

costs, including real estate transaction and environmental documentation costs, associated with the conveyance of the Property to the City under this section may be shared equitably by the Secretary and the City, as determined by the Secretary, including with the City providing in-kind contributions for any or all of such costs.

(h) **PROCEEDS.**—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, any proceeds from a conveyance of the Property under this section shall—

(1) be deposited in an account or accounts of the National Oceanic and Atmospheric Administration that exists as of the date of the enactment of this Act;

(2) used to cover costs associated with the conveyance, related relocation efforts, and other facility and infrastructure projects in Alaska; and

(3) remain available until expended, without further appropriation.

(i) **MEMORANDUM OF AGREEMENT.**—If the City exercises its right of first refusal under subsection (c), before finalizing a conveyance to the City under this section, the Secretary and the City shall enter into a memorandum of agreement to establish the terms under which the Secretary shall have future access to, and use of, the Property to accommodate the reasonable expectations of the Secretary for future operational and logistical needs in southeast Alaska.

(j) **RESERVATION OR EASEMENT FOR ACCESS AND USE.**—The conveyance authorized under this section shall be subject to a reservation providing, or an easement granting, the Secretary, at no cost to the United States, a right to access and use the Property that—

(1) is compatible with the Master Plan; and

(2) authorizes future operational access and use by other Federal, State, and local government agencies that have customarily used the Property.

(k) **LIABILITY.**—

(1) **AFTER CONVEYANCE.**—An individual or entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out on or after the date and time of the conveyance of the Property.

(2) **BEFORE CONVEYANCE.**—The United States shall remain responsible for any liability the United States incurred with respect to activities the United States carried out on the Property before the date and time of the conveyance of the Property.

(1) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate and reasonable to protect the interests of the United States.

(m) **ENVIRONMENTAL COMPLIANCE.**—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(n) **CONVEYANCE NOT A MAJOR FEDERAL ACTION.**—A conveyance under this section shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

SEC. 5801. TECHNICAL CORRECTION.

Section 319(b) of title 14, United States Code, is amended by striking “section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)” and inserting “section 44801 of title 49”.

SEC. 5802. REINSTATEMENT.

(a) **REINSTATEMENT.**—The text of section 12(a) of the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly known as the “Truman-Hobbs Act”, is—

(1) reinstated as it appeared on the day before the date of the enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4754); and

(2) redesignated as the sole text of section 12 of the Act of June 21, 1940 (33 U.S.C. 522).

(b) **EFFECTIVE DATE.**—The provision reinstated by subsection (a) shall be treated as if such section 8507(b) had never taken effect.

(c) **CONFORMING AMENDMENT.**—The provision reinstated under subsection (a) is amended by striking “, except to the extent provided in this section”.

SEC. 5803. TERMS AND VACANCIES.

Section 46101(b) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking “one year” and inserting “2 years”; and

(B) by striking “2 terms” and inserting “3 terms”; and

(2) in paragraph (3)—

(A) by striking “of the individual being succeeded” and inserting “to which such individual is appointed”; and

(B) by striking “2 terms” and inserting “3 terms”; and

(C) by striking “the predecessor of that” and inserting “such”.

TITLE LIX—RULE OF CONSTRUCTION

SEC. 5901. RULE OF CONSTRUCTION.

Nothing in this divisions may be construed—

(1) to satisfy any requirement for government-to-government consultation with Tribal governments; or

(2) to affect or modify any treaty or other right of any Tribal government.

SA 6444. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME MATTERS

Subtitle A—Short Title; Authorization of Appropriations for the Maritime Administration

SEC. 3501. SHORT TITLE.

This title may be cited as the “Maritime Administration Authorization Act for Fiscal Year 2023”.

SEC. 3502. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.

(a) **MARITIME ADMINISTRATION.**—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:

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

(A) \$87,848,000 shall be for Academy operations;

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

(C) \$3,000,000 shall be for training, staffing, retention, recruiting, and contract management for United States Merchant Marine Academy capital improvement projects.

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

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

(B) \$6,000,000 shall be for direct payments for State maritime academies;

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

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

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

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, \$75,000,000.

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

(A) \$15,000,000 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

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

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

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

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

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

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

(B) \$3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

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

(9) For expenses necessary to implement the Port Infrastructure Development Program, as authorized under section 54301 of title 46, United States Code, \$750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.

(b) AVAILABILITY OF AMOUNTS.—Amounts appropriated—

(1) pursuant to the authority provided in paragraphs (1)(A), (2)(A), and (4)(A) of subsection (a) shall remain available through September 30, 2023; and

(2) pursuant to the authority provided in paragraphs (1)(B), (1)(C), (2)(B), (2)(C), (2)(D), (2)(E), (3), (4)(B), (4)(C), (5), (6), (7)(A), (7)(B), (8), and (9) of subsection (a) shall remain available without fiscal year limitation.

(c) TANKER SECURITY FLEET.—

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

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

Subtitle B—General Provisions

SEC. 3511. STUDY TO INFORM A NATIONAL MARITIME STRATEGY.

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

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

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

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

(4) that the Navy Fleet Auxiliary Force, the National Defense Reserve Fleet, the Military Sealift Command, the Maritime Security Program under chapter 531 of title 46, United States Code, the Tanker Security Program under chapter 534 of title 46, United States Code, and the Cable Security Program under chapter 532 of title 46, United States Code, currently meet the economic and national security needs of the United States and would reliably continue to meet those needs under future economic or national security emergencies.

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

(1) relevant Federal departments and agencies;

(2) nongovernmental organizations;

(3) United States companies;

(4) maritime labor organizations;

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

(6) domestic shipyards regarding shipbuilding and repair capacity, and the associated skilled workforce, such as the workforce required for transportation, offshore wind, fishing, and aquaculture;

(7) providers of maritime workforce training; and

(8) any other relevant organizations.

