

117TH CONGRESS  
1ST SESSION

# S. 3270

To reauthorize the Maritime Administration, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2021

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

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## A BILL

To reauthorize the Maritime Administration, and for other  
purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Maritime Administra-  
5 tion Reauthorization Act of 2022”.

6 **SEC. 2. AUTHORIZATION OF THE MARITIME ADMINISTRA-**  
7 **TION.**

8 There are authorized to be appropriated to the De-  
9 partment of Transportation for fiscal year 2022, for pro-

1 grams associated with maintaining the United States Mer-  
2 chant Marine, the following amounts:

3 (1) For expenses necessary to support the  
4 United States Merchant Marine Academy,  
5 \$90,532,000, of which—

6 (A) \$85,032,000, to remain available until  
7 September 30, 2023, shall be for Academy op-  
8 erations; and

9 (B) \$5,500,000, to remain available until  
10 expended, shall be for facilities maintenance  
11 and repair and equipment.

12 (2) For expenses necessary for operations, sup-  
13 port, and training activities for the State maritime  
14 academies, \$50,780,000, of which—

15 (A) \$2,400,000, to remain available until  
16 September 30, 2026, shall be for the Student  
17 Incentive Program;

18 (B) \$6,000,000, to remain available until  
19 September 30, 2023, shall be for direct pay-  
20 ments for State maritime academies;

21 (C) \$3,800,000, to remain available until  
22 expended, shall be for training ship fuel assist-  
23 ance;

1 (D) \$8,080,000, to remain available until  
2 expended, shall be for offsetting the costs of  
3 training ship sharing; and

4 (E) \$30,500,000, to remain available until  
5 expended, shall be for maintenance and repair,  
6 of State maritime academy training vessels.

7 (3) For expenses necessary to support the Na-  
8 tional Security Multi-Mission Vessel Program,  
9 \$315,600,000, which shall remain available until ex-  
10 pended.

11 (4) For expenses necessary to support Maritime  
12 Administration operations and programs,  
13 \$81,853,000, of which—

14 (A) \$10,000,000, to remain available until  
15 expended, shall be for the Maritime Environ-  
16 mental and Technical Assistance program au-  
17 thorized under section 50307 of title 46, United  
18 States Code;

19 (B) \$11,000,000, to remain available until  
20 expended, shall be for the Marine Highways  
21 Program, including to make grants as author-  
22 ized under section 55601 of title 46, United  
23 States Code; and

1 (C) \$60,853,000, to remain available until  
2 September 30, 2022, shall be for headquarters  
3 operations expenses.

4 (5) For expenses necessary for the disposal of  
5 vessels in the National Defense Reserve Fleet of the  
6 Maritime Administration, \$10,000,000, which shall  
7 remain available until expended.

8 (6) For expenses necessary to maintain and  
9 preserve a United States-flag merchant fleet to serve  
10 the national security needs of the United States, as  
11 authorized under chapter 531 of title 46, United  
12 States Code, \$318,000,000, which shall remain  
13 available until expended.

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

17 (A) \$30,000,000, to remain available until  
18 expended, shall be for the cost (as defined in  
19 section 502(5) of the Federal Credit Reform  
20 Act of 1990 (2 U.S.C. 661a(5))) of loan guar-  
21 antees under the program; and

22 (B) \$3,000,000, to remain available until  
23 expended, may be used for administrative ex-  
24 penses relating to loan guarantee commitments  
25 under the program.

1           (8) For expenses necessary to provide for the  
2       Tanker Security Fleet, as authorized under chapter  
3       534 of title 46, United States Code, \$60,000,000,  
4       which shall remain available until expended.

5           (9) For expenses necessary to provide assist-  
6       ance to small shipyards and for maritime training  
7       programs authorized under section 54101 of title 46,  
8       United States Code, \$40,000,000, which shall re-  
9       main available until expended.

10          (10) For expenses necessary to implement the  
11       Port and Intermodal Improvement Program,  
12       \$750,000,000, to remain available until expended,  
13       except that no such funds may be used to provide  
14       a grant to purchase fully automated cargo handling  
15       equipment that is remotely operated or remotely  
16       monitored with or without the exercise of human  
17       intervention or control, if the Secretary determines  
18       such equipment would result in a net loss of jobs  
19       within a port of port terminal.

