

Cantwell_Wicker_Substitute (Modified)

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**S. 4357**

To reauthorize the Maritime Administration, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. CANTWELL (for herself and Mr. WICKER)

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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

Sec. 101. Study to inform a national maritime strategy.

Sec. 102. National maritime strategy.

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 Capital Improvement 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-combative vessels.
- Sec. 403. Study on stormwater impacts on salmon.
- Sec. 404. Study to evaluate effective vessel quieting measures.

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—

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

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

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

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

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

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

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

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

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

20 (3) For expenses necessary to support the Na-
21 tional Security Multi-Mission Vessel Program, in-
22 cluding funds for construction and necessary ex-
23 penses to construct shoreside infrastructure to sup-
24 port such vessels, \$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.—

18 (1) FUNDING.—Section 53411 of title 46,
19 United States Code, is amended by striking
20 “\$60,000,000” and inserting “\$120,000,000”.

21 (2) INCREASE IN NUMBER OF VESSELS.—Sec-
22 tion 53403(c) of title 46, United States Code, is
23 amended by striking “10” and inserting “20”.

1 **TITLE I—GENERAL PROVISIONS**

2 **SEC. 101. STUDY TO INFORM A NATIONAL MARITIME** 3 **STRATEGY.**

4 (a) IN GENERAL.—The Secretary of Transportation
5 and the Secretary of the department in which the Coast
6 Guard is operating shall enter into an agreement with a
7 studies and analysis federally funded research and devel-
8 opment center under which such federally funded research
9 and development center shall conduct a study of the key
10 elements and objectives needed for a national maritime
11 strategy. The strategy shall address national objectives, as
12 described in section 50101 of title 46, United States Code,
13 to ensure—

14 (1) a capable, commercially viable, militarily
15 useful fleet of a sufficient number of merchant ves-
16 sels documented under chapter 121 of title 46,
17 United States Code;

18 (2) a robust United States mariner workforce,
19 as described in section 50101 of title 46, United
20 States Code;

21 (3) strong United States domestic shipbuilding
22 infrastructure, and related shipbuilding trades
23 amongst skilled workers in the United States; and

24 (4) that the Navy Fleet Auxiliary Force, the
25 National Defense Reserve Fleet, the Military Sealift

1 Command, the Maritime Security Program under
2 chapter 531 of title 46, United States Code, the
3 Tanker Security Program under chapter 534 of title
4 46, United States Code, and the Cable Security Pro-
5 gram under chapter 532 of title 46, United States
6 Code, currently meet the economic and national se-
7 curity needs of the United States and would reliably
8 continue to meet those needs under future economic
9 or national security emergencies.

10 (b) INPUT.—In carrying out the study, the federally
11 funded research and development center shall solicit input
12 from—

- 13 (1) relevant Federal departments and agencies;
- 14 (2) nongovernmental organizations;
- 15 (3) United States companies;
- 16 (4) maritime labor organizations;
- 17 (5) commercial industries that depend on
18 United States mariners;
- 19 (6) domestic shipyards regarding shipbuilding
20 and repair capacity, and the associated skilled work-
21 force, such as the workforce required for transpor-
22 tation, offshore wind, fishing, and aquaculture;
- 23 (7) providers of maritime workforce training;
- 24 and
- 25 (8) any other relevant organizations.

1 (c) ELEMENTS OF THE STUDY.—The study con-
2 ducted under subsection (a) shall include consultation with
3 the Department of Transportation, the Department of De-
4 fense, the Department of Homeland Security, the National
5 Oceanic and Atmospheric Administration, and other rel-
6 evant Federal agencies, in the identification and evalua-
7 tion of—

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

12 (A) the loans and guarantees program car-
13 ried out under chapter 537 of title 46, United
14 States Code, and how the development of new
15 offshore commercial industries, such as wind,
16 could be supported through modification of
17 such program or other Federal programs, and
18 thus also support the United States sealift in
19 the future;

20 (B) the barriers to participation in the
21 loans and guarantees program carried out
22 under chapter 537 of title 46, United States
23 Code, and how the program may be improved to
24 facilitate additional shipbuilding activities in the
25 United States; and

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

3 (2) incentives needed to maintain a commer-
4 cially viable United States-documented fleet, which
5 shall include—

6 (A) an examination of how the preferences
7 under section 2631 of title 10, United States
8 Code, and chapter 553 of title 46, United
9 States Code, the Maritime Security Program
10 under chapter 531 of title 46, United States
11 Code, the Tanker Security Program under
12 chapter 534 of title 46, United States Code,
13 and the Cable Security Program under chapter
14 532 of title 46, United States Code, should be
15 used to further maintain and grow a United
16 States-documented fleet and the identification
17 of other incentives that could be used that may
18 not be authorized at the time of the study;

19 (B) an estimate of the number and type of
20 commercial ships needed over the next 30 years;
21 and

22 (C) estimates of the needed human and fi-
23 nancial resources for such incentives;

24 (3) the availability of United States mariners,
25 and future needs, including—

1 (A) the number of mariners needed for the
2 United States commercial and national security
3 needs over the next 30 years;

4 (B) the policies and programs (at the time
5 of the study) to recruit, train, and retain
6 United States mariners to support the United
7 States maritime workforce needs during peace
8 time and at war;

9 (C) how those programs could be improved
10 to grow the number of maritime workers
11 trained each year, including potential collabora-
12 tion between the uniformed services, the United
13 States Merchant Marine Academy, State mari-
14 time academies, maritime labor training cen-
15 ters, and the Centers of Excellence for Domes-
16 tic Maritime Workforce Training under section
17 51706 of title 46, United States Code, could be
18 used most effectively; and

19 (D) estimates of the necessary resources,
20 human and financial, to implement such pro-
21 grams in each relevant Federal agency over the
22 next 30 years; and

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

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

4 **SEC. 102. NATIONAL MARITIME STRATEGY.**

5 (a) IN GENERAL.—Not later than 6 months after the
6 date of receipt of the study conducted under section 101,
7 and every 5 years thereafter, the Secretary of Transpor-
8 tation, in consultation with the Secretary of the depart-
9 ment in which the Coast Guard is operating and the
10 United States Transportation Command, shall submit to
11 the Committee on Transportation and Infrastructure of
12 the House of Representatives and the Committee on Com-
13 merce, Science, and Transportation of the Senate a na-
14 tional maritime strategy.

15 (b) CONTENTS.—The strategy required under sub-
16 section (a) shall—

17 (1) identify—

18 (A) international policies and Federal reg-
19 ulations and policies that reduce the competi-
20 tiveness of United States-documented vessels
21 with foreign vessels in domestic and inter-
22 national transportation markets; and

23 (B) the impact of reduced cargo flow due
24 to reductions in the number of members of the

1 United States Armed Forces stationed or de-
2 ployed outside of the United States; and

3 (2) include recommendations to—

4 (A) make United States-documented ves-
5 sels more competitive in shipping routes be-
6 tween United States and foreign ports;

7 (B) increase the use of United States-doc-
8 umented vessels to carry cargo imported to and
9 exported from the United States;

10 (C) ensure compliance by Federal agencies
11 with chapter 553 of title 46, United States
12 Code;

13 (D) increase the use of short sea transpor-
14 tation routes, including routes designated under
15 section 55601(c) of title 46, United States
16 Code, to enhance intermodal freight movements;

17 (E) enhance United States shipbuilding ca-
18 pability;

19 (F) invest in, and identify gaps in, infra-
20 structure needed to facilitate the movement of
21 goods at ports and throughout the transpor-
22 tation system, including innovative physical and
23 information technologies;

24 (G) enhance workforce training and re-
25 cruitment for the maritime workforce, including

1 training on innovative physical and information
2 technologies;

3 (H) increase the resilience of ports and the
4 marine transportation system; and

5 (I) increase the carriage of government-im-
6 pelled cargo on United States-documented ves-
7 sels pursuant to chapter 553 of title 46, United
8 States Code, section 2631 of title 10, United
9 States Code, or otherwise.

10 (c) UPDATE.—Not later than 6 months after the date
11 of receipt of the study conducted under section 101, the
12 Secretary of Transportation, in consultation with the Sec-
13 retary of the department in which the Coast Guard is op-
14 erating and the Commander of the United States Trans-
15 portation Command, shall—

16 (1) update the national maritime strategy re-
17 quired by section 603 of the Howard Coble Coast
18 Guard and Maritime Transportation Act of 2014
19 (Public Law 113–281);

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

22 (3) make the updated national maritime strat-
23 egy publicly available on the website of the Depart-
24 ment of Transportation.

1 (d) IMPLEMENTATION PLAN.—Not later than 6
2 months after completion of the updated national maritime
3 strategy under subsection (c), and after the completion of
4 each strategy thereafter, the Secretary of Transportation,
5 in consultation with the Secretary of the department in
6 which the Coast Guard is operating and the Secretary of
7 Defense, shall publish on a publicly available website an
8 implementation plan for the most recent national maritime
9 strategy.

10 **TITLE II—MARITIME** 11 **INFRASTRUCTURE**

12 **SEC. 201. MARINE HIGHWAYS.**

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

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

16 (1) Our Nation’s waterways are an integral
17 part of the transportation network of the United
18 States.

19 (2) Using the Nation’s coastal, inland, and
20 other waterways can support commercial transpor-
21 tation, and alleviates surface transportation conges-
22 tion and burdensome road and bridge repair costs.