(c) ELEMENTS OF THE STUDY.—The study conducted under subsection (a) shall include consultation with the Department of Transportation, the Department of Defense, the Department of Homeland Security, the National Oceanic and Atmospheric Administration, and other relevant Federal agencies, in the identification and evaluation of—

(1) incentives, including regulatory changes, needed to continue to meet the

shipbuilding and ship maintenance needs of the United States for commercial and national security purposes, including through a review of—

(A) the loans and guarantees program carried out under chapter 537 of title 46, United States Code, and how the development of new offshore commercial industries, such as wind, could be supported through modification of such program or other Federal programs, and thus also support the United States sealift in the future;

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

(C) the needed resources, human and financial, for such incentives; and

(D) the current and anticipated number of shipbuilding and ship maintenance contracts at United States shipyards through 2032, to the extent practicable;

(2) incentives, including regulatory changes, needed to maintain a commercially viable United States-documented fleet, which shall include—

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

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

(C) estimates of the needed human and financial resources for such incentives;

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

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

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

(C) how those programs could be improved to grow the number of maritime workers trained each year, including how potential collaboration between the uniformed services, the United States Merchant Marine Academy, State maritime academies, maritime labor training centers, and the Centers of Excellence for Domestic Maritime Workforce Training under section 51706 of title 46, United States Code, could be used most effectively; and

(D) estimates of the necessary resources, human and financial, to implement such programs in each relevant Federal agency over the next 30 years; and

(4) the interaction among the elements described under paragraphs (1) through (3).

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

SEC. 3512. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 6 months after the date of receipt of the study conducted under section 3511, and every 5 years thereafter, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the United States Transportation Command, shall submit to the Committee on

Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

(A) international policies and Federal regulations and policies that reduce the competitiveness of United States-documented vessels with foreign vessels in domestic and international transportation markets; and

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

(A) make United States-documented vessels more competitive in shipping routes between United States and foreign ports;

(B) increase the use of United States-documented vessels to carry cargo imported to and exported from the United States;

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

(D) increase the use of short sea transportation routes, including routes designated under section 5560(b) of title 46, United States Code, to enhance intermodal freight movements;

(E) enhance United States shipbuilding capability;

(F) invest in, and identify gaps in, infrastructure needed to facilitate the movement of goods at ports and throughout the transportation system, including innovative physical and information technologies;

(G) enhance workforce training and recruitment for the maritime workforce, including training on innovative physical and information technologies;

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

(I) increase the carriage of government-impelled cargo on United States-documented vessels pursuant to chapter 553 of title 46, United States Code, section 2631 of title 10, United States Code, or otherwise; and

(J) maximize the cost effectiveness of Federal funding for carriage of non-defense government impelled cargo for the purposes of maintaining a United States flag fleet for national and economic security.

(c) UPDATE.—Not later than 6 months after the date of receipt of the study conducted under section 3511, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating and the Commander of the United States Transportation Command, shall—

(1) update the national maritime strategy required by section 603 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113-281);

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

(3) make the updated national maritime strategy publicly available on the website of the Department of Transportation.

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

SEC. 3513. NEGATIVE DETERMINATION NOTICE.

Section 501(b)(3) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking “and” after the semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(D) in the event a waiver referred to in paragraph (1) is not issued, publish an explanation for not issuing such waiver on the Internet Web site of the Department of Transportation not later than 48 hours after notice of such determination is provided to the Secretary of Transportation, including applicable findings to support the determination.”.

Subtitle C—Maritime Infrastructure

SEC. 3521. MARINE HIGHWAYS.

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

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

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

(2) Using the Nation’s coastal, inland, and other waterways can support commercial transportation, can provide maritime transportation options where no alternative surface transportation exists, and alleviates surface transportation congestion and burdensome road and bridge repair costs.

(3) Marine highways are serviced by documented United States flag vessels and manned by United States citizens, providing added resources for national security and to aid in times of crisis.

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

(c) **UNITED STATES MARINE HIGHWAY PROGRAM.**—

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

“§55601. United States Marine Highway Program

“(a) **PROGRAM.**—

“(1) **ESTABLISHMENT.**—The Maritime Administrator shall establish a Marine Highway Program to be known as the ‘United States Marine Highway Program’. Under such program, the Maritime Administrator shall—

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

“(B) subject to the availability of appropriations, make grants or enter into contracts or cooperative agreements under subsection (c).

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

“(A) coordinate with ports, State departments of transportation, localities, other public agencies, and the private sector on the development of landside facilities and infrastructure to support marine highway transportation;

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

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

“(D) conduct research on solutions to impediments to marine highway services eligible for assistance under subsection (c)(1).

“(b) **DESIGNATION OF MARINE HIGHWAY ROUTES.**—

“(1) **AUTHORITY.**—The Maritime Administrator may designate or modify a marine highway route as an extension of the surface transportation system if—

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

“(i) the government of a State or territory;

“(ii) a metropolitan planning organization;

“(iii) a port authority;

“(iv) a non-Federal navigation district; or

“(v) a Tribal government; and

“(B) the Maritime Administrator determines such marine highway route satisfies at least one covered function under subsection (d).

“(2) **DETERMINATION.**—Not later than 180 days after the date on which the Maritime Administrator receives a request for designation or modification of a marine highway route under paragraph (1), the Maritime Administrator shall make a determination of whether to make the requested designation or modification.

“(3) **NOTIFICATION.**—Not later than 14 days after the date on which the Maritime Administrator makes the determination whether to make the requested designation or modification, the Maritime Administrator shall send the requester a notification of the determination.

“(4) **MAP.**—

“(A) **IN GENERAL.**—Not later than 120 days after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, and thereafter each time a marine highway route is designated or modified, the Administrator shall make publicly available a map showing the location of marine highway routes, including such routes along the coasts, in the inland waterways, and at sea.

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

“(c) **ASSISTANCE FOR MARINE HIGHWAY SERVICES.**—

“(1) **IN GENERAL.**—The Maritime Administrator may make grants to, or enter into contracts or cooperative agreements with, an eligible entity to implement a marine highway service or component of a marine highway service, if the Administrator determines the service—

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

“(B) uses vessels documented under chapter 121 of this title; and

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

“(ii) develops, expands, or promotes—

“(I) marine highway transportation services; or

“(II) shipper utilization of marine highway transportation.