20   **SEC. 3. EXPANDING THE MARITIME ENVIRONMENTAL AND**  
21                   **TECHNICAL ASSISTANCE PROGRAM.**

22       (a) MARITIME ENVIRONMENTAL AND TECHNICAL  
23   ASSISTANCE PROGRAM.—From the amount appropriated  
24   under section 2(1)(A), not more than 60 percent shall be  
25   reserved for activities related to technologies that support

1 port and vessel air emissions reductions and to support  
 2 zero emissions technologies, including identification of new  
 3 fuel or other power sources.

4 (b) USES.—Section 50307 of title 46, United States  
 5 Code, is amended—

6 (1) by redesignating subsection (e) as sub-  
 7 section (f); and

8 (2) by inserting after subsection (d) the fol-  
 9 lowing:

10 “(e) USES.—The results of activities conducted under  
 11 subsection (b)(1) shall be used to inform the policy deci-  
 12 sions of the United States related to domestic regulations  
 13 and to the United States position on matters before the  
 14 International Maritime Organization.”.

15 **SEC. 4. SUSTAINABLE PORT INFRASTRUCTURE.**

16 (a) SHORT TITLE.—This section may be cited as the  
 17 “Sustainable Port Infrastructure Act”.

18 (b) PORT DEVELOPMENT.—Section 50302(c) of title  
 19 46, United States Code, is amended—

20 (1) in paragraph (3)(A)(ii)—

21 (A) in subclause (II), by striking “or”  
 22 after the semicolon; and

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

24 “(IV) projects that improve the  
 25 resiliency of ports to address sea-level

1 rise, flooding, extreme weather events,  
2 including earthquakes, hurricanes and  
3 tsunami inundation, including projects  
4 for—

5 “(aa) port electrification or  
6 electrification master planning;

7 “(bb) harbor craft or equip-  
8 ment replacements/retrofits;

9 “(cc) development of port or  
10 terminal micro-grids;

11 “(dd) providing idling reduc-  
12 tion infrastructure;

13 “(ee) purchase of cargo han-  
14 dling equipment and related in-  
15 frastructure;

16 “(ff) worker training to sup-  
17 port electrification technology;

18 “(gg) installation of port  
19 bunkering facilities from ocean-  
20 going vessels for fuels;

21 “(hh) electric vehicle charge  
22 or hydrogen refueling infrastruc-  
23 ture for drayage, and medium or  
24 heavy duty trucks and loco-

1 motives that service the port and  
 2 related grid upgrades; or

3 “(ii) other related to port  
 4 activities including charging in-  
 5 frastructure, electric rubber-tired  
 6 gantry cranes, and anti-idling  
 7 technologies; or”;

8 (2) in paragraph (7)(B), by striking “18 per-  
 9 cent” and inserting “25 percent”; and

10 (3) in paragraph (10)—

11 (A) by redesignating subparagraphs (B)  
 12 and (C) as subparagraphs (C) and (D), respec-  
 13 tively; and

14 (B) by inserting after subparagraph (A)  
 15 the following:

16 “(B) EFFICIENT USE OF NON-FEDERAL  
 17 FUNDS.—

18 “(i) IN GENERAL.—Notwithstanding  
 19 any other provision of law and subject to  
 20 approval by the Secretary, in the case of  
 21 any grant for a project under this section,  
 22 during the period beginning on the date on  
 23 which the grant recipient is selected and  
 24 ending on the date on which the grant  
 25 agreement is signed—

1 “(I) the grant recipient may obli-  
2 gate and expend non-Federal funds  
3 with respect to the project for which  
4 the grant is provided; and

5 “(II) any non-Federal funds obli-  
6 gated or expended in accordance with  
7 subclause (I) shall be credited toward  
8 the non-Federal cost share for the  
9 project for which the grant is pro-  
10 vided.

11 “(ii) REQUIREMENTS.—

12 “(I) APPLICATION.—In order to  
13 obligate and expend non-Federal  
14 funds under clause (i), the grant re-  
15 cipient shall submit to the Secretary a  
16 request to obligate and expend non-  
17 Federal funds under that clause, in-  
18 cluding—

19 “(aa) a description of the  
20 activities the grant recipient in-  
21 tends to fund;

22 “(bb) a justification for ad-  
23 vancing the activities described in  
24 item (aa), including an assess-  
25 ment of the effects to the project

1 scope, schedule, and budget if the  
2 request is not approved; and

3 “(cc) the level of risk of the  
4 activities described in item (aa).

