(2) encourage State departments of transpor-
19 tation to develop strategies, where appropriate, to
20 incorporate marine highway transportation, ferries,
21 and other marine transportation solutions for re-
22 gional and interstate transport of freight and pas-
23 sengers in transportation planning; and

24 “(3) encourage groups of States and multistate
25 transportation entities to determine how marine

1 highway transportation can address congestion, bot-
2 tlenecks, and other interstate transportation chal-
3 lenges.”.

4 (e) RESEARCH ON MARINE HIGHWAY TRANSPOR-
5 TATION.—Section 55604 of title 46, United States Code,
6 is amended—

7 (1) by redesignating paragraphs (1) through
8 (3) as paragraphs (4) through (6), respectively; and

9 (2) by inserting before paragraph (4), as reded-
10 igned by paragraph (1), the following new para-
11 graphs:

12 “(1) the economic importance of marine high-
13 way transportation to the United States economy;

14 “(2) the importance of marine highway trans-
15 portation to rural areas;

16 “(3) pairs of United States regions and terri-
17 tories, and within-region areas, that do not yet have
18 marine highway services underway, but that could
19 benefit from the establishment of marine highway
20 services;”.

21 (f) DEFINITIONS.—Section 55605 of title 46, United
22 States Code, is amended to read as follows: “

23 **“§ 55605. Definitions**

24 “In this chapter—

1 “(1) the term ‘marine highway transportation’
2 means the carriage by a documented vessel of
3 cargo—

4 “(A) that is—

5 “(i) contained in intermodal cargo
6 containers and loaded by crane on the ves-
7 sel;

8 “(ii) loaded on the vessel by means of
9 wheeled technology;

10 “(iii) shipped in discrete units or
11 packages that are handled individually,
12 palletized, or unitized for purposes of
13 transportation; or

14 “(iv) freight vehicles carried aboard
15 commuter ferry boats; and

16 “(B) that is—

17 “(i) loaded at a port in the United
18 States and unloaded either at another port
19 in the United States or at a port in Can-
20 ada or Mexico; or

21 “(ii) loaded at a port in Canada or
22 Mexico and unloaded at a port in the
23 United States;

24 “(2) the term ‘marine highway service’ means a
25 planned or contemplated new service, or expansion

1 of an existing service, on a marine highway route,
2 that seeks to provide new modal choices to shippers,
3 offer more desirable services, reduce transportation
4 costs, or provide public benefits;

5 “(3) the term ‘marine highway route’ means a
6 route on commercially navigable coastal, inland, or
7 intracoastal waters of the United States, including
8 connections between the United States and a port in
9 Canada or Mexico, that is designated under section
10 55601(b); and

11 “(4) the term “Tribal Government” means the
12 recognized governing body of any Indian or Alaska
13 Native Tribe, band, nation, pueblo, village, commu-
14 nity, component band, or component reservation, in-
15 dividually identified (including parenthetically) in
16 the list published most recently as of the date of en-
17 actment of Marine Highway Promotion Act pursu-
18 ant to section 104 of the Federally Recognized In-
19 dian Tribe List Act of 1994 (25 U.S.C. 5131).”.

20 (g) CLERICAL AMENDMENTS.—The analysis for
21 chapter 556 of title 46, United States Code, is amended—

22 (1) by striking the item relating to section
23 55601 and inserting the following:

“55601. United States Marine Highway Program.”;

1 (2) by inserting after the item relating to sec-
2 tion 55602 the following:

 “55603. Multistate, State, and regional transportation planning.”; and

3 (3) by striking the item relating to section
4 55605 and inserting the following:

 “55605. Definitions.”.

5 **SEC. 202. GAO REVIEW OF EFFORTS TO SUPPORT AND**
6 **GROW THE UNITED STATES MERCHANT**
7 **FLEET.**

8 Not later than 18 months after the date of enactment
9 of this section, the Comptroller General of the United
10 States shall transmit a report to the Committee on Com-
11 merce of the Senate and the Committee on Transportation
12 and Infrastructure of the House of Representatives that
13 examines United States Government efforts to promote
14 the growth and modernization of the United States mari-
15 time industry, and the vessels of the United States, as de-
16 fined in section 116 of title 46, United States Code, in-
17 cluding the overall efficacy of United States Government
18 financial support and policies, including the Capital Con-
19 struction Fund, Construction Reserve Fund, and other eli-
20 gible loan, grant, or other programs.

1 **SEC. 203. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE**
2 **PORT INFRASTRUCTURE RESILIENCY AND**
3 **DISASTER PREPAREDNESS.**

4 Not later than 18 months after the date of enactment
5 of this section, the Comptroller General of the United
6 States shall transmit a report to the Committee on Com-
7 merce of the Senate and the Committee on Transportation
8 and Infrastructure of the House of Representatives that
9 examines Federal efforts to assist ports in enhancing the
10 resiliency of their key intermodal connectors to weather-
11 related disasters. The report shall include consideration of
12 the following:

13 (1) Actions being undertaken at various ports
14 to better identify critical land-side connectors that
15 may be vulnerable to disruption in the event of a
16 natural disaster, including how to communicate such
17 information during a disaster when communications
18 systems may be compromised, and the level of Fed-
19 eral involvement in such efforts.

20 (2) The extent to which the Department of
21 Transportation and other Federal agencies are work-
22 ing in line with recent recommendations from key
23 resiliency reports, including the National Academies
24 of Science study on strengthening supply chain resil-
25 ience, to establish a framework for ports to follow to

1 increase resiliency to major weather-related disrup-
2 tions before they happen.

3 (3) The extent to which the Department of
4 Transportation or other Federal agencies have pro-
5 vided funds to ports for resiliency-related projects.

6 (4) The extent to which Federal agencies have
7 a coordinated approach to helping ports and the
8 multiple State, local, and private stakeholders in-
9 volved, to improve resiliency prior to weather-related
10 disasters.

11 **SEC. 204. STUDY ON FOREIGN INVESTMENT IN SHIPPING.**

12 (a) **ASSESSMENT.**—The Under Secretary of Com-
13 merce for International Trade (referred to in this section
14 as the “Under Secretary”) in coordination with Maritime
15 Administration, the United States Transportation Com-
16 mand, and the Federal Maritime Commission shall con-
17 duct an assessment of subsidies, indirect state support, or
18 other financial infrastructure or benefits provided by for-
19 eign states that control more than 1 percent of the world
20 merchant fleet to entities or individuals building, owning,
21 chartering, operating, or financing vessels not documented
22 under the laws of the United States that are engaged in
23 foreign commerce.

24 (b) **REPORT.**—Not later than 1 year after the date
25 of enactment of this section, the Under Secretary shall

1 submit to Congress a report on the assessment conducted
2 under subsection (a), including—

3 (1) the amount, in United States dollars, of
4 such support provided by a foreign state described in
5 subsection (a) to—

6 (A) the shipping industry of each country
7 as a whole;

8 (B) the shipping industry as a percent of
9 gross domestic product of each country; and

10 (C) each ship on average, by ship type for
11 cargo, tanker, and bulk;

12 (2) the amount, in United States dollars, of
13 such support provided by a foreign state described in
14 subsection (a) to the shipping industry of another
15 foreign state, including favorable financial arrange-
16 ments for ship construction;

17 (3) a description of the shipping industry activi-
18 ties of state-owned enterprises of a foreign state de-
19 scribed in subsection (a);

20 (4) a description of the type of support pro-
21 vided by a foreign state described in subsection (a),
22 including tax relief, direct payment, indirect support
23 of state-controlled financial entities, or other such
24 support, as determined by the Under Secretary; and

1 (5) a description of how the subsidies provided
2 by a foreign state described in subsection (a) may be
3 disadvantaging the competitiveness of vessels docu-
4 mented under the laws of the United States that are
5 engaged in foreign commerce and the national secu-
6 rity of the United States.

7 (c) DEFINITIONS.—In this section:

8 (1) FOREIGN COMMERCE.—The term “foreign
9 commerce” means—

10 (A) commerce or trade between the United
11 States, its territories or possessions, or the Dis-
12 trict of Columbia, and a foreign country;

13 (B) commerce or trade between foreign
14 countries; or

15 (C) commerce or trade within a foreign
16 country.

17 (2) FOREIGN STATE.—The term “foreign state”
18 has the meaning given the term in section 1603(a)
19 of title 28, United States Code.

20 (3) SHIPPING INDUSTRY.—The term “shipping
21 industry” means the construction, ownership, char-
22 tering, operation, or financing of vessels engaged in
23 foreign commerce.

