

Calendar No. 505

115TH CONGRESS
2D SESSION

S. 2717

[Report No. 115–292]

To reauthorize provisions relating to the Maritime Administration.

IN THE SENATE OF THE UNITED STATES

APRIL 19, 2018

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

JULY 9, 2018

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To reauthorize provisions relating to the Maritime Administration.

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; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.~~—This Act may be cited as the
5 “~~Maritime Authorization and Enhancement Act for Fiscal~~
6 ~~Year 2019~~”.

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

- See. 1: Short title; table of contents.
- See. 2: Authorization of the Maritime Administration.
- See. 3: Concurrent jurisdiction.
- See. 4: United States Merchant Marine Academy policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking.
- See. 5: Report on implementation of recommendations for the United States Merchant Marine Academy Sexual Assault Prevention and Response Program.
- See. 6: Electronic records on mariner availability to meet national security needs.
- See. 7: Small shipyard grants.
- See. 8: Domestic ship recycling facilities.
- See. 9: Sea year on contracted vessels.
- See. 10: GAO report on national maritime strategy.
- See. 11: Department of Transportation Inspector General report on title XI program.
- See. 12: Multi-year contracts.
- See. 13: Use of State academy training vessels.
- See. 14: Permanent authority of Secretary of Transportation to issue vessel war risk insurance.
- See. 15: Navigation system study and report.
- See. 16: Miscellaneous.

3 **SEC. 2. AUTHORIZATION OF THE MARITIME ADMINISTRA-**
 4 **TION.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
 6 are authorized to be appropriated to the Department of
 7 Transportation for fiscal year 2019, to be available with-
 8 out fiscal year limitation if so provided in appropriations
 9 Acts, the following amounts for programs associated with
 10 maintaining the United States merchant marine:

11 (1) For expenses necessary for operations of the
 12 United States Merchant Marine Academy,
 13 \$69,000,000 for Academy operations.

14 (2) For expenses necessary to support the State
 15 maritime academies, \$32,200,000, of which—

1 (A) \$2,400,000 shall remain available until
2 September 30, 2019, for the Student Incentive
3 Program;

4 (B) \$6,000,000 shall remain available until
5 expended for direct payments to such acad-
6 emies;

7 (C) \$22,000,000 shall remain available
8 until expended for maintenance and repair of
9 State maritime academy training vessels; and

10 (D) \$1,800,000 shall remain available until
11 expended for training ship fuel assistance.

12 (3) For expenses necessary to support the Na-
13 tional Security Multi-Mission Vessel Program,
14 \$300,000,000, which shall remain available until ex-
15 pended.

16 (4) For expenses necessary to support Maritime
17 Administration operations and programs,
18 \$60,442,000.

19 (5) For expenses necessary to dispose of vessels
20 in the National Defense Reserve Fleet, \$6,000,000,
21 which shall remain available until expended.

22 (6) For expenses necessary to maintain and
23 preserve a United States flag merchant marine to
24 serve the national security needs of the United

1 States under chapter 531 of title 46, United States
2 Code, \$300,000,000.

3 (7) For expenses necessary for the loan guar-
4 antee program authorized under chapter 537 of title
5 46, United States Code, \$33,000,000, of which—

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

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

13 (b) REPORT.—Not later than 180 days after the date
14 of the enactment of this Act, the Maritime Administrator
15 shall submit a report to the Committee on Commerce,
16 Science, and Transportation of the Senate and the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives on the status of unexpended appropria-
19 tions for capital asset management at the United States
20 Merchant Marine Academy, and the plan for expending
21 such appropriations.

22 **SEC. 3. CONCURRENT JURISDICTION.**

23 Notwithstanding any other law, the Secretary of
24 Transportation may relinquish, at the Secretary's discre-
25 tion, to the State of New York, such measure of legislative

1 jurisdiction over the lands constituting the United States
 2 Merchant Marine Academy in King's Point, New York, as
 3 is necessary to establish concurrent jurisdiction between
 4 the Federal Government and the State of New York. Such
 5 partial relinquishment of legislative jurisdiction shall be
 6 accomplished—

7 (1) by filing with the Governor of New York a
 8 notice of relinquishment to take effect upon accept-
 9 ance thereof; or

10 (2) as the laws of that State may provide.

11 **SEC. 4. UNITED STATES MERCHANT MARINE ACADEMY**
 12 **POLICY ON SEXUAL HARASSMENT, DATING**
 13 **VIOLENCE, DOMESTIC VIOLENCE, SEXUAL AS-**
 14 **SAULT, AND STALKING.**

15 (a) ~~POLICY ON SEXUAL HARASSMENT, DATING VIO-~~
 16 ~~LENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND~~
 17 ~~STALKING.~~—Section 51318 of title 46, United States
 18 Code, is amended—

19 (1) in subsection (a)(2)—

20 (A) in subparagraph (A), by inserting
 21 “and prevention” after “awareness”;

22 (B) by redesignating subparagraph (B) as
 23 subparagraph (C), and subparagraphs (C)
 24 through (F) as subparagraphs (E) through (H),
 25 respectively;

1 (C) by inserting after subparagraph (A)
2 the following:

3 “~~(B)~~ procedures for documenting, track-
4 ing, and maintaining the data required to con-
5 duct the annual assessments to determine the
6 effectiveness of the policies, procedures, and
7 training program of the Academy with respect
8 to sexual harassment, dating violence, domestic
9 violence, sexual assault, and stalking involving
10 cadets or other Academy personnel, as required
11 by subsection (e);”;

12 (D) by inserting after subparagraph (C),
13 as redesignated by subparagraph (B), the fol-
14 lowing:

15 “~~(D)~~ procedures for investigating sexual
16 harassment, dating violence, domestic violence,
17 sexual assault, or stalking involving a cadet or
18 other Academy personnel to determine whether
19 disciplinary action is necessary;”;

20 (2) in subsection (b)(2)(A), by inserting “and
21 other Academy personnel” after “cadets at the
22 Academy”; and

23 (3) in subsection (d)—

1 (A) in paragraph (2)(A) by inserting “, in-
2 cluding sexual harassment,” after “sexual as-
3 saults, rapes, and other sexual offenses”; and

4 (B) in paragraph (4)(B), by striking “The
5 Secretary” and inserting “Not later than Janu-
6 ary 15 of each year, the Secretary”.

7 (b) IMPLEMENTATION.—The Superintendent of the
8 United States Merchant Marine Academy may implement
9 the amendment to subsection (b)(2)(A) of section 51318
10 of title 46, United States Code, made by subsection (a)(2),
11 by updating an existing plan issued pursuant to the Na-
12 tional Defense Authorization Act for Fiscal Year 2018
13 (Public Law 115–91).

