

1 **TITLE XXXIV—NAVAL**
2 **PETROLEUM RESERVES**

Sec. 3401. Authorization of appropriations.

3 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) AMOUNT.—There are hereby authorized to be ap-
5 propriated to the Secretary of Energy \$13,004,000 for fis-
6 cal year 2023 for the purpose of carrying out activities
7 under chapter 869 of title 10, United States Code, relating
8 to the naval petroleum reserves.

9 (b) PERIOD OF AVAILABILITY.—Funds appropriated
10 pursuant to the authorization of appropriations in sub-
11 section (a) shall remain available until expended.

12 **TITLE XXXV—MARITIME**
13 **ADMINISTRATION**

Subtitle A—Maritime Administration

Sec. 3501. Authorization of appropriations for the Maritime Administration.
Sec. 3502. Secretary of Transportation responsibility with respect to cargoes
procured, furnished, or financed by other Federal departments
and agencies.

Subtitle B—Merchant Marine Academy

Sec. 3511. Exemption of certain students from requirement to obtain merchant
mariner license.
Sec. 3512. Board of Visitors.
Sec. 3513. Protection of cadets from sexual assault onboard vessels.
Sec. 3514. Service academy faculty parity of use of United States Government
works.
Sec. 3515. Reports on matters relating to the United States Merchant Marine
Academy.
Sec. 3516. Study on Capital Improvement Program at the USMMA.
Sec. 3517. Requirements relating to training of Merchant Marine Academy ca-
dets on certain vessels.

Subtitle C—Maritime Infrastructure

Sec. 3521. United States marine highway program.
Sec. 3522. Port infrastructure development grants.

- Sec. 3523. Project selection criteria for port infrastructure development program.
- Sec. 3524. Infrastructure improvements identified in the report on strategic seaports.
- Sec. 3525. GAO review of Government efforts to promote growth and modernization of United States Merchant Fleet.
- Sec. 3526. GAO review of Federal efforts to enhance port infrastructure resiliency and disaster preparedness.
- Sec. 3527. Study on foreign investment in shipping.
- Sec. 3528. Report on alternate marine fuel bunkering facilities at ports.
- Sec. 3529. Study of cybersecurity and national security threats posed by foreign manufactured cranes at United States ports.

Subtitle D—Maritime Workforce

- Sec. 3531. Improving Protections for Midshipmen.
- Sec. 3532. Maritime Technical Advancement Act.
- Sec. 3533. Ensuring diverse mariner recruitment.
- Sec. 3534. Low emissions vessels training.

Subtitle E—Other Matters

- Sec. 3541. Waiver of navigation and vessel inspection laws.
- Sec. 3542. National maritime strategy.
- Sec. 3543. Maritime Environmental and Technical Assistance Program.
- Sec. 3544. Definition of qualified vessel.
- Sec. 3545. Establishing a capital construction fund.
- Sec. 3546. Recapitalization of National Defense Reserve Fleet.
- Sec. 3547. Sense of Congress on Merchant Marine.
- Sec. 3548. Analysis of effects of chemicals in stormwater runoff on Pacific salmon and steelhead.
- Sec. 3549. Report on effective vessel quieting measures.

1 **Subtitle A—Maritime**
 2 **Administration**
 3 **SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR THE**
 4 **MARITIME ADMINISTRATION.**

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

1 (1) For expenses necessary to support the
2 United States Merchant Marine Academy,
3 \$112,848,000, of which—

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

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

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

12 (2) For expenses necessary to support the State
13 maritime academies, \$53,780,000, of which—

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

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

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

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

22 (E) \$30,500,000 shall be for maintenance
23 and repair of State maritime academy training
24 vessels.

1 (3) For expenses necessary to support the Na-
2 tional Security Multi-Mission Vessel Program, in-
3 cluding funds for construction and necessary ex-
4 penses to construct shoreside infrastructure to sup-
5 port such vessels, \$75,000,000.

6 (4) For expenses necessary to support Maritime
7 Administration operations and programs,
8 \$131,433,000, of which—

9 (A) \$15,000,000 shall be for the Maritime
10 Environmental and Technical Assistance pro-
11 gram authorized under section 50307 of title
12 46, United States Code;

13 (B) \$30,000,000 shall be for shall be for
14 the Maritime Centers of Excellence, including
15 to make grants authorized under Section 51706
16 of title 46, United States Code;

17 (C) \$15,000,000 shall be for the Marine
18 Highways Program, including to make grants
19 as authorized under section 55601 of title 46,
20 United States Code;

21 (D) \$67,433,000 shall be for headquarters
22 operations expenses;

23 (E) \$2,000,000 shall be for expenses nec-
24 essary to provide for sealift contested environ-
25 ment evaluation;

1 (F) \$800,000 shall be for expenses nec-
2 essary to provide for National Defense Reserve
3 Fleet resiliency; and

4 (G) \$1,200,000 shall be for expenses nec-
5 essary to provide for a comprehensive evalua-
6 tion to assess the requirements for the training
7 ship State of Michigan.

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

11 (6) For expenses necessary to maintain and
12 preserve a United States flag merchant marine to
13 serve the national security needs of the United
14 States under chapter 531 of title 46, United States
15 Code, \$318,000,000.

16 (7) For expenses necessary for the loan guar-
17 antee program authorized under chapter 537 of title
18 46, United States Code, \$33,000,000, of which—

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

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

1 (8) For expenses necessary to provide assist-
2 ance to small shipyards and for maritime training
3 programs authorized under section 54101 of title 46,
4 United States Code, \$30,000,000.

5 (9) For expenses necessary to implement the
6 Port Infrastructure Development Program, as au-
7 thorized under section 54301 of title 46, United
8 States Code, \$750,000,000, to remain available until
9 expended, except that no such funds authorized
10 under this title for this program may be used to pro-
11 vide a grant to purchase fully automated cargo han-
12 dling equipment that is remotely operated or re-
13 motely monitored with or without the exercise of
14 human intervention or control, if the Secretary of
15 Transportation determines such equipment would re-
16 sult in a net loss of jobs within a port or port ter-
17 minal. If such a determination is made, the data and
18 analysis for such determination shall be reported to
19 the Committee on Commerce, Science, and Trans-
20 portation of the Senate and the Committee on
21 Transportation and Infrastructure of the House of
22 Representatives not later than 3 days after the date
23 of the determination.

24 (b) TANKER SECURITY PROGRAM.—

1 (1) FUNDING.—Section 53411 of title 46,
2 United States Code, is amended by striking
3 “through 2035” and inserting “and 2023, and
4 \$120,000,000 for fiscal years 2024 through 2035”.

5 (2) INCREASE IN NUMBER OF VESSELS.—Sec-
6 tion 53403(e) of title 46, United States Code, is
7 amended—

8 (A) by striking “For any fiscal year, the
9 Secretary” and inserting “The Secretary”;

10 (B) by striking “more than 10 vessels”
11 and inserting “more than—”; and

12 (C) by adding at the end the following new
13 paragraphs:

14 “(1) for each of fiscal years 2022 and 2023, 10
15 vessels; and

16 “(2) for any subsequent fiscal year, 20 ves-
17 sels.”.

18 (c) REPORT.—Not later than June 30, 2023, the
19 Maritime Administrator shall prepare and submit to the
20 Committees on Armed Services of the House of Represent-
21 atives and of the Senate, to the Committee on Transpor-
22 tation and Infrastructure of the House of Representatives,
23 and to the Committee on Commerce, Science, and Trans-
24 formation of the Senate a report that includes the fol-
25 lowing:

1 (1) An assessment of industry capacity to sup-
2 port an expansion of the Tanker Security Program
3 pursuant to section 53411 of title 46, United States
4 Code, as amended by subsection (b)(1), and section
5 53403(c) of title 46, United States Code, as amend-
6 ed by subsection (b)(2).

7 (2) An implementation timeline for entering 10-
8 vessels into the Tanker Security Program not later
9 than September 30, 2023, including all vessel con-
10 version requirements, and crew training require-
11 ments.

12 (3) An implementation timeline for entering 20-
13 vessels into the Tanker Security Program not later
14 than September 30, 2024, including all vessel con-
15 version requirements, and crew training require-
16 ments.

17 (4) An assessment of whether the \$6,000,000
18 per-vessel stipend meets requirements to attract and
19 sustain the full 20-vessel requirement for the Tanker
20 Security Program.

21 (5) An assessment of the need for additional
22 authorities to offset the costs associated with con-
23 verting vessels into CONSOL-capable vessels, and to
24 offset the costs associated with training the crews to
25 operate such vessels.

1 (6) Other matters the Administrator deems ap-
2 propriate.

3 **SEC. 3502. SECRETARY OF TRANSPORTATION RESPONSI-**
4 **BILITY WITH RESPECT TO CARGOES PRO-**
5 **CURED, FURNISHED, OR FINANCED BY**
6 **OTHER FEDERAL DEPARTMENTS AND AGEN-**
7 **CIES.**

8 (a) IN GENERAL.—Not later than 270 days after the
9 date of the enactment of this Act, the Administrator of
10 the Maritime Administration shall issue a final rule to im-
11 plement and enforce section 55305(d) of title 46, United
12 States Code.

13 (b) PROGRAMS OF OTHER AGENCIES.—Section
14 55305(d)(2)(A) of title 46, United States Code, is amend-
15 ed by inserting after “section” the following: “and annu-
16 ally submit to the Committee on Transportation and In-
17 frastructure of the House of Representatives and the Com-
18 mittee on Commerce, Science, and Transportation of the
19 Senate a report on the administration of such programs”.

1 **Subtitle B—Merchant Marine**
2 **Academy**

3 **SEC. 3511. EXEMPTION OF CERTAIN STUDENTS FROM RE-**
4 **QUIREMENT TO OBTAIN MERCHANT MAR-**
5 **INER LICENSE.**

6 Section 51309 of title 46, United States Code, is
7 amended—

8 (1) in subsection (a)(2)—

9 (A) by inserting “able or” before “al-
10 lowed”;

11 (B) by striking “only because of physical
12 disqualification may” and inserting “solely due
13 to a documented medical or psychological condi-
14 tion shall”; and

15 (C) in the paragraph heading, by inserting
16 “OR PSYCHOLOGICAL” after “PHYSICAL”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(d) **DEFINITION OF DOCUMENTED MEDICAL OR**
20 **PSYCHOLOGICAL CONDITION.**—In this section the term
21 ‘documented medical or psychological condition’ means,
22 with respect to an individual, a physical disqualification
23 or psychological condition, including a mental health con-
24 dition arising from sexual assault or sexual harassment,

1 for which the individual has been treated or is being treat-
2 ed by a medical or psychological provider.”.

3 **SEC. 3512. BOARD OF VISITORS.**

4 Section 51312 of title 46, United States Code, is
5 amended—

6 (1) in subsection (b)—

7 (A) in paragraph (2)—

8 (i) by redesignating subparagraph (C)
9 as subparagraph (D);

10 (ii) in subparagraph (D), as so redesi-
11 gnated, by striking “flag-rank who” and
12 inserting “flag-rank”;

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

15 (iv) by inserting after subparagraph
16 (B) the following:

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

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

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

1 (2) in subsection (d)—

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

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

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

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

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

19 “(5) SCHEDULING; NOTIFICATION.—When
20 scheduling a visit to the Academy, the Designated
21 Federal Officer shall coordinate, to the greatest ex-
22 tent practicable, with the members of the Board to
23 determine the date and time of the visit. Members
24 of the Board shall be notified of the date of each

1 visit not less than 30 days prior to the visit date.”;

2 and

3 (4) in subsection (h)—

4 (A) by inserting “and ranking member”

5 after “chairman” each place the term appears;

6 and

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

8 “Such staff may attend meetings and may visit

9 the Academy.”.

10 **SEC. 3513. PROTECTION OF CADETS FROM SEXUAL AS-**

11 **SAULT ONBOARD VESSELS.**

12 (a) IN GENERAL.—Section 51322 of title 46, United

13 States Code, is amended—

14 (1) by striking subsection (a) and inserting the

15 following:

16 “(a) SAFETY CRITERIA.—The Maritime Adminis-

17 trator, after consulting with the Commandant of the Coast

18 Guard, shall establish—

19 “(1) criteria, to which an owner or operator of

20 a vessel engaged in commercial service shall adhere

21 prior to carrying a cadet performing their Sea Year

22 service from the United States Merchant Marine

23 Academy, that addresses prevention of, and response

24 to, sexual harassment, dating violence, domestic vio-

25 lence, sexual assault, and stalking; and

1 “(2) a process for collecting pertinent informa-
2 tion from such owners or operators and verifying
3 their compliance with the criteria.