1 **SEC. 205. REPORT REGARDING ALTERNATE MARINE FUEL**
2 **BUNKERING FACILITIES AT PORTS.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Maritime Administrator
5 shall report on the necessary port-related infrastructure
6 needed to support bunkering facilities for liquefied natural
7 gas, hydrogen, ammonia, or other new marine fuels under
8 development. The Maritime Administrator shall publish
9 the report on a publicly available website.

10 (b) CONTENTS.—The report described in subsection
11 (a) shall include—

12 (1) information about the existing United
13 States infrastructure, in particular the storage facili-
14 ties, bunkering vessels, and transfer systems to sup-
15 port bunkering facilities for liquefied natural gas,
16 hydrogen, ammonia, or other new marine fuels
17 under development;

18 (2) a review of the needed upgrades to United
19 States infrastructure, including storage facilities,
20 bunkering vessels, and transfer systems, to support
21 bunkering facilities for liquefied natural gas, hydro-
22 gen, ammonia, or other new marine fuels under de-
23 velopment;

24 (3) an assessment of the estimated government
25 investment in this infrastructure and the duration of
26 that investment; and

1 (4) in consultation with relevant Federal agen-
2 cies, information on the relevant Federal agencies
3 that would oversee the permitting and construction
4 of bunkering facilities for liquefied natural gas, hy-
5 drogen, ammonia, or other new marine fuels, as well
6 as the Federal funding grants or formula programs
7 that could be used for such marine fuels.

8 **TITLE III—MARITIME**
9 **WORKFORCE**

10 **SEC. 301. SENSE OF CONGRESS ON MERCHANT MARINE.**

11 It is the sense of Congress that the United States
12 Merchant Marine is a critical part of the national infra-
13 structure of the United States, and the men and women
14 of the United States Merchant Marine are essential work-
15 ers.

16 **SEC. 302. ENSURING DIVERSE MARINER RECRUITMENT.**

17 Not later than 6 months after the date of enactment
18 of this section, the Secretary of Transportation shall de-
19 velop and deliver to Congress a strategy to assist State
20 maritime academies and the United States Merchant Ma-
21 rine Academy to improve the representation of women and
22 underrepresented communities in the next generation of
23 the mariner workforce, including each of the following:

- 24 (1) Black and African American.
25 (2) Hispanic and Latino.

1 (3) Asian.

2 (4) American Indian, Alaska Native, and Native
3 Hawaiian.

4 (5) Pacific Islander.

5 **SEC. 303. LOW EMISSIONS VESSELS TRAINING.**

6 (a) DEVELOPMENT OF STRATEGY.—The Secretary of
7 Transportation, in consultation with the United States
8 Merchant Marine Academy, State maritime academies,
9 and civilian nautical schools and the Secretary of the de-
10 partment in which Coast Guard is operating, shall develop
11 a strategy to ensure there is an adequate supply of trained
12 United States citizen mariners sufficient to meet the oper-
13 ational requirements of low and zero emission vessels.

14 (b) REPORT.—Not later than 6 months after the date
15 the Secretary of Transportation determines that there is
16 commercially viable technology for low and zero emission
17 vessels, the Secretary of Transportation shall—

18 (1) submit a report on the strategy developed
19 under subsection (a) and plans for its implementa-
20 tion to the Committee on Commerce, Science, and
21 Transportation of the Senate and the Committee on
22 Transportation and Infrastructure of the House of
23 Representatives; and

24 (2) make such report publicly available.

1 **SEC. 304. IMPROVING PROTECTIONS FOR MIDSHIPMEN**
2 **ACT.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “Improving Protections for Midshipmen Act”.

5 (b) **SUSPENSION OR REVOCATION OF MERCHANT**
6 **MARINER CREDENTIALS FOR PERPETRATORS OF SEXUAL**
7 **HARASSMENT OR SEXUAL ASSAULT.**—

8 (1) **IN GENERAL.**—Chapter 77 of title 46,
9 United States Code, is amended by inserting after
10 section 7704 the following:

11 **“§ 7704a. Sexual harassment or sexual assault as**
12 **grounds for suspension or revocation**

13 “(a) **SEXUAL HARASSMENT.**—If it is shown at a
14 hearing under this chapter that a holder of a license, cer-
15 tificate of registry, or merchant mariner’s document
16 issued under this part, within 10 years before the begin-
17 ning of the suspension and revocation proceedings, is the
18 subject of a substantiated claim of sexual harassment,
19 then the license, certificate of registry, or merchant mari-
20 ner’s document shall be suspended or revoked.

21 “(b) **SEXUAL ASSAULT.**—If it is shown at a hearing
22 under this chapter that a holder of a license, certificate
23 of registry, or merchant mariner’s document issued under
24 this part, within 20 years before the beginning of the sus-
25 pension and revocation proceedings, is the subject of a
26 substantiated claim of sexual assault, then the license, cer-

1 tificate of registry, or merchant mariner's document shall
2 be revoked.

3 “(c) SUBSTANTIATED CLAIM.—

4 “(1) IN GENERAL.—The term ‘substantiated
5 claim’ means—

6 “(A) a legal proceeding or agency action in
7 any administrative proceeding that determines
8 the individual committed sexual harassment or
9 sexual assault in violation of any Federal,
10 State, local, or Tribal law or regulation and for
11 which all appeals have been exhausted, as appli-
12 cable; or

13 “(B) a determination after an investigation
14 by the Coast Guard that it is more likely than
15 not the individual committed sexual harassment
16 or sexual assault as defined in subsection (d),
17 if the determination affords appropriate due
18 process rights to the subject of the investiga-
19 tion.

20 “(2) INVESTIGATION BY THE COAST GUARD.—

21 An investigation by the Coast Guard under para-
22 graph (1)(B) shall include evaluation of the fol-
23 lowing materials that shall be provided to the Coast
24 Guard:

1 “(A) Any inquiry or determination made
2 by the employer of the individual as to whether
3 the individual committed sexual harassment or
4 sexual assault.

5 “(B) Upon request from the Coast Guard,
6 any investigative materials, documents, records,
7 or files in the possession of an employer or
8 former employer of the individual that are re-
9 lated to the claim of sexual harassment or sex-
10 ual assault by the individual.

11 “(3) **ADDITIONAL REVIEW.**—A license, certifi-
12 cate of registry, or merchant mariner’s document
13 shall not be suspended or revoked under subsection
14 (a) or (b) unless the substantiated claim is reviewed
15 and affirmed, in accordance with the applicable defi-
16 nition in subsection (d), by an administrative law
17 judge at the same suspension or revocation hearing
18 under this chapter described in subsection (a) or (b),
19 as applicable.

20 “(d) **DEFINITIONS.**—

21 “(1) **SEXUAL HARASSMENT.**—The term ‘sexual
22 harassment’ means any of the following:

23 “(A) Conduct that—

24 “(i) involves unwelcome sexual ad-
25 vances, requests for sexual favors, or delib-

1 erate or repeated offensive comments or
2 gestures of a sexual nature, when—

3 “(I) submission to such conduct
4 is made either explicitly or implicitly a
5 term or condition of a person’s job,
6 pay, or career;

7 “(II) submission to or rejection
8 of such conduct by a person is used as
9 a basis for career or employment deci-
10 sions affecting that person;

11 “(III) such conduct has the pur-
12 pose or effect of unreasonably inter-
13 fering with an individual’s work per-
14 formance or creates an intimidating,
15 hostile, or offensive working environ-
16 ment; or

17 “(IV) conduct may have been by
18 a person’s supervisor, a supervisor in
19 another area, a co-worker, or another
20 credentialed mariner; and

21 “(ii) is so severe or pervasive that a
22 reasonable person would perceive, and the
23 victim does perceive, the environment as
24 hostile or offensive.

1 “(B) Any use or condonation, by any per-
2 son in a supervisory or command position, of
3 any form of sexual behavior to control, influ-
4 ence, or affect the career, pay, or job of a sub-
5 ordinate.

6 “(C) Any deliberate or repeated unwelcome
7 verbal comment or gesture of a sexual nature
8 by any fellow employee of the complainant.

9 “(2) SEXUAL ASSAULT.—The term ‘sexual as-
10 sault’ means any form of abuse or contact as defined
11 in chapter 109A of title 18.

12 “(e) REGULATIONS.—The Secretary of the depart-
13 ment in which the Coast Guard is operating may issue
14 further regulations as necessary to update the definitions
15 in this section, consistent with descriptions of sexual har-
16 assment and sexual assault addressed in titles 10 and title
17 18 to implement this section.”.

