

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MR. EZELL OF MISSISSIPPI

At the end of title XXXV, add the following:

1 **Subtitle D—Maritime Workforce**
2 **and Education**

3 **SEC. 35 ____ . DESIGNATION OF CENTERS OF EXCELLENCE**
4 **FOR DOMESTIC MARITIME WORKFORCE**
5 **TRAINING AND EDUCATION.**

6 Section 51706(e) of title 46, United States Code, is
7 amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (A)—

10 (i) by inserting “or territory of the
11 United States” after “State”; and

12 (ii) in clause (i) by striking “Gulf of
13 Mexico” and inserting “Gulf of America”;

14 and

15 (B) in subparagraph (B)—

16 (i) in clause (iii) by inserting “or” at
17 the end;

18 (ii) in clause (iv) by striking “or”;

19 and

1 (iii) by striking clause (v);
2 (2) by striking paragraph (2); and
3 (3) by redesignating paragraphs (3) through
4 (6) as paragraphs (2) through (5), respectively.

5 **SEC. 35___ . CIVILIAN MARINER EDUCATION AND DEVELOP-**
6 **MENT PAYMENTS.**

7 Chapter 515 of title 46, United States Code, is
8 amended by adding at the end the following:

9 **“§ 51512. Mariner education development payments**

10 “(a) IN GENERAL.—If a State maritime academy has
11 an agreement with the Secretary of Transportation under
12 section 51505 of this title, the Secretary may make an
13 agreement with a student at the academy who is a citizen
14 of the United States to make mariner education develop-
15 ment payments to the State Maritime Academy on behalf
16 of the individual.

17 “(b) PAYMENTS.—

18 “(1) IN GENERAL.—Payments under an agree-
19 ment under this section shall be—

20 “(A) based on the in-state annual cost of
21 in-state tuition, on-campus room and board,
22 fees, books, and uniforms at the State maritime
23 academy the individual is attending;

24 “(B) paid in amounts as determined by the
25 Secretary;

1 “(C) paid in such installments as the Sec-
2 retary shall determine while the individual is at-
3 tending the academy; and

4 “(D) allocated among the State maritime
5 academies as prescribed by the Secretary.

6 “(2) AUTHORIZED USES.—The payments shall
7 be used for the cost of tuition, room and board, fees,
8 books, and uniforms at the academy.

9 “(c) AGREEMENT REQUIREMENTS.—An agreement
10 under this section—

11 “(1) may provide for payments for the cost of
12 tuition, room and board, fees, books, and uniforms
13 for not more than 4 academic years; and

14 “(2) shall require the individual to—

15 “(A) complete the course of instruction at
16 the academy the individual is attending within
17 6 years of the date of enrollment;

18 “(B) obtain a merchant mariner credential,
19 without limitation as to tonnage or horsepower,
20 from the Coast Guard as an officer in the mer-
21 chant marine of the United States, accom-
22 panied by the appropriate national and inter-
23 national endorsements and certification re-
24 quired by the Coast Guard for service aboard
25 vessels on domestic and international voyages,

1 without limitation, within 3 months of comple-
2 tion of the course of instruction at the academy
3 the individual is attending;

4 “(C) for at least 6 years after graduation
5 from the academy, maintain—

6 “(i) a valid merchant mariner creden-
7 tial, unlimited as to horsepower or ton-
8 nage, issued by the Coast Guard as an of-
9 ficer in the merchant marine of the United
10 States, accompanied by the appropriate na-
11 tional and international endorsements and
12 certifications required by the Coast Guard
13 for service aboard vessels on domestic and
14 international voyages, without limitation;

15 “(ii) a valid transportation worker
16 identification credential; and

17 “(iii) a Coast Guard medical certifi-
18 cate;

19 “(D) apply for, and accept if tendered, a
20 position commensurate with the obtained mer-
21 chant mariner credential, for a period of not
22 less than 1 year but not more than 5 years, as
23 determined by the Secretary of Transportation
24 based on the amount of payments provided
25 under this section, as—

1 “(i) a civil service mariner aboard a
2 vessel owned and operated by the Military
3 Sealift Command, National Oceanic and
4 Atmospheric Administration, United States
5 Coast Guard, United States Army Corps of
6 Engineers, or other Federal agency;