4 “(b) MINIMUM STANDARDS.—At a minimum, the cri-
5 teria established under subsection (a) shall require the
6 vessel owners or operators to have policies that address—

7 “(1) communication between a cadet and an in-
8 dividual ashore who is trained in responding to inci-
9 dents of sexual harassment, dating violence, domes-
10 tic violence, sexual assault, and stalking;

11 “(2) the safety and security of cadet staterooms
12 while a cadet is onboard the vessel;

13 “(3) requirements for crew to report complaints
14 or incidents of sexual assault, sexual harassment,
15 dating violence, domestic violence, and stalking con-
16 sistent with the requirements in section 10104;

17 “(4) the maintenance of records of reports of
18 sexual harassment, dating violence, domestic vio-
19 lence, sexual assault, and stalking onboard a vessel
20 carrying a cadet;

21 “(5) the maintenance of records of sexual har-
22 assment, dating violence, domestic violence, sexual
23 assault, and stalking training as required under sub-
24 section (f);

1 “(6) a requirement for the owner or operator
2 provide each cadet a copy of the policies and proce-
3 dures related to sexual harassment, dating violence,
4 domestic violence, sexual assault, and stalking poli-
5 cies that pertain to the vessel on which they will be
6 employed; and

7 “(7) any other issues the Maritime Adminis-
8 trator determines necessary to ensure the safety of
9 cadets during Sea Year training.

10 “(c) SELF-CERTIFICATION BY OWNERS OR OPERA-
11 TORS.—The Maritime Administrator shall require the
12 owner or operator of any commercial vessel that is car-
13 rying a cadet from the United States Merchant Marine
14 Academy to annually certify that—

15 “(1) the vessel owner or operator is in compli-
16 ance with the criteria established under subsection
17 (a); and

18 “(2) the vessel is in compliance with the Inter-
19 national Convention of Safety of Life at Sea, 1974
20 (32 UST 47) and sections 8106 and 70103(c).

21 “(d) INFORMATION, TRAINING, AND RESOURCES.—
22 The Maritime Administrator shall ensure that a cadet par-
23 ticipating in Sea Year—

24 “(1) receives training specific to vessel safety,
25 including sexual harassment, dating violence, domes-

1 tic violence, sexual assault, and stalking prevention
2 and response training, prior to the cadet boarding a
3 vessel for Sea Year training;

4 “(2) is equipped with an appropriate means of
5 communication and has been trained on its use;

6 “(3) has access to a helpline to report incidents
7 of sexual harassment, dating violence, domestic vio-
8 lence, sexual assault, or stalking that is monitored
9 by trained personnel; and

10 “(4) is informed of the legal requirements for
11 vessel owners and operators to provide for the secu-
12 rity of individuals onboard, including requirements
13 under section 70103(c) and chapter 81.”;

14 (2) by redesignating subsections (b) through (d)
15 as subsections (e) through (g), respectively;

16 (3) in subsection (e), as so redesignated, by
17 striking paragraph (2) and inserting the following
18 new paragraphs:

19 “(2) ACCESS TO INFORMATION.—The vessel op-
20 erator shall make available to staff conducting a ves-
21 sel check such information as the Maritime Adminis-
22 trator determines is necessary to determine whether
23 the vessel is being operated in compliance with the
24 criteria established under subsection (a).

1 “(3) REMOVAL OF STUDENTS.—If staff of the
2 Academy or staff of the Maritime Administration de-
3 termine that a commercial vessel is not in compli-
4 ance with the criteria established under subsection
5 (a), the staff—

6 “(A) may remove a cadet of the Academy
7 from the vessel; and

8 “(B) shall report such determination of
9 non-compliance to the owner or operator of the
10 vessel.”;

11 (4) in subsection (f), as so redesignated, by
12 striking “or the seafarer union” and inserting “and
13 the seafarer union”; and

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

15 “(h) NONCOMMERCIAL VESSELS.—

16 “(1) IN GENERAL.—A public vessel (as defined
17 in section 2101) shall not be subject to the require-
18 ments of this section.

19 “(2) REQUIREMENTS FOR PARTICIPATION.—

20 The Maritime Administrator may establish criteria
21 and requirements that the operators of public vessels
22 shall meet to participate in the Sea Year program of
23 the United States Merchant Marine Academy that
24 addresses prevention of, and response to, sexual har-

1 assessment, dating violence, domestic violence, sexual
2 assault, and stalking.

3 “(i) SHARING OF BEST PRACTICES.—The Maritime
4 Administrator shall share with State maritime academies
5 best practices for, and lessons learned with respect to, the
6 prevention of, and response to, sexual harassment, dating
7 violence, domestic violence, sexual assault, and stalking.”.

8 (b) REGULATIONS.—

9 (1) IN GENERAL.—The Maritime Administrator
10 may prescribe rules necessary to carry out the
11 amendments made by this section.

12 (2) INTERIM RULES.—The Maritime Adminis-
13 trator may prescribe interim rules necessary to carry
14 out the amendments made by this section. For this
15 purpose, the Maritime Administrator in prescribing
16 rules under paragraph (1) is excepted from compli-
17 ance with the notice and comment requirements of
18 section 553 of title 5, United States Code. All rules
19 prescribed under the authority of the amendments
20 made by this section shall remain in effect until su-
21 perseded by a final rule.

22 (c) CONFORMING AMENDMENTS.—

23 (1) SEA YEAR COMPLIANCE.—Section 3514 of
24 the National Defense Authorization Act for Fiscal
25 Year 2017 (46 U.S.C. 51318 note) is repealed.

1 (2) ACCESS OF ACADEMY CADETS TO DOD SAFE
2 OR EQUIVALENT HELPLINE.—Section 3515 of the
3 National Defense Authorization Act for Fiscal Year
4 2018 (46 U.S.C. 51518 note) is amended by striking
5 subsection (b) and redesignating subsection (c) as
6 subsection (b).

7 **SEC. 3514. SERVICE ACADEMY FACULTY PARITY OF USE OF**
8 **UNITED STATES GOVERNMENT WORKS.**

9 Section 105 of title 17, United States Code, is
10 amended—

11 (1) in the heading of subsection (b), by striking
12 “CERTAIN OF WORKS ” and inserting “CERTAIN
13 WORKS”;

14 (2) in the first subsection (c) (relating to “Use
15 by Federal Government”) by striking “The Sec-
16 retary of Defense” and inserting “A covered Sec-
17 retary”;

18 (3) by redesignating the second subsection (c)
19 (relating to “Definitions”) as subsection (d); and

20 (4) in subsection (d), as redesignated by para-
21 graph (3),

22 (A) in paragraph (2), by adding at the end
23 the following:

24 “(M) United States Merchant Marine
25 Academy.”;

1 (B) by redesignating paragraph (3) as
2 paragraph (4); and

3 (C) by inserting after paragraph (2) the
4 following new paragraph:

5 “(3) The term ‘covered Secretary’ means—

6 “(A) the Secretary of Transportation, with
7 respect to the United States Merchant Marine
8 Academy;

9 “(B) the Secretary of Homeland Security,
10 with respect to the United States Coast Guard
11 Academy; or

12 “(C) the Secretary of Defense, with respect
13 to any other covered institution under para-
14 graph (2).”.

15 **SEC. 3515. REPORTS ON MATTERS RELATING TO THE**
16 **UNITED STATES MERCHANT MARINE ACAD-**
17 **EMY.**

18 (a) REPORT ON IMPLEMENTATION OF NAPA REC-
19 OMMENDATIONS.—

20 (1) IN GENERAL.—In accordance with para-
21 graph (3), the Secretary of Transportation shall sub-
22 mit to the appropriate congressional committees re-
23 ports on the status of the implementation of the rec-
24 ommendations specified in paragraph (4).

1 (2) ELEMENTS.—Each report under paragraph
2 (1) shall include the following:

3 (A) A description of the status of the im-
4 plementation of each recommendation specified
5 in paragraph (4), including whether the Sec-
6 retary—

7 (i) concurs with the recommendation;

8 (ii) partially concurs with the rec-
9 ommendation;

10 (iii) does not concur with the rec-
11 ommendation; or

12 (iv) determines the recommendation is
13 not applicable to the Department of Trans-
14 portation.

15 (B) An explanation of—

16 (i) with respect to a recommendation
17 with which the Secretary concurs, the ac-
18 tions the Secretary intends to take to im-
19 plement such recommendation, including—

20 (I) any rules, regulations, poli-
21 cies, or other guidance that have been
22 issued, revised, changed, or cancelled
23 as a result of the implementation of
24 the recommendation; and

1 (II) any impediments to the im-
2 plementation of the recommendation;

3 (ii) with respect to a recommendation
4 with which the Secretary partially concurs,
5 the actions the Secretary intends to take to
6 implement the portion of such rec-
7 ommendation with which the Secretary
8 concurs, including—

9 (I) intermediate actions, mile-
10 stone dates, and the expected comple-
11 tion date for the implementation of
12 the portion of the recommendation;
13 and

14 (II) any rules, regulations, poli-
15 cies, or other guidance that are ex-
16 pected to be issued, revised, changed,
17 or cancelled as a result of the imple-
18 mentation of the portion of the rec-
19 ommendation;

20 (iii) with respect to a recommendation
21 with which the Secretary does not concur,
22 an explanation of why the Secretary does
23 not concur with such recommendation;

24 (iv) with respect to a recommendation
25 that the Secretary determines is not appli-

1 cable to the Department of Transportation,
2 an explanation of the reasons for the deter-
3 mination; and

4 (v) any statutory changes that may be
5 necessary—

6 (I) to fully implement the rec-
7 ommendations specified in paragraph
8 (4) with which the Secretary concurs;
9 or

10 (II) to partially implement the
11 recommendations specified in such
12 paragraph with which the Secretary
13 partially concurs.

14 (C) A visual depiction of the status of the
15 completion of the recommendations specified in
16 paragraph (4).

17 (3) TIMING OF REPORTS.—The Secretary of
18 Transportation shall submit an initial report under
19 paragraph (1) not later than 180 days after the date
20 of the enactment of this Act. Following the sub-
21 mittal of the initial report, the Secretary shall sub-
22 mit updated versions of the report not less fre-
23 quently than once every 180 days until the date on
24 which the Secretary submits to the appropriate con-

1 gressional committees a certification that each rec-
2 ommendation specified in paragraph (4)—

3 (A) with which the Secretary concurs—

4 (i) has been fully implemented; or

5 (ii) cannot be fully implemented, in-
6 cluding an explanation of why; and

7 (B) with which the Secretary partially con-
8 curs—

9 (i) has been partially implemented; or

10 (ii) cannot be partially implemented,
11 including an explanation of why.

12 (4) RECOMMENDATIONS SPECIFIED.—The rec-
13 ommendations specified in this paragraph are the
14 recommendations set forth in the report prepared by
15 a panel of the National Academy of Public Adminis-
16 tration pursuant to section 3513 of the National De-
17 fense Authorization Act for Fiscal Year 2020 (Pub-
18 lic Law 116–92; 133 Stat. 1979) titled “Organiza-
19 tional Assessment of the U.S. Merchant Marine
20 Academy: A Path Forward”, dated November 2021.

21 (b) REPORT ON IMPLEMENTATION OF POLICY RE-
22 LATING TO SEXUAL HARASSMENT AND OTHER MAT-
23 TERS.—Not later than one year after the date of the en-
24 actment of this Act, the Secretary of Transportation shall
25 submit to the appropriate congressional committees a re-

1 port on the status of the implementation of the policy on
2 sexual harassment, dating violence, domestic violence, sex-
3 ual assault, and stalking at the United States Merchant
4 Marine Academy, as required under section 51318 of title
5 46, United States Code.

6 (c) INSPECTOR GENERAL AUDIT.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the In-
9 spector General of the Department of Transpor-
10 tation shall initiate an audit of the actions taken by
11 the Maritime Administration to address only the fol-
12 lowing recommendations identified by a National
13 Academy of Public Administration panel in the No-
14 vember 2021 report titled “Organizational Assess-
15 ment of the United States Merchant Marine Acad-
16 emy: A Path Forward”:

17 (A) Recommendations 4.1 through 4.3.

18 (B) Recommendations 4.7 through 4.11.

19 (C) Recommendations 5.1 through 5.4.

20 (D) Recommendations 5.6, 5.7, 5.11, 5.14,
21 5.15, 5.16, 6.6, and 6.7.

22 (E) Recommendations 6.1 through 6.4.

23 (2) REPORT.—After the completion of the audit
24 required under paragraph (1), the Inspector General
25 shall submit to the appropriate congressional com-

1 mittees, and make publicly available, a report con-
2 taining the results of the audit.