18 (c) CLERICAL AMENDMENT.—The chapter analysis
19 of chapter 77 of title 46, United States Code, is amended
20 by inserting after the item relating to section 7704 the
21 following:

 “7704a. Sexual harassment or sexual assault as grounds for suspension or rev-
 ocation.”.

22 (d) SUPPORTING THE UNITED STATES MERCHANT
23 MARINE ACADEMY.—

1 (1) IN GENERAL.—Chapter 513 of title 46,
2 United States Code, is amended by adding at the
3 end the following:

4 **“§ 51325. Sexual assault and sexual harassment pre-**
5 **vention information management system**

6 “(a) INFORMATION MANAGEMENT SYSTEM.—

7 “(1) IN GENERAL.—Not later than January 1,
8 2023, the Maritime Administrator shall establish an
9 information management system to track and main-
10 tain, in such a manner that patterns can be reason-
11 ably identified, information regarding claims and in-
12 cidents involving cadets that are reportable pursuant
13 to subsection (d) of section 51318 of this chapter.

14 “(2) INFORMATION MAINTAINED IN THE SYS-
15 TEM.—Information maintained in the system shall
16 include the following information, to the extent that
17 information is available:

18 “(A) The overall number of sexual assault
19 or sexual harassment incidents per fiscal year.

20 “(B) The location of each such incident,
21 including vessel name and the name of the com-
22 pany operating the vessel, if applicable.

23 “(C) The names and ranks of the individ-
24 uals involved in each such incident.

1 “(D) The general nature of each such inci-
2 dent, to include copies of any associated reports
3 completed on the incidents.

4 “(E) The type of inquiry made into each
5 such incident.

6 “(F) A determination as to whether each
7 such incident is substantiated.

8 “(G) Any informal and formal account-
9 ability measures taken for misconduct related to
10 the incident, including decisions on whether to
11 prosecute the case.

12 “(3) PAST INFORMATION INCLUDED.—The in-
13 formation management system under this section
14 shall include the relevant data listed in this sub-
15 section related to sexual assault and sexual harass-
16 ment that the Maritime Administrator possesses,
17 and shall not be limited to data collected after Janu-
18 ary 1, 2023.

19 “(4) PRIVACY PROTECTIONS.—The Maritime
20 Administrator and the Department of Transpor-
21 tation Chief Information Officer shall coordinate to
22 ensure that the information management system
23 under this section shall be established and main-
24 tained in a secure fashion to ensure the protection

1 of the privacy of any individuals whose information
2 is entered in such system.

3 “(5) CYBERSECURITY AUDIT.—Ninety days
4 after the implementation of the information manage-
5 ment system, the Office of Inspector General of the
6 Department of Transportation shall commence an
7 audit of the cybersecurity of the system and shall
8 submit a report containing the results of that audit
9 to the Committee on Commerce, Science, and Trans-
10 portation of the Senate and the Committee on
11 Transportation and Infrastructure of the House of
12 Representatives.

13 “(6) CORRECTING RECORDS.—In establishing
14 the information management system, the Maritime
15 Administrator shall create a process to ensure that
16 if any incident report results in a final agency action
17 or final judgement that acquits an individual of
18 wrongdoing, all personally identifiable information
19 about the acquitted individual is removed from that
20 incident report in the system.

21 “(b) SEA YEAR PROGRAM.—The Maritime Adminis-
22 trator shall provide for the establishment of in-person and
23 virtual confidential exit interviews, to be conducted by per-
24 sonnel who are not involved in the assignment of the mid-
25 shipmen to a Sea Year vessel, for midshipmen from the

1 Academy upon completion of Sea Year and following com-
2 pletion by the midshipmen of the survey under section
3 51322(d).

4 “(c) DATA-INFORMED DECISIONMAKING.—The data
5 maintained in the data management system under sub-
6 section (a) and through the exit interviews under sub-
7 section (b) shall be affirmatively referenced and used to
8 inform the creation of new policy or regulation, or changes
9 to any existing policy or regulation, in the areas of sexual
10 harassment, dating violence, domestic violence, sexual as-
11 sault, and stalking.

12 **“§ 51326. Student advisory board at the United States**

13 **Merchant Marine Academy**

14 “(a) IN GENERAL.—The Maritime Administrator
15 shall establish at the United States Merchant Marine
16 Academy an advisory board to be known as the Advisory
17 Board to the Secretary of Transportation (referred to in
18 this section as the ‘Advisory Board’).

19 “(b) MEMBERSHIP.—The Advisory Board shall be
20 composed of not fewer than 12 midshipmen of the Mer-
21 chant Marine Academy who are enrolled at the Merchant
22 Marine Academy at the time of the appointment, including
23 not fewer than 3 cadets from each class.

24 “(c) APPOINTMENT; TERM.—Midshipmen shall serve
25 on the Advisory Board pursuant to appointment by the

1 Maritime Administrator. Appointments shall be made not
2 later than 60 days after the date of the swearing in of
3 a new class of midshipmen at the Academy. The term of
4 membership of a midshipmen on the Advisory Board shall
5 be 1 academic year.

6 “(d) REAPPOINTMENT.—The Maritime Adminis-
7 trator may reappoint not more than 6 cadets from the pre-
8 vious term to serve on the Advisory Board for an addi-
9 tional academic year if the Maritime Administrator deter-
10 mines such reappointment to be in the best interests of
11 the Merchant Marine Academy.

12 “(e) MEETINGS.—The Advisory Board shall meet
13 with the Secretary of Transportation not less than once
14 each academic year to discuss the activities of the Advisory
15 Board. The Advisory Board shall meet in person with the
16 Maritime Administrator not less than 2 times each aca-
17 demic year to discuss the activities of the Advisory Board.

18 “(f) DUTIES.—The Advisory Board shall—

19 “(1) identify health and wellbeing, diversity,
20 and sexual assault and harassment challenges and
21 other topics considered important by the Advisory
22 Board facing midshipmen at the Merchant Marine
23 Academy, off campus, and while aboard ships during
24 Sea Year or other training opportunities;

1 “(2) discuss and propose possible solutions, in-
2 cluding improvements to culture and leadership de-
3 velopment at the Merchant Marine Academy; and

4 “(3) periodically review the efficacy of the pro-
5 gram in section 51325(b), as appropriate, and pro-
6 vide recommendations to the Maritime Adminis-
7 trator for improvement.

8 “(g) WORKING GROUPS.—The Advisory Board may
9 establish one or more working groups to assist the Advi-
10 sory Board in carrying out its duties, including working
11 groups composed in part of midshipmen at the Merchant
12 Marine Academy who are not current members of the Ad-
13 visory Board.

14 “(h) REPORTS AND BRIEFINGS.—The Advisory
15 Board shall regularly provide the Secretary of Transpor-
16 tation and the Maritime Administrator reports and brief-
17 ings on the results of its duties, including recommenda-
18 tions for actions to be taken in light of such results. Such
19 reports and briefings may be provided in writing, in per-
20 son, or both.

21 “§ 51327. **Sexual Assault Advisory Council**

22 “(a) ESTABLISHMENT.—The Secretary of Transpor-
23 tation shall establish a Sexual Assault Advisory Council
24 (in this section referred to as the ‘Council’).

25 “(b) MEMBERSHIP.—

1 “(1) IN GENERAL.—The Council shall be com-
2 posed of not fewer than 8 and not more than 14 in-
3 dividuals selected by the Secretary of Transportation
4 who are alumni that have graduated within the last
5 4 years or current midshipmen of the United States
6 Merchant Marine Academy (including midshipmen
7 or alumni who were victims of sexual assault and
8 midshipmen or alumni who were not victims of sex-
9 ual assault) and governmental and nongovernmental
10 experts and professionals in the sexual assault field.

11 “(2) EXPERTS INCLUDED.—The Council shall
12 include—

13 “(A) not less than 1 member who is li-
14 censed in the field of mental health and has
15 prior experience working as a counselor or ther-
16 apist providing mental health care to survivors
17 of sexual assault in a victim services agency or
18 organization; and

19 “(B) not less than 1 member who has
20 prior experience developing or implementing
21 sexual assault or sexual harassment prevention
22 and response policies in an academic setting.

23 “(3) RULES REGARDING MEMBERSHIP.—No
24 employee of the Department of Transportation shall
25 be a member of the Council. The number of govern-

1 mental experts appointed to the Council shall not ex-
2 ceed the number of nongovernmental experts.