7 “(ii) a merchant marine officer aboard
8 a Federal vessel owned by the Military
9 Sealift Command or the Maritime Admin-
10 istration, if the Secretary determines that
11 employment under clause (i) is not avail-
12 able to the individual;

13 “(iii) a merchant marine officer on a
14 vessel owned and operated by the United
15 States Federal Government or by a State
16 government of the United States if the
17 Secretary determines that employment
18 under clauses (i) and (ii) is not available to
19 the individual;

20 “(iv) a merchant marine officer on a
21 U.S.-documented commercial oceangoing
22 vessel if the Secretary determines that em-
23 ployment under clauses (i), (ii), and (iii) is
24 not available to the individual;

1 “(v) a merchant marine officer on a
2 U.S.-documented commercial vessel that is
3 not an oceangoing vessel if the Secretary
4 determines that employment under clauses
5 (i) through (iv) is not available to the indi-
6 vidual;

7 “(vi) an employee in a United States
8 maritime-related industry, profession, or
9 marine science (as determined by the Sec-
10 retary), if the Secretary determines that
11 service under clauses (i) through (v) is not
12 available to the individual; or

13 “(vii) a merchant marine officer on a
14 foreign-documented commercial oceangoing
15 vessel that employs mariners through a
16 U.S.-based labor union, if the Secretary
17 determines that employment under clauses
18 (i) through (vi) is not available to the indi-
19 vidual or in the best interests of the
20 United States; and

21 “(E) report to the State maritime academy
22 of graduation, or to the Secretary if directed,
23 on compliance with subparagraphs (A) through
24 (D) of this subsection.

1 “(d) FAILURE TO COMPLETE AGREEMENT REQUIRE-
2 MENTS.—If the individual is unable or unwilling to meet
3 the agreement requirements under subsection (c), the Sec-
4 retary of Transportation may recover from the individual
5 the amount paid under the commitment agreement, plus
6 interest and attorney fees. The Secretary may reduce the
7 amount to be recovered based on factors the Secretary de-
8 termines merit a reduction.

9 “(e) ACTIONS TO RECOVER COST.—To aid in the re-
10 covery of the amount paid by the Government under a
11 commitment agreement under this section, the Secretary
12 of Transportation may—

13 “(1) request the Attorney General to bring a
14 civil action against the individual; and

15 “(2) make use of the Federal debt collection
16 procedures in chapter 176 of title 28 or other appli-
17 cable administrative remedies.

18 “(f) MODIFICATION OR WAIVER.—The Secretary
19 may waive any of the terms and conditions set forth in
20 subsection (c) or modify such terms and conditions
21 through the imposition of alternative service requirements.

22 “(g) ELIGIBILITY FOR ADDITIONAL PAYMENTS.—An
23 individual who receives a payment pursuant to this section
24 shall not be eligible for payments under section 51708 of

1 this title until the individual has fulfilled the obligated
2 years of service under subsection (c)(2)(D) of this section.

3 “(h) FUNDING AVAILABILITY.—Not to exceed 10
4 percent of the amounts appropriated for any fiscal year
5 for payments authorized under this section may be trans-
6 ferred or reprogrammed and made available for the pur-
7 pose of making payments authorized under sections
8 51509, 51513, and 51708, as determined by the Sec-
9 retary.”.

10 **SEC. 35___ . MARITIME SERVICE EMPLOYMENT REIM-**
11 **BURSEMENT.**

12 Chapter 517 of title 46, United States Code, is
13 amended by adding at the end the following:

14 **“§ 51708. Maritime service employment reimburse-**
15 **ment**

16 “(a) IN GENERAL.—The Secretary of Transportation
17 may make an agreement with a maritime center of excel-
18 lence to make payments to the maritime center of excel-
19 lence for the cost of reimbursing an individual for costs
20 incurred to obtain, renew, or upgrade a merchant mariner
21 credential or other credentials required for working ashore
22 in the maritime industry.

23 “(b) ELIGIBLE INDIVIDUAL.—To receive assistance
24 under this section, an individual must be a United States
25 citizen.