3 (d) IMPLEMENTATION OF RECOMMENDATIONS FROM
4 THE NATIONAL ACADEMY OF PUBLIC ADMINISTRA-
5 TION.—

6 (1) AGREEMENT FOR STUDY BY NATIONAL
7 ACADEMY OF PUBLIC ADMINISTRATION.—

8 (A) IN GENERAL.—Not later than 30 days
9 after the date of enactment of this Act, the Sec-
10 retary of Transportation shall seek to enter into
11 an agreement with the National Academy of
12 Public Administration (referred to in this sec-
13 tion as the “Academy”) under which the Acad-
14 emy shall provide support for—

15 (i) prioritizing and addressing the rec-
16 ommendations referred to subsection (c)(1)
17 and establishing a process for prioritizing
18 other recommendations in the future;

19 (ii) the development of—

20 (I) long-term processes and a
21 timeframe for long-term process im-
22 provements; and

23 (II) corrective actions and best
24 practice criteria that can be imple-

1 mented in the medium- and near-
2 term;

3 (iii) the establishment of a clear as-
4 signment of responsibility for the imple-
5 mentation of each recommendation re-
6 ferred to in subsection (c)(1), and a strat-
7 egy for assigning other recommendations
8 in the future; and

9 (iv) a performance measurement sys-
10 tem, including data collection and tracking
11 and evaluating progress toward goals of
12 the Merchant Marine Academy.

13 (B) REPORT OF PROGRESS.—Not later
14 than one year after the date of an agreement
15 entered into pursuant to subparagraph (A), the
16 Secretary of Transportation, in consultation
17 with the Administrator of the Merchant Marine
18 Academy, shall submit to the Maritime Admin-
19 istrator and the appropriate congressional com-
20 mittees a report on the progress made in imple-
21 menting the recommendations referred to in
22 subsection (c)(1).

23 (2) PRIORITIZATION AND IMPLEMENTATION
24 PLAN.—

1 (A) IN GENERAL.—Not later than one year
2 after the date of enactment of this Act, the
3 Maritime Administrator shall submit to the
4 Committee on Commerce, Science, and Trans-
5 portation of the Senate and the Committee on
6 Armed Services of the House of Representatives
7 a prioritization and implementation plan to as-
8 sess, prioritize, and address the recommenda-
9 tions identified by the National Academy of
10 Public Administration panel in the November
11 2021 report titled “Organizational Assessment
12 of the United States Merchant Marine Acad-
13 emy: A Path Forward” that Superintendent of
14 the Merchant Marine Academy determines are
15 relevant to the Maritime Administration, includ-
16 ing the recommendations referred to in sub-
17 section (c)(1). The prioritization and implemen-
18 tation plan shall—

19 (i) be developed using the strategies,
20 processes, and systems developed pursuant
21 to an agreement entered into under para-
22 graph (1);

23 (ii) include estimated timelines and
24 cost estimates for the implementation of
25 priority goals;

1 (iii) include summaries of stakeholder
2 and interagency engagement used to assess
3 goals and timelines;

4 (iv) with respect to any recommenda-
5 tion the Superintendent determines is not
6 relevant to the Maritime Administration,
7 include an explanation for the determina-
8 tion; and

9 (v) submitted to the Inspector General
10 of the Department of Transportation and
11 the appropriate congressional committees
12 and made publicly available.

13 (B) AUDIT AND REPORT.—The Inspector
14 General of the Department of Transportation
15 shall—

16 (i) not later than 180 days after the
17 date on which the prioritization and imple-
18 mentation plan described in subparagraph
19 (A) is made publicly available, initiate an
20 audit of the actions taken by the Maritime
21 Administration to address such plan;

22 (ii) monitor the actions taken by the
23 Maritime Administration to implement rec-
24 ommendations contained in the audit re-
25 quired under clause (i) and in prior audits

1 of the Maritime Administration's imple-
2 mentation of National Academy of Public
3 Administration recommendations and peri-
4 odically initiate subsequent audits of the
5 continued actions taken by the Maritime
6 Administration to address the
7 prioritization and implementation plan, as
8 the Inspector General determines nec-
9 essary; and

10 (iii) after the completion of the audit
11 required under clause (i), submit to the
12 Administrator of the Maritime Administra-
13 tion and the appropriate congressional
14 committees, and make publicly available, a
15 report containing the results of the audit.

16 (C) REPORT OF PROGRESS.—Not later
17 than 180 days after the date on which the re-
18 port required under clause (ii) is made publicly
19 available, and annually thereafter, the Adminis-
20 trator of the Maritime Administration shall
21 submit to the Inspector General of the Depart-
22 ment of Transportation and the appropriate
23 congressional committees a report that includes
24 a description of—

1 (i) the actions planned to be taken by
2 the Maritime Administration, and esti-
3 mated timeframes, to implement any open
4 or unresolved recommendation—

5 (I) included in the report of the
6 Inspector General required under sub-
7 section (B)(iii); or

8 (II) referred to in subsection
9 (c)(1); and

10 (ii) an identification of any rec-
11 ommendation referred to in clause (i) for
12 which the Maritime Administration failed
13 to meet a target action date, or for which
14 the Maritime Administration requested an
15 extension of time, and the reasons why
16 such an extension was necessary.

17 (3) AGREEMENT FOR PLAN ON CAPITAL IM-
18 PROVEMENTS.—Not later than 90 days after the
19 date of the enactment of this Act, the Maritime Ad-
20 ministrator shall seek to enter into an agreement
21 with a Federal construction agent for the develop-
22 ment of a plan to execute capital improvements at
23 the United States Merchant Marine Academy.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-
3 mittees” means—

4 (1) the Committee on Commerce, Science, and
5 Transportation of the Senate;

6 (2) the Subcommittee on Transportation, Hous-
7 ing and Urban Development, and Related Agencies
8 of the Committee on Appropriations of the Senate;

9 (3) the Committee on Transportation and In-
10 frastructure of the House of Representatives;

11 (4) the Subcommittee on Transportation, Hous-
12 ing and Urban Development, and Related Agencies
13 of the Committee on Appropriations of the House of
14 Representatives; and

15 (5) the Committee on Armed Services of the
16 House of Representatives.

17 **SEC. 3516. STUDY ON CAPITAL IMPROVEMENT PROGRAM**
18 **AT THE USMMA.**

19 (a) STUDY.—The Comptroller General of the United
20 States shall conduct a study of the United States Mer-
21 chant Marine Academy Capital Improvement Program.

22 The study shall include an evaluation of—

23 (1) the actions the United States Merchant Ma-
24 rine Academy has taken to bring the buildings, in-
25 frastructure, and other facilities on campus into

1 compliance with applicable building codes and the
2 further actions required for full compliance;

3 (2) how the approach that the United States
4 Merchant Marine Academy uses to manage its cap-
5 ital assets compares with national leading practices;

6 (3) how cost estimates prepared for capital
7 asset projects compares with cost estimating leading
8 practices;

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

14 (5) how the United States Merchant Marine
15 Academy identifies and prioritizes capital construc-
16 tion needs, and how the prioritization of such needs
17 relates to the safety, education, and wellbeing of
18 midshipmen.

19 (b) REPORT.—Not later than 18 months after the
20 date of the enactment of this section, the Comptroller
21 General shall submit to the Committee on Commerce,
22 Science, and Transportation of the Senate and the Com-
23 mittee on Transportation and Infrastructure and the
24 Committee on Armed Services of the House of Represent-

1 atives a report containing the findings of the study con-
2 ducted under subsection (a).

3 **SEC. 3517. REQUIREMENTS RELATING TO TRAINING OF**
4 **MERCHANT MARINE ACADEMY CADETS ON**
5 **CERTAIN VESSELS.**

6 (a) REQUIREMENTS RELATING TO PROTECTION OF
7 CADETS FROM SEXUAL ASSAULT ONBOARD VESSELS.—

8 (1) IN GENERAL.—Subsection (b) of section
9 51307 of title 46, United States Code, is amended
10 to read as follows:

11 “(b) SEA YEAR CADETS ON CERTAIN VESSELS.—

12 “(1) REQUIREMENTS.—The Secretary shall re-
13 quire an operator of a vessel participating in the
14 Maritime Security Program under chapter 531 of
15 this title, the Cable Security Fleet under chapter
16 532 of this title, or the Tanker Security Fleet under
17 chapter 534 of this title to—

18 “(A) carry on each Maritime Security Pro-
19 gram vessel, Cable Security Fleet vessel, or
20 Tanker Security Fleet vessel 2 United States
21 Merchant Marine Academy cadets, if available,
22 on each voyage; and

23 “(B) implement and adhere to policies,
24 programs, criteria, and requirements estab-
25 lished pursuant to section 51322 of this title.

1 “(2) FAILURE TO IMPLEMENT OR ADHERE TO
2 REQUIREMENTS.—Failure to implement or adhere to
3 the policies, programs, criteria, and requirements re-
4 ferred to in paragraph (1) may, as determined by
5 the Maritime Administrator, constitute a violation of
6 an operating agreement entered into under chapter
7 531, 532, or 534 of this title and the Maritime Ad-
8 ministrators may—

9 “(A) require the operator to take corrective
10 actions; or

11 “(B) withhold payment due to the operator
12 until the violation, as determined by the Mari-
13 time Administrator, has been remedied.

14 “(3) WITHHELD PAYMENTS.—Any payment
15 withheld pursuant to paragraph (2)(B) may be paid,
16 upon a determination by the Maritime Administrator
17 that the operator is in compliance with the policies,
18 programs, criteria, and requirements referred to in
19 paragraph (1).”.

20 (2) APPLICABILITY.—Paragraph (2) of sub-
21 section (b) of section 51307, as amended by para-
22 graph (1), shall apply with respect to any failure to
23 implement or adhere to the policies, programs, cri-
24 teria, and requirements referred to in paragraph
25 (1)(B) of such subsection that occurs on or after the

1 date that is one year after the date of the enactment
2 of this Act.

3 (b) CONFORMING AMENDMENTS.—Title 46, United
4 States Code, is further amended—

5 (1) in section 53106(a)(2), by inserting “or sec-
6 tion 51307(b)” after “this section”;

7 (2) in section 53206(a)(2), by inserting “or sec-
8 tion 51307(b)” after “this section”; and

9 (3) in section 53406(a), by inserting “or section
10 51307(b)” after “this section”.

11 **Subtitle C—Maritime** 12 **Infrastructure**

13 **SEC. 3521. UNITED STATES MARINE HIGHWAY PROGRAM.**

14 (a) UNITED STATES MARINE HIGHWAY PROGRAM.—

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

17 **“§ 55601. United States marine highway program**

18 **“(a) ESTABLISHMENT.—**

19 **“(1) IN GENERAL.—**There is in the Department
20 of Transportation a program, to be known as the
21 ‘United States marine highway program’.

22 **“(2) ADDITIONAL PROGRAM ACTIVITIES.—**In
23 carrying out the program established under this sub-
24 section, the Secretary of Transportation may—

1 “(A) coordinate with ports, State depart-
2 ments of transportation, localities, other public
3 agencies, and appropriate private sector entities
4 on the development of landside facilities and in-
5 frastructure to support marine highway trans-
6 portation; and

7 “(B) develop performance measures for the
8 program.

9 “(b) MARINE HIGHWAY TRANSPORTATION
10 ROUTES.—

11 “(1) DESIGNATION.—The Secretary may des-
12 ignate a route as a marine highway transportation
13 route, or modify such a designation, if—

14 “(A) such route—

15 “(i) provides a coordinated and capa-
16 ble alternative to landside transportation;

17 “(ii) mitigates or relieves landside
18 congestion;

19 “(iii) promotes marine highway trans-
20 portation; or

21 “(iv) uses vessels documented under
22 chapter 121; and

23 “(B) such designation or modification is
24 requested by—

1 “(i) the government of a State or ter-
2 ritory;

3 “(ii) a metropolitan planning organi-
4 zation;

5 “(iii) a port authority;

6 “(iv) a non-Federal navigation dis-
7 trict; or

8 “(v) a Tribal government.

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

16 “(3) NOTIFICATION.—Not later than 14 days
17 after the date on which the Maritime Administrator
18 makes a determination under paragraph (2), the
19 Maritime Administrator shall notify the requester of
20 the determination.

21 “(c) MAP OF MARINE HIGHWAY PROGRAM
22 ROUTES.—

23 “(1) IN GENERAL.—The Maritime Adminis-
24 trator shall make publicly available a map showing
25 the location of marine highway routes, including

1 such routes along the coasts, in the inland water-
2 ways, and at sea and update that map when a ma-
3 rine highway route is designated or modified pursu-
4 ant to subsection (b).