3 “(c) DUTIES; AUTHORIZED ACTIVITIES.—

4 “(1) IN GENERAL.—The Council shall meet not
5 less often than semiannually to—

6 “(A) review—

7 “(i) the policies on sexual harassment,
8 dating violence, domestic violence, sexual
9 assault, and stalking under section 51318
10 of this title;

11 “(ii) the trends and patterns of data
12 contained in the system described under
13 section 51325 of this title; and

14 “(iii) related matters the Council
15 views as appropriate; and

16 “(B) develop recommendations designed to
17 ensure that such policies and such matters con-
18 form, to the extent practicable, to best practices
19 in the field of sexual assault and sexual harass-
20 ment response and prevention.

21 “(2) AUTHORIZED ACTIVITIES.—To carry out
22 this subsection, the Council may—

23 “(A) conduct case reviews, as appropriate
24 and only with the consent of the victim of sex-
25 ual assault or harassment;

1 “(B) interview current and former mid-
2 shipmen of the United States Merchant Marine
3 Academy (to the extent that such midshipmen
4 provide the Department of Transportation ex-
5 press consent to be interviewed by the Council);
6 and

7 “(C) review—

8 “(i) exit interviews under section
9 51325(b) and surveys under section
10 51322(d);

11 “(ii) data collected from restricted re-
12 porting; and

13 “(iii) any other information necessary
14 to conduct such case reviews.

15 “(3) PERSONALLY IDENTIFIABLE INFORMA-
16 TION.—In carrying out this subsection, the Council
17 shall comply with the obligations of the Department
18 of Transportation to protect personally identifiable
19 information.

20 “(d) REPORTS.—On an annual basis for each of the
21 5 years after the date of enactment of this section, and
22 at the discretion of the Council thereafter, the Council
23 shall submit, to the President and the Committee on Com-
24 merce, Science, and Transportation and the Committee on
25 Appropriations of the Senate and the Committee on

1 Transportation and Infrastructure and the Committee on
2 Appropriations of the House of Representatives, a report
3 on the Council's findings based on the reviews conducted
4 pursuant to subsection (c) and related recommendations.

5 “(e) EMPLOYEE STATUS.—Members of the Council
6 shall not be considered employees of the United States
7 Government for any purpose and shall not receive com-
8 pensation other than reimbursement of travel expenses
9 and per diem allowance in accordance with section 5703
10 of title 5.

11 “(f) NONAPPLICABILITY OF FACA.—The Federal
12 Advisory Committee Act (5 U.S.C. App.) shall not apply
13 to the Council.

14 **“§ 51328. Student support**

15 “The Maritime Administrator shall—

16 “(1) require a biannual survey of midshipmen,
17 faculty, and staff of the Academy assessing the in-
18 clusiveness of the environment of the Academy; and

19 “(2) require an annual survey of faculty and
20 staff of the Academy assessing the inclusiveness of
21 the environment of the Sea Year program.”.

22 “(e) REPORT TO CONGRESS.—Not later than 30 days
23 after the date of enactment of this section, the Maritime
24 Administrator shall provide Congress with a briefing on
25 the resources necessary to properly implement section

1 51328 of title 46, United States Code, as added by this
2 section.

3 (f) CONFORMING AMENDMENTS.—The chapter anal-
4 ysis for chapter 513 of title 46, United States Code, is
5 amended by adding at the end the following:

“51325. Sexual assault and sexual harassment prevention information manage-
ment system.

“51326. Student advisory board at the United States Merchant Marine Acad-
emy.

“51327. Sexual Assault Advisory Council.

“51328. Student support.”.

6 (g) UNITED STATES MERCHANT MARINE ACADEMY
7 STUDENT SUPPORT PLAN.—

8 (1) STUDENT SUPPORT PLAN.—Not later than
9 January 1, 2023, the Maritime Administrator shall
10 issue a Student Support Plan for the United States
11 Merchant Marine Academy, in consultation with rel-
12 evant mental health professionals in the Federal
13 Government or experienced with the maritime indus-
14 try or related industries. Such plan shall—

15 (A) address the mental health resources
16 available to midshipmen, both on-campus and
17 during Sea Year;

18 (B) establish a tracking system for suicidal
19 ideations and suicide attempts of midshipmen;

20 (C) create an option for midshipmen to ob-
21 tain assistance from a professional care pro-
22 vider virtually; and

1 (D) require an annual survey of faculty
2 and staff assessing the adequacy of mental
3 health resources for midshipmen of the Acad-
4 emy, both on campus and during Sea Year.

5 (2) REPORT TO CONGRESS.—Not later than 30
6 days after the date of enactment of this section, the
7 Maritime Administrator shall provide Congress with
8 a report on the resources necessary to properly im-
9 plement this subsection.

10 (h) SPECIAL VICTIMS ADVISOR.—Section 51319 of
11 title 46, United States Code, is amended—

12 (1) by redesignating subsection (c) as sub-
13 section (d);

14 (2) by inserting after subsection (b) the fol-
15 lowing:

16 “(c) SPECIAL VICTIMS ADVISOR.—

17 “(1) IN GENERAL.—The Secretary shall des-
18 ignate an attorney (to be known as the ‘Special Vic-
19 tims Advisor’) for the purpose of providing legal as-
20 sistance to any cadet of the Academy who is the vic-
21 tim of an alleged sex-related offense regarding ad-
22 ministrative and criminal proceedings related to such
23 offense, regardless of whether the report of that of-
24 fense is restricted or unrestricted.

1 “(2) SPECIAL VICTIMS ADVISORY.—The Sec-
2 retary shall ensure that the attorney designated as
3 the Special Victims Advisor has knowledge of the
4 Uniform Code of Military Justice, as well as crimi-
5 nal and civil law.

6 “(3) PRIVILEGED COMMUNICATIONS.—Any
7 communications between a victim of an alleged sex-
8 related offense and the Special Victim Advisor, when
9 acting in their capacity as such, shall have the same
10 protection that applicable law provides for confiden-
11 tial attorney-client communications.”; and

12 (3) by adding at the end the following:

13 “(e) UNFILLED VACANCIES.—The Administrator of
14 the Maritime Administration may appoint qualified can-
15 didates to positions under subsections (a) and (d) of this
16 section without regard to sections 3309 through 3319 of
17 title 5.”.

18 (i) CATCH A SERIAL OFFENDER ASSESSMENT.—

19 (1) ASSESSMENT.—Not later than one year
20 after the date of enactment of this section, the Com-
21 mandant of the Coast Guard, in coordination with
22 the Maritime Administrator, shall conduct an assess-
23 ment of the feasibility and process necessary, and
24 appropriate responsible entities to establish a pro-
25 gram for the United States Merchant Marine Acad-

1 emy and United States Merchant Marine modeled on
2 the Catch a Serial Offender program of the Depart-
3 ment of Defense using the information management
4 system required under subsection (a) of section
5 51325 of title 46, United States Code, and the exit
6 interviews under subsection (b) of such section.

7 (2) LEGISLATIVE CHANGE PROPOSALS.—If, as
8 a result of the assessment required by paragraph
9 (1), the Commandant or the Administrator deter-
10 mines that additional authority is necessary to im-
11 plement the program described in paragraph (1), the
12 Commandant or the Administrator, as applicable,
13 shall provide appropriate legislative change proposals
14 to Congress.

15 (j) SHIPBOARD TRAINING.—Section 51322(a) of title
16 46, United States Code, is amended by adding at the end
17 the following:

18 “(3) TRAINING.—

19 “(A) IN GENERAL.—As part of training
20 that shall be provided not less than semiannu-
21 ally to all midshipmen of the Academy, pursu-
22 ant to section 51318, the Maritime Adminis-
23 trator shall develop and implement comprehen-
24 sive in-person sexual assault risk-reduction and
25 response training that, to the extent prac-

1 ticable, conforms to best practices in the sexual
2 assault prevention and response field and in-
3 cludes appropriate scenario-based training.

4 “(B) DEVELOPMENT AND CONSULTATION
5 WITH EXPERTS.—In developing the sexual as-
6 sault risk-reduction and response training
7 under subparagraph (A), the Maritime Admin-
8 istrator shall consult with and incorporate, as
9 appropriate, the recommendations and views of
10 experts in the sexual assault field.”.