5 “(II) APPROVAL.—The Secretary  
6 shall approve or disapprove each re-  
7 quest submitted under subclause (I).

8 “(III) COMPLIANCE WITH APPLI-  
9 CABLE REQUIREMENTS.—Any non-  
10 Federal funds obligated or expended  
11 under clause (i) shall comply with all  
12 applicable requirements, including any  
13 requirements included in the grant  
14 agreement.

15 “(iii) EFFECT.—The obligation or ex-  
16 penditure of any non-Federal funds in ac-  
17 cordance with this subparagraph shall  
18 not—

19 “(I) affect the signing of a grant  
20 agreement or other applicable grant  
21 procedures with respect to the appli-  
22 cable grant;

23 “(II) create an obligation on the  
24 part of the Federal Government to

1                    repay any non-Federal funds if the  
 2                    grant agreement is not signed; or  
 3                    “(III) affect the ability of the re-  
 4                    cipient of the grant to obligate or ex-  
 5                    pend non-Federal funds to meet the  
 6                    non-Federal cost share for the project  
 7                    for which the grant is provided after  
 8                    the period described in clause (i).”.

9    **SEC. 5. ELIJAH CUMMINGS SHIP AMERICAN ACT.**

10            (a) REPEAL IN MAP-21.—Section 100124 of the  
 11    Moving Ahead for Progress in the 21st Century Act (Pub-  
 12    lic Law 112–141) is repealed, and the provisions of law  
 13    that were repealed or amended by that section are reen-  
 14    acted and amended, respectively, to read as if such section  
 15    were not enacted.

16            (b) REPEAL IN BIPARTISAN BUDGET ACT OF  
 17    2013.—Section 602 of the Bipartisan Budget Act of 2013  
 18    (Public Law 113–67) is repealed, and the provisions of  
 19    law that were repealed or amended by that section are re-  
 20    enacted and amended, respectively, to read as of such sec-  
 21    tion were not enacted.

22            (c) TRANSPORTATION REQUIREMENTS FOR CERTAIN  
 23    EXPORTS SPONSORED BY THE SECRETARY OF AGRI-  
 24    CULTURE.—Subsection (a)(1) of section 55314 of title 46,  
 25    United States Code, as reenacted by this section, is

1 amended by striking “25 percent” and inserting “75 per-  
2 cent”.

3 (d) FINANCING THE TRANSPORTATION OF AGRICUL-  
4 TURAL COMMODITIES.—Section 55316(a) of title 46,  
5 United States Code, as reenacted by this section, is  
6 amended by inserting “or from the application of section  
7 55305 of this title, requiring transportation on privately-  
8 owned commercial vessels of the United States for 100  
9 percent of the gross tonnage of certain equipment, mate-  
10 rials, or commodities” before the period.

11 (e) CARGOES PROCURED, FURNISHED, OR FINANCED  
12 BY THE UNITED STATES GOVERNMENT.—Section  
13 55305(b) of title 46, United States Code, is amended by  
14 striking “50” and inserting “75”.

15 **SEC. 6. SENSE OF CONGRESS ON THE UNITED STATES MER-**  
16 **CHANT MARINE.**

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

21 **SEC. 7. ENSURING DIVERSE MARINER RECRUITMENT.**

22 Not later than 6 months after the date of enactment  
23 of this Act, the Secretary of Transportation shall develop  
24 and deliver to Congress a strategy to assist State maritime  
25 academies and the United States Merchant Marine Acad-

1 emy to improve the representation of women and under-  
 2 represented communities in the next generation of the  
 3 mariner workforce, including—

- 4 (1) Black or African American;
- 5 (2) Hispanic or Latino;
- 6 (3) Asian;
- 7 (4) American Indians, Alaska Native, or Native
- 8 Hawaiians; or
- 9 (5) Pacific Islander.

10 **SEC. 8. MARITIME TECHNOLOGICAL ADVANCEMENT ACT**  
 11 **OF 2021.**

12 (a) SHORT TITLE.—This section may be cited as the  
 13 “Maritime Technological Advancement Act of 2021”.