14 **SEC. 5. REPORT ON IMPLEMENTATION OF RECOMMENDA-**
15 **TIONS FOR THE UNITED STATES MERCHANT**
16 **MARINE ACADEMY SEXUAL ASSAULT PRE-**
17 **VENTION AND RESPONSE PROGRAM.**

18 Not later than December 31, 2018, the Maritime Ad-
19 ministrators shall submit to the Committee on Commerce,
20 Science, and Transportation of the Senate and the Com-
21 mittee on Transportation and Infrastructure of the House
22 of Representatives a report describing the progress of the
23 Maritime Administration in implementing and closing
24 each of the recommendations made in the Office of Inspec-
25 tor General’s Report issued March 28, 2018 (ST–2018–

1 039) identifying gaps in the United States Merchant Ma-
 2 rine Academy's Sexual Assault Prevention and Response
 3 Program.

4 **SEC. 6. ELECTRONIC RECORDS ON MARINER AVAILABILITY**
 5 **TO MEET NATIONAL SECURITY NEEDS.**

6 Section 7502 of title 46, United States Code, is
 7 amended—

8 (1) by redesignating subsection (e) as sub-
 9 section (d); and

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

12 “(e) The Secretary shall coordinate with the Sec-
 13 retary of Transportation to ensure that, to the extent fea-
 14 sible, electronic records provide information on mariner
 15 availability to meet national security needs for mariner
 16 credentialing and strategic sealift.”.

17 **SEC. 7. SMALL SHIPYARD GRANTS.**

18 Section 54101(b) of title 46, United States Code, is
 19 amended—

20 (1) by redesignating paragraphs (2) and (3) as
 21 paragraphs (3) and (4), respectively;

22 (2) by inserting after paragraph (1) the fol-
 23 lowing:

24 “(2) TIMING OF GRANT NOTICE.—The Adminis-
 25 trator shall post a Notice of Funding Opportunity

1 regarding grants awarded under this section not
 2 more than 15 days after the date of enactment of
 3 the appropriations Act for the fiscal year con-
 4 cerned.”; and

5 (3) in paragraph (4), as redesignated by para-
 6 graph (1), by striking “paragraph (2)” and inserting
 7 “paragraph (3)”.

8 **SEC. 8. DOMESTIC SHIP RECYCLING FACILITIES.**

9 Section 3502 of the Floyd D. Spence National De-
 10 fense Authorization Act for Fiscal Year 2001 (Public Law
 11 106–398; 54 U.S.C. 308704 note) is amended—

12 (1) by redesignating subsections (e) through (f)
 13 as subsections (d) through (g), respectively; and

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

16 “(c) **SCRAPPING OF IMPORTED VESSELS.—**

17 “(1) **IN GENERAL.—**Notwithstanding any other
 18 provision of law, domestic ship scrapping facilities
 19 selected by the Secretary of Transportation in ac-
 20 cordance with subsection (b) may import into the
 21 United States, for the purpose of dismantling, ma-
 22 rine vessels that contain regulated levels of poly-
 23 chlorinated biphenyls that are integral to a vessel’s
 24 structure, equipment, or systems necessary for its
 25 operation.

1 “(2) NO TSCA PRIOR AUTHORIZATION RE-
2 QUIRED.—In lieu of the rulemaking by the Adminis-
3 trator of the Environmental Protection Agency
4 under section 6(e) of the Toxic Substances Control
5 Act (15 U.S.C. 2605(e)), imports of vessels con-
6 taining regulated levels of polychlorinated biphenyls
7 shall be subject to prior notification and consent in
8 accordance with this subsection.

9 “(3) NOTIFICATION.—

10 “(A) CONTENTS.—An importer of 1 or
11 more vessels containing regulated levels of poly-
12 chlorinated biphenyls shall submit a notification
13 to the Environmental Protection Agency not
14 less than 75 days before a vessel is imported
15 into the United States under this subsection.
16 The import notification may cover up to one
17 year of shipments of vessels containing regu-
18 lated levels of polychlorinated biphenyls being
19 sent to the same ship scrapping facility, and
20 shall contain, at a minimum, the following
21 items:

22 “(i) The name, contact name, address,
23 telephone number, email address, and EPA
24 Identification Number (if applicable) of the
25 ship scrapping facility and the recognized

1 trader, if the ship scrapping facility is not
2 the importer.

3 “(ii) The name, contact name, ad-
4 dress, telephone number, email address,
5 and EPA Identification Number (if appli-
6 cable) of each facility where poly-
7 chlorinated biphenyls or hazardous mate-
8 rials contained on a vessel will be stored
9 and disposed of, including any poly-
10 chlorinated biphenyls storage or disposal
11 facility approved under the Toxic Sub-
12 stances Control Act (15 U.S.C. 2601 et
13 seq.).

14 “(iii) The types of polychlorinated
15 biphenyls or polychlorinated biphenyls
16 items expected to be removed from the ves-
17 sels.

18 “(iv) The number of vessels proposed
19 for import and maximum tonnage.

20 “(v) The period of time covered by the
21 import notice (not to exceed one year) and
22 the start and end dates of shipment.

23 “(B) FORM.—Each notice under this para-
24 graph shall be clearly marked ‘PCB Waste Im-
25 port Notice’ and shall be submitted to the Envi-

1 ronmental Protection Agency in such form and
2 manner as the Environmental Protection Agen-
3 cy may require.

4 “(C) REVISED NOTIFICATION.—If an im-
5 porter wishes to change any of the information
6 specified on the original notification, the im-
7 porter must submit a revised notification, con-
8 taining notification of the changes, to the Envi-
9 ronmental Protection Agency.

10 “(4) CONSENT.—

11 “(A) IN GENERAL.—An importer shall not
12 import vessels containing regulated levels of
13 polychlorinated biphenyls until the importer has
14 received consent from the Administrator of the
15 Environmental Protection Agency.

16 “(B) TERMS.—Importers shall only import
17 vessels under the terms of the consent issued by
18 the Administrator of the Environmental Protec-
19 tion Agency under this paragraph and subject
20 to the condition that the facility shall establish
21 a valid written contract, chain of contracts, or
22 equivalent arrangements with other United
23 States facilities, where applicable, to manage
24 the polychlorinated biphenyls and hazardous

1 waste expected to be removed from the vessel or
2 vessels.

3 ~~“(5) REPORT TO THE ENVIRONMENTAL PRO-~~
4 ~~TECTION AGENCY.—~~Any ship scrapping facility au-
5 thorized by this subsection to import vessels con-
6 taining regulated levels of polychlorinated biphenyls
7 shall file with the Administrator of the Environ-
8 mental Protection Agency, not later than April 1 of
9 each year, a report providing, for each vessel im-
10 ported in accordance with this subsection, the fol-
11 lowing information:

12 ~~“(A) The vessel name and approximated~~
13 ~~tonnage.~~

14 ~~“(B) Registration number and flag of the~~
15 ~~vessel.~~

16 ~~“(C) The date of import.~~

17 ~~“(D) The types, quantities, and final des-~~
18 ~~tination of all polychlorinated biphenyls and~~
19 ~~hazardous waste removed.~~

20 ~~“(E) The EPA-issued consent number~~
21 ~~under which the vessel was imported.~~

22 ~~“(6) APPLICABLE LAWS.—~~Once a vessel has
23 been imported pursuant to this subsection, the man-
24 ufacturing, processing, distribution in commerce,
25 use, and disposal of any polychlorinated biphenyls

1 and hazardous waste contained on the vessel shall be
 2 carried out in accordance with applicable Federal,
 3 State, and local laws and regulations.”.