11 **SEC. 305. BOARD OF VISITORS.**

12 Section 51312 of title 46, United States Code, is
13 amended—

14 (1) in subsection (b)—

15 (A) in paragraph (2)—

16 (i) by redesignating subparagraph (C)
17 as subparagraph (D);

18 (ii) in subparagraph (D), as redesi-
19 gnated by clause (i), by striking “flag-rank
20 who” and inserting “flag-rank”;

21 (iii) in subparagraph (B), by striking
22 “and” after the semicolon; and

23 (iv) by inserting after subparagraph
24 (B) the following:

1 “(C) at least 1 shall be a representative of
2 a maritime labor organization; and”;

3 (B) in paragraph (3), by adding at the end
4 the following:

5 “(C) REPLACEMENT.—If a member of the
6 Board is replaced, not later than 60 days after
7 the date of the replacement, the Designated
8 Federal Officer selected under subsection (g)(2)
9 shall notify that member.”;

10 (2) in subsection (d)—

11 (A) in paragraph (1), by inserting “and 2
12 additional meetings, which may be held in per-
13 son or virtually” after “Academy”; and

14 (B) by adding at the end the following:

15 “(3) SCHEDULING; NOTIFICATION.—When
16 scheduling a meeting, the Designated Federal Offi-
17 cer shall coordinate, to the greatest extent prac-
18 ticable, with the members of the Board to determine
19 the date and time of the meeting. Members of the
20 Board shall be notified of the date of each meeting
21 not less than 30 days prior to the meeting date.”;

22 (3) in subsection (e), by adding at the end the
23 following:

1 “(4) STAFF.—One of more staff of each mem-
2 ber of the Board may accompany them on Academy
3 visits.

4 “(5) SCHEDULING; NOTIFICATION.—When
5 scheduling a visit to the Academy, the Designated
6 Federal Officer shall coordinate, to the greatest ex-
7 tent practicable, with the members of the Board to
8 determine the date and time of the visit. Members
9 of the Board shall be notified of the date of each
10 visit not less than 30 days prior to the visit date.”;
11 and

12 (4) in subsection (h)—

13 (A) by inserting “and ranking member”
14 after “chairman” each place the term appears;
15 and

16 (B) by adding at the end the following:
17 “Such staff may attend meetings and may visit
18 the Academy.”.

19 **SEC. 306. MARITIME TECHNICAL ADVANCEMENT ACT.**

20 (a) SHORT TITLE.—This section may be cited as the
21 “Maritime Technological Advancement Act of 2022”.

22 (b) CENTERS OF EXCELLENCE FOR DOMESTIC MARI-
23 TIME WORKFORCE.—Section 51706 of title 46, United
24 States Code, is amended—

1 (1) in subsection (a), by striking “of Transpor-
2 tation”;

3 (2) in subsection (b), in the subsection heading,
4 by striking “ASSISTANCE” and inserting “COOPERA-
5 TIVE AGREEMENTS”;

6 (3) by redesignating subsection (c) as sub-
7 section (d);

8 (4) in subsection (d), as redesignated by para-
9 graph (2), by adding at the end the following:

10 “(3) SECRETARY.—The term ‘Secretary’ means
11 the Secretary of Transportation.”; and

12 (5) by inserting after subsection (b) the fol-
13 lowing:

14 “(c) GRANT PROGRAM.—

15 “(1) DEFINITIONS.—In this subsection:

16 “(A) ADMINISTRATOR.—The term ‘Admin-
17 istrator’ means the Administrator of the Mari-
18 time Administration.

19 “(B) ELIGIBLE INSTITUTION.—The term
20 ‘eligible institution’ means an institution that
21 has a demonstrated record of success in train-
22 ing and is—

23 “(i) a postsecondary educational insti-
24 tution (as defined in section 3 of the Carl
25 D. Perkins Career and Technical Edu-

1 cation Act of 2006 (20 U.S.C. 2302)) that
2 offers a 2-year program of study or a 1-
3 year program of training;

4 “(ii) a postsecondary vocational insti-
5 tution (as defined under section 102(c) of
6 the Higher Education Act of 1965 (20
7 U.S.C. 1002(c));

8 “(iii) a public or private nonprofit en-
9 tity that offers 1 or more other structured
10 experiential learning training programs for
11 American workers in the United States
12 maritime industry, including a program
13 that is offered by a labor organization or
14 conducted in partnership with a nonprofit
15 organization or 1 or more employers in the
16 maritime industry; or

17 “(iv) an entity sponsoring a registered
18 apprenticeship program.

19 “(C) REGISTERED APPRENTICESHIP PRO-
20 GRAM.—The term ‘registered apprenticeship
21 program’ means an apprenticeship program
22 registered with the Office of Apprenticeship of
23 the Employment and Training Administration
24 of the Department of Labor or a State appren-
25 ticeship agency recognized by the Office of Ap-

1 prenticeship pursuant to the Act of August 16,
2 1937 (commonly known as the 'National Ap-
3 prenticeship Act'; 50 Stat. 664, chapter 663; 29
4 U.S.C. 50 et seq.).

5 “(D) UNITED STATES MARITIME INDUS-
6 TRY.—The term ‘United States maritime indus-
7 try’ means all segments of the maritime-related
8 transportation system of the United States,
9 both in domestic and foreign trade, and in
10 coastal, offshore, and inland waters, as well as
11 non-commercial maritime activities, such as
12 pleasure boating and marine sciences (including
13 all scientific research vessels), and all of the in-
14 dustries that support or depend upon such uses,
15 including vessel construction and repair, vessel
16 operations, ship logistics supply, berthing, port
17 operations, port intermodal operations, marine
18 terminal operations, vessel design, marine bro-
19 kerage, marine insurance, marine financing,
20 chartering, maritime-oriented supply chain op-
21 erations, offshore industry, offshore wind, and
22 maritime-oriented research and development.

23 “(2) GRANT AUTHORIZATION.—

24 “(A) IN GENERAL.—Not later than 1 year
25 after the date of enactment of the Maritime

1 Technological Advancement Act of 2022, the
2 Administrator may award maritime career
3 training grants to eligible institutions for the
4 purpose of developing, offering, or improving
5 educational or career training programs for
6 American workers related to the maritime work-
7 force.

8 “(B) GUIDELINES.—Not later than 1 year
9 after the date of enactment of the Maritime
10 Technological Advancement Act of 2022, the
11 Administrator shall—

12 “(i) promulgate guidelines for the
13 submission of grant proposals under this
14 subsection; and

15 “(ii) publish and maintain such guide-
16 lines on the website of the Maritime Ad-
17 ministration.

18 “(3) LIMITATIONS.—The Administrator may
19 not award a grant under this subsection in an
20 amount that is more than \$12,000,000.

21 “(4) REQUIRED INFORMATION.—

22 “(A) IN GENERAL.—An eligible institution
23 that desires to receive a grant under this sub-
24 section shall submit to the Administrator a

1 grant proposal that includes a detailed descrip-
2 tion of—

3 “(i) the specific project for which the
4 grant proposal is submitted, including the
5 manner in which the grant will be used to
6 develop, offer, or improve an educational
7 or career training program that is suited
8 to maritime industry workers;

9 “(ii) the extent to which the project
10 for which the grant proposal is submitted
11 will meet the educational or career training
12 needs of maritime workers in the commu-
13 nity served by the eligible institution, par-
14 ticularly any individuals with a barrier to
15 employment;

16 “(iii) the extent to which the project
17 for which the grant proposal is submitted
18 fits within any overall strategic plan devel-
19 oped by an eligible community; and

20 “(iv) any previous experience of the
21 eligible institution in providing maritime
22 educational or career training programs.

23 “(B) COMMUNITY OUTREACH REQUIRED.—

24 In order to be considered by the Administrator,

1 a grant proposal submitted by an eligible insti-
2 tution under this subsection shall—

3 “(i) demonstrate that the eligible in-
4 stitution—

5 “(I) reached out to employers to
6 identify—

7 “(aa) any shortcomings in
8 existing maritime educational
9 and career training opportunities
10 available to workers in the com-
11 munity; and

12 “(bb) any future employ-
13 ment opportunities within the
14 community and the educational
15 and career training skills re-
16 quired for workers to meet the
17 future maritime employment de-
18 mand; and

19 “(II) reached out to other simi-
20 larly situated institutions in an effort
21 to benefit from any best practices that
22 may be shared with respect to pro-
23 viding maritime educational or career
24 training programs to workers eligible
25 for training; and

1 “(ii) include a detailed description
2 of—

3 “(I) the extent and outcome of
4 the outreach conducted under clause
5 (i);

6 “(II) the extent to which the
7 project for which the grant proposal is
8 submitted will contribute to meeting
9 any shortcomings identified under
10 clause (i)(I)(aa) or any maritime edu-
11 cational or career training needs iden-
12 tified under clause (i)(I)(bb); and

13 “(III) the extent to which em-
14 ployers, including small- and medium-
15 sized firms within the community,
16 have demonstrated a commitment to
17 employing workers who would benefit
18 from the project for which the grant
19 proposal is submitted.