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

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

19 (2) in subsection (b), in the subsection heading,  
 20 by striking “Assistance” and inserting “Cooperative  
 21 Agreements”;

22 (3) by redesignating subsection (c) as sub-  
 23 section (d);

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

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

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

5           “(c) GRANT PROGRAM.—

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

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

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

14                           “(i) a postsecondary educational insti-  
15                           tution (as such term is defined in section  
16                           3 of the Carl D. Perkins Career and Tech-  
17                           nical Education Act of 2006 (20 U.S.C.  
18                           2302)) that offers a 2-year program of  
19                           study or a 1-year program of training;

20                           “(ii) a postsecondary vocational insti-  
21                           tution, as defined under title 600.6 of title  
22                           34, Code of Federal Regulations, or similar  
23                           successor regulation; or

24                           “(iii) another structured experiential  
25                           learning training program for American

1 workers in the United States maritime in-  
2 dustry, including a program offered by a  
3 labor organization or conducted in partner-  
4 ships with a nonprofit organization or 1 or  
5 more employers in the maritime industry.

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

24 “(2) GRANT AUTHORIZATION.—

1           “(A) IN GENERAL.—Not later than 1 year  
 2           after the date of enactment of this section, the  
 3           Administrator may award maritime career  
 4           training grants to eligible institutions for the  
 5           purpose of developing, offering, or improving  
 6           educational or career training programs for  
 7           workers in the United States related to the  
 8           maritime workforce.

9           “(B) GUIDELINES.—Not later than 1 year  
 10          after the date of enactment of this section, the  
 11          Administrator shall—

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

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

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

21          “(4) REQUIRED INFORMATION.—

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

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

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

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

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

20 “(iv) a description of the previous ex-  
21 perience of the eligible institution in pro-  
22 viding maritime educational or career  
23 training programs.

24 “(B) COMMUNITY OUTREACH REQUIRED.—

25 In order to be considered by the Administrator,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5           “(6) COMPETITIVE AWARDS.—

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

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

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

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

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

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

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

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

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

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

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

3 “(C) may use the grant funds to—

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

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

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

23 “(iv) expand existing or create new  
24 maritime training programs, including  
25 through partnerships and memoranda of

1 understanding with 4-year institutions of  
2 higher education, labor organizations, ap-  
3 prenticeships with the United States mari-  
4 time industry, or with 1 or more employers  
5 in the maritime industry;

6 “(v) create new maritime career path-  
7 ways;

8 “(vi) expand existing or create new  
9 training programs for transitioning mili-  
10 tary veterans to careers in the United  
11 States maritime industry;

12 “(vii) expand existing or create new  
13 training programs that address the needs  
14 of individuals with a barrier to employ-  
15 ment, as determined by the Secretary in  
16 consultation with the Secretary of Labor,  
17 in the United States maritime industry;

18 “(viii) purchase, construct, develop,  
19 expand, or improve training facilities,  
20 buildings, and equipment to deliver mari-  
21 time training programs;

22 “(ix) recruit and train additional fac-  
23 ulty to expand the maritime training pro-  
24 grams offered by the eligible institution;

1           “(x) provide financial assistance  
2 through scholarships or tuition waivers,  
3 not to exceed the applicable tuition ex-  
4 penses associated with the covered pro-  
5 grams;

6           “(xi) promote the use of distance  
7 learning that enables students to take  
8 courses through the use of teleconfer-  
9 encing, the Internet, and other media tech-  
10 nology;

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

16           “(xiii) implement partnerships with  
17 national and regional organizations with  
18 special expertise in developing, organizing,  
19 and administering maritime workforce re-  
20 cruitment and training services;

21           “(xiv) carry out customized training  
22 in conjunction with an existing registered  
23 apprenticeship program or pre-apprentice-  
24 ship program, paid internship, or joint  
25 labor-management partnership;

1           “(xv) carry out customized training in  
2           conjunction with an existing registered ap-  
3           prenticeship program or pre-apprenticeship  
4           program, paid internship, or joint labor-  
5           management partnership;

6           “(xvi) design, develop, and test an  
7           array of approaches to providing recruit-  
8           ment, training, or retention services, to en-  
9           hance diversity, equity and inclusion in the  
10          United States maritime industry work-  
11          force;

12          “(xvii) in conjunction with employers,  
13          organized labor, other groups (such as  
14          community coalitions), and Federal, State,  
15          or local agencies, design, develop, and test  
16          various training approaches in order to de-  
17          termine effective practices; or

18          “(xviii) assist in the development and  
19          replication of effective service delivery  
20          strategies for the United States maritime  
21          industry as a whole.