4 **SEC. 9. SEA YEAR ON CONTRACTED VESSELS.**

5 Section 51307 of title 46, United States Code, is
 6 amended—

7 (1) in the matter preceding paragraph (1), by
 8 striking “The Secretary” and inserting the fol-
 9 lowing:

10 “(a) IN GENERAL.—The Secretary”;

11 (2) by redesignating paragraphs (2) through
 12 (4) as paragraphs (3) through (5), respectively;

13 (3) by inserting after paragraph (1) the fol-
 14 lowing:

15 “(2) on vessels contracted by the United States
 16 Government, subject to subsection (b);”;

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

18 “(b) Subsection (a)(2) shall only apply to vessels that
 19 are contracted by the United States Government and that
 20 carry more than 75,000 Metric tons of food aid per year
 21 in accordance with section 55305 of title 46, United States
 22 Code.”.

23 **SEC. 10. GAO REPORT ON NATIONAL MARITIME STRATEGY.**

24 The Comptroller General of the United States shall
 25 complete a study and submit to the Committee on Com-

1 merce, Science, and Transportation of the Senate, the
2 Committee on Armed Services of the House of Represent-
3 atives, and the Committee on Transportation and Infra-
4 structure of the House of Representatives, a report on—

5 (1) the key challenges, if any, to ensuring that
6 the United States marine transportation system and
7 merchant marine are sufficient to support United
8 States economic and defense needs, as articulated by
9 the Maritime Administration, the Committee on the
10 Marine Transportation System, and other stake-
11 holders;

12 (2) the extent to which a national maritime
13 strategy incorporates desirable characteristics of suc-
14 cessful national strategies as identified by the Comp-
15 troller General, and any key obstacles (as identified
16 by stakeholders) to successfully implementing such
17 strategies; and

18 (3) the extent to which Federal efforts to estab-
19 lish national maritime strategy are duplicative or
20 fragmented, and if so, the impact on United States
21 maritime policy for the future.

1 **SEC. 11. DEPARTMENT OF TRANSPORTATION INSPECTOR**
2 **GENERAL REPORT ON TITLE XI PROGRAM.**

3 Not later than 180 days after the date of enactment
4 of this Act, the Department of Transportation Office of
5 Inspector General shall—

6 (1) initiate an audit of the financial controls
7 and protections included in the policies and proce-
8 dures of the Department of Transportation for ap-
9 proving loan applications for the loan guarantee pro-
10 gram authorized under chapter 537 of title 46,
11 United States Code; and

12 (2) submit to the Committee on Transportation
13 and Infrastructure of the House of Representatives
14 and the Committee on Commerce, Science, and
15 Transportation of the Senate a report containing the
16 results of that audit once the audit is completed.

17 **SEC. 12. MULTI-YEAR CONTRACTS.**

18 Nothing in section 3505 of the National Defense Au-
19 thorization Act for Fiscal Year 2017 (Public Law 114-
20 328) may be construed to prohibit the Maritime Adminis-
21 tration from entering into a multi-year contract for the
22 procurement of up to 5 new vessels within the National
23 Security Multi-Mission Vessel Program and associated
24 government-furnished equipment, subject to the avail-
25 ability of appropriations.

1 **SEC. 13. USE OF STATE ACADEMY TRAINING VESSELS.**

2 Section 51504(g) of title 46, United States Code, is
3 amended to read as follows:

4 “(g) VESSEL SHARING.—

5 “(1) IN GENERAL.—Not later than 90 days
6 after the date of enactment of the Maritime Author-
7 ization and Enhancement Act for Fiscal Year 2019,
8 the Secretary, acting through the Maritime Adminis-
9 trator, shall upon consultation with the maritime
10 academies, and to the extent feasible with the con-
11 sent of the maritime academies, implement a pro-
12 gram of vessel sharing, requiring maritime acad-
13 emies to share training vessels provided by the Sec-
14 retary among maritime academies, as necessary to
15 ensure that training needs of each academy are met.

16 “(2) PROGRAM OF VESSEL SHARING.—For pur-
17 poses of this subsection, a program of vessel sharing
18 shall include—

19 “(A) ways to maximize the available under-
20 way training capacity available in the fleet of
21 training vessels;

22 “(B) coordinating the dates and duration
23 of training cruises with the academic calendars
24 of maritime academies;

1 “(C) coordinating academic programs de-
2 signed to be implemented aboard training ves-
3 sels among maritime academies; and

4 “(D) identifying ways to minimize costs.

5 “(3) EVALUATION.—Not later than 30 days
6 after the beginning of each fiscal year, the Sec-
7 retary, acting through the Maritime Administrator,
8 shall evaluate the vessel sharing program under this
9 subsection to determine the optimal utilization of
10 State maritime training vessels, and modify the pro-
11 gram as necessary to improve utilization.”.

12 **SEC. 14. PERMANENT AUTHORITY OF SECRETARY OF**
13 **TRANSPORTATION TO ISSUE VESSEL WAR**
14 **RISK INSURANCE.**

15 (a) **IN GENERAL.**—Section 53912 of title 46, United
16 States Code, is repealed.

17 (b) **CLERICAL AMENDMENT.**—The table of sections
18 at the beginning of chapter 539 of title 46, United States
19 Code, is amended by striking the item relating to section
20 53912.

21 **SEC. 15. NAVIGATION SYSTEM STUDY AND REPORT.**

22 (a) **STUDY OF THE GREAT LAKES SYSTEM.**—

23 (1) **IN GENERAL.**—The Maritime Administrator
24 shall conduct a comprehensive study of the Great
25 Lakes—Saint Lawrence Seaway navigation system

1 (referred to in this section as the “Great Lakes Sys-
2 tem”) that examines the current state of the system
3 and makes recommendations for improvements.