20 “(5) CRITERIA FOR AWARD OF GRANTS.—

21 “(A) IN GENERAL.—Subject to the appro-
22 priation of funds, the Administrator shall award
23 a grant under this subsection based on—

24 “(i) a determination of the merits of
25 the grant proposal submitted by the eligi-

1 ble institution to develop, offer, or improve
2 maritime educational or career training
3 programs to be made available to workers;

4 “(ii) an evaluation of the likely em-
5 ployment opportunities available to workers
6 who complete a maritime educational or
7 career training program that the eligible
8 institution proposes to develop, offer, or
9 improve;

10 “(iii) an evaluation of prior demand
11 for training programs by workers in the
12 community served by the eligible institu-
13 tion, as well as the availability and capac-
14 ity of existing maritime training programs
15 to meet future demand for training pro-
16 grams;

17 “(iv) any prior designation of an insti-
18 tution as a Center of Excellence for Do-
19 mestic Maritime Workforce Training and
20 Education; and

21 “(v) an evaluation of the previous ex-
22 perience of the eligible institution in pro-
23 viding maritime educational or career
24 training programs.

1 “(B) MATCHING REQUIREMENTS.—A
2 grant awarded under this subsection may not
3 be used to satisfy any private matching require-
4 ment under any other provision of law.

5 “(6) COMPETITIVE AWARDS .—

6 “(A) IN GENERAL.—The Administrator
7 shall award grants under this subsection to eli-
8 gible institutions on a competitive basis in ac-
9 cordance with guidelines and requirements es-
10 tablished by the Administrator under paragraph
11 (2)(B).

12 “(B) TIMING OF GRANT NOTICE.—The Ad-
13 ministrator shall post a Notice of Funding Op-
14 portunity regarding grants awarded under this
15 subsection not more than 90 days after the date
16 of enactment of the appropriations Act for the
17 fiscal year concerned.

18 “(C) TIMING OF GRANTS.—The Adminis-
19 trator shall award grants under this subsection
20 not later than 270 days after the date of the
21 enactment of the appropriations Act for the fis-
22 cal year concerned.

23 “(D) APPLICATION OF REQUIREMENTS.—
24 The requirements under subparagraphs (B) and
25 (C) shall not apply until the guidelines required

1 under paragraph (2)(B) have been promul-
2 gated.

3 “(E) REUSE OF UNEXPENDED GRANT
4 FUNDS.—Notwithstanding subparagraph (C),
5 amounts awarded as a grant under this sub-
6 section that are not expended by the grantee
7 shall remain available to the Administrator for
8 use for grants under this subsection.

9 “(F) ADMINISTRATIVE COSTS.—Not more
10 than 3 percent of amounts made available to
11 carry out this subsection may be used for the
12 necessary costs of grant administration.

13 “(7) ELIGIBLE USES OF GRANT FUNDS.—An el-
14 igible institution receiving a grant under this sub-
15 section—

16 “(A) shall carry out activities that are
17 identified as priorities for the purpose of devel-
18 oping, offering, or improving educational or ca-
19 reer training programs for the United States
20 maritime industry workforce;

21 “(B) shall provide training to upgrade the
22 skills of the United States maritime industry
23 workforce, including training to acquire covered
24 requirements as well as technical skills training

1 for jobs in the United States maritime industry;
2 and

3 “(C) may use the grant funds to—

4 “(i) admit additional students to mar-
5 itime training programs;

6 “(ii) develop, establish, and annually
7 update viable training capacity, courses,
8 and mechanisms to rapidly upgrade skills
9 and perform assessments of merchant
10 mariners during time of war or a national
11 emergency, and to increase credentials for
12 domestic or defense needs where training
13 can decrease the gap in the numbers of
14 qualified mariners for sealift;

15 “(iii) provide services to upgrade the
16 skills of United States offshore wind ma-
17 rine service workers who transport, install,
18 operate, or maintain offshore wind compo-
19 nents and turbines, including training, cur-
20 riculum and career pathway development,
21 on-the-job training, safety and health
22 training, and classroom training;

23 “(iv) expand existing or create new
24 maritime training programs, including

1 through partnerships and memoranda of
2 understanding with—

3 “(I) 4-year institutions of higher
4 education;

5 “(II) labor organizations;

6 “(III) registered apprenticeship
7 programs with the United States mar-
8 itime industry; or

9 “(IV) an entity described in sub-
10 clause (I) through (III) that has a
11 memorandum of understanding with 1
12 or more employers in the maritime in-
13 dustry;

14 “(v) create new maritime career path-
15 ways;

16 “(vi) expand existing or create new
17 training programs for transitioning mili-
18 tary veterans to careers in the United
19 States maritime industry;

20 “(vii) expand existing or create new
21 training programs that address the needs
22 of individuals with a barrier to employ-
23 ment, as determined by the Secretary in
24 consultation with the Secretary of Labor,
25 in the United States maritime industry;

1 “(viii) purchase, construct, develop,
2 expand, or improve training facilities,
3 buildings, and equipment to deliver mari-
4 time training programs;

5 “(ix) recruit and train additional fac-
6 ulty to expand the maritime training pro-
7 grams offered by the institution;

8 “(x) provide financial assistance
9 through scholarships or tuition waivers,
10 not to exceed the applicable tuition ex-
11 penses associated with the covered pro-
12 grams;

13 “(xi) promote the use of distance
14 learning that enables students to take
15 courses through the use of teleconfer-
16 encing, the Internet, and other media tech-
17 nology;

18 “(xii) assist in providing services to
19 address maritime workforce recruitment
20 and training of youth residing in targeted
21 high-poverty areas within empowerment
22 zones and enterprise communities;

23 “(xiii) implement partnerships with
24 national and regional organizations with
25 special expertise in developing, organizing,

1 and administering maritime workforce re-
2 cruitment and training services;

3 “(xiv) carry out customized training
4 in conjunction with—

5 “(I) an existing registered ap-
6 prenticeship program or a pre-appren-
7 ticeship program that articulates to a
8 registered apprenticeship program;

9 “(II) a paid internship; or

10 “(III) a joint labor-management
11 partnership;

12 “(xv) design, develop, and test an
13 array of approaches to providing recruit-
14 ment, training, or retention services, to en-
15 hance diversity, equity and inclusion in the
16 United States maritime industry work-
17 force;

18 “(xvi) in conjunction with employers,
19 organized labor, other groups (such as
20 community coalitions), and Federal, State,
21 or local agencies, design, develop, and test
22 various training approaches in order to de-
23 termine effective practices; or

24 “(xvii) assist in the development and
25 replication of effective service delivery

1 strategies for the United States maritime
2 industry as a whole.

3 “(8) PUBLIC REPORT.—Not later than Decem-
4 ber 15 in each of the calendar years 2023 through
5 2025, the Administrator shall make available on a
6 publicly available website a report and provide a
7 briefing to the Committee on Commerce, Science,
8 and Transportation of the Senate and the Com-
9 mittee on Transportation and Infrastructure of the
10 House of Representatives—

11 “(A) describing each grant awarded under
12 this subsection during the preceding fiscal year;

13 “(B) assessing the impact of each award of
14 a grant under this subsection in a fiscal year
15 preceding the fiscal year referred to in subpara-
16 graph (A) on workers receiving training; and

17 “(C) the performance of the grant awarded
18 with respect to the indicators of performance
19 under section 116(b)(2)(A)(i) of the Workforce
20 Innovation and Opportunity Act (29 U.S.C.
21 3141(b)(2)(A)(i)).

22 “(9) AUTHORIZATION OF APPROPRIATIONS.—
23 There is authorized to be appropriated to carry out
24 this subsection \$60,000,000 for each of the fiscal
25 years 2023 through 2027.”

1 **SEC. 307. STUDY ON CIP PROGRAM AT THE USMMA.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The United States Merchant Marine Acad-
4 emy campus is nearly 80 years old and many of the
5 buildings have fallen into a serious state of dis-
6 repair.

7 (2) Except for renovations to student barracks
8 in the early 2000s, all of the buildings on campus
9 have exceeded their useful life and need to be re-
10 placed or undergo major renovations.

11 (3) According to the Maritime Administration,
12 since 2011, \$234,000,000 has been invested in cap-
13 ital improvements on the campus, but partly due to
14 poor planning and cost overruns, maintenance and
15 building replacement backlogs continue.