22          “(8) PUBLIC REPORT.—Not later than Decem-  
23          ber 15 in each of the calendar years 2023 through  
24          2025, the Administrator shall make available on a  
25          publicly available website a report and provide a

1 briefing to the Committee on Commerce, Science,  
 2 and Transportation of the Senate and the Com-  
 3 mittee on Transportation and Infrastructure of the  
 4 House of Representatives—

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

7 “(B) assessing the impact of each award of  
 8 a grant under this subsection in a fiscal year  
 9 preceding the fiscal year referred to in subpara-  
 10 graph (A) on workers receiving training; and

11 “(C) describing the performance of the  
 12 grant awarded with respect to the indicators of  
 13 performance under section 116(b)(2)(A)(i) of  
 14 the Workforce Innovation and Opportunity Act  
 15 (29 U.S.C. 3141(b)(2)(A)(i)).

16 “(9) AUTHORIZATION OF APPROPRIATIONS.—  
 17 There is authorized to be appropriated to carry out  
 18 this subsection \$60,000,000 for each of the fiscal  
 19 years 2022 through 2026.”.

20 **SEC. 9. PREPARING THE MARITIME WORKFORCE FOR LOW**  
 21 **AND ZERO EMISSION VESSELS.**

22 (a) DEVELOPMENT OF STRATEGY.—The Secretary of  
 23 Transportation, in consultation with the United States  
 24 Merchant Marine Academy, State maritime academies,  
 25 and civilian nautical schools and the Secretary of the de-

1 partment in which the Coast Guard is operating, shall de-  
 2 velop a strategy to ensure there is an adequate supply of  
 3 trained United States citizen mariners sufficient to meet  
 4 the operational requirements of low and zero emission ves-  
 5 sels.

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

10 (1) submit a report on the strategy developed  
 11 under subsection (a) and plans for its implementa-  
 12 tion to the Committee on Commerce, Science, and  
 13 Transportation of the Senate and the Committee on  
 14 Transportation and Infrastructure of the House of  
 15 Representatives; and

16 (2) make such report publicly available.

17 **SEC. 10. NAVAL TECHNOLOGY TRANSFER FOR QUIETING**  
 18 **FEDERAL NON-COMBATANT VESSELS.**

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

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

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

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

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

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

19 **SEC. 11. STUDY EXAMINING THE IMPACT OF STORMWATER**  
 20 **RUNOFF AND TIRES NEAR PORTS.**

21 (a) IN GENERAL.—Not later than 90 days after the  
 22 date of enactment of this Act, the Administrator of the  
 23 National Oceanic and Atmospheric Administration, in con-  
 24 cert with the Secretary of Transportation and the Admin-

1    istrator of the Environmental Protection Agency, shall  
2    commence a study that—

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

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

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

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

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

1 Transportation and the Administrator of the Environ-  
 2 mental Protection Agency, shall—

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

8 (2) make such study publicly available.

9 **SEC. 12. STRATEGIC SEAPORTS.**

10 Section 50302(c)(6) of title 46, United States Code,  
 11 is amended by adding at the end the following:

12 “(C) INFRASTRUCTURE IMPROVEMENTS  
 13 IDENTIFIED IN THE REPORT ON STRATEGIC  
 14 SEAPORTS.—In selecting projects described in  
 15 paragraph (3) for funding under this sub-  
 16 section, the secretary shall consider infrastruc-  
 17 ture improvements identified in the report on  
 18 strategic seaports required by section 3515 of  
 19 the National Defense Authorization Act for Fis-  
 20 cal Year 2020 (Public Law 116–92; 133 Stat.  
 21 1985) that would improve the commercial oper-  
 22 ations of those seaports.”.