5 “(2) COORDINATION.—The Maritime Adminis-
6 trator shall coordinate with the Administrator of the
7 National Oceanic and Atmospheric Administration
8 to incorporate the map referred to in paragraph (1)
9 into the Marine Cadastre.

10 “(d) ASSISTANCE.—

11 “(1) IN GENERAL.—The Secretary may make
12 grants to, or enter into contracts or cooperative
13 agreements with, eligible entities to implement a ma-
14 rine highway transportation project or a component
15 of such a project if the Secretary determines that
16 the project or component—

17 “(A) meets the criteria referred to in sub-
18 section (b)(1)(A); and

19 “(B) develops, expands, or promotes—

20 “(i) marine highway transportation;

21 or

22 “(ii) shipper use of marine highway
23 transportation.

24 “(2) APPLICATION.—

1 “(A) IN GENERAL.—To be eligible to re-
2 ceive a grant or to enter into a contract or co-
3 operative agreement under this subsection, an
4 eligible entity shall submit to the Secretary an
5 application in such form and manner, and at
6 such time, as the Secretary may require. Such
7 an application shall include the following:

8 “(i) A comprehensive description of—

9 “(I) the marine highway route to
10 be served by the marine highway
11 transportation project;

12 “(II) the supporters of the ma-
13 rine highway transportation project,
14 which may include business affili-
15 ations, private sector stakeholders,
16 State departments of transportation,
17 metropolitan planning organizations,
18 municipalities, or other governmental
19 entities (including Tribal govern-
20 ments), as applicable;

21 “(III) the need for such project;
22 and

23 “(IV) the performance measure
24 for the marine highway transportation
25 project, such as volumes of cargo or

1 passengers moved, or contribution to
2 environmental mitigation, safety, re-
3 duced vehicle miles traveled, or re-
4 duced maintenance and repair costs.

5 “(ii) A demonstration, to the satisfac-
6 tion of the Secretary, that—

7 “(I) the marine highway trans-
8 portation project is financially viable;
9 and

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

14 “(iii) Such other information as the
15 Secretary may require.

16 “(B) PRE-PROPOSAL.—

17 “(i) IN GENERAL.—Prior to accepting
18 a full application under subparagraph (A),
19 the Secretary may require that an eligible
20 entity first submit a pre-proposal that con-
21 tains a brief description of the item re-
22 ferred to in clauses (i) through (iii) of such
23 subparagraph.

24 “(ii) FEEDBACK.—Not later than 30
25 days after receiving a pre-proposal under

1 clause (i) from an eligible entity, the Sec-
2 retary shall provide to the eligible entity
3 feedback to encourage or discourage the el-
4 ible entity from submitting a full applica-
5 tion. An eligible entity may still submit a
6 full application even if that eligible entity
7 is not encouraged to do so after submitting
8 a pre-proposal.

9 “(C) PROHIBITION.—The Secretary may
10 not require separate applications for project
11 designation and for assistance under this sec-
12 tion.

13 “(D) GRANT APPLICATION FEEDBACK.—
14 Following the award of assistance under this
15 subsection for a particular fiscal year, the Sec-
16 retary may provide feedback to an applicant to
17 help such applicant improve future applications
18 if the feedback is requested by that applicant.

19 “(3) TIMING.—

20 “(A) NOTICE OF FUNDING OPPOR-
21 TUNITY.—The Secretary shall post a notice of
22 funding opportunity regarding grants, con-
23 tracts, or cooperative agreements under this
24 subsection not more than 60 days after the date

1 of the enactment of the appropriations Act for
2 the fiscal year concerned.

3 “(B) AWARDING OF ASSISTANCE.— The
4 Secretary shall award grants, contracts, or co-
5 operative agreements under this subsection not
6 later than 270 days after the date of the enact-
7 ment of the appropriations Act for the fiscal
8 year concerned.

9 “(4) NON-FEDERAL SHARE.—

10 “(A) IN GENERAL.—Except as provided in
11 subparagraph (B), not more than 80 percent of
12 the funding for any project for which funding
13 is provided under this subsection may come
14 from Federal sources.

15 “(B) TRIBAL GOVERNMENTS AND RURAL
16 AREAS.—The Secretary may increase the Fed-
17 eral share of funding for the project to an
18 amount above 80 percent in the case of an
19 award of assistance under this subsection—

20 “(i) to an eligible entity that is a
21 Tribal government; or

22 “(ii) for a project located in a rural
23 area.

24 “(5) PREFERENCE FOR FINANCIALLY VIABLE
25 PROJECTS.— In awarding grants or entering into

1 contracts or cooperative agreements under this sub-
2 section, the Secretary shall give a preference to a
3 project or component of a project that presents the
4 most financially viable transportation service and re-
5 quire the lowest percentage of Federal share of the
6 funding.

7 “(6) TREATMENT OF UNEXPENDED FUNDS.—
8 Notwithstanding paragraph (3)(B), amounts award-
9 ed under this subsection that are not expended by
10 the recipient within five years after obligation of
11 funds or that are returned shall remain available to
12 the Secretary to make grants and enter into con-
13 tracts and cooperative agreements under this sub-
14 section.

15 “(7) CONDITIONS ON PROVISION OF ASSIST-
16 ANCE.—The Secretary may not provide assistance to
17 an eligible entity under this subsection unless the
18 Secretary determines that—

19 “(A) sufficient funding is available to meet
20 the non-Federal share requirement under para-
21 graph (4);

22 “(B) the marine highway project for which
23 such assistance is provided will be completed
24 without unreasonable delay; and

1 “(C) the eligible entity has the authority to
2 implement the proposed marine highway
3 project.

4 “(8) PROHIBITED USES.—Assistance provided
5 under this subsection may not be used—

6 “(A) to improve port or land-based infra-
7 structure outside the United States; or

8 “(B) unless the Secretary determines that
9 such activities are necessary to carry out the
10 marine highway project for which such assist-
11 ance is provided, to raise sunken vessels, con-
12 struct buildings or other physical facilities, or
13 acquire land.

14 “(9) GEOGRAPHIC DISTRIBUTION.—In making
15 grants, contracts, and cooperative agreements under
16 this section the Secretary shall take such measures
17 so as to ensure an equitable geographic distribution
18 of funds.

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

21 “(A) a State, a political subdivision of a
22 State, or a local government;

23 “(B) a United States metropolitan plan-
24 ning organization;

25 “(C) a United States port authority;

1 “(D) a Tribal government; or

2 “(E) a United States private sector oper-
3 ator of marine highway projects or private sec-
4 tor owners of facilities, including an Alaska Na-
5 tive Corporation, with an endorsement letter
6 from the requester of a marine highway route
7 designation or modification referred to in sub-
8 section (b)(1)(B).”.

9 (2) CLERICAL AMENDMENT.—The analysis for
10 chapter 556 of title 46, United States Code, is
11 amended by striking the item relating to section
12 55601 and inserting the following:

“55601. United States marine highway program.”.

13 (b) MULTISTATE, STATE, TRIBAL, AND REGIONAL
14 TRANSPORTATION PLANNING.—

15 (1) IN GENERAL.—Chapter 556 of title 46,
16 United States Code, is amended by inserting after
17 section 55602 the following:

18 **“§ 55603. Multistate, State, Tribal, and regional trans-
19 portation planning**

20 “(a) IN GENERAL.—The Secretary, in consultation
21 with Federal entities, State and local governments, Tribal
22 governments, and appropriate private sector entities, may
23 develop strategies to encourage the use of marine highway
24 transportation for transportation of passengers and cargo.

1 “(b) STRATEGIES.—If the Secretary develops strate-
2 gies under subsection (a), the Secretary may—

3 “(1) assess the extent to which States, local
4 governments, and Tribal governments include ma-
5 rine highway transportation and other marine trans-
6 portation solutions in transportation planning;

7 “(2) encourage State and Tribal departments of
8 transportation to develop strategies, where appro-
9 priate, to incorporate marine highway transpor-
10 tation, ferries, and other marine transportation solu-
11 tions for regional and interstate transport of freight
12 and passengers in transportation planning; and

13 “(3) encourage groups of States, Tribal govern-
14 ments, and multistate transportation entities to de-
15 termine how marine highways can address conges-
16 tion, bottlenecks, and other interstate transportation
17 challenges.”.

18 (2) CLERICAL AMENDMENT.—The analysis for
19 chapter 556 of title 46, United States Code, is
20 amended by striking the item relating to section
21 55603 and inserting the following:

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

22 (c) 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 (3) through (5), respectively; and

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

6 “(1) the economic effects of marine highway
7 transportation on the United States economy;

8 “(2) the effects of marine highway transpor-
9 tation, including with respect to the provision of ad-
10 ditional transportation options, on rural areas;”.

11 (d) DEFINITIONS.—

12 (1) IN GENERAL.—Section 55605 of title 46,
13 United States Code, is amended to read as follows:

14 “

15 **“§ 55605. Definitions**

16 “In this chapter:

17 “(1) The term ‘marine highway transportation’
18 means the carriage by a documented vessel of cargo
19 (including such carriage of cargo and passengers), if
20 such cargo—

21 “(A) is—

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

1 “(ii) loaded on the vessel by means of
2 wheeled technology, including roll-on roll-
3 off cargo;

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

8 “(iv) bulk, liquid, or loose cargo load-
9 ed in tanks, holds, hoppers, or on deck; or

10 “(v) freight vehicles carried aboard
11 commuter ferry boats; and

12 “(B) is—

13 “(i) loaded at a port in the United
14 States and unloaded either at another port
15 in the United States or at a port in Can-
16 ada or Mexico; or

17 “(ii) loaded at a port in Canada or
18 Mexico and unloaded at a port in the
19 United States.

20 “(2) The term “Tribal government” means the
21 recognized governing body of any Indian or Alaska
22 Native Tribe, band, nation, pueblo, village, commu-
23 nity, component band, or component reservation, in-
24 dividually identified (including parenthetically) in
25 the list published most recently, as of the date of en-

1 actment of the James M. Inhofe National Defense
2 Authorization Act for Fiscal Year 2023, pursuant to
3 section 104 of the Federally Recognized Indian
4 Tribe List Act of 1994 (25 U.S.C. 5131).

5 “(3) The term ‘Alaska Native Corporation’ has
6 the meaning given the term ‘Native Corporation’
7 under section 3 of the Alaska Native Claims Settle-
8 ment Act (43 U.S.C. 1602).”.

9 (2) CLERICAL AMENDMENT.—The analysis for
10 chapter 556 of title 46, United States Code, is
11 amended by striking the item relating to section
12 55605 and inserting the following:

“55605. Definitions.”.

13 (e) REPORT ON MARITIME HIGHWAY TRANSPOR-
14 TATION IN GULF OF MEXICO AND PUGET SOUND.—Not
15 later than one year after the date of the enactment of this
16 Act, the Maritime Administrator shall submit to the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives and the Committee on Commerce,
19 Science and Transportation of the Senate a report on op-
20 portunities for maritime highway transportation, as that
21 term is defined section 55605(1) of title 46, United States
22 Code, as amended by this section, in the Gulf of Mexico,
23 Puget Sound, and Salish Sea System by vessels docu-
24 mented under chapter 121 of title 46, United States Code.

1 (f) DEADLINE FOR PUBLIC AVAILABILITY OF MAP.—
2 Not later than 120 days after the date of the enactment
3 of this Act, the Maritime Administration shall make pub-
4 licly available the map of marine highway program routes
5 required to be made publicly available under subsection
6 (c) of section 55601 of title 46, United States Code, as
7 amended by this section.

8 **SEC. 3522. PORT INFRASTRUCTURE DEVELOPMENT**
9 **GRANTS.**

10 (a) IN GENERAL.—In making port infrastructure de-
11 velopment grants under section 54301 of title 46, United
12 States Code, for fiscal year 2023, the Secretary of Trans-
13 portation shall treat a project described in subsection (b)
14 as an eligible project under section 54301(a)(3) of such
15 title for purposes of making grants under section 54301(a)
16 of such title.

17 (b) PROJECT DESCRIBED.—A project described in
18 this subsection is a project to provide shore power at a
19 port that services—

20 (1) passenger vessels described in section
21 3507(k) of title 46, United States Code; and

22 (2) vessels that move goods or freight.