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

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

“(B) a United States metropolitan planning organization;

“(C) a United States port authority;

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

“(E) a United States private sector operator of marine highway services or private sector owners of facilities with an endorsement letter from the marine highway route sponsor described in subsection (b)(1)(A), including an Alaska Native Corporation.

“(3) **APPLICATION.**—

“(A) **IN GENERAL.**—To be eligible to receive a grant or enter into a contract or cooperative agreement under this subsection to implement a marine highway service, an eligible entity shall submit an application in such form and manner, at such time, and containing such information as the Maritime Administrator may require, including—

“(i) a comprehensive description of—

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

“(II) the marine highway route that the service will use, which may include connection to existing or planned transportation infrastructure and intermodal facilities, key

navigational factors such as available draft, channel width, bridge air draft, or lock clearance, and any foreseeable impacts on navigation or commerce, and a map of the proposed route;

“(III) the marine highway service supporters, which may include business affiliations, private sector stakeholders, State departments of transportation, metropolitan planning organizations, municipalities, or other governmental entities (including Tribal governments), as applicable;

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

“(V) the need for the service;

“(VI) the definition of the success goal for the service, such as volumes of cargo or passengers moved, or contribution to environmental mitigation, safety, reduced vehicle miles traveled, or reduced maintenance and repair costs;

“(VII) the methodology for implementing the service, including a description of the proposed operational framework of the service including the origin, destination, and any intermediate stops on the route, transit times, vessel types, and service frequency; and

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

“(i) a demonstration, to the satisfaction of the Maritime Administrator, that—

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

“(II) the funds or other assistance provided under this subsection will be spent or used efficiently and effectively; and

“(III) a market exists for the services of the proposed marine highway service, as evidenced by contracts or written statements of intent from potential customers.

“(B) **PRE-PROPOSAL.**—Prior to accepting a full application under subparagraph (A), the Maritime Administrator may require that an eligible entity first submit a pre-proposal that contains a brief description of the items under subparagraph (A).

“(C) **PRE-PROPOSAL FEEDBACK.**—Not later than 30 days after receiving a pre-proposal, the Maritime Administrator shall provide feedback to the eligible entity that submitted the pre-proposal to encourage or discourage the eligible entity from submitting a full application. An eligible entity may still submit a full application even if that eligible entity is not encouraged to do so after submitting a pre-proposal.

“(4) **TIMING OF GRANT NOTICE.**—The Maritime Administrator shall post a Notice of Funding Opportunity regarding grants, contracts, or cooperative agreements under this subsection not more than 60 days after the date of enactment of the appropriations Act for the fiscal year concerned.

“(5) **GRANT APPLICATION FEEDBACK.**—Following the award of grants for a particular fiscal year, the Maritime Administrator may provide feedback to applicants to help applicants improve future applications if the feedback is requested by that applicant.

“(6) **TIMING OF GRANTS.**—The Maritime Administrator shall award grants, contracts, or cooperative agreements under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

“(7) **NON-FEDERAL SHARE.**—

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

“(B) **TRIBAL AND RURAL AREAS.**—The Maritime Administrator may increase the Federal share of service costs above 80 percent

for a service located in a Tribal or rural area.

“(C) TRIBAL GOVERNMENT.—The Maritime Administrator may increase the Federal share of service costs above 80 percent for a service benefitting a Tribal Government.

“(8) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding paragraph (6), amounts awarded under this subsection that are not expended by the recipient within 3 years after obligation of funds or that are returned under paragraph (10)(C) shall remain available to the Maritime Administrator to make grants and enter into contracts and cooperative agreements under this subsection.

“(9) ADMINISTRATIVE COSTS.—Not more than 3 percent of the total amount made available to carry out this subsection for any fiscal year may be used for the necessary administrative costs associated with grants, contracts, and cooperative agreements made under this subsection.

“(10) PROCEDURAL SAFEGUARDS.—The Maritime Administrator, in consultation with the Office of the Inspector General, shall issue guidelines to establish appropriate accounting, reporting, and review procedures to ensure that—

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

“(B) recipients of funds under this subsection (including through grants, contracts, or cooperative agreements) have properly accounted for all expenditures of such funds; and

“(C) any such funds that are not obligated or expended for the purposes for which they were made available are returned to the Administrator.

“(11) CONDITIONS ON PROVISION OF FUNDS.—The Maritime Administrator may not award funds to an applicant under this subsection unless the Maritime Administrator determines that—

“(A) sufficient funding is available to meet the non-Federal share requirement of paragraph (7);

“(B) the marine highway service for which such funds are provided will be completed without unreasonable delay; and

“(C) the recipient of such funds has authority to implement the proposed marine highway service.

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

“(1) Promotion of marine highway transportation.

“(2) Provision of a coordinated and capable alternative to landside transportation.

“(3) Mitigation or relief of landside congestion.

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

“(1) raise sunken vessels, construct buildings or other physical facilities, or acquire land unless such activities are necessary for the establishment or operation of a marine highway service implemented using grant funds provided, or pursuant to a contract or cooperative agreement entered into under subsection (c); or

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

“(f) GEOGRAPHIC DISTRIBUTION.—In making grants, contracts, and cooperative agreements under this section the Maritime Administrator shall take such measures so as to ensure an equitable geographic distribution of funds.

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

(2) RULES.—

(A) FINAL RULE.—Not later than 1 year after the date of enactment of this title, the Secretary 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 States Code, is amended by inserting after section 55602 the following:

“SEC. 55603. MULTISTATE, STATE, AND REGIONAL TRANSPORTATION PLANNING.

“(a) IN GENERAL.—The Maritime Administrator, in consultation with the heads of other appropriate Federal departments and agencies, State and local governments, and appropriate private sector entities, may develop strategies to encourage the use of marine highway transportation for the transportation of passengers and cargo.

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

“(1) assess the extent to which States and local governments include marine highway transportation and other marine transportation solutions in transportation planning;

“(2) encourage State departments of transportation to develop strategies, where appropriate, to incorporate marine highway transportation, ferries, and other marine transportation solutions for regional and interstate transport of freight and passengers in transportation planning; and

“(3) encourage groups of States and multistate transportation entities to determine how marine highway transportation can address congestion, bottlenecks, and other interstate transportation challenges, including the lack of alternative surface transportation options.”.