23 **SEC. 13. IMPROVING PROTECTIONS FOR MIDSHIPMEN ACT.**

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

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

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

7 **“SEC. 7704a. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS**  
 8 **GROUNDS FOR SUSPENSION OR REVOCATION.**  
 9 **TION.**

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

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

1 “(c) SUBSTANTIATED CLAIM.—

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

4 “(A) a finding by any administrative or  
5 legal proceeding that the individual committed  
6 sexual harassment or sexual assault in violation  
7 of any Federal, State, local or Tribal law or  
8 regulation; or

9 “(B) a determination after an investigation  
10 by the Coast Guard that it is more likely than  
11 not the individual committed sexual harassment  
12 or sexual assault as defined in subsection (c).

13 “(2) INVESTIGATION BY THE COAST GUARD.—  
14 An investigation by the Coast Guard under para-  
15 graph (1)(B) shall include evaluation of the fol-  
16 lowing materials that shall be provided to the Coast  
17 Guard:

18 “(A) Any inquiry or determination made  
19 by the employer as to whether the individual  
20 committed sexual harassment or sexual assault.

21 “(B) Upon request, from an employer or  
22 former employer of the individual, any inves-  
23 tigative materials, documents, records, or files  
24 in its possession that are related to the claim

1           of sexual harassment or sexual assault by the  
2           individual.

3           “(d) DEFINITIONS.—

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

6                 “(A) Conduct that—

7                         “(i) involves unwelcome sexual ad-  
8                         vances, requests for sexual favors, or delib-  
9                         erate or repeated offensive comments or  
10                        gestures of a sexual nature when—

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

15                               “(II) submission to or rejection  
16                               of such conduct by a person is used as  
17                               a basis for career or employment deci-  
18                               sions affecting that person;

19                               “(III) such conduct has the pur-  
20                               pose or effect of unreasonably inter-  
21                               fering with an individual’s work per-  
22                               formance or creates an intimidating,  
23                               hostile, or offensive working environ-  
24                               ment; or

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

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

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

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

17                  “(2) SEXUAL ASSAULT.—The term ‘sexual as-  
 18                  sault’ means any form of abuse or contact as defined  
 19                  in chapter 109A of title 18, United States Code.

20                  “(e) REGULATIONS.—The Secretary of the depart-  
 21                  ment in which the Coast Guard is operating may issue  
 22                  further regulations as necessary to update the definitions  
 23                  in this section, consistent with descriptions of sexual har-  
 24                  assment and sexual assault addressed in title 10 and title

1 18, United States Code, and any other relevant Federal  
2 laws, to implement subsection (a) of this section.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-  
4 tions of chapter 77 of title 46, United States Code,  
5 is amended by inserting after the item relating to  
6 section 7704 the following:

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

7 (c) SUPPORTING THE UNITED STATES MERCHANT  
8 MARINE ACADEMY.—

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

12 **“SEC. 51323. SEXUAL ASSAULT AND SEXUAL HARASSMENT**  
13 **PREVENTION INFORMATION MANAGEMENT**  
14 **SYSTEM.**

15 “(a) INFORMATION MANAGEMENT SYSTEM.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 **“SEC. 51324. STUDENT ADVISORY BOARD AT THE UNITED**  
 5 **STATES MERCHANT MARINE ACADEMY.**

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

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

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

23 “(d) REAPPOINTMENT.—The Administrator of the  
 24 Maritime Administration may reappoint not more than 6  
 25 cadets from the previous term to serve on the Advisory

1 Board for an additional academic year if the Adminis-  
 2 trator determines such reappointment to be in the best  
 3 interests of the Merchant Marine Academy.

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

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

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

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

21 “(3) periodically, review the efficacy of the pro-  
 22 gram in section 51323(b), as appropriate, and pro-  
 23 vide recommendations to the Maritime Adminis-  
 24 trator for improvement.

1       “(g) WORKING GROUPS.—The Advisory Board may  
 2 establish one or more working groups to assist the Advi-  
 3 sory Board in carrying out its duties, including working  
 4 groups composed in part of midshipmen at the Merchant  
 5 Marine Academy who are not current members of the Ad-  
 6 visory Board.