23 (3) Marine highways are serviced by docu-
24 mented United States Flag vessels and manned by

1 United States citizens, providing added resources for
2 national security and to aid in times of crisis.

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

7 (c) UNITED STATES MARINE HIGHWAY PROGRAM.—

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

10 **“§ 55601. United States Marine Highway Program**

11 “(a) PROGRAM.—

12 “(1) ESTABLISHMENT.—The Maritime Admin-
13 istrator shall establish a Marine Highway Program
14 to be known as the ‘United States Marine Highway
15 Program’. Under such program, the Maritime Ad-
16 ministrator shall—

17 “(A) designate marine highway routes as
18 extensions of the surface transportation system
19 under subsection (b); and

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

23 “(2) PROGRAM ACTIVITIES.—In carrying out
24 the Marine Highway Program established under
25 paragraph (1), the Maritime Administrator may—

1 “(A) coordinate with ports, State depart-
2 ments of transportation, localities, other public
3 agencies, and the private sector on the develop-
4 ment of landside facilities and infrastructure to
5 support marine highway transportation;

6 “(B) develop performance measures for
7 such Marine Highway Program;

8 “(C) collect and disseminate data for the
9 designation and delineation of marine highway
10 routes under subsection (b); and

11 “(D) conduct research on solutions to im-
12 pediments to marine highway services eligible
13 for assistance under subsection (c)(1).

14 “(b) DESIGNATION OF MARINE HIGHWAY
15 ROUTES.—

16 “(1) AUTHORITY.—The Maritime Adminis-
17 trator may designate or modify a marine highway
18 route as an extension of the surface transportation
19 system if —

20 “(A) such a designation or modification is
21 requested by—

22 “(i) the government of a State or ter-
23 ritory;

24 “(ii) a metropolitan planning organi-
25 zation;

1 “(iii) a port authority;

2 “(iv) a non-Federal navigation dis-
3 trict; or

4 “(v) a Tribal government; and

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

8 “(2) DETERMINATION.—Not later than 180
9 days after the date on which the Maritime Adminis-
10 trator receives a request for designation or modifica-
11 tion of a marine highway route under paragraph (1),
12 the Maritime Administrator shall make a determina-
13 tion of whether to make the requested designation or
14 modification.

15 “(3) NOTIFICATION.—Not later than 14 days
16 after the date on which the Maritime Administrator
17 makes the determination whether to make the re-
18 quested designation or modification, the Maritime
19 Administrator shall send the requester a notification
20 of the determination.

21 “(4) MAP.—

22 “(A) IN GENERAL.—Not later than 120
23 days after the date of enactment of the Marine
24 Highway Promotion Act, and thereafter each
25 time a marine highway route is designated or

1 modified, the Administrator shall make publicly
2 available a map showing the location of marine
3 highway routes, including such routes along the
4 coasts, in the inland waterways, and at sea.

5 “(B) COORDINATION.—The Administrator
6 shall coordinate with the National Oceanic and
7 Atmospheric Administration to incorporate the
8 map into the Marine Cadastre.

9 “(c) ASSISTANCE FOR MARINE HIGHWAY SERV-
10 ICES.—

11 “(1) IN GENERAL.—The Maritime Adminis-
12 trator may make grants to, or enter into contracts
13 or cooperative agreements with an eligible entity to
14 implement a marine highway service or component
15 of a marine highway service, if the Administrator de-
16 termines the service—

17 “(A) satisfies at least one covered function
18 under subsection (d);

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

21 “(C)(i) implements strategies developed
22 under section 55603; or

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

24 “(I) marine highway transportation
25 services; or

1 “(II) shipper utilization of marine
2 highway transportation.

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

5 “(A) a State, a political subdivision of a
6 State, or a local government;

7 “(B) a United States metropolitan plan-
8 ning organization;

9 “(C) a United States port authority;

10 “(D) a Tribal government in the United
11 States; or

12 “(E) a United States private sector oper-
13 ator of marine highway services or private sec-
14 tor owners of facilities with an endorsement let-
15 ter from the marine highway route sponsor de-
16 scribed in subsection (b)(1)(A).

17 “(3) APPLICATION.—

18 “(A) IN GENERAL.—To be eligible to re-
19 ceive a grant or enter into a contract or cooper-
20 ative agreement under this subsection to imple-
21 ment a marine highway service, an eligible enti-
22 ty shall submit an application in such form and
23 manner, at such time, and containing such in-
24 formation as the Maritime Administrator may
25 require, including—

1 “(i) a comprehensive description of—

2 “(I) the regions to be served by
3 the marine highway service;

4 “(II) the marine highway route
5 that the service will use, which may
6 include connection to existing or
7 planned transportation infrastructure
8 and intermodal facilities, key naviga-
9 tional factors such as available draft,
10 channel width, bridge air draft, or
11 lock clearance, and any foreseeable
12 impacts on navigation or commerce,
13 and a map of the proposed route;

14 “(III) the marine highway service
15 supporters, which may include busi-
16 ness affiliations, private sector stake-
17 holders, State departments of trans-
18 portation, metropolitan planning orga-
19 nizations, municipalities, or other gov-
20 ernmental entities (including Tribal
21 governments), as applicable;

22 “(IV) the estimated volume of
23 passengers, if applicable, or cargo
24 using the service, and predicted
25 changes in such volume during the 5-

1 year period following the date of the
2 application;

3 “(V) the need for the service;

4 “(VI) the definition of the suc-
5 cess goal for the service, such as vol-
6 umes of cargo or passengers moved,
7 or contribution to environmental miti-
8 gation, safety, reduced vehicle miles
9 traveled, or reduced maintenance and
10 repair costs;

11 “(VII) the methodology for im-
12 plementing the service, including a de-
13 scription of the proposed operational
14 framework of the service including the
15 origin, destination, and any inter-
16 mediate stops on the route, transit
17 times, vessel types, and service fre-
18 quency; and

19 “(VIII) any existing programs or
20 arrangements that can be used to
21 supplement or leverage assistance
22 under the program; and

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

1 “(I) the marine highway service
2 is financially viable;

3 “(II) the funds or other assist-
4 ance provided under this subsection
5 will be spent or used efficiently and
6 effectively; and

7 “(III) a market exists for the
8 services of the proposed marine high-
9 way service, as evidenced by contracts
10 or written statements of intent from
11 potential customers.

12 “(B) PRE-PROPOSAL.—Prior to accepting
13 a full application under subparagraph (A), the
14 Maritime Administrator may require that an el-
15 igible entity first submit a pre-proposal that
16 contains a brief description of the items under
17 subparagraph (A).

18 “(C) PRE-PROPOSAL FEEDBACK.—Not
19 later than 30 days after receiving a pre-pro-
20 posal, the Maritime Administrator shall provide
21 feedback to the eligible entity that submitted
22 the pre-proposal to encourage or discourage the
23 eligible entity from submitting a full applica-
24 tion. An eligible entity may still submit a full
25 application even if that eligible entity is not en-

1 couraged to do so after submitting a pre-pro-
2 posal.

3 “(4) TIMING OF GRANT NOTICE.—The Mari-
4 time Administrator shall post a Notice of Funding
5 Opportunity regarding grants, contracts, or coopera-
6 tive agreements under this subsection not more than
7 60 days after the date of enactment of the appro-
8 priations Act for the fiscal year concerned.

9 “(5) GRANT APPLICATION FEEDBACK.—Fol-
10 lowing the award of grants for a particular fiscal
11 year, the Maritime Administrator may provide feed-
12 back to applicants to help applicants improve future
13 applications if the feedback is requested by that ap-
14 plicant.

15 “(6) TIMING OF GRANTS.—The Maritime Ad-
16 ministrators shall award grants, contracts, or coopera-
17 tive agreements under this subsection not later
18 than 270 days after the date of the enactment of the
19 appropriations Act for the fiscal year concerned.

20 “(7) NON-FEDERAL SHARE.—

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

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

5 “(C) TRIBAL GOVERNMENT.—The Mari-
6 time Administrator may increase the Federal
7 share of service costs above 80 percent for a
8 service benefitting a Tribal Government.

9 “(D) PREFERENCE.—In awarding grants,
10 or entering in contracts or cooperative agree-
11 ments under this subsection, the Maritime Ad-
12 ministrator shall give a preference to marine
13 highway services that present the most finan-
14 cially viable transportation services and require
15 the lowest percentage Federal share of the
16 costs.

17 “(8) REUSE OF UNEXPENDED GRANT FUNDS.—
18 Notwithstanding paragraph (6), amounts awarded
19 under this subsection that are not expended by the
20 recipient within 3 years after obligation of funds or
21 that are returned under paragraph (10)(C) shall re-
22 main available to the Maritime Administrator to
23 make grants and enter into contracts and coopera-
24 tive agreements under this subsection.

1 “(9) ADMINISTRATIVE COSTS.—Not more than
2 3 percent of the total amount made available to
3 carry out this subsection for any fiscal year may be
4 used for the necessary administrative costs associ-
5 ated with grants, contracts, and cooperative agree-
6 ments made under this subsection.

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

12 “(A) amounts made available to carry out
13 this subsection are used for the purposes for
14 which they were made available;

15 “(B) recipients of funds under this sub-
16 section (including through grants, contracts, or
17 cooperative agreements) have properly ac-
18 counted for all expenditures of such funds; and

19 “(C) any such funds that are not obligated
20 or expended for the purposes for which they
21 were made available are returned to the Admin-
22 istrator.

23 “(11) CONDITIONS ON PROVISION OF FUNDS.—
24 The Maritime Administrator may not award funds

1 to an applicant under this subsection unless the
2 Maritime Administrator determines that—

3 “(A) sufficient funding is available to meet
4 the non-Federal share requirement of para-
5 graph (7);

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

9 “(C) the recipient of such funds has au-
10 thority to implement the proposed marine high-
11 way service.