1 **SEC. 3523. PROJECT SELECTION CRITERIA FOR PORT IN-**
2 **FRASTRUCTURE DEVELOPMENT PROGRAM.**

3 In making port infrastructure development grants
4 under section 54301 of title 46, United States Code, for
5 fiscal year 2023, in considering the criteria under sub-
6 paragraphs (A)(ii) and (B)(ii) of paragraph (6) of sub-
7 section (a) with respect to a project described in para-
8 graph (3) of such subsection that is located in a noncontig-
9 uous State or territory, the Secretary may take into ac-
10 count—

11 (1) the geographic isolation of the State or ter-
12 ritory; and

13 (2) the economic dependence of the State or
14 territory on the proposed project.

15 **SEC. 3524. INFRASTRUCTURE IMPROVEMENTS IDENTIFIED**
16 **IN THE REPORT ON STRATEGIC SEAPORTS.**

17 In making port infrastructure development grants
18 under section 54301 of title 46, United States Code, for
19 fiscal year 2023, the Secretary may consider infrastruc-
20 ture improvements identified in the report on strategic
21 seaports required by section 3515 of the National Defense
22 Authorization Act for Fiscal Year 2020 (Public Law 116–
23 92; 133 Stat. 1985) that would improve the commercial
24 operations of those seaports.

1 **SEC. 3525. GAO REVIEW OF GOVERNMENT EFFORTS TO**
2 **PROMOTE GROWTH AND MODERNIZATION OF**
3 **UNITED STATES MERCHANT FLEET.**

4 (a) REVIEW.—The Comptroller General of the United
5 States shall conduct a review of the efforts of the United
6 States Government to promote the growth and moderniza-
7 tion of the United States maritime industry and the ves-
8 sels of the United States, as defined in section 116 of title
9 46, United States Code, including the overall efficacy of
10 United States Government financial support and policies,
11 including the Capital Construction Fund, Construction
12 Reserve Fund, and other relevant loan, grant, or other
13 programs.

14 (b) REPORT.—Not later than 18 months after the
15 date of the enactment of this Act, the Comptroller General
16 of the United States shall submit to the Committee on
17 Commerce, Science, and Transportation of the Senate and
18 the Committee on Transportation and Infrastructure of
19 the House of Representatives a report that includes the
20 results of a review required under subsection (a).

21 **SEC. 3526. GAO REVIEW OF FEDERAL EFFORTS TO EN-**
22 **HANCE PORT INFRASTRUCTURE RESILIENCY**
23 **AND DISASTER PREPAREDNESS.**

24 (a) REVIEW.—The Comptroller General of the United
25 States shall conduct a review of Federal efforts to assist
26 ports in enhancing the resiliency of key intermodal connec-

1 tors to weather-related disasters. The review shall include
2 an analysis of 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 actions.

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 such disruptions 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, Tribal, and private stake-
24 holders involved, to improve resiliency prior to
25 weather-related disasters.

1 (b) REPORT.—Not later than 18 months after the
2 date of the enactment of this Act, the Comptroller General
3 shall submit to the Committee on Commerce, Science, and
4 Transportation of the Senate and the Committee on
5 Transportation and Infrastructure of the House of Rep-
6 resentatives a report containing the results of the review
7 required under subsection (a).

8 **SEC. 3527. STUDY ON FOREIGN INVESTMENT IN SHIPPING.**

9 (a) ASSESSMENT.—Subject to the availability of ap-
10 propriations, the Under Secretary of Commerce for Inter-
11 national Trade (referred to in this section as the “Under
12 Secretary”), in coordination with the Maritime Adminis-
13 trator, the Commissioner of the Federal Maritime Com-
14 mission, and the heads of other relevant agencies, shall
15 conduct an assessment of subsidies, indirect state support,
16 and other financial infrastructure or benefits provided by
17 foreign states that control more than one percent of the
18 world merchant fleet to entities or individuals building,
19 owning, chartering, operating, or financing vessels not
20 documented under the laws of the United States that are
21 engaged in foreign commerce.

22 (b) REPORT.—Not later than one year after the date
23 of the enactment of this Act, the Under Secretary shall
24 submit to the appropriate committees of Congress, as de-

1 fined in section 3515(e), a report on the assessment con-
2 ducted under subsection (a). Such report shall include—

3 (1) the amount, in United States dollars, of
4 subsidies, indirect state support, and other financial
5 infrastructure or benefits provided by a foreign state
6 described in subsection (a) to—

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

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

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

13 (2) the amount, in United States dollars, of
14 subsidies, indirect state support, and other financial
15 infrastructure or benefits provided by a foreign state
16 described in subsection (a) to the shipping industry
17 of another foreign state, including favorable finan-
18 cial arrangements for ship construction;

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

22 (4) a description of the type of support pro-
23 vided by a foreign state described in subsection (a),
24 including tax relief, direct payment, indirect support

1 of state-controlled financial entities, or other such
2 support, as determined by the Under Secretary; and

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

9 (c) DEFINITIONS.—In this section:

10 (1) The term “foreign commerce” means—

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

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

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

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

21 (3) The term “shipping industry” means the
22 construction, ownership, chartering, operation, or fi-
23 nancing of vessels engaged in foreign commerce.

1 **SEC. 3528. REPORT ON ALTERNATE MARINE FUEL BUN-**
2 **KERING FACILITIES AT PORTS.**

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

10 (b) CONTENTS.—The report required under sub-
11 section (a) shall include—

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

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

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

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

9 **SEC. 3529. STUDY OF CYBERSECURITY AND NATIONAL SE-**
10 **CURITY THREATS POSED BY FOREIGN MANU-**
11 **FACTURED CRANES AT UNITED STATES**
12 **PORTS.**

13 (a) **STUDY.**—The Maritime Administrator, in con-
14 sultation with the Secretary of Homeland Security, the
15 Secretary of Defense, and the Director of the Cybersecu-
16 rity and Infrastructure Security Agency, shall conduct a
17 study to assess whether there are cybersecurity or national
18 security threats posed by foreign manufactured cranes at
19 United States ports.

20 (b) **REPORT.**—

21 (1) **IN GENERAL.**—Not later than one year
22 after the date of enactment of this Act, the Maritime
23 Administrator shall submit to the Committee on
24 Commerce, Science, and Transportation of the Sen-
25 ate, the Committee on Armed Services of the Senate,

1 the Committee on Homeland Security and Govern-
2 mental Affairs of the Senate, the Committee on
3 Transportation and Infrastructure of the House of
4 Representatives, and the Committee on Armed Serv-
5 ices of the House of Representatives a report con-
6 taining the results of the study required under sub-
7 section (a).

8 (2) FORM OF REPORT.—The report required
9 under paragraph (1) shall be submitted in unclassi-
10 fied form, but may include a classified annex.

11 **Subtitle D—Maritime Workforce**

12 **SEC. 3531. IMPROVING PROTECTIONS FOR MIDSHIPMEN.**

13 (a) SUPPORTING THE UNITED STATES MERCHANT
14 MARINE ACADEMY.—Chapter 513 of title 46, United
15 States Code, is amended by adding at the end the fol-
16 lowing:

17 **“§ 51325. Sexual assault and sexual harassment pre- 18 vention information management system**

19 “(a) INFORMATION MANAGEMENT SYSTEM.—

20 “(1) IN GENERAL.—Not later than January 1,
21 2023, the Maritime Administrator shall establish
22 within the United States Merchant Marine Academy
23 Sexual Assault prevention and Response Program,
24 an information management system to track and
25 maintain, in such a manner that patterns can be

1 reasonably identified, information regarding claims
2 and incidents involving cadets that are reportable
3 pursuant to subsection (d) of section 51318 of this
4 chapter.

5 “(2) INFORMATION MAINTAINED IN THE SYS-
6 TEM.—Information maintained in the system estab-
7 lished under paragraph (1) shall include the fol-
8 lowing information, to the extent that information is
9 available:

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

12 “(B) The location of each such incident,
13 including vessel name and the name of the com-
14 pany operating the vessel, if applicable.

15 “(C) The standardized job title or position
16 of the individuals involved in each such inci-
17 dent.

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

21 “(E) The type of inquiry made into each
22 such incident.

23 “(F) A record of whether each such inci-
24 dent was substantiated by the relevant inves-
25 tigative process.

1 “(3) PAST INFORMATION INCLUDED.—The in-
2 formation management system under this section
3 shall include the relevant data listed in this sub-
4 section related to sexual assault and sexual harass-
5 ment that the Maritime Administrator possesses,
6 and shall not be limited to data collected after Janu-
7 ary 1, 2023.

8 “(4) PRIVACY PROTECTIONS.—The Maritime
9 Administrator and the Chief Information Officer of
10 the Department of Transportation shall coordinate
11 to ensure that the information management system
12 under this section shall—

13 “(A) be established and maintained in a
14 secure fashion to ensure the protection of the
15 privacy of any individuals whose information is
16 entered in such system; and

17 “(B) be free of personally identifiable in-
18 formation and maintain only the data required
19 to satisfy the statistical purpose of such system.

20 “(5) CYBERSECURITY AUDIT.—Ninety days
21 after the implementation of the information manage-
22 ment system, the Office of Inspector General of the
23 Department of Transportation shall commence an
24 audit of the cybersecurity of the system and shall
25 submit a report containing the results of that audit

1 to 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.

5 “(6) CORRECTING RECORDS.—In establishing
6 the information management system, the Maritime
7 Administrator shall create a process to ensure that
8 if any incident report results in a final agency action
9 or final judgement that acquits an individual of
10 wrongdoing, all personally identifiable information
11 about the acquitted individual is removed from that
12 incident report in the system.

13 “(b) SEA YEAR PROGRAM.—The Maritime Adminis-
14 trator shall provide for the establishment of in-person and
15 virtual confidential exit interviews, to be conducted by per-
16 sonnel who are not involved in the assignment of the mid-
17 shipmen to a Sea Year vessel, for midshipmen from the
18 Academy upon completion of Sea Year and following com-
19 pletion by the midshipmen of the survey under section
20 51322(d).

21 “(c) DATA-INFORMED DECISIONMAKING.—The data
22 maintained in the data management system under sub-
23 section (a) and through the exit interviews under sub-
24 section (b) shall be affirmatively referenced and used to
25 inform the creation of new policy or regulation, or changes

1 to any existing policy or regulation, in the areas of sexual
2 harassment, dating violence, domestic violence, sexual as-
3 sault, and stalking.

4 **“§ 51326. Student advisory board at the United States**
5 **Merchant Marine Academy**

6 “(a) IN GENERAL.—The Maritime Administrator
7 shall establish at the United States Merchant Marine
8 Academy an advisory board to be known as the Advisory
9 Board to the Secretary of Transportation (referred to in
10 this section as the ‘Advisory Board’).

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

16 “(c) APPOINTMENT; TERM.—Midshipmen shall serve
17 on the Advisory Board pursuant to appointment by the
18 Maritime Administrator. Appointments shall be made not
19 later than 60 days after the date of the swearing in of
20 a new class of midshipmen at the Academy. The term of
21 membership of a midshipmen on the Advisory Board shall
22 be 1 academic year.

23 “(d) REAPPOINTMENT.—The Maritime Adminis-
24 trator may reappoint not more than 6 cadets from the pre-
25 vious term to serve on the Advisory Board for an addi-

1 tional academic year if the Maritime Administrator deter-
2 mines such reappointment to be in the best interests of
3 the Merchant Marine Academy.

4 “(e) MEETINGS.—The Advisory Board shall meet
5 with the Secretary of Transportation not less than once
6 each academic year to discuss the activities of the Advisory
7 Board. The Advisory Board shall meet in person with the
8 Maritime Administrator not less than 2 times each aca-
9 demic year to discuss the activities of the Advisory Board.

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

11 “(1) identify health and wellbeing, diversity,
12 and sexual assault and harassment challenges and
13 other topics considered important by the Advisory
14 Board facing midshipmen at the Merchant Marine
15 Academy, off campus, and while aboard ships during
16 Sea Year or other training opportunities;

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

20 “(3) periodically review the efficacy of the pro-
21 gram in section 51325(b), as appropriate, and pro-
22 vide recommendations to the Maritime Adminis-
23 trator for improvement.

24 “(g) WORKING GROUPS.—The Advisory Board may
25 establish one or more working groups to assist the Advi-

1 sory Board in carrying out its duties, including working
2 groups composed in part of midshipmen at the Merchant
3 Marine Academy who are not current members of the Ad-
4 visory Board.

5 “(h) REPORTS AND BRIEFINGS.—The Advisory
6 Board shall regularly provide the Secretary of Transpor-
7 tation and the Maritime Administrator reports and brief-
8 ings on the results of its duties, including recommenda-
9 tions for actions to be taken in light of such results. Such
10 reports and briefings may be provided in writing, in per-
11 son, or both.