7       “(h) REPORTS AND BRIEFINGS.—The Advisory  
 8 Board shall regularly provide the Secretary of Transpor-  
 9 tation and the Administrator of the Maritime Administra-  
 10 tion reports and briefings on the results of its duties, in-  
 11 cluding recommendations for actions to be taken in light  
 12 of such results. Such reports and briefings may be pro-  
 13 vided in writing, in person, or both.

14 **“SEC. 51325. SEXUAL ASSAULT ADVISORY COUNCIL.**

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

18       “(b) MEMBERSHIP.—

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

1 midshipmen or alumni who were not victims of sex-  
 2 ual assault) and governmental and nongovernmental  
 3 experts and professionals in the sexual assault field.

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

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

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

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

21 “(c) DUTIES; AUTHORIZED ACTIVITIES.—

22 “(1) IN GENERAL.—The Council shall meet not  
 23 less often than semi-annually to—

24 “(A) review—

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

5 “(ii) related matters the Council views  
 6 as appropriate; and

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

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

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

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

23 “(C) review—

1 “(i) exit interviews under section  
2 51323(b) and surveys under section  
3 51322(d);

4 “(ii) data collected from restricted re-  
5 porting; and

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

8 “(3) PERSONALLY IDENTIFIABLE INFORMA-  
9 TION.—In carrying out this subsection, the Council  
10 shall comply with the obligations of the Department  
11 of Transportation to protect personally identifiable  
12 information.

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

23 “(e) EMPLOYEE STATUS.—Members of the Council  
24 shall not be considered employees of the United States  
25 Government for any purpose and shall not receive com-

1   pensation other than reimbursement of travel expenses  
 2   and per diem allowance in accordance with section 5703  
 3   of title 5.

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

7   **“SEC. 51326. DIVERSITY AND INCLUSION ACTION PLAN.**

8       “(a) IN GENERAL.—Not later than January 1, 2023,  
 9   the Maritime Administrator shall issue a Diversity and In-  
 10   clusion Action Plan for the United States Merchant Ma-  
 11   rine Academy (referred to in this section as the ‘Plan’)  
 12   and make the Plan publicly available.

13       “(b) CONTENTS OF DIVERSITY AND INCLUSION AC-  
 14   TION PLAN; SURVEYS.—

15           “(1) IN GENERAL.—The Plan shall—

16               “(A) contain a description of how the  
 17               United States Merchant Marine Academy will  
 18               increase recruiting efforts in historically under-  
 19               represented communities, including through  
 20               partnerships with historically Black colleges and  
 21               universities and maritime centers of excellence  
 22               designated under section 51706;

23               “(B) develop and make available resources  
 24               to—

1 “(i) establish responsibilities for mid-  
 2 shipmen, faculty, and staff of the Academy  
 3 with respect to diversity and inclusion;

4 “(ii) create standards of—

5 “(I) training that require inter-  
 6 personal dialogue on diversity and in-  
 7 clusion;

8 “(II) setting behavioral bound-  
 9 aries with others; and

10 “(III) specific processes for the  
 11 reporting and documentation of mis-  
 12 conduct related to hazing, bullying,  
 13 hate, and harassment;

14 “(iii) hold leaders and other individ-  
 15 uals at the Academy accountable for viola-  
 16 tions of such standards;

17 “(iv) equip midshipmen, faculty, and  
 18 staff of the Academy with the resources  
 19 and materials to promote a diverse and in-  
 20 clusive working environment; and

21 “(v) address how concepts of diversity  
 22 and inclusion can be integrated into the  
 23 curriculum and training of the Academy.

24 “(2) SURVEYS.—The Maritime Administrator  
 25 shall—

1           “(A) require a biannual survey of mid-  
 2           shipmen, faculty, and staff of the Academy as-  
 3           sessing—

4                   “(i) the inclusiveness of the environ-  
 5                   ment of the Academy; and

6                   “(ii) the effectiveness of the Plan; and

7           “(B) require an annual survey of faculty  
 8           and staff of the Academy assessing the inclu-  
 9           siveness of the environment of the Sea Year  
 10          program.”.

11          (2) REPORT TO CONGRESS.—Not later than 30  
 12          days after the date of enactment of this section, the  
 13          Maritime Administrator shall provide Congress with  
 14          a briefing on the resources necessary to properly im-  
 15          plement this section.