4 (2) CONTENTS.—The study—

5 (A) shall examine, with respect to the
6 Great Lakes System—

7 (i) typical cargo routing options;

8 (ii) the cost profile of each route and
9 alternative routes;

10 (iii) port infrastructure quality;

11 (iv) intermodal connections;

12 (v) competing transportation options,
13 including air, rail, and ground transpor-
14 tation and their relative market position;

15 (vi) taxes and fees imposed on vessels;

16 (vii) marketing efforts to increase
17 shipments;

18 (viii) subsidies provided to the Great
19 Lakes System and to competing cargo
20 transportation systems;

21 (ix) the condition of the docks at each
22 port;

23 (x) United States and Canadian Gov-
24 ernment icebreaking capabilities to facili-
25 tate commercial shipping; and

1 (xi) the condition of vessel navigation
2 infrastructure (such as channels, locks,
3 letties, and breakwaters) and efforts to
4 maintain, upgrade, or replace that infra-
5 structure; and

6 (B) shall make recommendations on—

7 (i) the level of additional investment
8 needed to improve the Great Lakes Sys-
9 tem;

10 (ii) any benefits of increased Federal
11 or State investment in the Great Lakes
12 System; and

13 (iii) any regulatory or competitive
14 burdens impeding growth of the Great
15 Lakes System.

16 (b) REPORT.—Not later than 1 year after the date
17 of the enactment of this Act, the Maritime Administrator
18 shall submit a report to the Committee on Commerce,
19 Science, and Transportation of the Senate, the Committee
20 on Transportation and Infrastructure of the House of
21 Representatives, and the Co-Chairs of the Great Lakes
22 Task Force of the Senate and of the House of Representa-
23 tives containing the results of the study conducted under
24 this section.

1 (e) ~~CONTRACT.~~—The Maritime Administrator may
 2 enter into a contract with another entity to carry out the
 3 study.

4 **SEC. 16. MISCELLANEOUS.**

5 (a) ~~NONCOMMERCIAL VESSELS.~~—Section 3514(a) of
 6 the National Defense Authorization Act for Fiscal Year
 7 2017 (Public Law 114–328; 46 U.S.C. 51318 note) is
 8 amended—

9 (1) by striking “Not later than” and inserting
 10 the following:

11 “~~(1)~~ Not later than”; and

12 (2) by redesignating paragraphs (1) and (2) as
 13 subparagraphs (A) and (B), respectively, and adjust-
 14 ing the margins accordingly; and

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

16 “~~(2)~~ For the purposes of this section, vessels
 17 operated by any of the following entities shall not be
 18 considered commercial vessels:

19 “~~(A)~~ Any entity or agency of the United
 20 States.

21 “~~(B)~~ The government of a State or terri-
 22 tory.

23 “~~(C)~~ Any political subdivision of a State or
 24 territory.

25 “~~(D)~~ Any other municipal organization.”.

1 (b) PASSENGER RECORDS.—Section 51322(c) of title
2 46, United States Code, is amended to read as follows:

3 “(c) MAINTENANCE OF SEXUAL ASSAULT TRAINING
4 RECORDS.—The Maritime Administrator shall require the
5 owner or operator of a commercial vessel, or the seafarer
6 union for a commercial vessel, to maintain records of sex-
7 ual assault training for any person required to have such
8 training.”.

9 (c) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
10 ISTRATION.—Section 3134 of title 40, United States Code,
11 is amended by adding at the end the following:

12 “(c) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
13 ISTRATION.—The Secretary of Commerce may waive this
14 subchapter with respect to contracts for the construction,
15 alteration, or repair of vessels, regardless of the terms of
16 the contracts as to payment or title, when the contract
17 is made under the Act entitled ‘An Act to define the func-
18 tions and duties of the Coast and Geodetic Survey, and
19 for other purposes’, approved August 6, 1947 (33 U.S.C.
20 883a et seq.)”.

21 (d) ANNUAL PAYMENTS FOR MAINTENANCE AND
22 SUPPORT.—Section 51505(b) of title 46 is amended to
23 read as follows:

1 ~~“(2) MAXIMUM.—The amount under paragraph~~
 2 ~~(1) may not be more than \$25,000, unless the acad-~~
 3 ~~emy satisfies section 51506(b) of this title.”.~~

4 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) *SHORT TITLE.*—*This Act may be cited as the*
 6 *“Maritime Authorization and Enhancement Act for Fiscal*
 7 *Year 2019”.*

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

Sec. 1. Short title; table of contents.

Sec. 2. Authorization of the Maritime Administration.

Sec. 3. Concurrent jurisdiction.

Sec. 4. United States Merchant Marine Academy policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

Sec. 5. Report on implementation of recommendations for the United States Merchant Marine Academy Sexual Assault Prevention and Response Program.

Sec. 6. Report on the application of the Uniform Code of Military Justice to the United States Merchant Marine Academy.

Sec. 7. Electronic records on mariner availability to meet national security needs.

Sec. 8. Small shipyard grants.

Sec. 9. Domestic ship recycling facilities.

Sec. 10. Sea year on contracted vessels.

Sec. 11. GAO report on national maritime strategy.

Sec. 12. Department of Transportation Inspector General report on Title XI program.

Sec. 13. Multi-year contracts.

Sec. 14. Use of State Maritime Academy training vessels.

Sec. 15. Permanent authority of Secretary of Transportation to issue vessel war risk insurance.

Sec. 16. Buy America.

Sec. 17. Navigation system study and report.

Sec. 18. Miscellaneous.

10 **SEC. 2. AUTHORIZATION OF THE MARITIME ADMINISTRA-**
 11 **TION.**

12 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 13 *authorized to be appropriated to the Department of Trans-*
 14 *portation for fiscal year 2019, to be available without fiscal*

1 *year limitation if so provided in appropriations Acts, the*
2 *following amounts for programs associated with maintain-*
3 *ing the United States merchant marine:*

4 (1) *For expenses necessary for operations of the*
5 *United States Merchant Marine Academy,*
6 *\$69,000,000 for Academy operations.*

7 (2) *For expenses necessary to support the State*
8 *maritime academies, \$32,200,000, of which—*

9 (A) *\$2,400,000 shall remain available until*
10 *September 30, 2020, for the Student Incentive*
11 *Program;*

12 (B) *\$6,000,000 shall remain available until*
13 *expended for direct payments to such academies;*

14 (C) *\$22,000,000 shall remain available*
15 *until expended for maintenance and repair of*
16 *State maritime academy training vessels; and*

17 (D) *\$1,800,000 shall remain available until*
18 *expended for training ship fuel assistance.*

19 (3) *For expenses necessary to support the Na-*
20 *tional Security Multi-Mission Vessel Program,*
21 *\$300,000,000, which shall remain available until ex-*
22 *pended.*

23 (4) *For expenses necessary to support Maritime*
24 *Administration operations and programs,*
25 *\$60,442,000, of which \$5,000,000 shall remain avail-*

1 *able until expended for port infrastructure develop-*
2 *ment under section 50302 of title 46, United States*
3 *Code.*

4 *(5) For expenses necessary to dispose of vessels in*
5 *the National Defense Reserve Fleet, \$6,000,000, which*
6 *shall remain available until expended.*