(e) RESEARCH ON MARINE HIGHWAY TRANSPORTATION.—Section 55604 of title 46, United States Code, is amended—

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

(2) by inserting before paragraph (4), as redesignated by paragraph (1), the following new paragraphs:

“(1) the economic importance of marine highway transportation to the United States economy;

“(2) the importance of marine highway transportation to rural areas, including the lack of alternative surface transportation options;

“(3) United States regions and territories, and within-region areas, that do not yet have marine highway services underway, but that could benefit from the establishment of marine highway services;”.

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

“§ 55605. Definitions

“In this chapter—

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

“(A) is—

“(i) contained in intermodal cargo containers and loaded by crane on the vessel;

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

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

“(iv) bulk, liquid, or loose cargo loaded in tanks, holds, hoppers, or on deck; or

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

“(B) is—

“(i) loaded at a port in the United States and unloaded either at another port in the United States or at a port in Canada or Mexico; or

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

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

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

“(4) the term ‘Tribal Government’ means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023 pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131); and

“(5) the term ‘Alaska Native Corporation’ has the meaning given the term ‘Native Corporation’ under section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).”.

(g) TECHNICAL AMENDMENTS.—

(1) CLERICAL.—The analysis for chapter 556 of title 46, United States Code, is amended—

(A) by striking the item relating to section 55601 and inserting the following:

“55601. United States Marine Highway Program.”;

(B) by inserting after the item relating to section 55602 the following:

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

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

“55605. Definitions.”.

(2) DEFINITIONS.—Section 53501 of title 46, United States Code, is amended in paragraph (5)(A)—

(A) in clause (i), by inserting “and” after the semicolon; and

(B) by striking clause (iii).

SEC. 3522. GAO REVIEW OF EFFORTS TO SUPPORT AND GROW THE UNITED STATES MERCHANT FLEET.

Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that examines United States Government efforts to promote the growth and

modernization of the United States maritime industry, and the vessels of the United States, as defined in section 116 of title 46, United States Code, including the overall efficacy of United States Government financial support and policies, including the Capital Construction Fund, Construction Reserve Fund, and other eligible loan, grant, or other programs.

SEC. 3523. GAO REVIEW OF FEDERAL EFFORTS TO ENHANCE PORT INFRASTRUCTURE RESILIENCY AND DISASTER PREPAREDNESS.

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

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

(2) The extent to which the Department of Transportation and other Federal agencies are working in line with recent recommendations from key resiliency reports, including the National Academies of Science study on strengthening supply chain resilience, to establish a framework for ports to follow to increase resiliency to major weather-related disruptions before they happen.

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

(4) The extent to which Federal agencies have a coordinated approach to helping ports and the multiple State, local, Tribal, and private stakeholders involved, to improve resiliency prior to weather-related disasters.

SEC. 3524. STUDY ON FOREIGN INVESTMENT IN SHIPPING.

(a) **ASSESSMENT.**—Subject to appropriations, the Under Secretary of Commerce for International Trade (referred to in this section as the “Under Secretary”) in coordination with Maritime Administration, the Federal Maritime Commission, and other relevant agencies shall conduct an assessment of subsidies, indirect state support, and other financial infrastructure or benefits provided by foreign states that control more than 1 percent of the world merchant fleet to entities or individuals building, owning, chartering, operating, or financing vessels not documented under the laws of the United States that are engaged in foreign commerce.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this section, the Under Secretary shall submit to the appropriate committees of Congress, as defined in section 3538, a report on the assessment conducted under subsection (a), including—

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

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

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

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

(2) the amount, in United States dollars, of such support provided by a foreign state described in subsection (a) to the shipping industry of another foreign state, including fa-

vorable financial arrangements for ship construction;

(3) a description of the shipping industry activities of state-owned enterprises of a foreign state described in subsection (a);

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

(5) a description of how the subsidies provided by a foreign state described in subsection (a) may be disadvantaging the competitiveness of vessels documented under the laws of the United States that are engaged in foreign commerce and the national security of the United States.

(c) **DEFINITIONS.**—In this section:

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

(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country;

(B) commerce or trade between foreign countries; or

(C) commerce or trade within a foreign country.

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

(3) **SHIPPING INDUSTRY.**—The term “shipping industry” means the construction, ownership, chartering, operation, or financing of vessels engaged in foreign commerce.

SEC. 3525. REPORT REGARDING ALTERNATE MARINE FUEL BUNKERING FACILITIES AT PORTS.

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

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

(1) information about the existing United States infrastructure, in particular the storage facilities, bunkering vessels, and transfer systems to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(2) a review of the needed upgrades to United States infrastructure, including storage facilities, bunkering vessels, and transfer systems, to support bunkering facilities for liquefied natural gas, hydrogen, ammonia, or other new marine fuels under development;

(3) an assessment of the estimated Government investment in this infrastructure and the duration of 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.

SEC. 3526. STUDY OF CYBERSECURITY AND NATIONAL SECURITY THREATS POSED BY FOREIGN MANUFACTURED CRANES AT UNITED STATES PORTS.

The Administrator of the Maritime Administration shall—

(1) conduct a study, in consultation with the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Cybersecurity and Infrastructure Security Agency, to assess whether there are cybersecurity or national security threats posed by foreign manufactured cranes at United States ports;

(2) submit, not later than 1 year after the date of enactment of this title, an unclassified report on the study described in paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Armed Services of the House of Representatives; and

(3) if determined necessary by the Administrator, the Secretary of Homeland Security, or the Secretary of Defense, submit a classified report on the study described in paragraph (1) to the committees described in paragraph (2).

SEC. 3527. PROJECT SELECTION CRITERIA FOR PORT INFRASTRUCTURE DEVELOPMENT PROGRAM.