16          (3) CONFORMING AMENDMENTS.—The chapter  
 17          analysis for chapter 513 of title 46, United States  
 18          Code, is amended by adding at the end the fol-  
 19          lowing:

“51323. Sexual assault and sexual harassment prevention information manage-  
 ment system.

“51324. Student advisory board at the United States Merchant Marine Acad-  
 emy.

“51325. Sexual assault advisory council.

“51326. Diversity and inclusion action plan.”.

20          (4) UNITED STATES MERCHANT MARINE ACAD-  
 21          EMY STUDENT SUPPORT PLAN.—

1 (A) STUDENT SUPPORT PLAN.—Not later  
2 than January 1, 2023, the Maritime Adminis-  
3 trator shall issue a Student Support Plan for  
4 the United States Merchant Marine Academy,  
5 in consultation with relevant mental health pro-  
6 fessionals in the Federal Government or experi-  
7 enced with the maritime industry or related in-  
8 dustries. Such plan shall—

9 (i) address the mental health re-  
10 sources available to midshipmen, both on-  
11 campus and during Sea Year;

12 (ii) establish a tracking system for su-  
13 icidal ideations and suicide attempts of  
14 midshipmen;

15 (iii) create an option for midshipmen  
16 to obtain assistance from a professional  
17 care provider virtually; and

18 (iv) require an annual survey of fac-  
19 ulty and staff assessing the adequacy of  
20 mental health resources for midshipmen of  
21 the Academy, both on campus and during  
22 Sea Year.

23 (B) REPORT TO CONGRESS.—Not later  
24 than 30 days after the date of enactment of  
25 this Act, the Maritime Administrator shall pro-

1           vide Congress with a report on the resources  
2           necessary to properly implement this para-  
3           graph.

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

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

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

10          “(c) SPECIAL VICTIMS ADVISOR.—

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

19           “(2) SPECIAL VICTIMS ADVISORY.—The Sec-  
20           retary shall ensure that the attorney designated as  
21           the Special Victims Advisor has knowledge of Uni-  
22           form Code of Military Justice procedures, as well as  
23           criminal and civil law.

24           “(3) PRIVILEGED COMMUNICATIONS.—Any  
25           communications between a victim of an alleged sex-

1 related offense and the Special Victim Advisor, when  
2 acting in their capacity as such, shall have the same  
3 protection that applicable law provides for confiden-  
4 tial attorney-client communications.”; and

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

6 “(e) UNFILLED VACANCIES.—The Administrator of  
7 the Maritime Administration may appoint qualified can-  
8 didates to positions under subsection (a) and (c) of this  
9 section without regard to sections 3309 through 3319 of  
10 title 5, United States Code.”.

11 (e) CATCH A SERIAL OFFENDER ASSESSMENT.—

12 (1) ASSESSMENT.—Not later than one year  
13 after the date of enactment of this Act, the Com-  
14 mandant of the Coast Guard, in coordination with  
15 the Maritime Administrator, shall conduct an assess-  
16 ment of the feasibility and process necessary, and  
17 appropriate responsible entities to establish a pro-  
18 gram for the United States Merchant Marine Acad-  
19 emy and United States Merchant Marine modeled on  
20 the Catch a Serial Offender program of the Depart-  
21 ment of Defense using the information management  
22 system required under subsection (a) of section  
23 51323 of title 46, United States Code, and the exit  
24 interviews under subsection (b) of such section.

1           (2) LEGISLATIVE CHANGE PROPOSALS.—If, as  
 2       a result of the assessment required by paragraph  
 3       (1), the Commandant or the Administrator deter-  
 4       mines they need additional authority to implement  
 5       the program described in paragraph (1), the Com-  
 6       mandant or the Administrator, as applicable, shall  
 7       provide appropriate legislative change proposals to  
 8       Congress.

9       (f) SHIPBOARD TRAINING.—Section 51322(a) of title  
 10   46, United States Code, is amended by adding at the end  
 11   the following:

12           “(3) TRAINING.—

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

23               “(B) DEVELOPMENT AND CONSULTATION  
 24       WITH EXPERTS.—In developing the sexual as-  
 25       sault risk-reduction and response training

1           under subparagraph (A), the Maritime Admin-  
2           istrator shall consult with and incorporate, as  
3           appropriate, the recommendations and views of  
4           experts in the sexual assault field.”.

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