1 “(c) COVERED COSTS.—Costs that are eligible for re-
2 imbursement under this section are costs incurred directly
3 by an eligible individual to obtain, renew, or upgrade a
4 merchant mariner credential or credentials required for
5 working ashore in the maritime industry, including—

6 “(1) training tuition and fees;

7 “(2) credentialing fees;

8 “(3) medical screening and examination fees;

9 and

10 “(4) other fees as determined by the Secretary.

11 “(d) PAYMENTS.—Subject to subsection (e), the Sec-
12 retary of Transportation may provide payments to a mari-
13 time center of excellence for—

14 “(1) reimbursements provided by the maritime
15 center of excellence to an eligible individual for cov-
16 ered costs incurred by the individual at the maritime
17 center of excellence;

18 “(2) the costs of canceling or waiving payments
19 on loans issued by the maritime center of excellence
20 to an eligible individual, including interest on the
21 loan of up to 5 percent per annum; or

22 “(3) other payments as determined by the Sec-
23 retary.

1 “(e) AUTHORIZED USES.—Payments under sub-
2 section (d) may be used for covered costs incurred by an
3 eligible individual who—

4 “(1) incurred the covered costs at the maritime
5 center of excellence; and

6 “(2) has completed—

7 “(A) 150 sea service days on a U.S.-flag
8 vessel of greater than 10,0000 gross register
9 tons within 2 years of completing the course of
10 instruction; or

11 “(B) 1 year of shoreside employment at a
12 maritime facility that directly supports the con-
13 struction, repair, or maintenance of U.S. ves-
14 sels, as determined by the Secretary.

15 “(f) PROHIBITED USES.—Funds provided to a mari-
16 time center of excellence pursuant to this section may not
17 be used to reimburse an eligible individual—

18 “(1) if the individual has already received reim-
19 bursements for the covered costs from an entity
20 other than the maritime center of excellence;

21 “(2) if an entity other than the maritime center
22 of excellence has paid for covered costs or provided
23 training at no cost to the individual;

1 “(3) if the individual incurs covered costs asso-
2 ciated with a degree program at a State maritime
3 academy as defined in section 51501 of this title;

4 “(4) if the individual is a participant in a pro-
5 gram under sections 51509, 51512, or 51513 of this
6 title; or

7 “(5) for any expenses that exceed \$10,000 per
8 calendar year.

9 “(g) ADMINISTRATIVE EXPENSES.—

10 “(1) IN GENERAL.—A maritime center of excel-
11 lence may retain not more than 3 percent of the an-
12 nual funding provided by the Secretary to the mari-
13 time center of excellence under this section for ad-
14 ministrative expenses incurred in providing reim-
15 bursements or payments under this section.

16 “(2) ADMINISTRATIVE AND OVERSIGHT
17 COSTS.—The Secretary may retain not more than 2
18 percent of the amounts appropriated for each fiscal
19 year to make payments under this section for the
20 administrative and oversight costs incurred by the
21 Secretary in implementing this section.

22 “(h) FUNDING AVAILABILITY.—Not to exceed 10
23 percent of the amounts appropriated for any fiscal year
24 for payments authorized under this section may be trans-
25 ferred or reprogrammed and made available for the pur-

1 pose of making payments authorized under sections
2 51509, 51512, and 51513, as determined by the Sec-
3 retary.

4 “(i) MARITIME CENTER OF EXCELLENCE DE-
5 FINED.—In this section, the term ‘maritime center of ex-
6 cellence’ means—

7 “(1) an American Maritime Center of Excel-
8 lence, as designated under section 51501 of this
9 title; or

10 “(2) a Center of Excellence for Domestic Mari-
11 time Workforce Training and Education, as des-
12 ignated under section 51706 of this title.”.