7 *(6) For expenses necessary to maintain and pre-*
8 *serve a United States flag merchant marine to serve*
9 *the national security needs of the United States under*
10 *chapter 531 of title 46, United States Code,*
11 *\$300,000,000.*

12 *(7) For expenses necessary for the loan guarantee*
13 *program authorized under chapter 537 of title 46,*
14 *United States Code, \$33,000,000, of which—*

15 *(A) \$30,000,000 may be used for the cost*
16 *(as defined in section 502(5) of the Federal Cred-*
17 *it Reform Act of 1990 (2 U.S.C. 661a(5))) of*
18 *loan guarantees under the program; and*

19 *(B) \$3,000,000 may be used for administra-*
20 *tive expenses relating to loan guarantee commit-*
21 *ments under the program.*

22 *(b) REPORT.—Not later than 180 days after the date*
23 *of the enactment of this Act, the Maritime Administrator*
24 *shall submit a report to the Committee on Commerce,*
25 *Science, and Transportation of the Senate and the Com-*

1 *mittee on Armed Services and the Committee on Transpor-*
 2 *tation and Infrastructure of the House of Representatives*
 3 *on the status of unexpended appropriations for capital asset*
 4 *management at the United States Merchant Marine Acad-*
 5 *emy, and the plan for expending such appropriations.*

6 **SEC. 3. CONCURRENT JURISDICTION.**

7 *Notwithstanding any other law, the Secretary of*
 8 *Transportation may relinquish, at the Secretary's discre-*
 9 *tion, to the State of New York, such measure of legislative*
 10 *jurisdiction over the lands constituting the United States*
 11 *Merchant Marine Academy in King's Point, New York, as*
 12 *is necessary to establish concurrent jurisdiction between the*
 13 *Federal Government and the State of New York. Such par-*
 14 *tial relinquishment of legislative jurisdiction shall be ac-*
 15 *complished—*

16 *(1) by filing with the Governor of New York a*
 17 *notice of relinquishment to take effect upon acceptance*
 18 *thereof; or*

19 *(2) as the laws of that State may provide.*

20 **SEC. 4. UNITED STATES MERCHANT MARINE ACADEMY POL-**
 21 **ICY ON SEXUAL HARASSMENT, DATING VIO-**
 22 **LENCE, DOMESTIC VIOLENCE, SEXUAL AS-**
 23 **SAULT, AND STALKING.**

24 *(a) POLICY ON SEXUAL HARASSMENT, DATING VIO-*
 25 *LENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND*

1 *STALKING.—Section 51318 of title 46, United States Code,*
2 *is amended—*

3 *(1) in subsection (a)(2)—*

4 *(A) in subparagraph (A), by inserting “and*
5 *prevention” after “awareness”;*

6 *(B) by redesignating subparagraph (B) as*
7 *subparagraph (C), and subparagraphs (C)*
8 *through (F) as subparagraphs (E) through (H),*
9 *respectively;*

10 *(C) by inserting after subparagraph (A) the*
11 *following:*

12 *“(B) procedures for documenting, tracking,*
13 *and maintaining the data required to conduct*
14 *the annual assessments to determine the effective-*
15 *ness of the policies, procedures, and training*
16 *program of the Academy with respect to sexual*
17 *harassment, dating violence, domestic violence,*
18 *sexual assault, and stalking involving cadets or*
19 *other Academy personnel, as required by sub-*
20 *section (c);” and*

21 *(D) by inserting after subparagraph (C), as*
22 *redesignated by subparagraph (B), the following:*

23 *“(D) procedures for investigating sexual*
24 *harassment, dating violence, domestic violence,*
25 *sexual assault, or stalking involving a cadet or*

1 *other Academy personnel to determine whether*
 2 *disciplinary action is necessary;*”;

3 (2) *in subsection (b)(2)(A), by inserting “and*
 4 *other Academy personnel” after “cadets at the Acad-*
 5 *emy”; and*

6 (3) *in subsection (d)—*

7 (A) *in paragraph (2)(A) by inserting “, in-*
 8 *cluding sexual harassment,” after “sexual as-*
 9 *saults, rapes, and other sexual offenses”; and*

10 (B) *in paragraph (4)(B), by striking “The*
 11 *Secretary” and inserting “Not later than Janu-*
 12 *ary 15 of each year, the Secretary”.*

13 (b) *IMPLEMENTATION.—The Superintendent of the*
 14 *United States Merchant Marine Academy may implement*
 15 *the amendment to subsection (b)(2)(A) of section 51318 of*
 16 *title 46, United States Code, made by subsection (a)(2), by*
 17 *updating an existing plan issued pursuant to the National*
 18 *Defense Authorization Act for Fiscal Year 2018 (Public*
 19 *Law 115-91).*

20 **SEC. 5. REPORT ON IMPLEMENTATION OF RECOMMENDA-**
 21 **TIONS FOR THE UNITED STATES MERCHANT**
 22 **MARINE ACADEMY SEXUAL ASSAULT PREVEN-**
 23 **TION AND RESPONSE PROGRAM.**

24 *Not later than April 1, 2019, the Maritime Adminis-*
 25 *trator shall submit to the Committee on Commerce, Science,*

1 *and Transportation of the Senate and the Committee on*
 2 *Armed Services and the Committee on Transportation and*
 3 *Infrastructure of the House of Representatives a report de-*
 4 *scribing the progress of the Maritime Administration in im-*
 5 *plementing and closing each of the recommendations made*
 6 *in the Office of Inspector General's Report issued March*
 7 *28, 2018 (ST-2018-039) identifying gaps in the United*
 8 *States Merchant Marine Academy's Sexual Assault Preven-*
 9 *tion and Response Program.*

10 **SEC. 6. REPORT ON THE APPLICATION OF THE UNIFORM**
 11 **CODE OF MILITARY JUSTICE TO THE UNITED**
 12 **STATES MERCHANT MARINE ACADEMY.**

13 *Not later than 180 days after the date of the enactment*
 14 *of this Act, the Maritime Administrator shall submit a re-*
 15 *port to the Committee on Commerce, Science, and Trans-*
 16 *portation of the Senate and the Committee on Armed Serv-*
 17 *ices and the Committee on Transportation and Infrastruc-*
 18 *ture of the House of Representatives on the impediments*
 19 *to the application of the Uniform Code of Military Justice*
 20 *at the United States Merchant Marine Academy.*

21 **SEC. 7. ELECTRONIC RECORDS ON MARINER AVAILABILITY**
 22 **TO MEET NATIONAL SECURITY NEEDS.**

23 *Section 7502 of title 46, United States Code, is amend-*
 24 *ed—*

1 (1) *by redesignating subsection (c) as subsection*
 2 *(d); and*

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

5 “(c) *The Secretary shall coordinate with the Secretary*
 6 *of Transportation to ensure that, to the extent feasible, elec-*
 7 *tronic records provide information on mariner availability*
 8 *and respective credentials to meet national security needs*
 9 *for credentialed mariners crewing strategic sealift vessels.”.*