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

14 “(1) Promotion of marine highway transpor-
15 tation.

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

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

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

21 “(1) raise sunken vessels, construct buildings or
22 other physical facilities, or acquire land unless such
23 activities are necessary for the establishment or op-
24 eration of a marine highway service implemented
25 using grant funds provided, or pursuant to a con-

1 tract or cooperative entered into under, subsection
2 (e); or

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

5 “(f) GEOGRAPHIC DISTRIBUTION.—In making
6 grants, contracts, and cooperative agreements under this
7 section the Maritime Administrator shall take such meas-
8 ures so as to ensure an equitable geographic distribution
9 of funds.

10 “(g) AUDITS AND EXAMINATIONS.—All recipients
11 (including recipients of grants, contracts, and cooperative
12 agreements) under this section shall maintain such
13 records as the Maritime Administrator may require and
14 make such records available for review and audit by the
15 Maritime Administrator.”.

16 (2) RULES.—

17 (A) FINAL RULE.—Not later than 1 year
18 after the date of enactment of this Act, the Sec-
19 retary of Transportation shall prescribe such
20 final rules as are necessary to carry out the
21 amendments made by this subsection.

22 (B) INTERIM RULES.—The Secretary of
23 Transportation may prescribe temporary in-
24 terim rules necessary to carry out the amend-
25 ments made by this subsection. For this pur-

1 and appropriate private sector entities, may develop strat-
2 egies to encourage the use of marine highway transpor-
3 tation for the transportation of passengers and cargo.

4 “(b) STRATEGIES.—If the Maritime Administrator
5 develops the strategies described in subsection (a), the
6 Maritime Administrator may—

7 “(1) assess the extent to which States and local
8 governments include marine highway transportation
9 and other marine transportation solutions in trans-
10 portation planning;

11 “(2) encourage State departments of transpor-
12 tation to develop strategies, where appropriate, to
13 incorporate marine highway transportation, ferries,
14 and other marine transportation solutions for re-
15 gional and interstate transport of freight and pas-
16 sengers in transportation planning; and

17 “(3) encourage groups of States and multistate
18 transportation entities to determine how marine
19 highway transportation can address congestion, bot-
20 tlenecks, and other interstate transportation chal-
21 lenges.”.

22 (e) RESEARCH ON MARINE HIGHWAY TRANSPOR-
23 TATION.—Section 55604 of title 46, United States Code,
24 is amended—

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

3 (2) by inserting before paragraph (4), as redesi-
4 gnated by paragraph (1), the following new para-
5 graphs:

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

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

10 “(3) pairs of United States regions and terri-
11 tories, and within-region areas, that do not yet have
12 marine highway services underway, but that could
13 benefit from the establishment of marine highway
14 services;”.

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

17 **“§ 55605. Definitions**

18 “In this chapter—

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

22 “(A) that is—

23 “(i) contained in intermodal cargo
24 containers and loaded by crane on the ves-
25 sel;

1 “(ii) loaded on the vessel by means of
2 wheeled technology;

3 “(iii) shipped in discrete units or
4 packages that are handled individually,
5 palletized, or unitized for purposes of
6 transportation; or

7 “(iv) freight vehicles carried aboard
8 commuter ferry boats; and

9 “(B) that is—

10 “(i) loaded at a port in the United
11 States and unloaded either at another port
12 in the United States or at a port in Can-
13 ada or Mexico; or

14 “(ii) loaded at a port in Canada or
15 Mexico and unloaded at a port in the
16 United States;

17 “(2) the term ‘marine highway service’ means a
18 planned or contemplated new service, or expansion
19 of an existing service, on a marine highway route,
20 that seeks to provide new modal choices to shippers,
21 offer more desirable services, reduce transportation
22 costs, or provide public benefits;

23 “(3) the term ‘marine highway route’ means a
24 route on commercially navigable coastal, inland, or
25 intracoastal waters of the United States, including

1 connections between the United States and a port in
2 Canada or Mexico, that is designated under section
3 55601(b); and

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

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

15 (1) by striking the item relating to section
16 55601 and inserting the following:

“55601. United States Marine Highway Program.”;

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

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

19 (3) by striking the item relating to section
20 55605 and inserting the following:

“55605. Definitions.”.

1 **SEC. 202. GAO REVIEW OF EFFORTS TO SUPPORT AND**
2 **GROW THE UNITED STATES MERCHANT**
3 **FLEET.**

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 United States Government efforts to promote
10 the growth and modernization of the United States mari-
11 time industry, and the vessels of the United States, as de-
12 fined in section 116 of title 46, United States Code, in-
13 cluding the overall efficacy of United States Government
14 financial support and policies, including the Capital Con-
15 struction Fund, Construction Reserve Fund, and other eli-
16 gible loan, grant, or other programs.

17 **SEC. 203. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE**
18 **PORT INFRASTRUCTURE RESILIENCY AND**
19 **DISASTER PREPAREDNESS.**

20 Not later than 18 months after the date of enactment
21 of this section, the Comptroller General of the United
22 States shall transmit a report to the Committee on Com-
23 merce of the Senate and the Committee on Transportation
24 and Infrastructure of the House of Representatives that
25 examines Federal efforts to assist ports in enhancing the
26 resiliency of their key intermodal connectors to weather-

1 related disasters. The report shall include consideration of
2 the following:

3 (1) Actions being undertaken at various ports
4 to better identify critical land-side connectors that
5 may be vulnerable to disruption in the event of a
6 natural disaster, including how to communicate such
7 information during a disaster when communications
8 systems may be compromised, and the level of Fed-
9 eral involvement in such efforts.

10 (2) The extent to which the Department of
11 Transportation and other Federal agencies are work-
12 ing in line with recent recommendations from key
13 resiliency reports, including the National Academies
14 of Science study on strengthening supply chain resil-
15 ience, to establish a framework for ports to follow to
16 increase resiliency to major weather-related disrup-
17 tions before they happen.

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

21 (4) The extent to which Federal agencies have
22 a coordinated approach to helping ports and the
23 multiple State, local, and private stakeholders in-
24 volved, to improve resiliency prior to weather-related
25 disasters.

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

2 (a) ASSESSMENT.—The Under Secretary of Com-
3 merce for International Trade (referred to in this section
4 as the “Under Secretary”) in coordination with Maritime
5 Administration, the United States Transportation Com-
6 mand, and the Federal Maritime Commission shall con-
7 duct an assessment of subsidies, indirect state support,
8 and other financial infrastructure or benefits provided by
9 foreign states that control more than 1 percent of the
10 world merchant fleet to entities or individuals building,
11 owning, chartering, operating, or financing vessels not
12 documented under the laws of the United States that are
13 engaged in foreign commerce.

14 (b) REPORT.—Not later than 1 year after the date
15 of enactment of this section, the Under Secretary shall
16 submit to Congress a report on the assessment conducted
17 under subsection (a), including—

18 (1) the amount, in United States dollars, of
19 such support provided by a foreign state described in
20 subsection (a) to—

21 (A) the shipping industry of each country
22 as a whole;

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

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

1 (2) the amount, in United States dollars, of
2 such support provided by a foreign state described in
3 subsection (a) to the shipping industry of another
4 foreign state, including favorable financial arrange-
5 ments for ship construction;

6 (3) a description of the shipping industry activi-
7 ties of state-owned enterprises of a foreign state de-
8 scribed in subsection (a);

9 (4) a description of the type of support pro-
10 vided by a foreign state described in subsection (a),
11 including tax relief, direct payment, indirect support
12 of state-controlled financial entities, or other such
13 support, as determined by the Under Secretary; and

14 (5) a description of how the subsidies provided
15 by a foreign state described in subsection (a) may be
16 disadvantaging the competitiveness of vessels docu-
17 mented under the laws of the United States that are
18 engaged in foreign commerce and the national secu-
19 rity of the United States.

20 (c) DEFINITIONS.—In this section:

21 (1) FOREIGN COMMERCE.—The term “foreign
22 commerce” means—

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

1 (B) commerce or trade between foreign
2 countries; or

3 (C) commerce or trade within a foreign
4 country.

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

8 (3) SHIPPING INDUSTRY.—The term “shipping
9 industry” means the construction, ownership, char-
10 tering, operation, or financing of vessels engaged in
11 foreign commerce.

12 **SEC. 205. REPORT REGARDING ALTERNATE MARINE FUEL**
13 **BUNKERING FACILITIES AT PORTS.**

14 (a) IN GENERAL.—Not later than 1 year after the
15 date of enactment of this Act, the Maritime Administrator
16 shall report on the necessary port-related infrastructure
17 needed to support bunkering facilities for liquefied natural
18 gas, hydrogen, ammonia, or other new marine fuels under
19 development. The Maritime Administrator shall publish
20 the report on a publicly available website.

21 (b) CONTENTS.—The report described in subsection
22 (a) shall include—

23 (1) information about the existing United
24 States infrastructure, in particular the storage facili-
25 ties, bunkering vessels, and transfer systems to sup-

1 port bunkering facilities for liquefied natural gas,
2 hydrogen, ammonia, or other new marine fuels
3 under development;

4 (2) a review of the needed upgrades to United
5 States infrastructure, including storage facilities,
6 bunkering vessels, and transfer systems, to support
7 bunkering facilities for liquefied natural gas, hydro-
8 gen, ammonia, or other new marine fuels under de-
9 velopment;

10 (3) an assessment of the estimated government
11 investment in this infrastructure and the duration of
12 that investment; and

13 (4) in consultation with relevant Federal agen-
14 cies, information on the relevant Federal agencies
15 that would oversee the permitting and construction
16 of bunkering facilities for liquefied natural gas, hy-
17 drogen, ammonia, or other new marine fuels, as well
18 as the Federal funding grants or formula programs
19 that could be used for such marine fuels.