13 **SEC. 35___. STUDENT INCENTIVE PAYMENT AGREEMENTS.**

14 Section 51509 of title 46, United States Code, is
15 amended—

16 (1) in subsection (b)—

17 (A) by striking paragraphs (1) and (2) and
18 inserting the following:

19 “(1) IN GENERAL.—Payments under an agree-
20 ment under this section shall be—

21 “(A) paid in amounts as determined by the
22 Secretary, but shall not exceed 50 percent of
23 the average total of the in-state cost of attend-
24 ance charged by all State maritime academies

1 for a four-year merchant marine officer prepa-
2 ration program;

3 “(B) paid in such installments as the Sec-
4 retary shall determine while the individual is at-
5 tending the academy; and

6 “(C) allocated among the State maritime
7 academies as prescribed by the Secretary.”;

8 (B) by redesignating paragraph (3) as
9 paragraph (2); and

10 (C) in paragraph (2), as so redesignated,
11 by striking “uniforms, tuition, books, and sub-
12 sistence” and inserting “the cost of attendance
13 at the Academy”;

14 (2) in subsection (e)(1)—

15 (A) in subparagraph (A)(ii) by striking
16 “\$8,000” and inserting “10 percent of the
17 agreed upon amount”; and

18 (B) in subparagraph (B)(ii) by striking
19 “\$16,000” and inserting “25 percent of the
20 agreed upon amount”; and

21 (3) by inserting after subsection (i) the fol-
22 lowing:

23 “(j) ELIGIBILITY FOR ADDITIONAL PAYMENTS.—A
24 student who receives a payment pursuant to this section
25 shall not be eligible for payments under section 51708 of

1 this title until the student has fulfilled the obligated 3
2 years of service under subsection (d)(5).

3 “(k) FUNDING AVAILABILITY.—Not to exceed 10
4 percent of the amounts appropriated for any fiscal year
5 for payments authorized under this section may be trans-
6 ferred or reprogrammed and made available for the pur-
7 pose of making payments authorized under sections
8 51512, 51513, and 51708, as determined by the Sec-
9 retary.

10 “(l) COST OF ATTENDANCE DEFINED.—In this sec-
11 tion, the term ‘cost of attendance’ means tuition, room
12 and board costs, fees, books, and uniforms.”.

13 **SEC. 35___ . STATE MARITIME ACADEMY REIMBURSEMENT**
14 **FOR TRAINING SHIP CADET TUITION AND**
15 **FEES.**

16 Chapter 515 of title 46, United States Code, is
17 amended by adding at the end the following:

18 **“§ 51513. State maritime academy reimbursement for**
19 **training ship cadet tuition and fees**

20 “(a) IN GENERAL.—If a State maritime academy has
21 an agreement with the Secretary of Transportation under
22 section 51505 of this title, the Secretary may make an
23 agreement with a student at the academy who is a citizen
24 of the United States to make payments to the State mari-
25 time academy on behalf of the individual for the cost of

1 the tuition and fees charged by the State maritime acad-
2 emy for the student to sail on a training cruise on a train-
3 ing ship owned by the Maritime Administration.

4 “(b) PAYMENTS.—Payments under this section shall
5 be as prescribed by the Secretary but shall not exceed the
6 cost charged by the State maritime academy for the stu-
7 dent to obtain the minimum number of sea days needed
8 on board a training ship owned by the Maritime Adminis-
9 tration to obtain a merchant mariner credential, without
10 limitation as to tonnage or horsepower, from the Coast
11 Guard as an officer in the merchant marine of the United
12 States, accompanied by the appropriate national and
13 international endorsements and certifications required by
14 the Coast Guard for service aboard vessels on domestic
15 and international voyages, without limitation.

16 “(c) AGREEMENT REQUIREMENTS.—An agreement
17 under this section shall require the student to—

18 “(1) complete the course of instruction at the
19 academy the individual is attending within 6 years
20 of enrollment;

21 “(2) obtain a merchant mariner credential,
22 without limitation as to tonnage or horsepower, from
23 the Coast Guard as an officer in the merchant ma-
24 rine of the United States, accompanied by the ap-
25 propriate national and international endorsements

1 and certification required by the Coast Guard for
2 service aboard vessels on domestic and international
3 voyages, without limitation, within 3 months of com-
4 pletion of the course of instruction at the academy
5 the individual is attending;