16 (b) STUDY.—The Comptroller General shall conduct
17 a study of the United States Merchant Marine Academy
18 Capital Improvement Program. The study shall include an
19 evaluation of—

20 (1) the actions the United States Merchant Ma-
21 rine Academy has taken to bring the buildings, in-
22 frastructure, and other facilities on campus up to
23 standards and the further actions that are required
24 to do so;

1 (2) how the approach that the United States
2 Merchant Marine Academy uses to manage its cap-
3 ital assets meets leading practices;

4 (3) how cost estimates prepared for capital
5 asset projects meet cost estimating leading practices;

6 (4) whether the United States Merchant Marine
7 Academy has adequate staff who are trained to iden-
8 tify needed capital projects, estimate the cost of
9 those projects, perform building maintenance, and
10 manage capital improvement projects; and

11 (5) how the United States Merchant Marine
12 Academy identifies and prioritizes capital construc-
13 tion needs, and how that priority relates to the safe-
14 ty, education, and wellbeing of midshipmen.

15 (c) REPORT.—Not later than 18 months after the
16 date of enactment of this section, the Comptroller General
17 shall prepare and submit to the Committee on Commerce,
18 Science, and Transportation of the Senate and the Com-
19 mittee on Transportation and Infrastructure of the House
20 of Representatives a report containing the results of the
21 study under this section.

1 **SEC. 308. IMPLEMENTATION OF RECOMMENDATIONS FROM**
2 **THE NATIONAL ACADEMY OF PUBLIC ADMIN-**
3 **ISTRATION.**

4 (a) **INSPECTOR GENERAL AUDIT.**—The Inspector
5 General of the Department of Transportation shall—

6 (1) not later than 180 days after the date of
7 enactment of this section, initiate an audit of the
8 Maritime Administration's actions to address only
9 recommendations 4.1 through 4.3, 4.7 through 4.11,
10 5.1 through 5.4, 5.6, 5.7, 5.11, 5.14, 5.15, 5.16, 6.1
11 through 6.4, 6.6, and 6.7, identified by a National
12 Academy of Public Administration panel in the No-
13 vember 2021 report entitled "Organizational Assess-
14 ment of the United States Merchant Marine Acad-
15 emy: A Path Forward"; and

16 (2) release publicly, and submit to the appro-
17 priate committees of Congress, a report containing
18 the results of the audit described in paragraph (1)
19 once the audit is completed.

20 (b) **AGREEMENT FOR STUDY BY NATIONAL ACADEMY**
21 **OF PUBLIC ADMINISTRATION.**—

22 (1) **IN GENERAL.**—Not later than 30 days after
23 the date of enactment of this Act, the Secretary of
24 Transportation shall enter into an agreement with
25 the National Academy of Public Administration (re-

1 ferred to in this section as the “Academy”) to pro-
2 vide support for—

3 (A) prioritizing and addressing the rec-
4 ommendations described in subsection (a)(1),
5 and establishing a process for prioritizing other
6 recommendations in the future;

7 (B) development of long-term processes
8 and a timeframe for long-term process improve-
9 ments, as well as corrective actions and best
10 practice criteria that can be implemented in the
11 medium- and near-term;

12 (C) establishment of a clear assignment of
13 responsibility for implementation of each rec-
14 ommendation described in subsection (a)(1),
15 and a strategy for assigning other recommenda-
16 tions in the future; and

17 (D) a performance measurement system,
18 including data collection and tracking and eval-
19 uating progress toward goals.

20 (2) REPORT OF PROGRESS.—Not later than 1
21 year after the date of the agreement described in
22 paragraph (1), the Academy shall prepare and sub-
23 mit a report of progress to the Maritime Adminis-
24 trator and the appropriate committees of Congress.

25 (c) PRIORITIZATION AND IMPLEMENTATION PLAN.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Maritime Ad-
3 ministrators shall provide a prioritization and imple-
4 mentation plan to assess, prioritize, and address the
5 recommendations identified by the National Acad-
6 emy of Public Administration panel in the November
7 2021 report entitled “Organizational Assessment of
8 the United States Merchant Marine Academy: A
9 Path Forward” that are relevant to the Maritime
10 Administration and not listed in subsection (a)(1).

11 The prioritization and implementation plan shall—

12 (A) make use of the strategies, processes,
13 and systems described in subsection (b)(1);

14 (B) include estimated timelines and cost
15 estimates for implementation of priority goals;

16 (C) include summaries of stakeholder and
17 interagency engagement used to assess goals
18 and timelines; and

19 (D) be released publicly and submitted to
20 the appropriate committees of Congress.

21 (2) AUDIT AND REPORT.—The Inspector Gen-
22 eral of the Department of Transportation shall—

23 (A) not later than 180 days after the date
24 of publication of the prioritization and imple-
25 mentation plan described in paragraph (1), ini-

1 tiate an audit of the Maritime Administration's
2 actions to address the prioritization and imple-
3 mentation plan;

4 (B) not later than 2 years after the date
5 of publication of the prioritization and imple-
6 mentation plan, and every 3 years thereafter,
7 initiate an audit of the Maritime Administra-
8 tion's progress on the plan; and

9 (C) release publicly and submit to the ap-
10 propriate committees of Congress a report con-
11 taining the results of the audit once the audit
12 is completed.

13 (d) AGREEMENT FOR PLAN ON CAPITAL IMPROVE-
14 MENTS.—Not later than 90 days after the date of enact-
15 ment of this Act, the Maritime Administration shall enter
16 into an agreement with a Federal construction agent to
17 create a plan to execute capital improvements at the
18 United States Merchant Marine Academy.

19 (e) APPROPRIATE COMMITTEES OF CONGRESS DE-
20 FINED.—In this section, the term "appropriate commit-
21 tees of Congress" means the Committee on Commerce,
22 Science, and Transportation of the Senate, the Committee
23 on Transportation and Infrastructure of the House of
24 Representatives, the Appropriations Subcommittees on
25 Transportation, Housing and Urban Development, and

1 Related Agencies of the Senate and the House of Rep-
2 resentatives, and the Committees on Armed Services of
3 the Senate and the House of Representatives.

4 **SEC. 309. SERVICE ACADEMY FACULTY PARITY.**

5 Section 105 of title 17, United States Code, is
6 amended—

7 (1) in the heading of subsection (b), by deleting
8 “CERTAIN OF WORKS” and inserting “CERTAIN
9 WORKS”;

10 (2) in the first subsection (c), by deleting “The
11 Secretary of Defense may” and inserting “The Sec-
12 retary of Defense (or, with respect to the United
13 States Merchant Marine Academy, the Secretary of
14 Transportation, or, with respect to the United States
15 Coast Guard Academy, the Secretary of Homeland
16 Security) may”;

17 (3) by redesignating the second subsection (c)
18 as subsection (d); and

19 (4) in subsection (d), as redesignated by para-
20 graph (3), by adding at the end the following:

21 “(M) United States Merchant Marine
22 Academy.”.

1 **SEC. 310. UPDATED REQUIREMENTS FOR FISHING CREW**
2 **AGREEMENTS.**

3 Section 10601(b) of title 46, United States Code, is
4 amended—

5 (1) in paragraph (2), by striking “and” after
6 the semicolon;

7 (2) by redesignating paragraph (3) as para-
8 graph (4); and

9 (3) by inserting after paragraph (2) the fol-
10 lowing:

11 “(3) if the vessel is a catcher processor with
12 more than 25 crew, require that the crewmember be
13 served not less than 3 meals a day that total not less
14 than 3,100 calories, including adequate water and
15 minerals in accordance with the United States Rec-
16 ommended Daily Allowances; and”.