Section 54301(a)(6) of title 46, United States Code, is amended by adding at the end the following:

“(C) **CONSIDERATIONS FOR NONCONTIGUOUS STATES AND TERRITORIES.**—In considering the criteria under subparagraphs (A)(ii) and (B)(ii) for selecting a project described in paragraph (3), in the case the proposed project is located in a noncontiguous State or territory, the Secretary may take into account the geographic isolation of the State or territory and the economic dependence of the State or territory on the proposed project.”.

SEC. 3528. INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.

Section 54301(a)(6) of title 46, United States Code, is amended by adding at the end the following:

“(D) **INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.**—In selecting projects described in paragraph (3) for funding under this subsection, the Secretary may consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1985) that would improve the commercial operations of those seaports.”.

Subtitle D—Maritime Workforce

SEC. 3531. 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. 3532. 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.

(3) Asian.

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

(5) Pacific Islander.

SEC. 3533. LOW EMISSIONS VESSELS TRAINING.

(a) **DEVELOPMENT OF STRATEGY.**—The Secretary of Transportation, in consultation with the United States Merchant Marine Academy, State maritime academies, civilian nautical schools, and the Secretary of the department in which Coast Guard is operating, shall develop a strategy to ensure there is an adequate supply of trained United

States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels. Implementation of the strategy shall aim to increase the supply of trained United States citizen mariners sufficient to meet the needs of the maritime industry and ensure continued investment in training for mariners serving on conventional fuel vessels.

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

(1) submit a report on the strategy developed under subsection (a) and plans for its implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make such report publicly available.

SEC. 3534. IMPROVING PROTECTIONS FOR MIDSHIPMEN ACT.

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

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

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

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

“(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner’s document shall be suspended or revoked.

“(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner’s document shall be revoked.

“(c) SUBSTANTIATED CLAIM.—

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

“(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

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

“(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner’s document shall not be suspended or revoked under subsection (a) or (b) unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in subsection (d), by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.

“(d) DEFINITIONS.—

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

“(A) Conduct that—

“(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature, when—

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

“(II) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person;

“(III) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive working environment; or

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

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

“(B) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a subordinate.

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

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

“(e) REGULATIONS.—The Secretary of the department in which the Coast Guard is operating may issue further regulations as necessary to update the definitions in this section, consistent with descriptions of sexual harassment and sexual assault addressed in titles 10 and title 18 to implement this section.”

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

“7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.”

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

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

“§ 51325. Sexual assault and sexual harassment prevention information management system

“(a) INFORMATION MANAGEMENT SYSTEM.—

“(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish an information management system to track and maintain, in such a manner that patterns can be reasonably identified, information regarding claims and incidents involving cadets that are reportable pursuant to subsection (d) of section 51318 of this chapter.

“(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

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

“(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

“(C) The names and ranks of the individuals involved in each such incident.

“(D) The general nature of each such incident, to include copies of any associated reports completed on the incidents.

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

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

“(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

“(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

“(4) PRIVACY PROTECTIONS.—The Maritime Administrator and the Department of Transportation Chief Information Officer shall coordinate to ensure that the information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

“(5) CYBERSECURITY AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

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

“(b) SEA YEAR PROGRAM.—The Maritime Administrator shall provide for the establishment of in-person and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion by the midshipmen of the survey under section 51322(d).

“(c) DATA-INFORMED DECISIONMAKING.—The data maintained in the data management system under subsection (a) and through the exit interviews under subsection (b) shall be affirmatively referenced and used to inform the creation of new policy or regulation, or changes to any existing policy or regulation, in the areas of sexual harassment, dating violence, domestic violence, sexual assault, and stalking.

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

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

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

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

“(d) REAPPOINTMENT.—The Maritime Administrator may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Maritime Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

“(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation not less than once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Maritime Administrator not less than 2 times each academic year to discuss the activities of the Advisory Board.

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

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

“(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

“(3) periodically review the efficacy of the program in section 51325(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

“(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of midshipmen at the Merchant Marine Academy who are not current members of the Advisory Board.

“(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Secretary of Transportation and the Maritime Administrator reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.

“§ 51327. Sexual Assault Advisory Council

“(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the ‘Council’).

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation who are alumni that have graduated within the last 4 years or current midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault, to the maximum extent practicable, and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

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

“(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

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

“(3) RULES REGARDING MEMBERSHIP.—No employee of the Department of Transportation shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

“(c) DUTIES; AUTHORIZED ACTIVITIES.—

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

“(A) review—

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

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

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

“(B) develop recommendations designed to ensure that such policies and such matters conform, to the extent practicable, to best practices in the field of sexual assault and sexual harassment response and prevention.

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

“(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

“(B) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation express consent to be interviewed by the Council); and

“(C) review—

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

“(ii) data collected from restricted reporting; and

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

“(3) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obligations of the Department of Transportation to protect personally identifiable information.

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

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

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

“§ 51328. Student support

“The Maritime Administrator shall—

“(1) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing the inclusiveness of the environment of the Academy; and

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

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

(f) CONFORMING AMENDMENTS.—The chapter analysis for ? chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“51325. Sexual assault and sexual harassment prevention information management system.

“51326. Student advisory board at the United States Merchant Marine Academy.

“51327. Sexual Assault Advisory Council.

“51328. Student support.”

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

(1) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

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

(B) establish a tracking system for suicidal ideations and suicide attempts of midshipmen, which excludes personally identifiable information;

(C) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

(D) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this subsection.

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

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following:

“(c) SPECIAL VICTIMS ADVISOR.—

“(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the ‘Special Victims Advisor’) for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

“(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of the Uniform Code of Military Justice, as well as criminal and civil law.

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

(3) by adding at the end the following:

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

(i) CATCH A SERIAL OFFENDER ASSESSMENT.—

(1) ASSESSMENT.—Not later than one year after the date of enactment of this section, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy 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 practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

“(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.”.

SEC. 3535. BOARD OF VISITORS.