10 **SEC. 8. SMALL SHIPYARD GRANTS.**

11 *Section 54101(b) of title 46, United States Code, is*
 12 *amended—*

13 (1) *by redesignating paragraphs (2) and (3) as*
 14 *paragraphs (3) and (4), respectively;*

15 (2) *by inserting after paragraph (1) the fol-*
 16 *lowing:*

17 “(2) *TIMING OF GRANT NOTICE.—The Adminis-*
 18 *trator shall post a Notice of Funding Opportunity re-*
 19 *garding grants awarded under this section not more*
 20 *than 15 days after the date of enactment of the appro-*
 21 *priations Act for the fiscal year concerned.”; and*

22 (3) *in paragraph (4), as redesignated by para-*
 23 *graph (1), by striking “paragraph (2)” and inserting*
 24 *“paragraph (3)”.*

1 **SEC. 9. DOMESTIC SHIP RECYCLING FACILITIES.**

2 *Section 3502 of the Floyd D. Spence National Defense*
3 *Authorization Act for Fiscal Year 2001 (Public Law 106-*
4 *398; 54 U.S.C. 308704 note) is amended—*

5 *(1) by redesignating subsections (c) through (f)*
6 *as subsections (d) through (g), respectively; and*

7 *(2) by inserting after subsection (b) the fol-*
8 *lowing:*

9 *“(c) SCRAPPING OF IMPORTED VESSELS.—*

10 *“(1) IN GENERAL.—Notwithstanding any other*
11 *provision of law, domestic ship scrapping facilities se-*
12 *lected by the Secretary of Transportation in accord-*
13 *ance with subsection (b) may import into the United*
14 *States, for the purpose of dismantling, marine vessels*
15 *that contain regulated levels of polychlorinated*
16 *biphenyls that are integral to a vessel’s structure,*
17 *equipment, or systems necessary for its operation.*

18 *“(2) NO TSCA PRIOR AUTHORIZATION RE-*
19 *QUIRED.—In lieu of rulemaking by the Administrator*
20 *of the Environmental Protection Agency under section*
21 *6(e) of the Toxic Substances Control Act (15 U.S.C.*
22 *2605(e)), imports of vessels containing regulated levels*
23 *of polychlorinated biphenyls shall be subject to prior*
24 *notification and consent in accordance with this sub-*
25 *section.*

26 *“(3) NOTIFICATION.—*

1 “(A) *CONTENTS.*—*An importer of 1 or more*
2 *vessels containing regulated levels of poly-*
3 *chlorinated biphenyls shall submit a notification*
4 *to the Environmental Protection Agency not less*
5 *than 75 days before a vessel is imported into the*
6 *United States under this subsection. The import*
7 *notification may cover up to one year of ship-*
8 *ments of vessels containing regulated levels of*
9 *polychlorinated biphenyls being sent to the same*
10 *ship scrapping facility, and shall contain, at a*
11 *minimum, the following items:*

12 “(i) *The name, contact name, address,*
13 *telephone number, email address, and EPA*
14 *Identification Number (if applicable) of the*
15 *ship scrapping facility and the recognized*
16 *trader, if the ship scrapping facility is not*
17 *the importer.*

18 “(ii) *The name, contact name, address,*
19 *telephone number, email address, and EPA*
20 *Identification Number (if applicable) of*
21 *each facility where polychlorinated*
22 *biphenyls or hazardous materials contained*
23 *on a vessel will be stored and disposed of,*
24 *including any polychlorinated biphenyls*
25 *storage or disposal facility approved under*

1 *the Toxic Substances Control Act (15 U.S.C.*
2 *2601 et seq.).*

3 “(iii) *The types of polychlorinated*
4 *biphenyls or polychlorinated biphenyls*
5 *items expected to be removed from the ves-*
6 *sels.*

7 “(iv) *The number of vessels proposed*
8 *for import and maximum tonnage.*

9 “(v) *The period of time covered by the*
10 *import notice (not to exceed one year) and*
11 *the start and end dates of shipment.*

12 “(B) *FORM.—Each notice under this para-*
13 *graph shall be clearly marked ‘PCB Waste Im-*
14 *port Notice’ and shall be submitted to the Envi-*
15 *ronmental Protection Agency in such form and*
16 *manner as the Environmental Protection Agency*
17 *may require.*

18 “(C) *REVISED NOTIFICATION.—If an im-*
19 *porter wishes to change any of the information*
20 *specified on the original notification, the im-*
21 *porter must submit a revised notification, con-*
22 *taining notification of the changes, to the Envi-*
23 *ronmental Protection Agency.*

24 “(4) *CONSENT.—*

1 “(A) *IN GENERAL.*—*An importer shall not*
2 *import vessels containing regulated levels of pol-*
3 *ychlorinated biphenyls until the importer has re-*
4 *ceived consent from the Administrator of the En-*
5 *vironmental Protection Agency.*

6 “(B) *TERMS.*—*Importers shall only import*
7 *vessels under the terms of the consent issued by*
8 *the Administrator of the Environmental Protec-*
9 *tion Agency under this paragraph and subject to*
10 *the condition that the facility shall establish a*
11 *valid written contract, chain of contracts, or*
12 *equivalent arrangements with other United*
13 *States facilities, where applicable, to manage the*
14 *polychlorinated biphenyls and hazardous waste*
15 *expected to be removed from the vessel or vessels.*

16 “(5) *REPORT TO THE ENVIRONMENTAL PROTEC-*
17 *TION AGENCY.*—*Any ship scrapping facility author-*
18 *ized by this subsection to import vessels containing*
19 *regulated levels of polychlorinated biphenyls shall file*
20 *with the Administrator of the Environmental Protec-*
21 *tion Agency, not later than April 1 of each year, a*
22 *report providing, for each vessel imported in accord-*
23 *ance with this subsection, the following information:*

24 “(A) *The vessel name and approximated*
25 *tonnage.*

1 “(B) *Registration number and flag of the*
2 *vessel.*

3 “(C) *The date of import.*

4 “(D) *The types, quantities, and final des-*
5 *tination of all polychlorinated biphenyls and*
6 *hazardous waste removed.*

7 “(E) *The EPA-issued consent number under*
8 *which the vessel was imported.*

9 “(6) *APPLICABLE LAWS.—Once a vessel has been*
10 *imported pursuant to this subsection, the manufac-*
11 *turing, processing, distribution in commerce, use, and*
12 *disposal of any polychlorinated biphenyls and haz-*
13 *ardous waste contained on the vessel shall be carried*
14 *out in accordance with applicable Federal, State, and*
15 *local laws and regulations.*

16 “(7) *AUTHORITY.—The Administrator of the En-*
17 *vironmental Protection Agency may promulgate addi-*
18 *tional standards or procedures for the import of ships*
19 *that contain regulated levels of polychlorinated*
20 *biphenyls and hazardous waste, for the purpose of re-*
21 *cycling, under this subsection, if—*

22 “(A) *the benefits of such additional stand-*
23 *ards or procedures exceed the costs of those stand-*
24 *ards or procedures;*

1 “(B) not later than 180 days prior to pro-
2 mulgating such additional standards or proce-
3 dures, the Administrator of the Environmental
4 Protection Agency submits a report to the Com-
5 mittee on Commerce, Science, and Transpor-
6 tation of the Senate and the Committee on
7 Transportation and Infrastructure of the House
8 of Representatives demonstrating compliance
9 with subparagraph (A) and the reasons such
10 standards or procedures are necessary; and

11 “(C) the Administrator of the Environ-
12 mental Protection Agency receives the concur-
13 rence of the Maritime Administrator on any
14 such additional standards or procedures.”.