6 “(3) for at least 6 years after graduation from
7 the academy, maintain—

8 “(A) a valid merchant mariner credential,
9 unlimited as to horsepower or tonnage, issued
10 by the Coast Guard as an officer in the mer-
11 chant marine of the United States, accom-
12 panied by the appropriate national and inter-
13 national endorsements and certifications re-
14 quired by the Coast Guard for service aboard
15 vessels on domestic and international voyages,
16 without limitation;

17 “(B) a valid transportation worker identi-
18 fication credential; and

19 “(C) a Coast Guard medical certificate;

20 “(4) apply for, and accept, if tendered a posi-
21 tion commensurate with the obtained merchant mar-
22 iner credential for 3 years after graduation from the
23 academy or, if the individual has a student incentive
24 program agreement under section 51509 one year in

1 addition to the obligation required under section
2 51509(d)(5)—

3 “(A) as a merchant marine officer on a
4 vessel operated by the United States Govern-
5 ment or by a State;

6 “(B) as a merchant marine officer on a
7 United States documented vessel;

8 “(C) as an employee in a United States
9 maritime-related industry, profession, or marine
10 science, as determined by the Secretary;

11 “(D) as a commissioned officer on active
12 duty in an armed force of the United States, as
13 a commissioned officer in the National Oceanic
14 and Atmospheric Administration; or

15 “(E) by a combination of service alter-
16 natives referred to in subparagraphs (A)
17 through (D) of this subsection; and

18 “(5) report to the State maritime academy of
19 graduation, or to the Secretary if directed, on com-
20 pliance with paragraphs (1) through (4) of this sub-
21 section.

22 “(d) STATE MARITIME ACADEMY REPORTING.—

23 “(1) IN GENERAL.—A State maritime academy
24 that received payments on behalf of an individual
25 under this section must provide the Maritime Ad-

1 administrator with information that demonstrates that
2 compliance with subsection (c)(4) by that individual.

3 “(2) REPORT.—If a State maritime academy is
4 unable to obtain information that demonstrates com-
5 pliance with subsection (c)(4), the State maritime
6 academy shall report to the Maritime Administrator
7 that the individual is not in compliance with sub-
8 section (c)(4).

9 “(3) FREQUENCY.—The frequency of the State
10 maritime academy reporting period under paragraph
11 (2) shall not exceed 365 days.

12 “(4) LIMITATION.—A State maritime academy
13 may retain not more than 3 percent of the annual
14 funding provided by the Secretary under this section
15 for administrative expenses incurred in complying
16 with this subsection.

17 “(e) FAILURE TO COMPLETE AGREEMENT REQUIRE-
18 MENTS.—If the individual is unable or unwilling to meet
19 the agreement requirements under subsection (c), the Sec-
20 retary of Transportation may recover from the individual
21 the amount of payments in subsection (b), plus interest
22 and attorney fees. The Secretary may reduce the amount
23 to be recovered to reflect partial performance of obliga-
24 tions and other factors the Secretary determines merit a
25 reduction.

1 “(f) ACTIONS TO RECOVER COST.—To aid in the re-
2 covery of funds provided by the Government under a com-
3 mitment agreement under this section, the Secretary of
4 Transportation may—

5 “(1) request the Attorney General to bring a
6 civil action against the individual; and

7 “(2) make use of the Federal debt collection
8 procedures in chapter 176 of title 28 or other appli-
9 cable administrative remedies.

10 “(g) MODIFICATION OR WAIVER.—The Secretary
11 may waive any of the terms and conditions set forth in
12 subsection (e) or modify such terms and conditions
13 through the imposition of alternative service requirements.

14 “(h) ELIGIBILITY FOR ADDITIONAL PAYMENTS.—An
15 individual who receives a payment pursuant to this section
16 shall not be eligible for payments under section 51708 of
17 this title until the individual has fulfilled the obligated
18 three years of service under subsection (e)(4).

19 “(i) FUNDING AVAILABILITY.—Not to exceed 10 per-
20 cent of the amounts appropriated for any fiscal year for
21 payments authorized under this section may be trans-
22 ferred or reprogrammed and made available for the pur-
23 pose of making payments authorized under sections

1 51509, 51512, and 51708, as determined by the Sec-
2 retary.”.

