

117TH CONGRESS  
2D SESSION

# S. 4357

To reauthorize the Maritime Administration, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 8 (legislative day, JUNE 7), 2022

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

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## A BILL

To reauthorize the Maritime Administration, and for other  
purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

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

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

Sec. 1. Short title.

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

### TITLE I—GENERAL PROVISIONS

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

## TITLE II—MARITIME INFRASTRUCTURE

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

## TITLE III—MARITIME WORKFORCE

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

## TITLE IV—TECHNOLOGY INNOVATION AND RESILIENCE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 20 **TITLE I—GENERAL PROVISIONS**

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

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

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

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

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

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

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

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

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

6 (1) relevant Federal departments and agencies;

7 (2) nongovernmental organizations;

8 (3) United States companies;

9 (4) maritime labor organizations;

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

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

16 (7) providers of maritime workforce training;

17 and

18 (8) any other relevant organizations.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 (1) identify—

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

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

15 (2) include recommendations to—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25           (1) by striking subsection (a);

1 (2) by redesignating—

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

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

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

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

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

16 “(1) for not less than 3 years; or

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

11      (c) UNITED STATES MARINE HIGHWAY PROGRAM.—

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

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

15      “(a) PROGRAM.—

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

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

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

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

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

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

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

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

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

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

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

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

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

7                   “(iii) a port authority;

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

10                  “(v) a Tribal government; and

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

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

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

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

3 “(4) MAP.—

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

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

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

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

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

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

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

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

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

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

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

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

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

16 “(C) a United States port authority;

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

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

24 “(3) APPLICATION.—

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

9                   “(i) a comprehensive description of—

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

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

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

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

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

11 “(V) the need for the service;

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

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

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

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

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

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

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

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

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



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

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

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

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

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

3           “(7) NON-FEDERAL SHARE.—

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

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

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

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

24              “(8) REUSE OF UNEXPENDED GRANT FUNDS.—

25      Notwithstanding paragraph (6), amounts awarded

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23              (2) RULES.—

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

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

(B) INTERIM RULES.—The Secretary of Transportation may prescribe temporary interim rules necessary to carry out the amendments made by this subsection. For this purpose, the Maritime Administrator, in prescribing rules under this subparagraph, is excepted from compliance with the notice and comment requirements of section 553 of title 5, United States Code, prior to the effective date of the interim rules. All interim rules prescribed under the authority of this subparagraph shall request comment and remain in effect until such time as the interim rules are superseded by a final rule, following notice and comment.

(C) SAVINGS CLAUSE.—The requirements under section 55601 of title 46, United States Code, as amended by this subsection, shall take effect only after the interim rule described in subparagraph (B) is promulgated by the Secretary.

(d) MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.—Chapter 556 of title 46, United

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

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

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

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

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

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

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

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

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

7 (1) by redesignating paragraphs (1) through  
 8 (3) as paragraphs (4) through (6), respectively; and  
 9 (2) by inserting before paragraph (4), as redес-  
 10 igned by paragraph (1), the following new para-  
 11 graphs:

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

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

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

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

23 **“§ 55605. Definitions**

24 “In this chapter—



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

4           “(A) that is—

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

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

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

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

16           “(B) that is—

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

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

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

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

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

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

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

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

“55601. United States Marine Highway Program.”;

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

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

3           and

4           (3) by striking the item relating to section  
5           55605 and inserting the following:

“55605. Definitions.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7           (c) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

12 (1) information about the existing United  
13 States infrastructure, in particular the storage facilities,  
14 bunkering vessels, and transfer systems to support  
15 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, hydrogen,  
22 ammonia, or other new marine fuels under development;  
23

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



(4) in consultation with relevant Federal agencies, information on the relevant Federal agencies that would oversee the permitting and construction of bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels, as well as the Federal funding grants or formula programs that could be used for such marine fuels.

## **TITLE III—MARITIME WORKFORCE**

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

It is the sense of Congress that the United States Merchant Marine is a critical part of the national infrastructure of the United States, and the men and women of the United States Merchant Marine are essential workers.

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

Not later than 6 months after the date of enactment of this section, the Secretary of Transportation shall develop and deliver to Congress a strategy to assist State maritime academies and the United States Merchant Marine Academy to improve the representation of women and underrepresented communities in the next generation of the mariner workforce, including each of the following:

(1) Black and African American.

(2) Hispanic and Latino.

1           (3) Asian.