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

(1) in subsection (b)—

(A) in paragraph (2)—

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

(ii) in subparagraph (D), as redesignated by clause (i), by striking “flag-rank who” and inserting “flag-rank”;

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

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

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

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

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

(2) in subsection (d)—

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

(B) by adding at the end the following:

“(3) SCHEDULING; NOTIFICATION.—When scheduling a meeting of the Board, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the meeting. Members of the Board shall be notified of the date of each meeting not less than 30 days prior to the meeting date.”;

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

“(4) STAFF.—One or more staff of each member of the Board may accompany them on Academy visits.

“(5) SCHEDULING; NOTIFICATION.—When scheduling a visit to the Academy, the Designated Federal Officer shall coordinate, to the greatest extent practicable, with the members of the Board to determine the date and time of the visit. Members of the Board shall be notified of the date of each visit not less than 30 days prior to the visit date.”;

(4) in subsection (h)—

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

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

SEC. 3536. MARITIME TECHNICAL ADVANCEMENT ACT.

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

(b) CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE.—Section 51706 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “of Transportation”;

(2) in subsection (b), in the subsection heading, by striking “ASSISTANCE” and inserting “COOPERATIVE AGREEMENTS”;

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

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

(5) by inserting after subsection (b) the following:

“(C) GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Maritime Administration.

“(B) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means an institution that has a demonstrated record of success in training and is—

“(i) a postsecondary educational institution (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that offers a 2-year program of study or a 1-year program of training;

“(ii) a postsecondary vocational institution (as defined under section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c));

“(iii) a public or private nonprofit entity that offers 1 or more other structured experiential learning training programs for American workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or 1 or more employers in the maritime industry; or

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

“(C) REGISTERED APPRENTICESHIP PROGRAM.—The term ‘registered apprenticeship program’ means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

“(D) UNITED STATES MARITIME INDUSTRY.—The term ‘United States maritime industry’ means all segments of the maritime-related transportation system of the United States, both in domestic and foreign trade, and in coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including—

“(i) vessel construction and repair;

“(ii) vessel operations;

“(iii) ship logistics supply;

“(iv) berthing;

“(v) port operations;

“(vi) port intermodal operations;

“(vii) marine terminal operations;

“(viii) vessel design;

“(ix) marine brokerage;

“(x) marine insurance;

“(xi) marine financing;

“(xii) chartering;

“(xiii) marine-oriented supply chain operations;

“(xiv) offshore industry;

“(xv) offshore wind construction, operation, and repair; and

“(xvi) maritime-oriented research and development.

“(2) GRANT AUTHORIZATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Technological Advancement Act of 2022, the Administrator shall award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for American workers related to the maritime workforce.

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

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

“(ii) publish and maintain such guidelines on the website of the Maritime Administration.

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

“(4) REQUIRED INFORMATION.—

“(A) IN GENERAL.—An eligible institution that desires to receive a grant under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

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

“(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

“(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

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

“(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

“(i) demonstrate that the eligible institution—

“(I) reached out to employers to identify—

“(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

“(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

“(II) reached out to other similarly situated institutions in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

“(ii) include a detailed description of—

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

“(II) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(I)(aa) or any maritime educational or career training needs identified under clause (i)(I)(bb); and

“(III) the extent to which employers, including small- and medium-sized firms within the community, have expressed an interest in employing workers who would benefit from the project for which the grant proposal is submitted.

“(5) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds, the Administrator shall award a grant under this subsection based on—

“(A) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve maritime educational or career training programs to be made available to workers;

“(B) an evaluation of the likely employment opportunities available to workers who complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve;

“(C) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs;

“(D) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

“(E) an evaluation of the previous experience of the eligible institution in providing maritime educational or career training programs.

“(6) COMPETITIVE AWARDS.—

“(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (2)(B).

“(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

“(C) TIMING OF GRANTS.—The Administrator shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

“(D) APPLICATION OF REQUIREMENTS.—The requirements under subparagraphs (B) and (C) shall not apply until the guidelines required under paragraph (2)(B) have been promulgated.

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

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

“(7) ELIGIBLE USES OF GRANT FUNDS.—An eligible institution receiving a grant under this subsection—

“(A) shall carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce;

“(B) shall provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry; and

“(C) may use the grant funds to—

“(i) admit additional students to maritime training programs;

“(ii) develop, establish, and annually update viable training capacity, courses, and mechanisms to rapidly upgrade skills and perform assessments of merchant mariners

during time of war or a national emergency, and to increase credentials for domestic or defense needs where training can decrease the gap in the numbers of qualified mariners for sealfit;

“(iii) provide services to upgrade the skills of United States offshore wind marine service workers who transport, install, operate, construct, erect, repair, or maintain offshore wind components and turbines, including training, curriculum and career pathway development, on-the-job training, safety and health training, and classroom training;

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

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

“(II) labor organizations;

“(III) registered apprenticeship programs with the United States maritime industry; or

“(IV) an entity described in subclause (I) through (III) that has a memorandum of understanding with 1 or more employers in the maritime industry;

“(v) create new maritime pathways or expand existing maritime pathways;

“(vi) expand existing or create new training programs for transitioning military veterans to careers in the United States maritime industry;

“(vii) expand existing or create new training programs that address the needs of individuals with a barrier to employment, as determined by the Secretary in consultation with the Secretary of Labor, in the United States maritime industry;

“(viii) purchase, construct, develop, expand, or improve training facilities, buildings, and equipment to deliver maritime training programs;

“(ix) recruit and train additional faculty to expand the maritime training programs offered by the institution;

“(x) provide financial assistance through scholarships or tuition waivers, not to exceed the applicable tuition expenses associated with the covered programs;

“(xi) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

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

“(xiii) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering maritime workforce recruitment and training services;

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

“(I) an existing registered apprenticeship program or a pre-apprenticeship program that articulates to a registered apprenticeship program;

“(II) a paid internship; or

“(III) a joint labor-management partnership;

“(xv) design, develop, and test an array of approaches to providing recruitment, training, or retention services, to enhance diversity, equity and inclusion in the United States maritime industry workforce;

“(xvi) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

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

“(8) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2025, the Administrator shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

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

“(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

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

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

SEC. 3537. STUDY ON CAPITAL IMPROVEMENT PROGRAM AT THE USMMA.