17 **TITLE IV—TECHNOLOGY**
18 **INNOVATION AND RESILIENCE**

19 **SEC. 401. MARITIME ENVIRONMENTAL AND TECHNICAL AS-**
20 **SISTANCE PROGRAM.**

21 Section 50307 of title 46, United States Code, is
22 amended—

23 (1) by striking the subsection (a) enumerator
24 and all that follows through “Transportation” and
25 inserting the following:

1 “(a) EMERGING MARINE TECHNOLOGIES AND PRAC-
2 TICES.—

3 “(1) IN GENERAL.—The Secretary of Transpor-
4 tation”;

5 (2) in subsection (b)—

6 (A) in paragraph (1)—

7 (i) by redesignating subparagraphs
8 (A) through (D) as clauses (i) through
9 (iv), respectively and adjusting the margins
10 accordingly; and

11 (ii) in clause (iv), as redesignated by
12 clause (i), by striking “propeller cavita-
13 tion” and inserting “incidental vessel-gener-
14 ated underwater noise, such as noise
15 from propeller cavitation or hydrodynamic
16 flow”;

17 (B) by redesignating paragraphs (1) and
18 (2) as subparagraphs (A) and (B), respectively
19 and adjusting the margins accordingly;

20 (3) in subsection (c), by redesignating para-
21 graphs (1) and (2) as subparagraphs (A) and (B),
22 respectively and adjusting the margins accordingly;

23 (4) in subsection (e), by redesignating para-
24 graphs (1) and (2) as subparagraphs (A) and (B),
25 respectively and adjusting the margins accordingly;

1 (5) by redesignating subsections (b) through (d)
2 as paragraphs (2) through (4), respectively and ad-
3 justing the margins accordingly;

4 (6) by redesignating subsection (e) as sub-
5 section (b);

6 (7) by striking subsection (f);

7 (8) in subsection (a)—

8 (A) in paragraph (1), as designated under
9 paragraph (1) of this section—

10 (i) by inserting “or support” after
11 “engage in”;

12 (ii) by striking “the use of public”
13 and all that follows through the end of the
14 sentence and inserting “eligible entities.”;

15 (B) in paragraph (2), as redesignated
16 under paragraph (5) of this section—

17 (i) by striking “this section” and in-
18 serting “this subsection”;

19 (ii) by striking “or improve” and in-
20 serting “improve, or support efforts related
21 to,”;

22 (C) in paragraph (3), as redesignated by
23 paragraph (5) of this section, by striking
24 “under subsection (b)(2) may include” and in-
25 serting “with other Federal agencies or with

1 State, local, or Tribal governments, as appro-
2 priate, under paragraph (2)(B) may include”;

3 (D) in paragraph (4), as redesignated by
4 paragraph (5) of this section—

5 (i) by striking “academic, public, pri-
6 vate, and nongovernmental entities and fa-
7 cilities” and inserting eligible entities; and

8 (ii) by striking “subsection (a)” and
9 inserting “this subsection”; and

10 (E) by adding at the end the following:

11 “(5) GRANTS.—Subject to the availability of
12 appropriations, the Maritime Administrator, may es-
13 tablish and carry out a competitive grant program to
14 award grants to eligible entities for projects in the
15 United States consistent with the goals of this sub-
16 section to study, evaluate, test, demonstrate, or
17 apply technologies and practices to improve environ-
18 mental performance.”;

19 (9) in subsection (b), as redesignated by para-
20 graph (6) of this section, by striking “subsection
21 (b)(1)” and inserting “this section”; and

22 (10) by adding at the end the following:

23 “(c) VESSELS.—Activities carried out under a grant
24 or cooperative agreement made under this section may be
25 conducted on public vessels under the control of the Mari-

1 time Administration, upon approval of the Maritime Ad-
2 ministrator.

3 “(d) ELIGIBLE ENTITY DEFINED.—In this section,
4 the term ‘eligible entity’ means—

5 “(1) a private entity, including a nonprofit or-
6 ganization;

7 “(2) a State, regional, local, or Tribal govern-
8 ment or entity, including special districts;

9 “(3) an institution of higher education as de-
10 fined under section 102 of the Higher Education Act
11 of 1965 (20 U.S.C. 1002); and

12 “(4) a partnership or collaboration of entities
13 described in paragraphs (1) through (3).

14 “(e) CENTER FOR MARITIME INNOVATION.—

15 “(1) IN GENERAL.—Not later than 1 year after
16 the date of enactment of the Maritime Administra-
17 tion Authorization Act for Fiscal Year 2023, the
18 Secretary of Transportation shall, through a cooper-
19 ative agreement, establish a United States Center
20 for Maritime Innovation (referred to in this sub-
21 section as the ‘Center’) to support the study, re-
22 search, development, assessment, and deployment of
23 emerging marine technologies and practices related
24 to the maritime transportation system.

25 “(2) SELECTION.—The Center shall be—

1 “(A) selected through a competitive proc-
2 ess;

3 “(B) a nonprofit organization based in the
4 United States with technical expertise in emerg-
5 ing marine technologies and practices related to
6 the maritime transportation system; and

7 “(C) located in close proximity to eligible
8 entities with expertise in United States emerg-
9 ing marine technologies and practices, including
10 the use of alternative fuels and the development
11 of both vessel and shoreside infrastructure.

12 “(3) COORDINATION.—The Secretary of Trans-
13 portation shall coordinate with other agencies critical
14 for science, research, and regulation of emerging
15 marine technologies for the maritime sector, includ-
16 ing the Department of Energy, the Environmental
17 Protection Agency, and the Coast Guard, when es-
18 tablishing the Center.

19 “(4) FUNCTIONS.—The Center shall—

20 “(A) support eligible entities regarding the
21 development and use of clean energy and nec-
22 essary infrastructure to support the deployment
23 of clean energy on vessels of the United States;

24 “(B) monitor and assess, on an ongoing
25 basis, the current state of knowledge regarding

1 emerging marine technologies in the United
2 States;

3 “(C) identify any significant gaps in
4 emerging marine technologies research specific
5 to the United States maritime industry, and
6 seek to fill those gaps;

7 “(D) conduct research, development, test-
8 ing, and evaluation for equipment, technologies,
9 and techniques to address the components
10 under subsection (a)(2);

11 “(E) provide—

12 “(i) guidance on best available tech-
13 nologies;

14 “(ii) technical analysis;

15 “(iii) assistance with understanding
16 complex regulatory requirements; and

17 “(iv) documentation of best practices
18 in the maritime industry, including train-
19 ing and informational webinars on solu-
20 tions for the maritime industry; and

21 “(F) work with academic and private sec-
22 tor response training centers to develop mari-
23 time strategies applicable to various segments
24 of the United States maritime industry, includ-
25 ing the inland, deep water, and coastal fleets.”.

1 **SEC. 402. QUIETING FEDERAL NON-COMBATIVE VESSELS.**

2 (a) **IN GENERAL.**—The Secretary of Defense, in con-
3 sultation with the Administrator of the National Oceanic
4 and Atmospheric Administration, the Administrator of the
5 Maritime Administration, and the Secretary of the depart-
6 ment in which the Coast Guard is operating, shall, not
7 later than 18 months after the date of enactment of this
8 section, submit a report to the committees identified under
9 subsection (b) and publish an unclassified report—

10 (1) identifying existing, at the time of submis-
11 sion, non-classified naval technologies that reduce
12 underwater noise; and

13 (2) evaluating the effectiveness and feasibility
14 of incorporating such technologies in the design, pro-
15 curement, and construction of non-combatant vessels
16 of the United States.

17 (b) **COMMITTEES.**—The report under subsection (a)
18 shall be submitted the Committee on Commerce, Science,
19 and Transportation of the Senate and the Committee on
20 Transportation and Infrastructure of the House of Rep-
21 resentatives.

22 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is
23 authorized to be appropriated to the Secretary of Defense
24 for carrying out this section, \$100,000 for fiscal year
25 2022, to remain available until expended.

1 **SEC. 403. STUDY ON STORMWATER IMPACTS ON SALMON.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 date of enactment of this section, the Administrator of the
4 National Oceanic and Atmospheric Administration, in con-
5 cert with the Secretary of Transportation and the Admin-
6 istrator of the Environmental Protection Agency, shall
7 commence a study that—

8 (1) examines the existing science on tire-related
9 chemicals in stormwater runoff at ports and associ-
10 ated transportation infrastructure and the impacts
11 of such chemicals on Pacific salmon and steelhead;

12 (2) examines the challenges of studying tire-re-
13 lated chemicals in stormwater runoff at ports and
14 associated transportation infrastructure and the im-
15 pacts of such chemicals on Pacific salmon and
16 steelhead;

17 (3) provides recommendations for improving
18 monitoring of stormwater and research related to
19 run-off for tire-related chemicals and the impacts of
20 such chemicals on Pacific salmon and steelhead at
21 ports and associated transportation infrastructure
22 near ports; and

23 (4) provides recommendations based on the best
24 available science on relevant management ap-
25 proaches at ports and associated transportation in-
26 frastructure under their respective jurisdictions.

1 (b) SUBMISSION OF STUDY.—Not later than 18
2 months after commencing the study under subsection (a),
3 the Administrator of the National Oceanic and Atmos-
4 pheric Administration, in concert with the Secretary of
5 Transportation and the Administrator of the Environ-
6 mental Protection Agency, shall—

7 (1) submit the study to the Committee on Com-
8 merce, Science, and Transportation of the Senate
9 and the Committee on Transportation and Infra-
10 structure of the House of Representatives, including
11 detailing any findings from the study; and

12 (2) make such study publicly available.