15 **SEC. 10. SEA YEAR ON CONTRACTED VESSELS.**

16 Section 51307 of title 46, United States Code, is
17 amended—

18 (1) by striking “The Secretary” and inserting
19 the following:

20 “(a) IN GENERAL.—The Secretary”;

21 (2) in paragraph (1) of subsection (a)—

22 (A) by striking “owned or subsidized by”
23 and inserting “owned, subsidized by, or con-
24 tracted with”; and

1 (B) by inserting “, including in accordance
2 with subsections (b), (c), and (d)” after “Govern-
3 ment”; and

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

5 “(b) *MARITIME SECURITY PROGRAM VESSELS.*—Sub-
6 ject to subsection (d), the Secretary shall require an oper-
7 ator of a vessel participating in the Maritime Security Pro-
8 gram under chapter 531 of this title to carry on each Mari-
9 time Security Program vessel 2 United States Merchant
10 Marine Academy cadets, if available, on each voyage.

11 “(c) *MILITARY SEALIFT COMMAND VESSELS.*—Subject
12 to subsection (d), the Secretary and Commander of the Mili-
13 tary Sealift Command shall require an operator of a vessel
14 contracted for service for the United States Navy’s Military
15 Sealift Command to carry on each such vessel 2 United
16 States Merchant Marine Academy cadets, if available, on
17 each voyage, if the vessel—

18 “(1) is flagged in the United States; and

19 “(2) is rated at 10,000 gross tons or higher.

20 “(d) *WAIVER.*—If it is determined at any time by the
21 Secretary or the Commander of the Military Sealift Com-
22 mand that cadets from the United States Merchant Marine
23 Academy would place an undue burden on a vessel or vessel
24 operator, the Secretary or Commander may waive the re-
25 quirements described in subsection (b) or (c).”.

1 **SEC. 11. GAO REPORT ON NATIONAL MARITIME STRATEGY.**

2 *The Comptroller General of the United States shall*
3 *complete a study and submit to the Committee on Com-*
4 *merce, Science, and Transportation of the Senate, the Com-*
5 *mittee on Armed Services of the House of Representatives,*
6 *and the Committee on Transportation and Infrastructure*
7 *of the House of Representatives, a report on—*

8 *(1) the key challenges, if any, to ensuring that*
9 *the United States marine transportation system and*
10 *merchant marine are sufficient to support United*
11 *States economic and defense needs, as articulated by*
12 *the Maritime Administration, the Committee on the*
13 *Marine Transportation System, and other stake-*
14 *holders;*

15 *(2) the extent to which a national maritime*
16 *strategy incorporates desirable characteristics of suc-*
17 *cessful national strategies as identified by the Comp-*
18 *troller General, and any key obstacles (as identified*
19 *by stakeholders) to successfully implementing such*
20 *strategies; and*

21 *(3) the extent to which Federal efforts to establish*
22 *national maritime strategy are duplicative or frag-*
23 *mented, and if so, the impact on United States mari-*
24 *time policy for the future.*

1 **SEC. 12. DEPARTMENT OF TRANSPORTATION INSPECTOR**
2 **GENERAL REPORT ON TITLE XI PROGRAM.**

3 *Not later than 180 days after the date of enactment*
4 *of this Act, the Department of Transportation Office of In-*
5 *spector General shall—*

6 *(1) initiate an audit of the financial controls*
7 *and protections included in the policies and proce-*
8 *dures of the Department of Transportation for ap-*
9 *proving loan applications for the loan guarantee pro-*
10 *gram authorized under chapter 537 of title 46, United*
11 *States Code; and*

12 *(2) submit to the Committee on Commerce,*
13 *Science, and Transportation of the Senate and the*
14 *Committee on Armed Services and the Committee on*
15 *Transportation and Infrastructure of the House of*
16 *Representatives a report containing the results of that*
17 *audit once the audit is completed.*

18 **SEC. 13. MULTI-YEAR CONTRACTS.**

19 *Nothing in section 3505 of the National Defense Au-*
20 *thorization Act for Fiscal Year 2017 (Public Law 114–328)*
21 *may be construed to prohibit the Maritime Administration*
22 *from entering into a multi-year contract for the procure-*
23 *ment of up to 5 new vessels within the National Security*
24 *Multi-Mission Vessel Program and associated government-*
25 *furnished equipment, subject to the availability of appro-*
26 *priations.*

1 **SEC. 14. USE OF STATE MARITIME ACADEMY TRAINING VES-**
2 **SELS.**

3 *Section 51504(g) of title 46, United States Code, is*
4 *amended to read as follows:*

5 “(g) *VESSEL CAPACITY SHARING.*—

6 “(1) *IN GENERAL.*—*Not later than 90 days after*
7 *the date of enactment of the Maritime Authorization*
8 *and Enhancement Act for Fiscal Year 2019, the Sec-*
9 *retary, acting through the Maritime Administrator,*
10 *shall upon consultation with the maritime academies,*
11 *and to the extent feasible with the consent of the mar-*
12 *itime academies, implement a program of vessel shar-*
13 *ing, requiring maritime academies to share training*
14 *capacity vessels provided by the Secretary among*
15 *maritime academies, as necessary to ensure that*
16 *training needs of each academy are met.*

17 “(2) *PROGRAM OF VESSEL CAPACITY SHARING.*—
18 *For purposes of this subsection, a program of vessel*
19 *capacity sharing shall include—*

20 “(A) *ways to maximize the available under-*
21 *way training capacity available in the fleet of*
22 *training vessels;*

23 “(B) *coordinating the dates and duration of*
24 *training cruises with the academic calendars of*
25 *maritime academies;*

1 “(C) coordinating academic programs de-
2 signed to be implemented aboard training vessels
3 among maritime academies; and

4 “(D) identifying ways to minimize costs.