20 **TITLE III—MARITIME**
21 **WORKFORCE**

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

23 It is the sense of Congress that the United States
24 Merchant Marine is a critical part of the national infra-
25 structure of the United States, and the men and women

1 of the United States Merchant Marine are essential work-
2 ers.

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

4 Not later than 6 months after the date of enactment
5 of this section, the Secretary of Transportation shall de-
6 velop and deliver to Congress a strategy to assist State
7 maritime academies and the United States Merchant Ma-
8 rine Academy to improve the representation of women and
9 underrepresented communities in the next generation of
10 the mariner workforce, including each of the following:

11 (1) Black and African American.

12 (2) Hispanic and Latino.

13 (3) Asian.

14 (4) American Indian, Alaska Native, and Native
15 Hawaiian.

16 (5) Pacific Islander.

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

18 (a) DEVELOPMENT OF STRATEGY.—The Secretary of
19 Transportation, in consultation with the United States
20 Merchant Marine Academy, State maritime academies,
21 and civilian nautical schools and the Secretary of the de-
22 partment in which Coast Guard is operating, shall develop
23 a strategy to ensure there is an adequate supply of trained
24 United States citizen mariners sufficient to meet the oper-
25 ational requirements of low and zero emission vessels.

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

5 (1) submit a report on the strategy developed
6 under subsection (a) and plans for its implementa-
7 tion to the Committee on Commerce, Science, and
8 Transportation of the Senate and the Committee on
9 Transportation and Infrastructure of the House of
10 Representatives; and

11 (2) make such report publicly available.

12 **SEC. 304. IMPROVING PROTECTIONS FOR MIDSHIPMEN**
13 **ACT.**

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

16 (b) SUSPENSION OR REVOCATION OF MERCHANT
17 MARINER CREDENTIALS FOR PERPETRATORS OF SEXUAL
18 HARASSMENT OR SEXUAL ASSAULT.—

19 (1) IN GENERAL.—Chapter 77 of title 46,
20 United States Code, is amended by inserting after
21 section 7704 the following:

22 **“§ 7704a. Sexual harassment or sexual assault as**
23 **grounds for suspension or revocation**

24 “(a) SEXUAL HARASSMENT.—If it is shown at a
25 hearing under this chapter that a holder of a license, cer-

1 tificate of registry, or merchant mariner’s document
2 issued under this part, within 10 years before the begin-
3 ning of the suspension and revocation proceedings, is the
4 subject of a substantiated claim of sexual harassment,
5 then the license, certificate of registry, or merchant mari-
6 ner’s document shall be suspended or revoked.

7 “(b) SEXUAL ASSAULT.—If it is shown at a hearing
8 under this chapter that a holder of a license, certificate
9 of registry, or merchant mariner’s document issued under
10 this part, within 20 years before the beginning of the sus-
11 pension and revocation proceedings, is the subject of a
12 substantiated claim of sexual assault, then the license, cer-
13 tificate of registry, or merchant mariner’s document shall
14 be revoked.

15 “(c) SUBSTANTIATED CLAIM.—

16 “(1) IN GENERAL.—The term ‘substantiated
17 claim’ means—

18 “(A) a legal proceeding or agency action in
19 any administrative proceeding that determines
20 the individual committed sexual harassment or
21 sexual assault in violation of any Federal,
22 State, local, or Tribal law or regulation and for
23 which all appeals have been exhausted, as appli-
24 cable; or

1 “(B) a determination after an investigation
2 by the Coast Guard that it is more likely than
3 not the individual committed sexual harassment
4 or sexual assault as defined in subsection (d),
5 if the determination affords appropriate due
6 process rights to the subject of the investiga-
7 tion.

8 “(2) INVESTIGATION BY THE COAST GUARD.—
9 An investigation by the Coast Guard under para-
10 graph (1)(B) shall include evaluation of the fol-
11 lowing materials that shall be provided to the Coast
12 Guard:

13 “(A) Any inquiry or determination made
14 by the employer of the individual as to whether
15 the individual committed sexual harassment or
16 sexual assault.

17 “(B) Upon request from the Coast Guard,
18 any investigative materials, documents, records,
19 or files in the possession of an employer or
20 former employer of the individual that are re-
21 lated to the claim of sexual harassment or sex-
22 ual assault by the individual.

23 “(3) ADDITIONAL REVIEW.—A license, certifi-
24 cate of registry, or merchant mariner’s document
25 shall not be suspended or revoked under subsection

1 (a) or (b) unless the substantiated claim is reviewed
2 and affirmed, in accordance with the applicable defi-
3 nition in subsection (d), by an administrative law
4 judge at the same suspension or revocation hearing
5 under this chapter described in subsection (a) or (b),
6 as applicable.

7 “(d) DEFINITIONS.—

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

10 “(A) Conduct that—

11 “(i) involves unwelcome sexual ad-
12 vances, requests for sexual favors, or delib-
13 erate or repeated offensive comments or
14 gestures of a sexual nature, when—

15 “(I) submission to such conduct
16 is made either explicitly or implicitly a
17 term or condition of a person’s job,
18 pay, or career;

19 “(II) submission to or rejection
20 of such conduct by a person is used as
21 a basis for career or employment deci-
22 sions affecting that person;

23 “(III) such conduct has the pur-
24 pose or effect of unreasonably inter-
25 fering with an individual’s work per-

1 formance or creates an intimidating,
2 hostile, or offensive working environ-
3 ment; or

4 “(IV) conduct may have been by
5 a person’s supervisor, a supervisor in
6 another area, a co-worker, or another
7 credentialed mariner; and

8 “(ii) is so severe or pervasive that a
9 reasonable person would perceive, and the
10 victim does perceive, the environment as
11 hostile or offensive.

12 “(B) Any use or condonation, by any per-
13 son in a supervisory or command position, of
14 any form of sexual behavior to control, influ-
15 ence, or affect the career, pay, or job of a sub-
16 ordinate.

17 “(C) Any deliberate or repeated unwelcome
18 verbal comment or gesture of a sexual nature
19 by any fellow employee of the complainant.

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

23 “(e) REGULATIONS.—The Secretary of the depart-
24 ment in which the Coast Guard is operating may issue
25 further regulations as necessary to update the definitions

1 in this section, consistent with descriptions of sexual har-
2 assment and sexual assault addressed in titles 10 and title
3 18 to implement this section.”.

4 (c) CLERICAL AMENDMENT.—The chapter analysis
5 of chapter 77 of title 46, United States Code, is amended
6 by inserting after the item relating to section 7704 the
7 following:

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

8 (d) SUPPORTING THE UNITED STATES MERCHANT
9 MARINE ACADEMY.—

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

13 **“§ 51325. Sexual assault and sexual harassment pre-
14 vention information management system**

15 “(a) INFORMATION MANAGEMENT SYSTEM.—

16 “(1) IN GENERAL.—Not later than January 1,
17 2023, the Maritime Administrator shall establish an
18 information management system to track and main-
19 tain, in such a manner that patterns can be reason-
20 ably identified, information regarding claims and in-
21 cidents involving cadets that are reportable pursuant
22 to subsection (d) of section 51318 of this chapter.

23 “(2) INFORMATION MAINTAINED IN THE SYS-
24 TEM.—Information maintained in the system shall

1 include the following information, to the extent that
2 information is available:

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

5 “(B) The location of each such incident,
6 including vessel name and the name of the com-
7 pany operating the vessel, if applicable.

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

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

13 “(E) The type of inquiry made into each
14 such incident.

15 “(F) A determination as to whether each
16 such incident is substantiated.

17 “(G) Any informal and formal account-
18 ability measures taken for misconduct related to
19 the incident, including decisions on whether to
20 prosecute the case.

21 “(3) PAST INFORMATION INCLUDED.—The in-
22 formation management system under this section
23 shall include the relevant data listed in this sub-
24 section related to sexual assault and sexual harass-
25 ment that the Maritime Administrator possesses,

1 and shall not be limited to data collected after Janu-
2 ary 1, 2023.

3 “(4) PRIVACY PROTECTIONS.—The Maritime
4 Administrator and the Department of Transpor-
5 tation Chief Information Officer shall coordinate to
6 ensure that the information management system
7 under this section shall be established and main-
8 tained in a secure fashion to ensure the protection
9 of the privacy of any individuals whose information
10 is entered in such system.

11 “(5) CYBERSECURITY AUDIT.—Ninety days
12 after the implementation of the information manage-
13 ment system, the Office of Inspector General of the
14 Department of Transportation shall commence an
15 audit of the cybersecurity of the system and shall
16 submit a report containing the results of that audit
17 to the Committee on Commerce, Science, and Trans-
18 portation of the Senate and the Committee on
19 Transportation and Infrastructure of the House of
20 Representatives.

21 “(6) CORRECTING RECORDS.—In establishing
22 the information management system, the Maritime
23 Administrator shall create a process to ensure that
24 if any incident report results in a final agency action
25 or final judgement that acquits an individual of

1 Board to the Secretary of Transportation (referred to in
2 this section as the ‘Advisory Board’).

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

8 “(c) APPOINTMENT; TERM.—Midshipmen shall serve
9 on the Advisory Board pursuant to appointment by the
10 Maritime Administrator. Appointments shall be made not
11 later than 60 days after the date of the swearing in of
12 a new class of midshipmen at the Academy. The term of
13 membership of a midshipmen on the Advisory Board shall
14 be 1 academic year.