12 **“§ 51327. Sexual Assault Advisory Council**

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

16 “(b) MEMBERSHIP.—

17 “(1) IN GENERAL.—The Council shall be com-
18 posed of not fewer than 8 and not more than 14 in-
19 dividuals selected by the Secretary of Transportation
20 who are alumni that have graduated within the last
21 4 years or current midshipmen of the United States
22 Merchant Marine Academy (including midshipmen
23 or alumni who were victims of sexual assault, to the
24 maximum extent practicable, and midshipmen or
25 alumni who were not victims of sexual assault) and

1 governmental and nongovernmental experts and pro-
2 fessionals in the sexual assault field.

3 “(2) EXPERTS INCLUDED.—The Council shall
4 include—

5 “(A) not less than 1 member who is li-
6 censed in the field of mental health and has
7 prior experience working as a counselor or ther-
8 apist providing mental health care to survivors
9 of sexual assault in a victim services agency or
10 organization; and

11 “(B) not less than 1 member who has
12 prior experience developing or implementing
13 sexual assault or sexual harassment prevention
14 and response policies in an academic setting.

15 “(3) RULES REGARDING MEMBERSHIP.—No
16 employee of the Department of Transportation shall
17 be a member of the Council. The number of govern-
18 mental experts appointed to the Council shall not ex-
19 ceed the number of nongovernmental experts.

20 “(c) DUTIES; AUTHORIZED ACTIVITIES.—

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

23 “(A) review—

24 “(i) the policies on sexual harassment,
25 dating violence, domestic violence, sexual

1 assault, and stalking under section 51318
2 of this title;

3 “(ii) the trends and patterns of data
4 contained in the system described under
5 section 51325 of this title; and

6 “(iii) related matters the Council
7 views as appropriate; and

8 “(B) develop recommendations designed to
9 ensure that such policies and such matters con-
10 form, to the extent practicable, to best practices
11 in the field of sexual assault and sexual harass-
12 ment response and prevention.

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

15 “(A) interview current and former mid-
16 shipmen of the United States Merchant Marine
17 Academy (to the extent that such midshipmen
18 provide the Department of Transportation ex-
19 press consent to be interviewed by the Council);
20 and

21 “(B) review surveys under section
22 51322(d).

23 “(3) PERSONALLY IDENTIFIABLE INFORMA-
24 TION.—In carrying out this subsection, the Council
25 shall comply with the obligations of the Department

1 of Transportation to protect personally identifiable
2 information.

3 “(d) REPORTS.—On an annual basis for each of the
4 5 years after the date of enactment of this section, and
5 at the discretion of the Council thereafter, the Council
6 shall submit, to the President and the Committee on Com-
7 merce, Science, and Transportation and the Committee on
8 Appropriations of the Senate and the Committee on
9 Transportation and Infrastructure and the Committee on
10 Appropriations of the House of Representatives, a report
11 on the Council’s findings based on the reviews conducted
12 pursuant to subsection (c) and related recommendations.

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

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

22 **“§ 51328. Student support**

23 “The Maritime Administrator shall—

1 “(1) require a biannual survey of midshipmen,
2 faculty, and staff of the Academy assessing the envi-
3 ronment of the Academy; and

4 “(2) require an annual survey of faculty and
5 staff of the Academy assessing the Sea Year pro-
6 gram.”.

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

13 (c) CONFORMING AMENDMENTS.—The chapter anal-
14 ysis for chapter 513 of title 46, United States Code, is
15 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.”.

16 (d) UNITED STATES MERCHANT MARINE ACADEMY
17 STUDENT SUPPORT PLAN.—

18 (1) STUDENT SUPPORT PLAN.—Not later than
19 January 1, 2023, the Maritime Administrator shall
20 issue a Student Support Plan for the United States
21 Merchant Marine Academy, in consultation with rel-
22 evant mental health professionals in the Federal

1 Government or experienced with the maritime indus-
2 try or related industries. Such plan shall—

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

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

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

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

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

22 (e) SPECIAL VICTIMS ADVISOR.—Section 51319 of
23 title 46, United States Code, is amended—

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

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

3 “(c) SPECIAL VICTIMS ADVISOR.—

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

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

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

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

24 “(e) UNFILLED VACANCIES.—The Administrator of
25 the Maritime Administration may appoint qualified can-

1 didates to positions under subsections (a) and (d) of this
2 section without regard to sections 3309 through 3319 of
3 title 5.”.

4 (f) CATCH A SERIAL OFFENDER ASSESSMENT.—

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

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

1 (g) SHIPBOARD TRAINING.—Section 51322(a) of title
2 46, United States Code, is amended by adding at the end
3 the following:

4 “(3) TRAINING.—

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

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

22 **SEC. 3532. MARITIME TECHNICAL ADVANCEMENT ACT.**

23 (a) IN GENERAL.—Section 51706 of title 46, United
24 States Code, is amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) DESIGNATION.—The Secretary of Transpor-
4 tation may designate as a center of excellence for domestic
5 maritime workforce training and education an entity
6 which is a covered training entity.”;

7 (2) by striking subsection (b) and inserting the
8 following:

9 “(b) GRANT PROGRAM.—

10 “(1) IN GENERAL.—The Secretary may award
11 a maritime career training grant to a center of ex-
12 cellence designated under subsection (a) for the pur-
13 pose of developing, offering, or improving career and
14 technical education or training programs related to
15 the United States maritime industry for United
16 States workers.

17 “(2) GRANT PROPOSAL.—To be eligible to re-
18 ceive a grant under this subsection, a center of ex-
19 cellence designated under subsection (a) shall submit
20 to the Secretary a grant proposal that includes a de-
21 tailed description of—

22 “(A) the specific project proposed to be
23 funded by the grant, including a description of
24 the manner in which the grant will be used to
25 develop, offer, or improve a career and technical

1 education or training program that is suited to
2 United States maritime industry workers;

3 “(B) the extent to which the project for
4 which the grant proposal is submitted will meet
5 the educational or career training needs of
6 United States maritime industry workers;

7 “(C) any previous experience of the center
8 of excellence in providing United States mari-
9 time industry career and technical education or
10 training programs;

11 “(D) how the project proposed to be fund-
12 ed by the grant would address shortcomings in
13 existing educational or career training opportu-
14 nities available to United States maritime in-
15 dustry workers; and

16 “(E) the extent to which employers, includ-
17 ing small and medium-sized firms, have dem-
18 onstrated a commitment to employing United
19 States maritime industry workers who would
20 benefit from the project for which the grant
21 proposal is submitted.

22 “(3) CRITERIA FOR AWARD OF GRANTS.—Sub-
23 ject to the appropriation of funds to carry out this
24 section, the Secretary shall award grants under this
25 subsection to centers of excellence based on—

1 “(A) an determination of the merits of a
2 grant proposal submitted under paragraph (2)
3 to develop, offer, or improve career and tech-
4 nical education or training programs to be
5 made available to United States maritime in-
6 dustry workers;

7 “(B) an evaluation of the likely employ-
8 ment opportunities available to United States
9 maritime industry workers who complete a mar-
10 itime career and technical education or training
11 program that a center proposes to develop,
12 offer, or improve; and

13 “(C) an evaluation of prior demand for
14 training programs by workers served by centers
15 of excellence designated under subsection (a),
16 as well as the availability and capacity of exist-
17 ing maritime training programs to meet future
18 demand for training programs.

19 “(4) COMPETITIVE AWARDS.—

20 “(A) IN GENERAL.—The Secretary shall
21 award grants under this subsection to centers
22 of excellence designated under subsection (a) on
23 a competitive basis.

24 “(B) TIMING OF GRANT NOTICE.—The
25 Secretary 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 the enactment of the appropriations Act for
4 the fiscal year concerned.

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

10 “(D) REUSE OF UNEXPENDED GRANT
11 FUNDS.—Notwithstanding subparagraph (C),
12 amounts awarded as a grant under this sub-
13 section that are not expended by the grantee
14 shall remain available to the Secretary for use
15 for grants under this subsection.

16 “(E) ADMINISTRATIVE COSTS.—Not more
17 than 3 percent of amounts made available to
18 carry out this subsection may be used for the
19 necessary costs of grant administration.

20 “(F) PROHIBITED USE.—A center of excel-
21 lence designated under subsection (a) that has
22 received funds awarded under section
23 54101(a)(2) for training purposes for a fiscal
24 year shall not be eligible for grants under this
25 subsection during the same fiscal year.”; and

1 (3) in subsection (c)—

2 (A) by striking paragraph (1) and insert-
3 ing the following:

4 “(1) COVERED TRAINING ENTITY.—The term
5 ‘covered training entity’ means an entity that—

6 “(A) is located in a State that borders on
7 the—

8 “(i) Gulf of Mexico;

9 “(ii) Atlantic Ocean;

10 “(iii) Long Island Sound;

11 “(iv) Pacific Ocean;

12 “(v) Great Lakes; or

13 “(vi) Mississippi River System;

14 “(B) is—

15 “(i) a postsecondary educational insti-
16 tution (as such term is defined in section
17 3(39) of the Carl D. Perkins Career and
18 Technical Education Act of 2006 (20
19 U.S.C. 2302));

20 “(ii) a postsecondary vocational insti-
21 tution (as such term is defined in section
22 102(c) of the Higher Education Act of
23 1965 (20 U.S.C. 1002(c));

24 “(iii) a public or private nonprofit en-
25 tity that offers one or more other struc-

1 tured experiential learning training pro-
2 grams for United States workers in the
3 United States maritime industry, including
4 a program that is offered by a labor orga-
5 nization or conducted in partnership with a
6 nonprofit organization or one or more em-
7 ployers in the United States maritime in-
8 dustry;

9 “(iv) an entity sponsoring an appren-
10 ticeship program registered with the Office
11 of Apprenticeship of the Employment and
12 Training Administration of the Depart-
13 ment of Labor or a State apprenticeship
14 agency recognized by the Office of Appren-
15 ticeship pursuant to the Act of August 16,
16 1937 (commonly known as the ‘National
17 Apprenticeship Act’; 50 Stat. 664, chapter
18 663; 29 U.S.C. 50 et seq.); or

19 “(v) a maritime training center des-
20 ignated prior to the date of enactment of
21 the National Defense Authorization Act for
22 Fiscal Year 2023; and

23 “(C) has a demonstrated record of success
24 in maritime workforce training and education.”;

25 and

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

2 “(3) CAREER AND TECHNICAL EDUCATION.—

3 The term ‘career and technical education’ has the
4 meaning given such term in section 3(5) of the Carl
5 D. Perkins Career and Technical Education Act (20
6 U.S.C. 2302).

7 “(4) SECRETARY.—The term ‘Secretary’ means
8 the Secretary of Transportation.

9 “(5) TRAINING PROGRAM.—The term ‘training
10 program’ means a program that provides training
11 services, as described in section 134(c)(3)(D) of the
12 Workforce Innovation and Opportunity Act (Public
13 Law 113–128; 29 U.S.C. 3174).

14 “(6) UNITED STATES MARITIME INDUSTRY.—
15 The term ‘United States maritime industry’ means
16 the design, construction, repair, operation, manning,
17 and supply of vessels in all segments of the maritime
18 transportation system of the United States, includ-
19 ing—

20 “(A) the domestic and foreign trade;

21 “(B) the coastal, offshore, and inland
22 trade;

23 “(C) non-commercial maritime activities,
24 including—

25 “(i) recreational boating; and

1 “(ii) oceanographic and limnological
2 research as described in section
3 2101(24).”.

4 (b) PUBLICLY AVAILABLE REPORT.—Not later than
5 December 15 in each of calendar years 2022 through
6 2024, the Secretary of Transportation shall make publicly
7 available on an appropriate website a report, and provide
8 to the Committee on Commerce, Science, and Transpor-
9 tation of the Senate and the Committee on Transportation
10 and Infrastructure of the House of Representatives a
11 briefing, on the implementation of the amendments under
12 this section. Such report and briefing shall include—

13 (1) a description of each grant awarded under
14 subsection (b) of section 51706 of title 46, United
15 States Code, as amended by subsection (a), during
16 the fiscal year preceding the fiscal year during which
17 the report is submitted; and

18 (2) an assessment of the effects of each such
19 grant under this subsection on workers who received
20 training provided pursuant to the grant during the
21 fiscal year preceding the fiscal year during which the
22 report was submitted.

23 (c) GUIDELINES.—Not later than one year after the
24 date of enactment of this Act, the Secretary of Transpor-
25 tation shall—

1 (1) prescribe guidelines for the submission of
2 grant proposals under section 51706(b) of title 46,
3 United States Code, as amended by subsection (a);
4 and

5 (2) publish and maintain such guidelines on the
6 website of the Department of Transportation.

7 (d) ASSISTANCE FOR SMALL SHIPYARDS.—Section
8 54101(e) of title 46, United States Code, is amended by
9 striking paragraph (2) and inserting the following:

10 “(2) ALLOCATION OF FUNDS.—

11 “(A) IN GENERAL.—The Administrator
12 may not award more than 25 percent of the
13 funds made available to carry out this section
14 for any fiscal year to any small shipyard in one
15 geographic location that has more than 600 em-
16 ployees.

17 “(B) INELIGIBILITY.—A maritime training
18 center that has received funds awarded under
19 section 51706 of title 46, United States Code,
20 shall not be eligible for grants under this sub-
21 section for training purposes in the same fiscal
22 year.”.

23 **SEC. 3533. ENSURING DIVERSE MARINER RECRUITMENT.**

24 Not later than six months after the date of the enact-
25 ment of this Act, the Secretary of Transportation shall

1 develop and deliver to Congress a strategy to assist State
2 maritime academies and the United States Merchant Ma-
3 rine Academy in improving the representation in the next
4 generation of the mariner workforce of women and under-
5 represented communities, including each of the following:

6 (1) Black and African American.

7 (2) Hispanic and Latino.

8 (3) Asian.

9 (4) American Indian, Alaska Native, and Native
10 Hawaiian.

11 (5) Pacific Islander.

12 **SEC. 3534. LOW EMISSIONS VESSELS TRAINING.**

13 (a) DEVELOPMENT OF STRATEGY.—The Secretary of
14 Transportation, in consultation with the United States
15 Merchant Marine Academy, State maritime academies, ci-
16 vilian nautical schools, and the Secretary of the depart-
17 ment in which Coast Guard is operating, shall develop a
18 strategy to ensure there is an adequate supply of trained
19 United States citizen mariners sufficient to meet the oper-
20 ational requirements of low and zero emission vessels. Im-
21 plementation of the strategy shall aim to increase the sup-
22 ply of trained United States citizen mariners sufficient to
23 meet the needs of the maritime industry and ensure con-
24 tinued investment in training for mariners serving on con-
25 ventional fuel vessels.

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

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

11 (2) make such report publicly available.

12 **Subtitle E—Other Matters**

13 **SEC. 3541. WAIVER OF NAVIGATION AND VESSEL INSPEC-** 14 **TION LAWS.**

15 Section 501 of title 46, United States Code, is
16 amended—

17 (1) in subsection (b)—

18 (A) by striking paragraph (1) and insert-
19 ing the following:

20 “(1) IN GENERAL.—Upon a determination by
21 the President that a waiver of the navigation or ves-
22 sel-inspection laws is necessary in the interest of na-
23 tional defense, the head of an agency responsible for
24 the administration of such laws, may waive compli-
25 ance with such laws—

1 “(A) following a determination in accord-
2 ance with the requirements of paragraph (3) by
3 the Maritime Administrator, acting in the Ad-
4 ministrators capacity as Director, National
5 Shipping Authority, of the non-availability of
6 qualified United States flag capacity to meet
7 national defense requirements;

8 “(B) not earlier than 48 hours after a
9 waiver request is published under paragraph
10 (6)(A); and

11 “(C) on a vessel specific basis to the ex-
12 tent, in the manner, and on the terms the head
13 of such agency, in consultation with the Admin-
14 istrator, acting in such capacity, prescribes.”;

15 (B) in paragraph (2)(B) by striking “de-
16 terminations referred to in paragraph (1)” and
17 inserting “determination referred to in para-
18 graph (1)(A)”;

19 (C) in paragraph (3) by striking subpara-
20 graph (A) and inserting the following:

21 “(A) for each determination referred to in
22 paragraph (1)(A)—

23 “(i) identify any actions that could be
24 taken to enable qualified United States
25 flag capacity to meet national defense re-

1 requirements prior to the issuance of a waiver;
2 er; and

3 “(ii) not assess the non-availability of
4 qualified United States flag capacity to
5 meet national defense requirements retro-
6 spectively after the date on which a waiver
7 is requested;” and

8 (D) by adding at the end the following:

9 “(5) PROSPECTIVE APPLICATION.—No waiver
10 shall be issued for a vessel if, at the time of the
11 waiver request under this section, such vessel is
12 laden with merchandise that, pursuant to the re-
13 quested waiver, could be unladen at points or places
14 to which the coastwise laws apply.

15 “(6) PUBLICATION REQUIREMENTS.—

16 “(A) PUBLICATION OF WAIVER RE-
17 QUESTS.—Upon receiving a request for a waiver
18 under this subsection, the head of an agency re-
19 ferred to in paragraph (1) shall publish such re-
20 quest on the website of such agency.

21 “(B) PUBLICATION OF WAIVER DENIAL.—
22 Not later than 48 hours after denying a waiver
23 requested under this subsection, the head of an
24 agency referred to in paragraph (1) shall pub-
25 lish on the website of such agency an expla-

1 nation for denying such waiver, including appli-
2 cable findings to support the denial.”; and

3 (2) in subsection (c)(1)—

4 (A) in the matter preceding subparagraph
5 (A) by inserting “and the individual requesting
6 such waiver (if not the owner or operator of the
7 vessel)” before “shall submit”;

8 (B) in subparagraph (C) by striking “and”
9 at the end;

10 (C) by redesignating subparagraphs (B),
11 (C), and (D) as subparagraphs (C), (D), and
12 (G), respectively;

13 (D) by inserting after subparagraph (A)
14 the following:

15 “(B) the name of the owner and operator
16 of the vessel;”; and

17 (E) by inserting after subparagraph (D),
18 as so redesignated, the following:

19 “(E) a description of the cargo carried;

20 “(F) an explanation as to why the waiver
21 was in the interest of national defense; and”.

22 **SEC. 3542. NATIONAL MARITIME STRATEGY.**

23 (a) STUDY TO INFORM A NATIONAL MARITIME
24 STRATEGY.—

1 (1) IN GENERAL.—Not later than 30 days after
2 the date of the enactment of this Act, the Secretary
3 of Transportation and the Secretary of the depart-
4 ment in which the Coast Guard is operating shall
5 seek to enter into an agreement with a studies and
6 analysis federally funded research and development
7 center under which such center shall conduct a
8 study to identify the key elements needed for a na-
9 tional maritime strategy that is designed to—

10 (A) achieve the objectives described in sec-
11 tion 50101 of title 46, United States Code; and

12 (B) ensure—

13 (i) a capable, commercially viable,
14 militarily useful fleet of a sufficient num-
15 ber of merchant vessels documented under
16 chapter 121 of title 46, United States
17 Code;

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

21 (iii) strong United States domestic
22 shipbuilding infrastructure, and related
23 shipbuilding trades amongst skilled work-
24 ers in the United States; and

1 (iv) that the Navy Fleet Auxiliary
2 Force, the National Defense Reserve Fleet,
3 the Military Sealift Command, the Mari-
4 time Security Program under chapter 531
5 of title 46, United States Code, the Cable
6 Security Program under chapter 532 of
7 title 46, United States Code, and the
8 Tanker Security Program under chapter
9 534 of title 46, United States Code cur-
10 rently meet the economic and national se-
11 curity needs of the United States and
12 would reliably continue to meet those needs
13 under future economic or national security
14 emergencies.

15 (2) DEADLINE FOR COMPLETION.—An agree-
16 ment entered into pursuant to paragraph (1) shall
17 specify that the federally funded research and devel-
18 opment center shall complete the study by not later
19 than one year after the date of the enactment of this
20 Act.

21 (3) INPUT.—An agreement entered into pursu-
22 ant to paragraph (1) shall specify that, in carrying
23 out the study, the federally funded research and de-
24 velopment center shall solicit input from—

1 (A) relevant Federal departments and
2 agencies;

3 (B) nongovernmental organizations;

4 (C) United States companies;

5 (D) maritime labor organizations;

6 (E) commercial industries that depend on
7 United States mariners;

8 (F) domestic shipyards regarding ship-
9 building and repair capacity, and the associated
10 skilled workforce, such as the workforce re-
11 quired for transportation, offshore wind, fish-
12 ing, and aquaculture;

13 (G) providers of maritime workforce train-
14 ing; and

15 (H) any other relevant organizations.

16 (4) REQUIREMENTS OF AGREEMENT.—An
17 agreement entered into pursuant to paragraph (1)
18 shall specify that, in carrying out the study, the fed-
19 erally funded research and development center shall
20 consult with the Secretary of Transportation, the
21 Secretary of Defense, the Secretary of the Depart-
22 ment in which the Coast Guard is operating, the
23 Administrator of the National Oceanic and Atmos-
24 pheric Administration, and the heads of other rel-

1 evant Federal agencies, in the identification and
2 evaluation of—

3 (A) incentives, including regulatory
4 changes, needed to continue to meet the ship-
5 building and ship maintenance needs of the
6 United States for commercial and national se-
7 curity purposes, including through a review
8 of—

9 (i) the loans and guarantees program
10 carried out under chapter 537 of title 46,
11 United States Code, and how the develop-
12 ment of new offshore commercial indus-
13 tries, such as wind energy, could be sup-
14 ported through modification of such pro-
15 gram or other Federal programs, and thus
16 also support the United States sealift in
17 the future;

18 (ii) the barriers to participation in the
19 loans and guarantees program carried out
20 under chapter 537 of title 46, United
21 States Code, and how the program may be
22 improved to facilitate additional ship-
23 building activities in the United States;

24 (iii) the needed resources, human and
25 financial, for such incentives; and

1 (iv) the current and anticipated num-
2 ber of shipbuilding and ship maintenance
3 contracts at United States shipyards
4 through 2032, to the extent practicable;

5 (B) incentives, including regulatory
6 changes, needed to maintain a commercially
7 viable United States-documented fleet, includ-
8 ing—

9 (i) an examination of how the pref-
10 erences under section 2631 of title 10,
11 United States Code, and chapters 531,
12 532, 534, and 553 of title 46, United
13 States Code, should be used to further
14 maintain and grow a United States-docu-
15 mented fleet;

16 (ii) an identification of other incen-
17 tives that could be used that may not be
18 authorized at the time of the study;

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

22 (iv) estimates of the needed human
23 and financial resources for such incentives;

24 (C) the availability of United States mari-
25 ners, and future needs, including—

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

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

9 (iii) how those programs could be im-
10 proved to grow the number of maritime
11 workers trained each year, including how
12 potential collaboration between the uni-
13 formed services, the United States Mer-
14 chant Marine Academy, State maritime
15 academies, maritime labor training centers,
16 and the Centers of Excellence for Domestic
17 Maritime Workforce Training under sec-
18 tion 51706 of title 46, United States Code,
19 could be used most effectively; and

20 (iv) estimates of the necessary re-
21 sources, human and financial, to imple-
22 ment such programs in each relevant Fed-
23 eral agency over the next 30 years; and

24 (D) the interaction among the elements de-
25 scribed under subparagraphs (A) through (C).

1 (5) PUBLIC AVAILABILITY.—The Secretary of
2 Transportation shall make publicly available on a
3 website of the Department of Transportation a
4 study completed pursuant to paragraph (1).

5 (b) NATIONAL MARITIME STRATEGY.—

6 (1) IN GENERAL.—Chapter 501 of title 46,
7 United States Code, is amended by inserting after
8 section 50113 the following new section:

9 **“§ 50114. National maritime strategy**

10 “(a) IN GENERAL.—The Secretary of Transpor-
11 tation, in consultation with the Secretary of the depart-
12 ment in which the Coast Guard is operating and the Com-
13 mander of United States Transportation Command, shall
14 submit to the Committee on Transportation and Infra-
15 structure of the House of Representatives and the Com-
16 mittee on Commerce, Science, and Transportation of the
17 Senate—

18 “(1) a national maritime strategy; and

19 “(2) not less often than once every five years
20 after the submission of such strategy, an update to
21 the strategy.

22 “(b) CONTENTS.—The strategy required under sub-
23 section (a) shall include each of the following:

24 “(1) An identification of—

1 “(A) international policies and Federal
2 regulations and policies that reduce the com-
3 petitiveness of United States-documented ves-
4 sels with foreign vessels in domestic and inter-
5 national transportation markets; and

6 “(B) the impact of reduced cargo flow due
7 to reductions in the number of members of the
8 United States Armed Forces stationed or de-
9 ployed outside of the United States.

10 “(2) Recommendations to—

11 “(A) make United States-documented ves-
12 sels more competitive in shipping routes be-
13 tween United States and foreign ports;

14 “(B) increase the use of United States-doc-
15 umented vessels to carry cargo imported to and
16 exported from the United States;

17 “(C) ensure compliance by Federal agen-
18 cies with chapter 553;

19 “(D) increase the use of short sea trans-
20 portation routes, including routes designated
21 under section 55601(b), to enhance intermodal
22 freight movements;

23 “(E) enhance United States shipbuilding
24 capability;

1 “(F) invest in, and identify gaps in, infra-
2 structure needed to facilitate the movement of
3 goods at ports and throughout the transpor-
4 tation system, including innovative physical and
5 information technologies;

6 “(G) enhance workforce training and re-
7 cruitment for the maritime workforce, including
8 training on innovative physical and information
9 technologies;

10 “(H) increase the resilience of ports and
11 the marine transportation system;

12 “(I) increase the carriage of government-
13 impelled cargo on United States-documented
14 vessels pursuant to chapter 553 of title 46, sec-
15 tion 2631 of title 10, or otherwise; and

16 “(J) maximize the cost effectiveness of
17 Federal funding for carriage of non-defense
18 government impelled cargo for the purposes of
19 maintaining a United States flag fleet for na-
20 tional and economic security.

21 “(c) UPDATE.—Upon the release of a strategy or up-
22 date under subsection (a), the Secretary of Transportation
23 shall make such strategy or update publicly available on
24 the website of the Department of Transportation.

1 “(d) IMPLEMENTATION PLAN.—Not later than six
2 months after the submission of a strategy or update under
3 subsection (a), the Secretary of Transportation, in con-
4 sultation with the Secretary of the department in which
5 the Coast Guard is operating and the Secretary of De-
6 fense, shall make publicly available on an appropriate
7 website an implementation plan for such strategy or up-
8 date.”.

9 (2) CONFORMING REPEALS; DEADLINE.—

10 (A) RESCISSION OF SUPERCEDED STRAT-
11 EGY.—Effective on the date on which the Sec-
12 retary of Transportation submits the national
13 maritime strategy under section 50114(a)(1) of
14 title 46, United States Code, as added by para-
15 graph (1)—

16 (i) the national maritime strategy pre-
17 pared pursuant to section 603 of the How-
18 ard Coble Coast Guard and Maritime
19 Transportation Act of 2014 (Public Law
20 113–281) is rescinded; and

21 (ii) section 603 of the Howard Coble
22 Coast Guard and Maritime Transportation
23 Act of 2014 (Public Law 113–281) is re-
24 pealed.

1 (B) DEADLINE FOR SUBMISSION OF
2 STRATEGY.—The Secretary shall submit the na-
3 tional maritime strategy required under section
4 50114(a)(1) of title 46, United States Code, as
5 added by paragraph (1), not later than six
6 months after the date on which the Secretary
7 receives the study under subsection (a).

8 (3) CLERICAL AMENDMENT.—The analysis for
9 chapter 501 of title 46, United States Code, is
10 amended by inserting after the item relating to sec-
11 tion 50113 the following new item:

“50114. National maritime strategy.”.

12 **SEC. 3543. MARITIME ENVIRONMENTAL AND TECHNICAL**
13 **ASSISTANCE PROGRAM.**

14 (a) IN GENERAL.—Section 50307 of title 46, United
15 States Code, is amended—

16 (1) by striking the subsection (a) enumerator
17 and all that follows through “Transportation” and
18 inserting the following:

19 “(a) EMERGING MARINE TECHNOLOGIES AND PRAC-
20 TICES.—

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

23 (2) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) by redesignating subparagraphs
2 (A) through (D) as clauses (i) through
3 (iv), respectively and adjusting the margins
4 accordingly; and

5 (ii) in clause (iv), as redesignated by
6 clause (i), by striking “propeller cavita-
7 tion” and inserting “incidental vessel-gen-
8 erated underwater noise, such as noise
9 from propeller cavitation or hydrodynamic
10 flow”;

11 (B) by redesignating paragraphs (1) and
12 (2) as subparagraphs (A) and (B), respectively
13 and adjusting the margins accordingly;

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

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

20 (5) by redesignating subsection (e) as sub-
21 section (b);

22 (6) by striking subsection (f);

23 (7) in subsection (a)—

24 (A) in paragraph (1), as designated under
25 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 (4) 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 (4) 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 (4) of this section—

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

1 (ii) by striking “subsection (a)” and
2 inserting “this subsection”; and

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

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

12 (8) in subsection (b), as redesignated by para-
13 graph (5) of this section, by striking “subsection
14 (b)(1)” and inserting “this section”; and

15 (9) by adding at the end the following:

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

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

23 “(1) a private entity, including a nonprofit or-
24 ganization;

1 “(2) a State, regional, or local government or
2 entity, including special districts;

3 “(3) an Indian Tribe (as defined in section 4 of
4 the Indian Self-Determination and Education Assist-
5 ance Act (25 U.S.C. 5304)) or a consortium of In-
6 dian Tribes;

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

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

12 “(e) CENTER FOR MARITIME INNOVATION.—

13 “(1) IN GENERAL.—The Secretary of Transpor-
14 tation shall, through a cooperative agreement, estab-
15 lish a United States Center for Maritime Innovation
16 (referred to in this subsection as the ‘Center’) to
17 support the study, research, development, assess-
18 ment, and deployment of emerging marine tech-
19 nologies and practices related to the maritime trans-
20 portation system.

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

22 “(A) selected through a competitive proc-
23 ess of eligible entities, and if a private entity,
24 a domestic entity;

1 “(B) based in the United States with tech-
2 nical expertise in emerging marine technologies
3 and practices related to the maritime transpor-
4 tation system; and

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

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

17 “(4) FUNCTIONS.—The Center shall—

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

22 “(B) monitor and assess, on an ongoing
23 basis, the current state of knowledge regarding
24 emerging marine technologies in the United
25 States;

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

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

9 “(E) provide—

10 “(i) guidance on best available tech-
11 nologies;

12 “(ii) technical analysis;

13 “(iii) assistance with understanding
14 complex regulatory requirements; and

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

19 “(F) work with academic and private sec-
20 tor response training centers and Domestic
21 Maritime Workforce Training and Education
22 Centers of Excellence to develop maritime strat-
23 egies applicable to various segments of the
24 United States maritime industry, including the
25 inland, deep water, and coastal fleets.”.

1 (b) DEADLINE FOR IMPLEMENTATION.—The Sec-
2 retary of Transportation shall establish the United States
3 Center for Maritime Innovation under subsection (e) of
4 section 50307 of title 46, United States Code, as added
5 by subsection (a), by not later than one year after the date
6 of the enactment of this Act.

7 **SEC. 3544. DEFINITION OF QUALIFIED VESSEL.**

8 Section 53501(5)(A)(iii) of title 46, United States
9 Code, is amended by striking “United States foreign,
10 Great Lakes, noncontiguous domestic, or short sea trans-
11 portation trade” and inserting “foreign or domestic trade
12 of the United States”.

13 **SEC. 3545. ESTABLISHING A CAPITAL CONSTRUCTION**
14 **FUND.**

15 Section 53503(b) of title 46, United States Code, is
16 amended by striking “United States foreign, Great Lakes,
17 noncontiguous domestic, or short sea transportation
18 trade” and inserting “foreign or domestic trade of the
19 United States”.

20 **SEC. 3546. RECAPITALIZATION OF NATIONAL DEFENSE RE-**
21 **SERVE FLEET.**

22 (a) IN GENERAL.—Subject to the availability of ap-
23 propriations, the Secretary of Transportation, in consulta-
24 tion with the Chief of Naval Operations and the Com-
25 mandant of the Coast Guard, shall—

1 (1) complete the design of a roll-on, roll-off
2 cargo vessel for the National Defense Reserve Fleet
3 to allow for the construction of such vessel to begin
4 in fiscal year 2024; and

5 (2) seek to enter into an agreement with an ap-
6 propriate vessel construction manager under which
7 the vessel construction manager shall enter into a
8 contract for the construction of not more than ten
9 such vessels in accordance with this section.

10 (b) CONSTRUCTION AND DOCUMENTATION REQUIRE-
11 MENTS.—A vessel constructed pursuant to this section
12 shall meet the requirements for, and be issued a certificate
13 of, documentation and a coastwise endorsement under
14 chapter 121 of title 46, United States Code.

15 (c) DESIGN STANDARDS AND CONSTRUCTION PRAC-
16 TICES.—Subject to subsection (b), a vessel constructed
17 pursuant to this section shall be constructed using com-
18 mercial design standards and commercial construction
19 practices that are consistent with the best interests of the
20 Federal Government.

21 (d) CONSULTATION WITH OTHER FEDERAL ENTI-
22 TIES.—The Secretary of Transportation shall consult and
23 coordinate with the Secretary of the Navy and may consult
24 with the heads of other appropriate Federal agencies re-

1 guarding the vessel described in subsection (a) and activi-
2 ties associated with such vessel.

3 (e) LIMITATION ON USE OF FUNDS FOR USED VES-
4 SELS.—None of the funds authorized to be appropriated
5 by this Act or otherwise made available to carry out this
6 section may be used for the procurement of any used ves-
7 sel.

8 **SEC. 3547. SENSE OF CONGRESS ON MERCHANT MARINE.**

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

14 **SEC. 3548. ANALYSIS OF EFFECTS OF CHEMICALS IN**
15 **STORMWATER RUNOFF ON PACIFIC SALMON**
16 **AND STEELHEAD.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of enactment of this Act, the Under Secretary of
19 Commerce for Oceans and Atmosphere, in coordination
20 with the Secretary of Transportation and the Adminis-
21 trator of the Environmental Protection Agency, and in
22 consultation with the Director of the United States Fish
23 and Wildlife Service, shall commence an analysis of—

1 (1) the science relating to tire-related chemicals
2 in stormwater runoff at ports and the effects of such
3 chemicals on Pacific salmon and steelhead; and

4 (2) the challenges of studying tire-related
5 chemicals in stormwater runoff at ports and the ef-
6 fects of such chemicals on Pacific salmon and
7 steelhead.

8 (b) REPORT.—Not later than 18 months after com-
9 mencing the analysis required under subsection (a), the
10 Under Secretary of Commerce for Oceans and Atmos-
11 phere, in coordination with the Secretary of Transpor-
12 tation and the Administrator of the Environmental Pro-
13 tection Agency, shall submit to the appropriate congres-
14 sional committees, and make publicly available, a report
15 that includes—

16 (1) the findings of the analysis; and

17 (2) recommendations—

18 (A) to improve the monitoring of
19 stormwater and research related to run-off for
20 tire-related chemicals and the effects of such
21 chemicals on Pacific salmon and steelhead at
22 ports; and

23 (B) based on the best available science on
24 relevant management approaches at ports under
25 their respective jurisdictions.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-
3 mittees” means—

4 (1) the Committee on Commerce, Science, and
5 Transportation and the Committee on Environment
6 and Public Works of the Senate; and

7 (2) the Committee on Transportation and In-
8 frastructure and the Committee on Natural Re-
9 sources of the House of Representatives.

10 **SEC. 3549. REPORT ON EFFECTIVE VESSEL QUIETING**
11 **MEASURES.**

12 (a) IN GENERAL.—Not later than one year after the
13 date of the enactment of this Act, the Administrator of
14 the Maritime Administration, in consultation with the
15 Under Secretary of Commerce for Oceans and Atmosphere
16 and the Secretary of the Department in which the Coast
17 Guard is operating, shall submit to the appropriate con-
18 gressional committees, and make publicly available on an
19 appropriate website of the Department of Transportation,
20 a report that includes each of the following:

21 (1) An identification of technology-based con-
22 trols and best management practices for reducing
23 vessel-generated underwater noise.

1 (2) For each technology-based control or best
2 management practice identified under paragraph
3 (1), an evaluation of—

4 (A) the applicability of each control and
5 practice to various vessel types;

6 (B) the technical feasibility and economic
7 achievability of each control or practice; and

8 (C) the co-benefits and trade-offs of each
9 control or practice.

10 (3) Such other matters as the Administrator
11 determines appropriate.

12 (b) COMMITTEES.—In this section, the term “appro-
13 priate congressional committees” means—

14 (1) the Committee on Commerce, Science, and
15 Transportation of the Senate; and

16 (2) the Committee on Natural Resources and
17 the Committee on Transportation and Infrastructure
18 of the House of Representatives.

19 **DIVISION D—FUNDING TABLES**

20 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 21 **BLES.**

22 (a) IN GENERAL.—Whenever a funding table in this
23 division specifies a dollar amount authorized for a project,
24 program, or activity, the obligation and expenditure of the
25 specified dollar amount for the project, program, or activ-