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

4           (5) Pacific Islander.

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

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

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

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

24           (2) make such report publicly available.

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

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

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

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

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

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

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

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

3 “(c) SUBSTANTIATED CLAIM.—

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

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

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

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

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

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

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

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

20          “(d) DEFINITIONS.—

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

23                         “(A) Conduct that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6       “(a) INFORMATION MANAGEMENT SYSTEM.—

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

13 **Merchant Marine Academy**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25          “(b) MEMBERSHIP.—

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

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

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

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

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

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

3       “(c) DUTIES; AUTHORIZED ACTIVITIES.—

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

6                       “(A) review—

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

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

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

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

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

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

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

7           “(C) review—

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

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

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

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

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



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

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

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

14 **“§ 51328. Student support**

15 “The Maritime Administrator shall—

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

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

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

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

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

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

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

“51327. Sexual Assault Advisory Council.

“51328. Student support.”.

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

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

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

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

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

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

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

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

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

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

16 “(c) SPECIAL VICTIMS ADVISOR.—

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

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

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

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

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

18      (i) CATCH A SERIAL OFFENDER ASSESSMENT.—

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

emy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51325 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines that additional authority is necessary to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

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

“(3) TRAINING.—

“(A) IN GENERAL.—As part of training that shall be provided not less than semiannually to all midshipmen of the Academy, pursuant to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent prac-

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

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

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

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

14           (1) in subsection (b)—

15           (A) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

12          (4) in subsection (h)—

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

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

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

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

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



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

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

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

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

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

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

14       “(c) GRANT PROGRAM.—

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

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

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

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

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

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

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

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

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

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

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

23          “(2) GRANT AUTHORIZATION.—

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

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

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

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

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

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

21          “(4) REQUIRED INFORMATION.—

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

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

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

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

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

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

23 “(B) COMMUNITY OUTREACH REQUIRED.—

24 In order to be considered by the Administrator,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

5           “(6) COMPETITIVE AWARDS.—

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

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

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

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

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

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

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

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

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

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

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

3           “(C) may use the grant funds to—

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

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

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

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

1 through partnerships and memoranda of  
2 understanding with—

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

5 “(II) labor organizations;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 “(II) a paid internship; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

ferred to in this section as the “Academy”) to provide support for—

(A) prioritizing and addressing the recommendations described in subsection (a)(1), and establishing a process for prioritizing other recommendations in the future;

(B) development of long-term processes and a timeframe for long-term process improvements, as well as corrective actions and best practice criteria that can be implemented in the medium- and near-term;

(C) establishment of a clear assignment of responsibility for implementation of each recommendation described in subsection (a)(1), and a strategy for assigning other recommendations in the future; and

(D) a performance measurement system, including data collection and tracking and evaluating progress toward goals.

(2) REPORT OF PROGRESS.—Not later than 1 year after the date of the agreement described in paragraph (1), the Academy shall prepare and submit a report of progress to the Maritime Administrator and the appropriate committees of Congress.

(c) PRIORITIZATION AND IMPLEMENTATION PLAN.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5               (2) in subsection (b)—

6                       (A) in paragraph (1)—

7                               (i) by redesignating subparagraphs

8                               (A) through (D) as clauses (i) through

9                               (iv), respectively and adjusting the margins

10                              accordingly; and

11                              (ii) in clause (iv), as redesignated by

12                              clause (i), by striking “propeller cavita-

13                              tion” and inserting “incidental vessel-gen-

14                              erated underwater noise, such as noise

15                              from propeller cavitation or hydrodynamic

16                              flow”; and

17                              (B) by redesignating paragraphs (1) and

18                              (2) as subparagraphs (A) and (B), respectively

19                              and adjusting the margins accordingly;

20               (3) in subsection (c), by redesignating para-

21               graphs (1) and (2) as subparagraphs (A) and (B),

22               respectively and adjusting the margins accordingly;

23               (4) in subsection (e), by redesignating para-

24               graphs (1) and (2) as subparagraphs (A) and (B),

25               respectively and adjusting the margins accordingly;



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

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

6           (7) by striking subsection (f);

7           (8) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 “(e) CENTER FOR MARITIME INNOVATION.—

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

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

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

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

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

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

19          “(4) FUNCTIONS.—The Center shall—

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

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

1 emerging marine technologies in the United  
2 States;

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

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

11 “(E) provide—

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

14 “(ii) technical analysis;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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