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

21 “(e) MEETINGS.—The Advisory Board shall meet
22 with the Secretary of Transportation not less than once
23 each academic year to discuss the activities of the Advisory
24 Board. The Advisory Board shall meet in person with the

1 Maritime Administrator not less than 2 times each aca-
2 demic year to discuss the activities of the Advisory Board.

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

4 “(1) identify health and wellbeing, diversity,
5 and sexual assault and harassment challenges and
6 other topics considered important by the Advisory
7 Board facing midshipmen at the Merchant Marine
8 Academy, off campus, and while aboard ships during
9 Sea Year or other training opportunities;

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

13 “(3) periodically review the efficacy of the pro-
14 gram in section 51325(b), as appropriate, and pro-
15 vide recommendations to the Maritime Adminis-
16 trator for improvement.

17 “(g) WORKING GROUPS.—The Advisory Board may
18 establish one or more working groups to assist the Advi-
19 sory Board in carrying out its duties, including working
20 groups composed in part of midshipmen at the Merchant
21 Marine Academy who are not current members of the Ad-
22 visory Board.

23 “(h) REPORTS AND BRIEFINGS.—The Advisory
24 Board shall regularly provide the Secretary of Transpor-
25 tation and the Maritime Administrator reports and brief-

1 ings on the results of its duties, including recommenda-
2 tions for actions to be taken in light of such results. Such
3 reports and briefings may be provided in writing, in per-
4 son, or both.

5 **“§ 51327. Sexual Assault Advisory Council**

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

9 “(b) MEMBERSHIP.—

10 “(1) IN GENERAL.—The Council shall be com-
11 posed of not fewer than 8 and not more than 14 in-
12 dividuals selected by the Secretary of Transportation
13 who are alumni that have graduated within the last
14 4 years or current midshipmen of the United States
15 Merchant Marine Academy (including midshipmen
16 or alumni who were victims of sexual assault, to the
17 maximum extent practicable, and midshipmen or
18 alumni who were not victims of sexual assault) and
19 governmental and nongovernmental experts and pro-
20 fessionals in the sexual assault field.

21 “(2) EXPERTS INCLUDED.—The Council shall
22 include—

23 “(A) not less than 1 member who is li-
24 censed in the field of mental health and has
25 prior experience working as a counselor or ther-

1 “(B) develop recommendations designed to
2 ensure that such policies and such matters con-
3 form, to the extent practicable, to best practices
4 in the field of sexual assault and sexual harass-
5 ment response and prevention.

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

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

11 “(B) interview current and former mid-
12 shipmen of the United States Merchant Marine
13 Academy (to the extent that such midshipmen
14 provide the Department of Transportation ex-
15 press consent to be interviewed by the Council);
16 and

17 “(C) review—

18 “(i) exit interviews under section
19 51325(b) and surveys under section
20 51322(d);

21 “(ii) data collected from restricted re-
22 porting; and

23 “(iii) any other information necessary
24 to conduct such case reviews.

1 “(3) PERSONALLY IDENTIFIABLE INFORMA-
2 TION.—In carrying out this subsection, the Council
3 shall comply with the obligations of the Department
4 of Transportation to protect personally identifiable
5 information.

6 “(d) REPORTS.—On an annual basis for each of the
7 5 years after the date of enactment of this section, and
8 at the discretion of the Council thereafter, the Council
9 shall submit, to the President and the Committee on Com-
10 merce, Science, and Transportation and the Committee on
11 Appropriations of the Senate and the Committee on
12 Transportation and Infrastructure and the Committee on
13 Appropriations of the House of Representatives, a report
14 on the Council’s findings based on the reviews conducted
15 pursuant to subsection (c) and related recommendations.

16 “(e) EMPLOYEE STATUS.—Members of the Council
17 shall not be considered employees of the United States
18 Government for any purpose and shall not receive com-
19 pensation other than reimbursement of travel expenses
20 and per diem allowance in accordance with section 5703
21 of title 5.

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

1 **“§ 51328. Student support**

2 “The Maritime Administrator shall—

3 “(1) require a biannual survey of midshipmen,
4 faculty, and staff of the Academy assessing the in-
5 clusiveness of the environment of the Academy; and

6 “(2) require an annual survey of faculty and
7 staff of the Academy assessing the inclusiveness of
8 the environment of the Sea Year program.”.

9 (e) REPORT TO CONGRESS.—Not later than 30 days
10 after the date of enactment of this section, the Maritime
11 Administrator shall provide Congress with a briefing on
12 the resources necessary to properly implement section
13 51328 of title 46, United States Code, as added by this
14 section.

15 (f) CONFORMING AMENDMENTS.—The chapter anal-
16 ysis for chapter 513 of title 46, United States Code, is
17 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.”.

18 (g) UNITED STATES MERCHANT MARINE ACADEMY
19 STUDENT SUPPORT PLAN.—

20 (1) STUDENT SUPPORT PLAN.—Not later than
21 January 1, 2023, the Maritime Administrator shall
22 issue a Student Support Plan for the United States

1 Merchant Marine Academy, in consultation with rel-
2 evant mental health professionals in the Federal
3 Government or experienced with the maritime indus-
4 try or related industries. Such plan shall—

5 (A) address the mental health resources
6 available to midshipmen, both on-campus and
7 during Sea Year;

8 (B) establish a tracking system for suicidal
9 ideations and suicide attempts of midshipmen,
10 which excludes personally identifiable informa-
11 tion;

12 (C) create an option for midshipmen to ob-
13 tain assistance from a professional care pro-
14 vider virtually; and

15 (D) require an annual survey of faculty
16 and staff assessing the adequacy of mental
17 health resources for midshipmen of the Acad-
18 emy, both on campus and during Sea Year.

19 (2) REPORT TO CONGRESS.—Not later than 30
20 days after the date of enactment of this section, the
21 Maritime Administrator shall provide Congress with
22 a report on the resources necessary to properly im-
23 plement this subsection.

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

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

3 (2) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) SPECIAL VICTIMS ADVISOR.—

6 “(1) IN GENERAL.—The Secretary shall des-
7 ignate an attorney (to be known as the ‘Special Vic-
8 tims Advisor’) for the purpose of providing legal as-
9 sistance to any cadet of the Academy who is the vic-
10 tim of an alleged sex-related offense regarding ad-
11 ministrative and criminal proceedings related to such
12 offense, regardless of whether the report of that of-
13 fense is restricted or unrestricted.

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

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

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

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

6 (i) CATCH A SERIAL OFFENDER ASSESSMENT.—

7 (1) ASSESSMENT.—Not later than one year
8 after the date of enactment of this section, the Com-
9 mandant of the Coast Guard, in coordination with
10 the Maritime Administrator, shall conduct an assess-
11 ment of the feasibility and process necessary, and
12 appropriate responsible entities to establish a pro-
13 gram for the United States Merchant Marine Acad-
14 emy and United States Merchant Marine modeled on
15 the Catch a Serial Offender program of the Depart-
16 ment of Defense using the information management
17 system required under subsection (a) of section
18 51325 of title 46, United States Code, and the exit
19 interviews under subsection (b) of such section.

20 (2) LEGISLATIVE CHANGE PROPOSALS.—If, as
21 a result of the assessment required by paragraph
22 (1), the Commandant or the Administrator deter-
23 mines that additional authority is necessary to im-
24 plement the program described in paragraph (1), the
25 Commandant or the Administrator, as applicable,

1 shall provide appropriate legislative change proposals
2 to Congress.

3 (j) SHIPBOARD TRAINING.—Section 51322(a) of title
4 46, United States Code, is amended by adding at the end
5 the following:

6 “(3) TRAINING.—

7 “(A) IN GENERAL.—As part of training
8 that shall be provided not less than semiannu-
9 ally to all midshipmen of the Academy, pursu-
10 ant to section 51318, the Maritime Adminis-
11 trator shall develop and implement comprehen-
12 sive in-person sexual assault risk-reduction and
13 response training that, to the extent prac-
14 ticable, conforms to best practices in the sexual
15 assault prevention and response field and in-
16 cludes appropriate scenario-based training.

17 “(B) DEVELOPMENT AND CONSULTATION
18 WITH EXPERTS.—In developing the sexual as-
19 sault risk-reduction and response training
20 under subparagraph (A), the Maritime Admin-
21 istrator shall consult with and incorporate, as
22 appropriate, the recommendations and views of
23 experts in the sexual assault field.”.

1 **SEC. 305. BOARD OF VISITORS.**

2 Section 51312 of title 46, United States Code, is
3 amended—

4 (1) in subsection (b)—

5 (A) in paragraph (2)—

6 (i) by redesignating subparagraph (C)
7 as subparagraph (D);

8 (ii) in subparagraph (D), as redesignig-
9 nated by clause (i), by striking “flag-rank
10 who” and inserting “flag-rank”;

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

13 (iv) by inserting after subparagraph
14 (B) the following:

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

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

19 “(C) REPLACEMENT.—If a member of the
20 Board is replaced, not later than 60 days after
21 the date of the replacement, the Designated
22 Federal Officer selected under subsection (g)(2)
23 shall notify that member.”;

24 (2) in subsection (d)—

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

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

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

13 (3) in subsection (e), by adding at the end the
14 following:

15 “(4) STAFF.—One or more staff of each mem-
16 ber of the Board may accompany them on Academy
17 visits.

18 “(5) SCHEDULING; NOTIFICATION.—When
19 scheduling a visit to the Academy, the Designated
20 Federal Officer shall coordinate, to the greatest ex-
21 tent practicable, with the members of the Board to
22 determine the date and time of the visit. Members
23 of the Board shall be notified of the date of each
24 visit not less than 30 days prior to the visit date.”;
25 and

1 (4) in subsection (h)—

2 (A) by inserting “and ranking member”
3 after “chairman” each place the term appears;
4 and

5 (B) by adding at the end the following:
6 “Such staff may attend meetings and may visit
7 the Academy.”.

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

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

11 (b) **CENTERS OF EXCELLENCE FOR DOMESTIC MARI-**
12 **TIME WORKFORCE.**—Section 51706 of title 46, United
13 States Code, is amended—

14 (1) in subsection (a), by striking “of Transpor-

15 tation”;
16 (2) in subsection (b), in the subsection heading,
17 by striking “ASSISTANCE” and inserting “COOPERA-

18 TIVE AGREEMENTS”;
19 (3) by redesignating subsection (c) as sub-

20 section (d);
21 (4) in subsection (d), as redesignated by para-

22 graph (2), by adding at the end the following:
23 “(3) **SECRETARY.**—The term ‘Secretary’ means
24 the Secretary of Transportation.”; and

1 (5) by inserting after subsection (b) the fol-
2 lowing:

3 “(c) GRANT PROGRAM.—

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

5 “(A) ADMINISTRATOR.—The term ‘Admin-
6 istrator’ means the Administrator of the Mari-
7 time Administration.

8 “(B) ELIGIBLE INSTITUTION.—The term
9 ‘eligible institution’ means an institution that
10 has a demonstrated record of success in train-
11 ing and is—

12 “(i) a postsecondary educational insti-
13 tution (as defined in section 3 of the Carl
14 D. Perkins Career and Technical Edu-
15 cation Act of 2006 (20 U.S.C. 2302)) that
16 offers a 2-year program of study or a 1-
17 year program of training;

18 “(ii) a postsecondary vocational insti-
19 tution (as defined under section 102(e) of
20 the Higher Education Act of 1965 (20
21 U.S.C. 1002(c));

22 “(iii) a public or private nonprofit en-
23 tity that offers 1 or more other structured
24 experiential learning training programs for
25 American workers in the United States

1 maritime industry, including a program
2 that is offered by a labor organization or
3 conducted in partnership with a nonprofit
4 organization or 1 or more employers in the
5 maritime industry; or

6 “(iv) an entity sponsoring a registered
7 apprenticeship program.

8 “(C) REGISTERED APPRENTICESHIP PRO-
9 GRAM.—The term ‘registered apprenticeship
10 program’ means an apprenticeship program
11 registered with the Office of Apprenticeship of
12 the Employment and Training Administration
13 of the Department of Labor or a State appren-
14 ticeship agency recognized by the Office of Ap-
15 prenticeship pursuant to the Act of August 16,
16 1937 (commonly known as the ‘National Ap-
17 prenticeship Act’; 50 Stat. 664, chapter 663; 29
18 U.S.C. 50 et seq.).

19 “(D) UNITED STATES MARITIME INDUS-
20 TRY.—The term ‘United States maritime indus-
21 try’ means all segments of the maritime-related
22 transportation system of the United States,
23 both in domestic and foreign trade, and in
24 coastal, offshore, and inland waters, as well as
25 non-commercial maritime activities, such as

1 pleasure boating and marine sciences (including
2 all scientific research vessels), and all of the in-
3 dustries that support or depend upon such uses,
4 including vessel construction and repair, vessel
5 operations, ship logistics supply, berthing, port
6 operations, port intermodal operations, marine
7 terminal operations, vessel design, marine bro-
8 kerage, marine insurance, marine financing,
9 chartering, maritime-oriented supply chain op-
10 erations, offshore industry, offshore wind, and
11 maritime-oriented research and development.

12 “(2) GRANT AUTHORIZATION.—

13 “(A) IN GENERAL.—Not later than 1 year
14 after the date of enactment of the Maritime
15 Technological Advancement Act of 2022, the
16 Administrator may award maritime career
17 training grants to eligible institutions for the
18 purpose of developing, offering, or improving
19 educational or career training programs for
20 American workers related to the maritime work-
21 force.

22 “(B) GUIDELINES.—Not later than 1 year
23 after the date of enactment of the Maritime
24 Technological Advancement Act of 2022, the
25 Administrator shall—

1 “(i) promulgate guidelines for the
2 submission of grant proposals under this
3 subsection; and

4 “(ii) publish and maintain such guide-
5 lines on the website of the Maritime Ad-
6 ministration.

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

10 “(4) REQUIRED INFORMATION.—

11 “(A) IN GENERAL.—An eligible institution
12 that desires to receive a grant under this sub-
13 section shall submit to the Administrator a
14 grant proposal that includes a detailed descrip-
15 tion of—

16 “(i) the specific project for which the
17 grant proposal is submitted, including the
18 manner in which the grant will be used to
19 develop, offer, or improve an educational
20 or career training program that is suited
21 to maritime industry workers;

22 “(ii) the extent to which the project
23 for which the grant proposal is submitted
24 will meet the educational or career training
25 needs of maritime workers in the commu-

1 nity served by the eligible institution, par-
2 ticularly any individuals with a barrier to
3 employment;

4 “(iii) the extent to which the project
5 for which the grant proposal is submitted
6 fits within any overall strategic plan devel-
7 oped by an eligible community; and

8 “(iv) any previous experience of the
9 eligible institution in providing maritime
10 educational or career training programs.

11 “(B) COMMUNITY OUTREACH REQUIRED.—

12 In order to be considered by the Administrator,
13 a grant proposal submitted by an eligible insti-
14 tution under this subsection shall—

15 “(i) demonstrate that the eligible in-
16 stitution—

17 “(I) reached out to employers to
18 identify—

19 “(aa) any shortcomings in
20 existing maritime educational
21 and career training opportunities
22 available to workers in the com-
23 munity; and

24 “(bb) any future employ-
25 ment opportunities within the

1 community and the educational
2 and career training skills re-
3 quired for workers to meet the
4 future maritime employment de-
5 mand; and

6 “(II) reached out to other simi-
7 larly situated institutions in an effort
8 to benefit from any best practices that
9 may be shared with respect to pro-
10 viding maritime educational or career
11 training programs to workers eligible
12 for training; and

13 “(ii) include a detailed description
14 of—

15 “(I) the extent and outcome of
16 the outreach conducted under clause
17 (i);

18 “(II) the extent to which the
19 project for which the grant proposal is
20 submitted will contribute to meeting
21 any shortcomings identified under
22 clause (i)(I)(aa) or any maritime edu-
23 cational or career training needs iden-
24 tified under clause (i)(I)(bb); and

1 “(III) the extent to which em-
2 ployers, including small- and medium-
3 sized firms within the community,
4 have demonstrated a commitment to
5 employing workers who would benefit
6 from the project for which the grant
7 proposal is submitted.

8 “(5) CRITERIA FOR AWARD OF GRANTS.—

9 “(A) IN GENERAL.—Subject to the appro-
10 piation of funds, the Administrator shall award
11 a grant under this subsection based on—

12 “(i) a determination of the merits of
13 the grant proposal submitted by the eligi-
14 ble institution to develop, offer, or improve
15 maritime educational or career training
16 programs to be made available to workers;

17 “(ii) an evaluation of the likely em-
18 ployment opportunities available to workers
19 who complete a maritime educational or
20 career training program that the eligible
21 institution proposes to develop, offer, or
22 improve;

23 “(iii) an evaluation of prior demand
24 for training programs by workers in the
25 community served by the eligible institu-

1 tion, as well as the availability and capac-
2 ity of existing maritime training programs
3 to meet future demand for training pro-
4 grams;

5 “(iv) any prior designation of an insti-
6 tution as a Center of Excellence for Do-
7 mestic Maritime Workforce Training and
8 Education; and

9 “(v) an evaluation of the previous ex-
10 perience of the eligible institution in pro-
11 viding maritime educational or career
12 training programs.

13 “(B) MATCHING REQUIREMENTS.—A
14 grant awarded under this subsection may not
15 be used to satisfy any private matching require-
16 ment under any other provision of law.

17 “(6) COMPETITIVE AWARDS .—

18 “(A) IN GENERAL.—The Administrator
19 shall award grants under this subsection to eli-
20 gible institutions on a competitive basis in ac-
21 cordance with guidelines and requirements es-
22 tablished by the Administrator under paragraph
23 (2)(B).

24 “(B) TIMING OF GRANT NOTICE.—The Ad-
25 ministrator shall post a Notice of Funding Op-

1 portunity regarding grants awarded under this
2 subsection not more than 90 days after the date
3 of enactment of the appropriations Act for the
4 fiscal year concerned.

5 “(C) TIMING OF GRANTS.—The Adminis-
6 trator shall award grants under this subsection
7 not later than 270 days after the date of the
8 enactment of the appropriations Act for the fis-
9 cal year concerned.

10 “(D) APPLICATION OF REQUIREMENTS.—
11 The requirements under subparagraphs (B) and
12 (C) shall not apply until the guidelines required
13 under paragraph (2)(B) have been promul-
14 gated.

15 “(E) REUSE OF UNEXPENDED GRANT
16 FUNDS.—Notwithstanding subparagraph (C),
17 amounts awarded as a grant under this sub-
18 section that are not expended by the grantee
19 shall remain available to the Administrator for
20 use for grants under this subsection.

21 “(F) ADMINISTRATIVE COSTS.—Not more
22 than 3 percent of amounts made available to
23 carry out this subsection may be used for the
24 necessary costs of grant administration.

1 can decrease the gap in the numbers of
2 qualified mariners for sealift;

3 “(iii) provide services to upgrade the
4 skills of United States offshore wind ma-
5 rine service workers who transport, install,
6 operate, or maintain offshore wind compo-
7 nents and turbines, including training, cur-
8 riculum and career pathway development,
9 on-the-job training, safety and health
10 training, and classroom training;

11 “(iv) expand existing or create new
12 maritime training programs, including
13 through partnerships and memoranda of
14 understanding with—

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

17 “(II) labor organizations;

18 “(III) registered apprenticeship
19 programs with the United States mar-
20 itime industry; or

21 “(IV) an entity described in sub-
22 clause (I) through (III) that has a
23 memorandum of understanding with 1
24 or more employers in the maritime in-
25 dustry;

1 “(v) create new maritime career path-
2 ways;

3 “(vi) expand existing or create new
4 training programs for transitioning mili-
5 tary veterans to careers in the United
6 States maritime industry;

7 “(vii) expand existing or create new
8 training programs that address the needs
9 of individuals with a barrier to employ-
10 ment, as determined by the Secretary in
11 consultation with the Secretary of Labor,
12 in the United States maritime industry;

13 “(viii) purchase, construct, develop,
14 expand, or improve training facilities,
15 buildings, and equipment to deliver mari-
16 time training programs;

17 “(ix) recruit and train additional fac-
18 ulty to expand the maritime training pro-
19 grams offered by the institution;

20 “(x) provide financial assistance
21 through scholarships or tuition waivers,
22 not to exceed the applicable tuition ex-
23 penses associated with the covered pro-
24 grams;

1 “(xi) promote the use of distance
2 learning that enables students to take
3 courses through the use of teleconfer-
4 encing, the Internet, and other media tech-
5 nology;

6 “(xii) assist in providing services to
7 address maritime workforce recruitment
8 and training of youth residing in targeted
9 high-poverty areas within empowerment
10 zones and enterprise communities;

11 “(xiii) implement partnerships with
12 national and regional organizations with
13 special expertise in developing, organizing,
14 and administering maritime workforce re-
15 cruitment and training services;

16 “(xiv) carry out customized training
17 in conjunction with—

18 “(I) an existing registered ap-
19 prenticeship program or a pre-appren-
20 ticeship program that articulates to a
21 registered apprenticeship program;

22 “(II) a paid internship; or

23 “(III) a joint labor-management
24 partnership;

1 “(xv) design, develop, and test an
2 array of approaches to providing recruit-
3 ment, training, or retention services, to en-
4 hance diversity, equity and inclusion in the
5 United States maritime industry work-
6 force;

7 “(xvi) in conjunction with employers,
8 organized labor, other groups (such as
9 community coalitions), and Federal, State,
10 or local agencies, design, develop, and test
11 various training approaches in order to de-
12 termine effective practices; or

13 “(xvii) assist in the development and
14 replication of effective service delivery
15 strategies for the United States maritime
16 industry as a whole.

17 “(8) PUBLIC REPORT.—Not later than Decem-
18 ber 15 in each of the calendar years 2023 through
19 2025, the Administrator shall make available on a
20 publicly available website a report and provide a
21 briefing to the Committee on Commerce, Science,
22 and Transportation of the Senate and the Com-
23 mittee on Transportation and Infrastructure of the
24 House of Representatives—

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

3 “(B) assessing the impact of each award of
4 a grant under this subsection in a fiscal year
5 preceding the fiscal year referred to in subpara-
6 graph (A) on workers receiving training; and

7 “(C) the performance of the grant awarded
8 with respect to the indicators of performance
9 under section 116(b)(2)(A)(i) of the Workforce
10 Innovation and Opportunity Act (29 U.S.C.
11 3141(b)(2)(A)(i)).

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

16 **SEC. 307. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT**
17 **THE USMMA.**

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

19 (1) The United States Merchant Marine Acad-
20 emy campus is nearly 80 years old and many of the
21 buildings have fallen into a serious state of dis-
22 repair.

23 (2) Except for renovations to student barracks
24 in the early 2000s, all of the buildings on campus

1 have exceeded their useful life and need to be re-
2 placed or undergo major renovations.

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

8 (b) STUDY.—The Comptroller General shall conduct
9 a study of the United States Merchant Marine Academy
10 Capital Improvement Program. The study shall include an
11 evaluation of—

12 (1) the actions the United States Merchant Ma-
13 rine Academy has taken to bring the buildings, in-
14 frastructure, and other facilities on campus up to
15 standards and the further actions that are required
16 to do so;

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

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

22 (4) whether the United States Merchant Marine
23 Academy has adequate staff who are trained to iden-
24 tify needed capital projects, estimate the cost of

1 those projects, perform building maintenance, and
2 manage capital improvement projects; and

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

7 (c) REPORT.—Not later than 18 months after the
8 date of enactment of this section, the Comptroller General
9 shall prepare and submit to the Committee on Commerce,
10 Science, and Transportation of the Senate and the Com-
11 mittee on Transportation and Infrastructure of the House
12 of Representatives a report containing the results of the
13 study under this section.

14 **SEC. 308. IMPLEMENTATION OF RECOMMENDATIONS FROM**
15 **THE NATIONAL ACADEMY OF PUBLIC ADMIN-**
16 **ISTRATION.**

17 (a) INSPECTOR GENERAL AUDIT.—The Inspector
18 General of the Department of Transportation shall—

19 (1) not later than 180 days after the date of
20 enactment of this section, initiate an audit of the
21 Maritime Administration's actions to address only
22 recommendations 4.1 through 4.3, 4.7 through 4.11,
23 5.1 through 5.4, 5.6, 5.7, 5.11, 5.14, 5.15, 5.16, 6.1
24 through 6.4, 6.6, and 6.7, identified by a National
25 Academy of Public Administration panel in the No-

1 vember 2021 report entitled “Organizational Assess-
2 ment of the United States Merchant Marine Acad-
3 emy: A Path Forward”; and

4 (2) release publicly, and submit to the appro-
5 priate committees of Congress, a report containing
6 the results of the audit described in paragraph (1)
7 once the audit is completed.

8 (b) AGREEMENT FOR STUDY BY NATIONAL ACADEMY
9 OF PUBLIC ADMINISTRATION.—

10 (1) IN GENERAL.—Not later than 30 days after
11 the date of enactment of this Act, the Secretary of
12 Transportation shall enter into an agreement with
13 the National Academy of Public Administration (re-
14 ferred to in this section as the “Academy”) to pro-
15 vide support for—

16 (A) prioritizing and addressing the rec-
17 ommendations described in subsection (a)(1),
18 and establishing a process for prioritizing other
19 recommendations in the future;

20 (B) development of long-term processes
21 and a timeframe for long-term process improve-
22 ments, as well as corrective actions and best
23 practice criteria that can be implemented in the
24 medium- and near-term;

1 (C) establishment of a clear assignment of
2 responsibility for implementation of each rec-
3 ommendation described in subsection (a)(1),
4 and a strategy for assigning other recommenda-
5 tions in the future; and

6 (D) a performance measurement system,
7 including data collection and tracking and eval-
8 uating progress toward goals.

9 (2) REPORT OF PROGRESS.—Not later than 1
10 year after the date of the agreement described in
11 paragraph (1), the Academy shall prepare and sub-
12 mit a report of progress to the Maritime Adminis-
13 trator and the appropriate committees of Congress.

14 (c) PRIORITIZATION AND IMPLEMENTATION PLAN.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of enactment of this Act, the Maritime Ad-
17 ministrator shall provide a prioritization and imple-
18 mentation plan to assess, prioritize, and address the
19 recommendations identified by the National Acad-
20 emy of Public Administration panel in the November
21 2021 report entitled “Organizational Assessment of
22 the United States Merchant Marine Academy: A
23 Path Forward” that are relevant to the Maritime
24 Administration and not listed in subsection (a)(1).
25 The prioritization and implementation plan shall—

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

3 (B) include estimated timelines and cost
4 estimates for implementation of priority goals;

5 (C) include summaries of stakeholder and
6 interagency engagement used to assess goals
7 and timelines; and

8 (D) be released publicly and submitted to
9 the appropriate committees of Congress.

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

12 (A) not later than 180 days after the date
13 of publication of the prioritization and imple-
14 mentation plan described in paragraph (1), ini-
15 tiate an audit of the Maritime Administration’s
16 actions to address the prioritization and imple-
17 mentation plan;

18 (B) not later than 2 years after the date
19 of publication of the prioritization and imple-
20 mentation plan, and every 3 years thereafter,
21 initiate an audit of the Maritime Administra-
22 tion’s progress on the plan; and

23 (C) release publicly and submit to the ap-
24 propriate committees of Congress a report con-

1 taining the results of the audit once the audit
2 is completed.

3 (d) AGREEMENT FOR PLAN ON CAPITAL IMPROVE-
4 MENTIONS.—Not later than 90 days after the date of enact-
5 ment of this Act, the Maritime Administration shall enter
6 into an agreement with a Federal construction agent to
7 create a plan to execute capital improvements at the
8 United States Merchant Marine Academy.

9 (e) APPROPRIATE COMMITTEES OF CONGRESS DE-
10 FINED.—In this section, the term “appropriate commit-
11 tees of Congress” means the Committee on Commerce,
12 Science, and Transportation of the Senate, the Committee
13 on Transportation and Infrastructure of the House of
14 Representatives, the Appropriations Subcommittees on
15 Transportation, Housing and Urban Development, and
16 Related Agencies of the Senate and the House of Rep-
17 resentatives, and the Committees on Armed Services of
18 the Senate and the House of Representatives.

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

20 Section 105 of title 17, United States Code, is
21 amended—

22 (1) in the heading of subsection (b), by deleting
23 “CERTAIN OF WORKS” and inserting “CERTAIN
24 WORKS”;

1 (2) in the first subsection (c), by deleting “The
2 Secretary of Defense may” and inserting “The Sec-
3 retary of Defense (or, with respect to the United
4 States Merchant Marine Academy, the Secretary of
5 Transportation, or, with respect to the United States
6 Coast Guard Academy, the Secretary of Homeland
7 Security) may”;

8 (3) by redesignating the second subsection (c)
9 as subsection (d); and

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

12 “(M) United States Merchant Marine
13 Academy.”.

14 **SEC. 310. UPDATED REQUIREMENTS FOR FISHING CREW**
15 **AGREEMENTS.**

16 Section 10601(b) of title 46, United States Code, is
17 amended—

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

20 (2) by redesignating paragraph (3) as para-
21 graph (4); and

22 (3) by inserting after paragraph (2) the fol-
23 lowing:

24 “(3) if the vessel is a catcher processor or fish
25 processing vessel with more than 25 crew, require

1 that the crewmember be served not less than 3
2 meals a day that total not less than 3,100 calories,
3 including adequate water and minerals in accordance
4 with the United States Recommended Daily Allow-
5 ances; and”.

6 **TITLE IV—TECHNOLOGY**
7 **INNOVATION AND RESILIENCE**

8 **SEC. 401. MARITIME ENVIRONMENTAL AND TECHNICAL AS-**
9 **SISTANCE PROGRAM.**

10 Section 50307 of title 46, United States Code, is
11 amended—

12 (1) by striking the subsection (a) enumerator
13 and all that follows through “Transportation” and
14 inserting the following:

15 “(a) EMERGING MARINE TECHNOLOGIES AND PRAC-
16 TICES.—

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

19 (2) in subsection (b)—

20 (A) in paragraph (1)—

21 (i) by redesignating subparagraphs
22 (A) through (D) as clauses (i) through
23 (iv), respectively and adjusting the margins
24 accordingly; and

1 (ii) in clause (iv), as redesignated by
2 clause (i), by striking “propeller cavit-
3 tion” and inserting “incidental vessel-gen-
4 erated underwater noise, such as noise
5 from propeller cavitation or hydrodynamic
6 flow”;

7 (B) by redesignating paragraphs (1) and
8 (2) as subparagraphs (A) and (B), respectively
9 and adjusting the margins accordingly;

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

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

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

19 (6) by redesignating subsection (e) as sub-
20 section (b);

21 (7) by striking subsection (f);

22 (8) in subsection (a)—

23 (A) in paragraph (1), as designated under
24 paragraph (1) of this section—

1 (i) by inserting “or support” after
2 “engage in”;

3 (ii) by striking “the use of public”
4 and all that follows through the end of the
5 sentence and inserting “eligible entities.”;

6 (B) in paragraph (2), as redesignated
7 under paragraph (5) of this section—

8 (i) by striking “this section” and in-
9 serting “this subsection”;

10 (ii) by striking “or improve” and in-
11 serting “improve, or support efforts related
12 to,”;

13 (C) in paragraph (3), as redesignated by
14 paragraph (5) of this section, by striking
15 “under subsection (b)(2) may include” and in-
16 serting “with other Federal agencies or with
17 State, local, or Tribal governments, as appro-
18 priate, under paragraph (2)(B) may include”;

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

21 (i) by striking “academic, public, pri-
22 vate, and nongovernmental entities and fa-
23 cilities” and inserting eligible entities; and

24 (ii) by striking “subsection (a)” and
25 inserting “this subsection”; and

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

2 “(5) GRANTS.—Subject to the availability of
3 appropriations, the Maritime Administrator, may es-
4 tablish and carry out a competitive grant program to
5 award grants to eligible entities for projects in the
6 United States consistent with the goals of this sub-
7 section to study, evaluate, test, demonstrate, or
8 apply technologies and practices to improve environ-
9 mental performance.”;

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

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

14 “(c) VESSELS.—Activities carried out under a grant
15 or cooperative agreement made under this section may be
16 conducted on public vessels under the control of the Mari-
17 time Administration, upon approval of the Maritime Ad-
18 ministrator.

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

21 “(1) a private entity, including a nonprofit or-
22 ganization;

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

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

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

6 “(e) CENTER FOR MARITIME INNOVATION.—

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

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

18 “(A) selected through a competitive proc-
19 ess of eligible entities;

20 “(B) based in the United States with tech-
21 nical expertise in emerging marine technologies
22 and practices related to the maritime transpor-
23 tation system; and

24 “(C) located in close proximity to eligible
25 entities with expertise in United States emerg-

1 ing marine technologies and practices, including
2 the use of alternative fuels and the development
3 of both vessel and shoreside infrastructure.

4 “(3) COORDINATION.—The Secretary of Trans-
5 portation shall coordinate with other agencies critical
6 for science, research, and regulation of emerging
7 marine technologies for the maritime sector, includ-
8 ing the Department of Energy, the Environmental
9 Protection Agency, and the Coast Guard, when es-
10 tablishing the Center.

11 “(4) FUNCTIONS.—The Center shall—

12 “(A) support eligible entities regarding the
13 development and use of clean energy and nec-
14 essary infrastructure to support the deployment
15 of clean energy on vessels of the United States;

16 “(B) monitor and assess, on an ongoing
17 basis, the current state of knowledge regarding
18 emerging marine technologies in the United
19 States;

20 “(C) identify any significant gaps in
21 emerging marine technologies research specific
22 to the United States maritime industry, and
23 seek to fill those gaps;

24 “(D) conduct research, development, test-
25 ing, and evaluation for equipment, technologies,

1 and techniques to address the components
2 under subsection (a)(2);

3 “(E) provide—

4 “(i) guidance on best available tech-
5 nologies;

6 “(ii) technical analysis;

7 “(iii) assistance with understanding
8 complex regulatory requirements; and

9 “(iv) documentation of best practices
10 in the maritime industry, including train-
11 ing and informational webinars on solu-
12 tions for the maritime industry; and

13 “(F) work with academic and private sec-
14 tor response training centers to develop mari-
15 time strategies applicable to various segments
16 of the United States maritime industry, includ-
17 ing the inland, deep water, and coastal fleets.”.

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

19 (a) IN GENERAL.—The Secretary of Defense, in con-
20 sultation with the Administrator of the National Oceanic
21 and Atmospheric Administration, the Administrator of the
22 Maritime Administration, and the Secretary of the depart-
23 ment in which the Coast Guard is operating, shall, not
24 later than 18 months after the date of enactment of this

1 section, submit a report to the committees identified under
2 subsection (b) and publish an unclassified report—

3 (1) identifying existing, at the time of submis-
4 sion, non-classified naval technologies that reduce
5 underwater noise; and

6 (2) evaluating the effectiveness and feasibility
7 of incorporating such technologies in the design, pro-
8 curement, and construction of non-combatant vessels
9 of the United States.

10 (b) COMMITTEES.—The report under subsection (a)
11 shall be submitted the Committee on Commerce, Science,
12 and Transportation of the Senate and the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to the Secretary of Defense
17 for carrying out this section, \$100,000 for fiscal year
18 2022, to remain available until expended.

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

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of enactment of this section, the Administrator of the
22 National Oceanic and Atmospheric Administration, in con-
23 cert with the Secretary of Transportation and the Admin-
24 istrator of the Environmental Protection Agency, shall
25 commence a study that—

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

5 (2) examines the challenges of studying tire-re-
6 lated chemicals in stormwater runoff at ports and
7 associated transportation infrastructure and the im-
8 pacts of such chemicals on Pacific salmon and
9 steelhead;

10 (3) provides recommendations for improving
11 monitoring of stormwater and research related to
12 run-off for tire-related chemicals and the impacts of
13 such chemicals on Pacific salmon and steelhead at
14 ports and associated transportation infrastructure
15 near ports; and

16 (4) provides recommendations based on the best
17 available science on relevant management ap-
18 proaches at ports and associated transportation in-
19 frastructure under their respective jurisdictions.

20 (b) SUBMISSION OF STUDY.—Not later than 18
21 months after commencing the study under subsection (a),
22 the Administrator of the National Oceanic and Atmos-
23 pheric Administration, in concert with the Secretary of
24 Transportation and the Administrator of the Environ-
25 mental Protection Agency, shall—

1 (1) submit the study to the Committee on Com-
2 merce, Science, and Transportation of the Senate
3 and the Committee on Transportation and Infra-
4 structure of the House of Representatives, including
5 detailing any findings from the study; and

6 (2) make such study publicly available.

7 **SEC. 404. STUDY TO EVALUATE EFFECTIVE VESSEL QUIET-**
8 **ING MEASURES.**

9 (a) IN GENERAL.—Not later than 1 year after the
10 date of enactment of this Act, the Administrator of the
11 Maritime Administration, in consultation with the Under
12 Secretary of Commerce for Oceans and Atmosphere and
13 the Secretary of the Department in which the Coast Guard
14 is operating, shall submit to the committees identified
15 under subsection (b), and make publicly available on the
16 website of the Department of Transportation, a report
17 that includes, at a minimum—

18 (1) a review of technology-based controls and
19 best management practices for reducing vessel-gen-
20 erated underwater noise; and

21 (2) for each technology-based control and best
22 management practice identified, an evaluation of—

23 (A) the applicability of each measure to
24 various vessel types;

1 (B) the technical feasibility and economic
2 achievability of each measure; and

3 (C) the co-benefits and trade-offs of each
4 measure.

5 (b) COMMITTEES.—The report under subsection (a)
6 shall be submitted to the Committee on Commerce,
7 Science, and Transportation of the Senate and the Com-
8 mittee on Transportation and Infrastructure of the House
9 of Representatives.