(a) FINDINGS.—Congress finds the following:

(1) The United States Merchant Marine Academy campus is nearly 80 years old and many of the buildings have fallen into a serious state of disrepair.

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

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

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

(1) the actions the United States Merchant Marine Academy has taken to bring the buildings, infrastructure, and other facilities on campus up to standards and the further actions that are required to do so;

(2) how the approach that the United States Merchant Marine Academy uses to manage its capital assets meets leading practices;

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

(4) whether the United States Merchant Marine Academy has adequate staff who are trained to identify needed capital projects, estimate the cost of those projects, perform building maintenance, and manage capital improvement projects; and

(5) how the United States Merchant Marine Academy identifies and prioritizes capital construction needs, and how that priority relates to the safety, education, and wellbeing of midshipmen.

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

SEC. 3538. IMPLEMENTATION OF RECOMMENDATIONS FROM THE NATIONAL ACADEMY OF PUBLIC ADMINISTRATION.

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

(1) not later than 180 days after the date of enactment of this section, initiate an audit of the Maritime Administration's actions to address only recommendations 4.1 through 4.3, 4.7 through 4.11, 5.1 through 5.4, 5.6, 5.7, 5.11, 5.14, 5.15, 5.16, 6.1 through 6.4, 6.6, and 6.7, identified by a National Academy of Public Administration panel in the November 2021 report entitled "Organizational Assessment of the United States Merchant Marine Academy: A Path Forward"; and

(2) release publicly, and submit to the appropriate committees of Congress, a report containing the results of the audit described in paragraph (1) once the audit is completed.

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

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this title, the Secretary of Transportation shall enter into an agreement with the National Academy of Public Administration (referred 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, the Inspector General of the Department of Transportation, and the appropriate committees of Congress.

(c) PRIORITIZATION AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Maritime Administrator shall provide a prioritization and implementation plan to assess, prioritize, and address the recommendations identified by the National Academy of Public Administration panel in the November 2021 report entitled "Organizational Assessment of the United States Merchant Marine Academy: A Path Forward" that are relevant to the Maritime Administration and not listed in subsection (a)(1). The prioritization and implementation plan shall—

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

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

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

(D) be released publicly and submitted to the Inspector General of the Department of Transportation and the appropriate committees of Congress.

(2) AUDIT AND REPORT.—The Inspector General of the Department of Transportation shall—

(A) not later than 180 days after the date of publication of the prioritization and implementation plan described in paragraph (1), initiate an audit of the Maritime Administration's actions to address the prioritization and implementation plan;

(B) monitor the Maritime Administration's actions to implement recommendations

made by the Inspector General's audit described in subparagraph (A) and in prior audits of the Maritime Administration's implementation of National Academy of Public Administration recommendations and periodically initiate subsequent audits of the Maritime Administration's continued actions to address the prioritization and implementation plan, as the Inspector General determines may be necessary; and

(C) release publicly and submit to the Administrator of the Maritime Administration and the appropriate committees of Congress a report containing the results of the audit once the audit is completed.

(3) REPORT OF PROGRESS.—Not later than 180 days after the date of publication of the Inspector General's report described in paragraph (2)(C), and annually thereafter, the Administrator of the Maritime Administration shall prepare and submit a report to the Inspector General of the Department of Transportation and the appropriate committees of Congress describing—

(A) the Maritime Administration's planned actions and estimated timeframes for taking action to implement any open or unresolved recommendations from the Inspector General's reports described in paragraph (2) and in subsection (a); and

(B) any target action dates associated with open and unresolved recommendations from the Inspector General's reports described in paragraph (2) and in subsection (a) which the Maritime Administration failed to meet or for which it requested an extension of time, and the reasons for which an extension was necessary.

(4) AGREEMENT FOR PLAN ON CAPITAL IMPROVEMENTS.—Not later than 90 days after the date of enactment of this title, the Maritime Administration shall enter into an agreement with a Federal construction agent to create a plan to execute capital improvements at the United States Merchant Marine Academy.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Appropriations Subcommittees on Transportation, Housing and Urban Development, and Related Agencies of the Senate and the House of Representatives, and the Committee on Armed Services of the House of Representatives.

SEC. 3539. SERVICE ACADEMY FACULTY PARITY.

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

(1) in the heading of subsection (b), by striking "CERTAIN OF WORKS" and inserting "CERTAIN WORKS";

(2) in the first subsection (c), by striking "The Secretary of Defense may" and inserting "The Secretary of Defense (or, with respect to the United States Merchant Marine Academy, the Secretary of Transportation, or, with respect to the United States Coast Guard Academy, the Secretary of Homeland Security) may";

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

(4) in subsection (d)(2), as redesignated by paragraph (3), by adding at the end the following:

"(M) United States Merchant Marine Academy."

SEC. 3540. UPDATED REQUIREMENTS FOR FISHING CREW AGREEMENTS.

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

(1) in paragraph (2), by striking "and" after the semicolon;

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

(3) by inserting after paragraph (2) the following:

"(3) if the vessel is a catcher processor or fish processing vessel with more than 25 crew, require that the crewmember be served not less than 3 meals a day that total not less than 3,100 calories, including adequate water and minerals in accordance with the United States Recommended Daily Allowances; and"

Subtitle E—Technology Innovation and Resilience

SEC. 3541. MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

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

(1) by striking the subsection (a) enumerator and all that follows through "Transportation" and inserting the following:

"(a) EMERGING MARINE TECHNOLOGIES AND PRACTICES.—

"(1) IN GENERAL.—The Secretary of Transportation";

(2) in subsection (b)—

(A) in paragraph (1)—

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

(ii) in clause (iv), as redesignated by clause (i), by striking "propeller cavitation" and inserting "incidental vessel-generated underwater noise, such as noise from propeller cavitation or hydrodynamic flow";

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

(3) in subsection (c), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively and adjusting the margins accordingly;

(4) by redesignating subsections (b) through (d) as paragraphs (2) through (4), respectively and adjusting the margins accordingly;

(5) by redesignating subsection (e) as subsection (b);

(6) by striking subsection (f);