5 “(3) *EVALUATION.*—Not later than 30 days after
6 the beginning of each fiscal year, the Secretary, acting
7 through the Maritime Administrator, shall evaluate
8 the vessel capacity sharing program under this sub-
9 section to determine the optimal utilization of State
10 maritime training vessels, and modify the program as
11 necessary to improve utilization.”.

12 **SEC. 15. PERMANENT AUTHORITY OF SECRETARY OF**
13 **TRANSPORTATION TO ISSUE VESSEL WAR**
14 **RISK INSURANCE.**

15 (a) *IN GENERAL.*—Section 53912 of title 46, United
16 States Code, is repealed.

17 (b) *CLERICAL AMENDMENT.*—The table of sections at
18 the beginning of chapter 539 of title 46, United States Code,
19 is amended by striking the item relating to section 53912.

20 **SEC. 16. BUY AMERICA.**

21 Subsection (c) of section 54101 of title 46, United
22 States Code, is amended by adding at the end the following:

23 “(3) *BUY AMERICA.*—

24 “(A) *IN GENERAL.*—Notwithstanding any
25 other provision of law, the Secretary of Trans-

1 *portation shall not obligate any funds authorized*
 2 *to be appropriated to carry out this chapter un-*
 3 *less any steel, iron, and manufactured products*
 4 *used in the project authorized under this chapter*
 5 *are produced in the United States.*

6 “(B) *EXCEPTION.*—*The provisions of sub-*
 7 *paragraph (A) shall not apply where the Sec-*
 8 *retary finds—*

9 “(i) *that their application would be in-*
 10 *consistent with the public interest;*

11 “(ii) *that such materials and products*
 12 *are not produced in the United States in*
 13 *sufficient and reasonably available quan-*
 14 *tities and of a satisfactory quality; or*

15 “(iii) *that inclusion of domestic mate-*
 16 *rial will increase the cost of the overall*
 17 *project by more than 25 percent.”.*

18 **SEC. 17. NAVIGATION SYSTEM STUDY AND REPORT.**

19 (a) *STUDY OF THE GREAT LAKES SYSTEM.*—

20 (1) *IN GENERAL.*—*The Maritime Administrator*
 21 *shall conduct a comprehensive study of the Great*
 22 *Lakes - Saint Lawrence Seaway navigation system*
 23 *(referred to in this section as the “Great Lakes Sys-*
 24 *tem”)* *that examines the current state of the system*
 25 *and makes recommendations for improvements.*

1 (2) CONTENTS.—*The study—*

2 (A) *shall examine, with respect to the Great*
3 *Lakes System—*

4 (i) *typical cargo routing options;*

5 (ii) *the cost profile of each route and*
6 *alternative routes;*

7 (iii) *port infrastructure quality;*

8 (iv) *intermodal connections;*

9 (v) *competing transportation options,*
10 *including air, rail, and ground transpor-*
11 *tation and their relative market position;*

12 (vi) *taxes and fees imposed on vessels;*

13 (vii) *marketing efforts to increase ship-*
14 *ments;*

15 (viii) *subsidies provided to the Great*
16 *Lakes System and to competing cargo*
17 *transportation systems;*

18 (ix) *the condition of the docks at each*
19 *port;*

20 (x) *United States and Canadian Gov-*
21 *ernment icebreaking capabilities to facili-*
22 *tate commercial shipping; and*

23 (xi) *the condition of vessel navigation*
24 *infrastructure (such as channels, locks, jet-*
25 *ties, and breakwaters) and efforts to main-*

1 tain, upgrade, or replace that infrastruc-
2 ture; and

3 (B) shall make recommendations on—

4 (i) the level of additional investment
5 needed to improve the Great Lakes System;

6 (ii) any benefits of increased Federal
7 or State investment in the Great Lakes Sys-
8 tem; and

9 (iii) any regulatory or competitive
10 burdens impeding growth of the Great Lakes
11 System.

12 (b) *REPORT.*—Not later than 1 year after the date of
13 the enactment of this Act, the Maritime Administrator shall
14 submit a report to the Committee on Commerce, Science,
15 and Transportation of the Senate, the Committee on Trans-
16 portation and Infrastructure of the House of Representa-
17 tives, and the Co-Chairs of the Great Lakes Task Force of
18 the Senate and of the House of Representatives containing
19 the results of the study conducted under this section.

20 (c) *CONTRACT.*—The Maritime Administrator may
21 enter into a contract with an independent entity to carry
22 out the study.

23 **SEC. 18. MISCELLANEOUS.**

24 (a) *NONCOMMERCIAL VESSELS.*—Section 3514(a) of
25 the National Defense Authorization Act for Fiscal Year

1 2017 (Public Law 114–328; 46 U.S.C. 51318 note) is
2 amended—

3 (1) by striking “Not later than” and inserting
4 the following:

5 “(1) Not later than”; and

6 (2) by redesignating paragraphs (1) and (2) as
7 subparagraphs (A) and (B), respectively, and adjust-
8 ing the margins accordingly; and

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

10 “(2) For the purposes of this section, vessels op-
11 erated by any of the following entities shall not be
12 considered commercial vessels:

13 “(A) Any entity or agency of the United
14 States.

15 “(B) The government of a State or terri-
16 tory.

17 “(C) Any political subdivision of a State or
18 territory.

19 “(D) Any other municipal organization.”.

20 (b) *PASSENGER RECORDS*.—Section 51322(c) of title
21 46, United States Code, is amended to read as follows:

22 “(c) *MAINTENANCE OF SEXUAL ASSAULT TRAINING*
23 *RECORDS*.—The Maritime Administrator shall require the
24 owner or operator of a commercial vessel, or the seafarer
25 union for a commercial vessel, to maintain records of sexual

1 *assault training for any person required to have such train-*
2 *ing.”.*

3 (c) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
4 *TRATION.—Section 3134 of title 40, United States Code, is*
5 *amended by adding at the end the following:*

6 “(c) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
7 *TRATION.—The Secretary of Commerce may waive this sub-*
8 *chapter with respect to contracts for the construction, alter-*
9 *ation, or repair of vessels, regardless of the terms of the con-*
10 *tracts as to payment or title, when the contract is made*
11 *under the Act entitled ‘An Act to define the functions and*
12 *duties of the Coast and Geodetic Survey, and for other pur-*
13 *poses’, approved August 6, 1947 (33 U.S.C. 883a et seq.).”.*

14 (d) *ANNUAL PAYMENTS FOR MAINTENANCE AND SUP-*
15 *PORT.—Section 51505(b)(2) of title 46 is amended to read*
16 *as follows:*

17 “(2) *MAXIMUM.—The amount under paragraph*
18 (1) *may not be more than \$25,000, unless the acad-*
19 *emy satisfies section 51506(b) of this title.”.*

Calendar No. 505

115TH CONGRESS
2^D SESSION

S. 2717

[Report No. 115-292]

A BILL

To reauthorize provisions relating to the Maritime
Administration.

JULY 9, 2018

Reported with an amendment