(7) in subsection (a)—

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

(i) by inserting "or support" after "engage in";

(ii) by striking "the use of public" and all that follows through the end of the sentence and inserting "eligible entities.";

(B) in paragraph (2), as redesignated under paragraph (4) of this section—

(i) by striking "this section" and inserting "this subsection";

(ii) by striking "or improve" and inserting "improve, or support efforts related to.";

(C) in paragraph (3), as redesignated by paragraph (4) of this section, by striking "under subsection (b)(2) may include" and inserting "with other Federal agencies or with State, local, or Tribal governments, as appropriate, under paragraph (2)(B) may include";

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

(i) by striking "academic, public, private, and nongovernmental entities and facilities" and inserting "eligible entities"; and

(ii) by striking "subsection (a)" and inserting "this subsection"; and

(E) by adding at the end the following:

"(5) GRANTS.—Subject to the availability of appropriations, the Maritime Administrator, may establish and carry out a competitive grant program to award grants to eligible entities for projects in the United States consistent with the goals of this subsection to study, evaluate, test, demonstrate, or apply technologies and practices to improve environmental performance.";

(8) in subsection (b), as redesignated by paragraph (5) of this section, by striking

“subsection (b)(1)” and inserting “this section”;

(9) by adding at the end the following:

“(c) **VESSELS.**—Activities carried out under a grant or cooperative agreement made under this section may be conducted on public vessels under the control of the Maritime Administration, upon approval of the Maritime Administrator.

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

“(1) a private entity, including a nonprofit organization;

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

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

“(4) an institution of higher education as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); or

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

“(e) **CENTER FOR MARITIME INNOVATION.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Maritime Administration Authorization Act for Fiscal Year 2023, the Secretary of Transportation shall, through a cooperative agreement, establish a United States Center for Maritime Innovation (referred to in this subsection as the ‘Center’) to support the study, research, development, assessment, and deployment of emerging marine technologies and practices related to the maritime transportation system.

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

“(A) selected through a competitive process of eligible entities;

“(B) based in the United States with technical expertise in emerging marine technologies and practices related to the maritime transportation system; and

“(C) located in close proximity to eligible entities with expertise in United States emerging marine technologies and practices, including the use of alternative fuels and the development of both vessel and shoreside infrastructure.

“(3) **COORDINATION.**—The Secretary of Transportation shall coordinate with other agencies critical for science, research, and regulation of emerging marine technologies for the maritime sector, including the Department of Energy, the Environmental Protection Agency, the National Science Foundation, and the Coast Guard, when establishing the Center.

“(4) **FUNCTIONS.**—The Center shall—

“(A) support eligible entities regarding the development and use of clean energy and necessary infrastructure to support the deployment of clean energy on vessels of the United States;

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

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

“(D) conduct research, development, testing, and evaluation for equipment, technologies, and techniques to address the components under subsection (a)(2);

“(E) provide—

“(i) guidance on best available technologies;

“(ii) technical analysis;

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

“(iv) documentation of best practices in the maritime industry, including training and informational webinars on solutions for the maritime industry; and

“(F) work with academic and private sector response training centers and Domestic Maritime Workforce Training and Education Centers of Excellence to develop maritime strategies applicable to various segments of the United States maritime industry, including the inland, deep water, and coastal fleets.”

SEC. 3542. STUDY ON STORMWATER IMPACTS ON SALMON.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this section, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, and in consultation with the Director of the United States Fish and Wildlife Service, shall commence a study that—

(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and the impacts of such chemicals on Pacific salmon and steelhead;

(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports; and

(4) provides recommendations based on the best available science on relevant management approaches at ports under their respective jurisdictions.

(b) **SUBMISSION OF STUDY.**—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, including detailing any findings from the study; and

(2) make such study publicly available.

SEC. 3543. STUDY TO EVALUATE EFFECTIVE VESSEL QUIETING MEASURES.

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

(1) a review of technology-based controls and best management practices for reducing vessel-generated underwater noise; and

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

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

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

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

(b) **COMMITTEES.**—The report under subsection (a) shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 6445. Mr. REED (for Mr. MENENDEZ) submitted an amendment

intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

DIVISION E—DEPARTMENT OF STATE AUTHORIZATIONS

SEC. 5001. SHORT TITLE.

This division may be cited as the “Department of State Authorization Act of 2022”.

SEC. 5002. DEFINITIONS.

In this division:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the United States Agency for International Development.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) **DEPARTMENT.**—Unless otherwise specified, the term “Department” means the Department of State.

(4) **SECRETARY.**—Unless otherwise specified, the term “Secretary” means the Secretary of State.

(5) **USAID.**—The term “USAID” means the United States Agency for International Development.

TITLE LI—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

SEC. 5101. MODERNIZING THE BUREAU OF ARMS CONTROL, VERIFICATION, AND COMPLIANCE AND THE BUREAU OF INTERNATIONAL SECURITY AND NONPROLIFERATION.

It is the sense of Congress that—

(1) the Secretary should take steps to address staffing shortfalls in the chemical, biological, and nuclear weapons issue areas in the Bureau of Arms Control, Verification, and Compliance and in the Bureau of International Security and Nonproliferation;

(2) maintaining a fully staffed and resourced Bureau of Arms Control, Verification, and Compliance and Bureau of International Security and Nonproliferation is necessary to effectively confront the threat of increased global proliferation; and

(3) the Bureau of Arms Control, Verification, and Compliance and the Bureau of International Security and Nonproliferation should increase efforts and dedicate resources to combat the dangers posed by the People’s Republic of China’s conventional and nuclear build-up, the Russian Federation’s tactical nuclear weapons and new types of nuclear weapons, bioweapons proliferation, dual use of life sciences research, and chemical weapons.

SEC. 5102. NOTIFICATION TO CONGRESS FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

Section 302 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741) is amended—

(1) in subsection (a), by inserting “, as expeditiously as possible,” after “review”; and

(2) by amending subsection (b) to read as follows:

“(b) **REFERRALS TO SPECIAL ENVOY; NOTIFICATION TO CONGRESS.**—

“(1) **IN GENERAL.**—Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible