

AMENDMENT
TO RULES COMMITTEE PRINT 116-57
OFFERED BY MR. DEFAZIO OF OREGON

At the end of subtitle A of title XXXV, add the following:

1 **SEC. ____.** **MARITIME TRANSPORTATION SYSTEM EMER-**
2 **GENCY RELIEF PROGRAM.**

3 (a) **IN GENERAL.**—Chapter 503 of title 46, United
4 States Code, is amended by adding at the end the following:
5

6 **“§ 50308. Maritime transportation system emergency**
7 **relief program**

8 “(a) **DEFINITIONS.**—In this section the following
9 definitions shall apply:

10 “(1) **ELIGIBLE STATE ENTITY.**—The term ‘eligible
11 State entity’ means a port authority, or a
12 State-owned or -operated vessel and facilities associated
13 with the operation of such vessel, in any State.

14 “(2) **ELIGIBLE ENTITY.**—The term ‘eligible entity’
15 means a public or private entity that is created
16 or organized in the United States or under the laws
17 of the United States, with significant operations in

1 and a majority of its employees based in the United
2 States, that is engaged in—

3 “(A) vessel construction, transportation by
4 water, or support activities for transportation
5 by water with an assigned North American In-
6 dustry Classification System code beginning
7 with 3366, 483, or 4883; or

8 “(B) as determined by the Secretary of
9 Transportation—

10 “(i) construction related to activities
11 described in subparagraph (A); or

12 “(ii) maritime education and training.

13 “(3) ELIGIBLE OPERATING COSTS.—The term
14 ‘eligible operating costs’ means costs relating to—

15 “(A) emergency response;

16 “(B) cleaning;

17 “(C) sanitization;

18 “(D) janitorial services;

19 “(E) staffing;

20 “(F) workforce retention;

21 “(G) paid leave;

22 “(H) procurement and use of protective
23 health equipment, testing, and training for em-
24 ployees and contractors;

25 “(I) debt service payments;

1 “(J) infrastructure repair projects; and

2 “(K) other maritime transportation system
3 operations;

4 “(4) EMERGENCY.—The term ‘emergency’
5 means a natural disaster affecting a wide area (such
6 as a flood, hurricane, tidal wave, earthquake, severe
7 storm, or landslide) or a catastrophic failure from
8 any external cause, that impacts the United States
9 maritime transportation system and as a result of
10 which—

11 “(A) the Governor of a State has declared
12 an emergency and the Maritime Administrator,
13 in consultation with the Administrator of the
14 Federal Emergency Management Administra-
15 tion, has concurred in the declaration;

16 “(B) the President has declared a major
17 disaster under section 401 of the Robert T.
18 Stafford Disaster Relief and Emergency Assist-
19 ance Act (42 U.S.C. 5170);

20 “(C) national emergency declared by the
21 President under the National Emergencies Act
22 (50 U.S.C. 1601 et seq.) is in effect; or

23 “(D) a public health emergency declared
24 pursuant to section 319 of the Public Health
25 Service Act (42 U.S.C. 247d) is in effect.

1 “(b) GENERAL AUTHORITY.—The Maritime Admin-
2 istrator may—

3 “(1) make grants to eligible State entities for
4 eligible operating costs; and

5 “(2) make grants and enter into contracts and
6 other agreements with eligible entities for—

7 “(A) the costs of capital projects to pro-
8 tect, repair, reconstruct, or replace equipment
9 and facilities of the United States maritime
10 transportation system that the Maritime Ad-
11 ministrators determines is in danger of suffering
12 serious physical damage, or has suffered serious
13 physical damage, as a result of an emergency;
14 and

15 “(B) eligible operating costs of United
16 States maritime transportation equipment and
17 facilities in an area directly affected by an
18 emergency during—

19 “(i) the 1-year period beginning on
20 the date of a declaration described in sub-
21 sections (a)(4)(A) and (a)(4)(B); and

22 “(ii) an additional 1-year period be-
23 ginning 1 year after the date of a declara-
24 tion described in subsections (a)(4)(A) and
25 (a)(4)(B), if the Maritime Administrator,

1 in consultation with the Administrator of
2 the Federal Emergency Management Ad-
3 ministration, determines there is a compel-
4 ling need arising out of the emergency for
5 which the declaration is made.

6 “(c) ALLOCATION.—The Maritime Administrator
7 shall determine an appropriate method for the equitable
8 allocation and distribution of funds under this section to
9 eligible State entities and eligible entities.

10 “(d) APPLICATIONS.—An applicant for assistance
11 under this section shall submit an application for such as-
12 sistance to the Maritime Administrator at such time, in
13 such manner, and containing such information and assur-
14 ances as the Maritime Administrator may require

15 “(e) COORDINATION OF EMERGENCY FUNDS.—

16 “(1) USE OF FUNDS.—Funds appropriated to
17 carry out this section shall be in addition to any
18 other funds available under this chapter.

19 “(2) NO EFFECT ON OTHER GOVERNMENT AC-
20 TIVITY.—The provision of funds under this section
21 shall not affect the ability of any other agency of the
22 Government, including the Federal Emergency Man-
23 agement Agency, or a State agency, a local govern-
24 mental entity, organization, or person, to provide
25 any other funds otherwise authorized by law.

1 “(f) GRANT REQUIREMENTS.—A grant awarded
2 under this section that is made to address an emergency
3 defined under subsection (a)(4)(B) shall be—

4 “(1) subject to the terms and conditions the
5 Maritime Administrator determines are necessary;
6 and

7 “(2) made only for expenses that are not reim-
8 bursed under the Robert T. Stafford Disaster Relief
9 and Emergency Assistance Act (42 U.S.C. 5121 et
10 seq.) or any Federal, State, or local assistance pro-
11 gram.

12 “(g) FEDERAL SHARE OF COSTS.—The Federal
13 share payable of the costs for which a grant is made under
14 this section shall be 100 percent.

15 “(h) ADMINISTRATIVE COSTS.—Of the amounts
16 available to carry out this section, not more than one-half
17 of one percent may be used for administration of this sec-
18 tion.

19 “(i) QUALITY ASSURANCE.—The Maritime Adminis-
20 trator shall institute adequate policies, procedures, and in-
21 ternal controls to prevent waste, fraud, abuse, and pro-
22 gram mismanagement for the distribution of funds under
23 this section.

24 “(j) REPORTS.—The Maritime Administrator shall
25 annually report to the Congress regarding financial assist-

1 ance provided under this section, including a description
2 of such assistance.”.

3 (b) CLERICAL AMENDMENT.—The analysis for such
4 chapter is amended by adding at the end the following:

“50308. Port development; maritime transportation system emergency relief
program.”.

5 (c) INCLUSION OF COVID-19 PANDEMIC PUBLIC
6 HEALTH EMERGENCY.—For purposes of section 50308 of
7 title 46, United States Code, as amended by subsection
8 (a), the public health emergency declared pursuant to sec-
9 tion 319 of the Public Health Service Act (42 U.S.C.
10 247d) resulting from the COVID-19 pandemic shall be
11 treated as an emergency.

12 **SEC. ____ . CENTERS OF EXCELLENCE FOR DOMESTIC MARI-**
13 **TIME WORKFORCE TRAINING AND EDU-**
14 **CATION: TECHNICAL AMENDMENTS.**

15 (a) REDESIGNATION AND TRANSFER OF SECTION.—
16 Section 54102 of title 46, United States Code, is redesi-
17 gnated as section 51706 of such title and transferred to
18 appear after section 51705 of such title.

19 (b) CLERICAL AMENDMENTS.—Title 46, United
20 States Code, is amended—

21 (1) in the analysis for chapter 541, by striking
22 the item relating to section 54102; and

1 (2) in the analysis for chapter 517, by striking
2 the item relating to section 51705 and inserting the
3 following:

“51705. Training for use of force against piracy.

“51706. Center of excellence for domestic maritime workforce training and education”.

4 **SEC. ____ . MERCHANT MARINER EDUCATION LOAN PRO-**
5 **GRAM.**

6 (a) IN GENERAL.—Chapter 517 of title 46, United
7 States Code, as amended by this Act, is further amended
8 by adding at the end the following:

9 **“§ 51707. Merchant mariner career training loan pro-**
10 **gram**

11 “(a) ESTABLISHMENT.—The Secretary of Transpor-
12 tation shall establish the Elijah E. Cummings Merchant
13 Mariner Career Training Loan Program (in this section
14 referred to as the ‘program’) in accordance with the re-
15 quirements of this section.

16 “(b) PURPOSE.—The purpose of the program shall
17 be to make merchant mariner career training loans avail-
18 able to eligible students to provide for the training of
19 United States merchant mariners, including those working
20 to receive a Standards of Training, Certification and
21 Watchkeeping endorsement under subchapter B of chapter
22 I of title 46, Code of Federal Regulations.

1 “(c) ADMINISTRATION.—The program shall be car-
2 ried out by the Secretary, acting through the Adminis-
3 trator of the Maritime Administration.

4 “(d) DUTIES.—The Secretary shall—

5 “(1) allocate, on an annual basis, the award of
6 loans under the program based on the needs of stu-
7 dents;

8 “(2) develop an application process and eligi-
9 bility criteria for the award of loans under the pro-
10 gram;

11 “(3) approve applications for loans under the
12 program based on the eligibility criteria and alloca-
13 tions made under paragraph (1); and

14 “(4) designate maritime training institutions at
15 which loans made under the program may be used.

16 “(e) DESIGNATION OF MARITIME TRAINING INSTITU-
17 TIONS.—

18 “(1) IN GENERAL.—In designating maritime
19 training institutions under subsection (d)(4), the
20 Secretary—

21 “(A) may include Federal, State, and com-
22 mercial training institutions and nonprofit
23 training organizations, including centers of ex-
24 cellence designated under section 51706;

1 “(B) shall designate institutions based on
2 geographic diversity and scope of classes of-
3 ferred;

4 “(C) shall ensure that designated institu-
5 tions have the ability to administer the pro-
6 gram; and

7 “(D) shall ensure that designated institu-
8 tions meet requirements to provide training in-
9 struction for appropriate Coast Guard-approved
10 training instruction.

11 “(2) EXCLUSIONS.—The Secretary—

12 “(A) may exclude from participation in the
13 program a maritime training institution that
14 has had severe performance deficiencies, includ-
15 ing deficiencies demonstrated by audits or pro-
16 gram reviews conducted during the 5 calendar
17 years immediately preceding the present year;

18 “(B) shall exclude from participation in
19 the program a maritime training institution
20 that has delinquent or outstanding debts to the
21 United States, unless such debts are being re-
22 paid under or in accordance with a repayment
23 arrangement satisfactory to the United States,
24 or the Secretary in the Secretary’s discretion
25 determines that the existence or amount of any

1 such debts has not been finally determined by
2 the appropriate Federal agency;

3 “(C) may exclude from participation in the
4 program a maritime training institution that
5 has failed to comply with quality standards es-
6 tablished by the Department of Labor, the
7 Coast Guard, or a State; and

8 “(D) may establish such other criteria as
9 the Secretary determines will protect the finan-
10 cial interest of the United States and promote
11 the purposes of this section.

12 “(f) STATE MARITIME ACADEMIES.—

13 “(1) USE OF FUNDS FOR LOANS TO STUDENTS
14 ATTENDING STATE MARITIME ACADEMIES.—The
15 Secretary may obligate not more than 50 percent of
16 the amounts appropriated to carry out this section
17 for a fiscal year for loans to undergraduate students
18 attending State maritime academies receiving assist-
19 ance under chapter 515 of this title.

20 “(2) ACADEMIC STANDARDS FOR STUDENTS.—
21 Students at State maritime academies receiving
22 loans under the program shall maintain satisfactory
23 progress toward the completion of their course of
24 study as evidenced by the maintenance of a cumu-
25 lative C average, or its equivalent, or academic

1 standing consistent with the requirements for grad-
2 uation, as determined by the institution.

3 “(g) LOAN AMOUNTS AND USE.—

4 “(1) MAXIMUM AMOUNTS.—

5 “(A) IN GENERAL.—The Secretary may
6 not make loans to a student under the program
7 in an amount that exceeds \$30,000 in a cal-
8 endar year or \$120,000 in the aggregate.

9 “(B) ADJUSTMENT FOR INFLATION.—The
10 Secretary shall, every 5 years for the life of a
11 loan under the program, adjust the maximum
12 amounts described in subparagraph (A) in ac-
13 cordance with any change in the Consumer
14 Price Index for All Urban Consumers published
15 by the Bureau of Labor Statistics of the De-
16 partment of Labor that occurs since the pre-
17 vious adjustment.

18 “(2) USE OF LOAN PROCEEDS.—A student who
19 receives a loan under the program may use the pro-
20 ceeds of the loan only for postsecondary expenses in-
21 curred at an institution designated by the Secretary
22 under subsection (d)(4) for books, tuition, required
23 fees, travel to and from training facilities, and room
24 and board.

25 “(h) STUDENT ELIGIBILITY.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 to be eligible to receive a loan under the program,
3 a student shall—

4 “(A) be eligible to hold a license or mer-
5 chant mariner document issued by the Coast
6 Guard;

7 “(B) provide to the Secretary such infor-
8 mation as the Secretary may require, including
9 all current Coast Guard documents, certifi-
10 cations, proof of United States citizenship or
11 permanent legal status, and a statement of in-
12 tent to enter a maritime career;

13 “(C) meet the enrollment requirements of
14 a maritime training institution designated by
15 the Secretary under subsection (d)(4); and

16 “(D) sign an agreement to—

17 “(i) complete a course of instruction
18 at such a maritime training institution;
19 and

20 “(ii) maintain a license or document
21 and work under the authority of the license
22 or document and any associated endorse-
23 ments for at least 18 months following the
24 date of graduation from the maritime pro-

1 gram for which the loan proceeds will be
2 used.

3 “(2) LIMITATION.—An undergraduate student
4 at the United States Merchant Marine Academy
5 shall not be eligible for a loan under the program.

6 “(i) ADMINISTRATION OF LOANS.—

7 “(1) CONTENTS OF LOAN AGREEMENTS.—Any
8 agreement between the Secretary and a student bor-
9 rower for a loan under the program shall—

10 “(A) be evidenced by a note or other writ-
11 ten instrument that provides for the repayment
12 of the principal amount of the loan and any
13 origination fee, together with interest thereon,
14 in equal installments (or, if the student bor-
15 rower so requests, in graduated periodic install-
16 ments determined in accordance with such
17 schedules as may be approved by the Secretary)
18 payable quarterly, bimonthly, or monthly, at the
19 option of the student borrower, over a period
20 beginning 9 months from the date on which the
21 student borrower completes study or discon-
22 tinues attendance at the maritime program for
23 which the loans are used at the institution ap-
24 proved by the Secretary and not exceeding 10
25 years;

1 “(B) include provision for acceleration of
2 repayment of the whole, or any part, of such
3 loan, at the option of the student borrower;

4 “(C) provide the loan without security and
5 without endorsement;

6 “(D) provide that the liability to repay the
7 loan shall be canceled upon the death of the
8 student borrower, or if the student borrower be-
9 comes permanently and totally disabled, as de-
10 termined in accordance with regulations to be
11 issued by the Secretary;

12 “(E) contain a notice of the system of dis-
13 closure of information concerning default on
14 such loan to credit bureau organizations; and

15 “(F) include provisions for deferral of re-
16 payment, as determined by the Secretary.

17 “(2) RATE OF INTEREST.—A student borrower
18 who receives a loan under the program shall be obli-
19 gated to repay the loan amount to the Secretary, to-
20 gether with interest beginning in the period referred
21 to in paragraph (1)(A), at a rate of interest deter-
22 mined by the Secretary, in consultation with the
23 Secretary of Education, in accordance with section
24 455 of the Higher Education Act of 1965 (20
25 U.S.C. 1087e).

1 “(3) DISCLOSURE REQUIRED PRIOR TO DIS-
2 BURSEMENT.—

3 “(A) IN GENERAL.—The Secretary shall at
4 or prior to the time the Secretary makes a loan
5 to a student borrower under the program, pro-
6 vide thorough and adequate loan information on
7 such loan to the student borrower. The disclo-
8 sures required by this paragraph may be made
9 as part of the written application material pro-
10 vided to the student borrower, as part of the
11 promissory note evidencing the loan, or on a
12 separate written form provided to the student
13 borrower.

14 “(B) CONTENTS.—The disclosures shall
15 include—

16 “(i) the address to which communica-
17 tions and payments should be sent;

18 “(ii) the principal amount of the loan;

19 “(iii) the amount of any charges col-
20 lected at or prior to the disbursal of the
21 loan and whether such charges are to be
22 deducted from the proceeds of the loan or
23 paid separately by the student borrower;

24 “(iv) the stated interest rate on the
25 loan;

1 “(v) the yearly and cumulative max-
2 imum amounts that may be borrowed;

3 “(vi) an explanation of when repay-
4 ment of the loan will be required and when
5 the student borrower will be obligated to
6 pay interest that accrues on the loan;

7 “(vii) a statement as to the minimum
8 and maximum repayment term that the
9 Secretary may impose, and the minimum
10 monthly payment required by law and a
11 description of any penalty imposed as a
12 consequence of default, such as liability for
13 expenses reasonably incurred in attempts
14 by the Secretary to collect on a loan;

15 “(viii) a statement of the total cumu-
16 lative balance, including the loan applied
17 for, owed by the student borrower to the
18 Secretary, and an estimate of the projected
19 monthly payment, given such cumulative
20 balance;

21 “(ix) an explanation of any special op-
22 tions the student borrower may have for
23 loan consolidation or other refinancing of
24 the loan;

1 “(x) a statement that the student bor-
2 rower has the right to prepay all or part
3 of the loan, at any time, without penalty;

4 “(xi) a statement summarizing cir-
5 cumstances in which repayment of the loan
6 or interest that accrues on the loan may be
7 deferred, and a brief notice of the program
8 for repayment of loans, on the basis of
9 military service, pursuant to the Depart-
10 ment of Defense educational loan repay-
11 ment program (10 U.S.C. 16302);

12 “(xii) a definition of default and the
13 consequences to the student borrower if
14 the student borrower defaults, together
15 with a statement that the disbursement of,
16 and the default on, a loan under this part
17 shall be reported to a credit bureau or
18 credit reporting agency;

19 “(xiii) to the extent practicable, the
20 effect of accepting the loan on the eligi-
21 bility of the student borrower for other
22 forms of student assistance; and

23 “(xiv) an explanation of any cost the
24 student borrower may incur in the making
25 or collection of the loan.

1 “(C) INFORMATION TO BE PROVIDED
2 WITHOUT COST.—The information provided
3 under this paragraph shall be available to the
4 Secretary without cost to the student borrower.

5 “(4) REPAYMENT AFTER DEFAULT.—The Sec-
6 retary may require any student borrower who has
7 defaulted on a loan made under the program to—

8 “(A) pay all reasonable collection costs as-
9 sociated with such loan; and

10 “(B) repay the loan pursuant to an income
11 contingent repayment plan.

12 “(5) AUTHORIZATION TO REDUCE RATES AND
13 FEES.—Notwithstanding any other provision of this
14 section, the Secretary may prescribe by regulation
15 any reductions in the interest rate or origination fee
16 paid by a student borrower of a loan made under the
17 program as the Secretary determines appropriate to
18 encourage ontime repayment of the loan. Such re-
19 ductions may be offered only if the Secretary deter-
20 mines the reductions are cost neutral and in the best
21 financial interest of the United States.

22 “(6) COLLECTION OF REPAYMENTS.—The Sec-
23 retary shall collect repayments made under the pro-
24 gram and exercise due diligence in such collection,
25 including maintenance of all necessary records to en-

1 sure that maximum repayments are made. Collection
2 and servicing of repayments under the program shall
3 be pursued to the full extent of the law, including
4 wage garnishment if necessary. The Secretary of the
5 Department in which the Coast Guard is operating
6 shall provide the Secretary of Transportation with
7 any information regarding a merchant mariner that
8 may aid in the collection of repayments under this
9 section.

10 “(7) REPAYMENT SCHEDULE.—A student bor-
11 rower who receives a loan under the program shall
12 repay the loan quarterly, bimonthly, or monthly, at
13 the option of the student borrower, over a period be-
14 ginning 9 months from the date the student bor-
15 rower completes study or discontinues attendance at
16 the maritime program for which the loan proceeds
17 are used and ending not more than 10 years after
18 the date repayment begins. Provisions for deferral of
19 repayment shall be determined by the Secretary.

20 “(8) CONTRACTS FOR SERVICING AND COLLEC-
21 TION OF LOANS.—The Secretary may—

22 “(A) enter into a contract or other ar-
23 rangement with State or nonprofit agencies
24 and, on a competitive basis, with collection

1 agencies for servicing and collection of loans
2 under this section; and

3 “(B) conduct litigation necessary to carry
4 out this section.

5 “(j) REVOLVING LOAN FUND.—

6 “(1) ESTABLISHMENT.—The Secretary shall es-
7 tablish a revolving loan fund consisting of amounts
8 deposited in the fund under paragraph (2).

9 “(2) DEPOSITS.—The Secretary shall deposit in
10 the fund—

11 “(A) receipts from the payment of prin-
12 cipal and interest on loans made under the pro-
13 gram; and

14 “(B) any other monies paid to the Sec-
15 retary by or on behalf of individuals under the
16 program.

17 “(3) AVAILABILITY OF AMOUNTS.—Subject to
18 the availability of appropriations, amounts in the
19 fund shall be available to the Secretary—

20 “(A) to cover the administrative costs of
21 the program, including the maintenance of
22 records and making collections under this sec-
23 tion; and

1 “(B) to the extent that amounts remain
2 available after paying such administrative costs,
3 to make loans under the program.

4 “(4) MAINTENANCE OF RECORDS.—The Sec-
5 retary shall maintain accurate records of the admin-
6 istrative costs referred to in paragraph (3)(A).

7 “(k) ANNUAL REPORT.—The Secretary, on an an-
8 nual basis, shall submit to the Committee on Transpor-
9 tation and Infrastructure of the House of Representatives
10 and the Committee on Commerce, Science, and Transpor-
11 tation of the Senate a report on the program, including—

12 “(1) the total amount of loans made under the
13 program in the preceding year;

14 “(2) the number of students receiving loans
15 under the program in the preceding year; and

16 “(3) the total amount of loans made under pro-
17 gram that are in default as of the date of the report.

18 “(l) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated for each of fiscal years
20 2021 through 2026—

21 “(1) \$10,000,000 for making loans under the
22 program; and

23 “(2) \$1,000,000 for administrative expenses of
24 the Secretary in carrying out the program.

1 **“§ 51708. Merchant mariner recruitment, training,**
2 **and retention grant program**

3 “(a) STRATEGIC PLAN.—

4 “(1) IN GENERAL.—Not later than one year
5 after the date of enactment of this section, and at
6 least once every 3 years thereafter, the Secretary of
7 Transportation, acting through the Administrator of
8 the Maritime Administration, shall publish in the
9 Federal Register a plan to recruit, train, and retain
10 merchant mariners for the 5-year period following
11 the date of publication of the most recently pub-
12 lished plan under this paragraph.

13 “(2) CONTENTS.—A plan published under para-
14 graph (1) shall contain—

15 “(A) a strategy to address merchant mar-
16 iner recruitment, training, and retention issues
17 in the United States; and

18 “(B) demonstration and research priorities
19 concerning merchant mariner recruitment,
20 training, and retention.

21 “(3) FACTORS.—In developing a plan under
22 paragraph (1), the Secretary shall take into account,
23 at a minimum—

24 “(A) the availability of existing research
25 (as of the date of publication of the plan); and

1 “(B) the need to ensure results that have
2 broad applicability.

3 “(4) CONSULTATION.—In developing a plan
4 under paragraph (1), the Secretary shall consult
5 with representatives of the maritime industry, labor
6 organizations, including the Commander of the
7 Transportation Command and the Commander of
8 the Military Sealift Command, and other govern-
9 mental entities and persons with an interest in the
10 maritime industry.

11 “(5) TRANSMITTAL TO CONGRESS.—The Sec-
12 retary shall transmit copies of a plan published
13 under paragraph (1) to the Committee on Transpor-
14 tation and Infrastructure of the House of Represent-
15 atives and the Committee on Commerce, Science,
16 and Transportation of the Senate.

17 “(b) DEMONSTRATION AND RESEARCH PROJECTS.—

18 “(1) IN GENERAL.—The Secretary may award
19 grants to, or enter into contracts or cooperative
20 agreements with, a maritime training institutions
21 designated under section 51607(e) or a consortium
22 such institutions, to carry out demonstration and re-
23 search projects that implement the priorities identi-
24 fied in the plan prepared under subsection (a)(1),

1 for the purpose of recruiting, training, or retaining
2 United States merchant mariners.

3 “(2) COMPETITIVE AWARDS.—Grants shall be
4 awarded, and contracts and cooperative agreements
5 shall be entered into, under this subsection on a
6 competitive basis under guidelines and requirements
7 to be established by the Secretary.

8 “(3) APPLICATIONS.—To be eligible to receive a
9 grant or enter into a contract or cooperative agree-
10 ment under this section for a project under this sub-
11 section, a maritime training institution shall submit
12 to the Secretary a proposal that includes, at a min-
13 imum—

14 “(A) a description of the project; and

15 “(B) a method for evaluating the effective-
16 ness of the project.

17 “(4) ELIGIBLE PROJECTS.—Projects eligible for
18 grants, contracts, and cooperative agreements under
19 this subsection—

20 “(A) shall carry out the demonstration and
21 research priorities included in the plan pub-
22 lished under subsection (a)(1); and

23 “(B) may—

24 “(i) provide training to upgrade the
25 skills of United States merchant mariners,

1 including training to acquire a Standards
2 of Training, Certification and
3 Watchkeeping endorsement under sub-
4 chapter B of chapter I of title 46, Code of
5 Federal Regulations;

6 “(ii) 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 “(iii) assist in providing services to
12 address merchant mariner recruitment and
13 training of youth residing in targeted high
14 poverty areas within empowerment zones
15 and enterprise communities;

16 “(iv) implement partnerships with na-
17 tional and regional organizations with spe-
18 cial expertise in developing, organizing,
19 and administering merchant mariner re-
20 cruitment and training services;

21 “(v) design, develop, and test an array
22 of approaches to providing recruitment,
23 training, or retention services, including to
24 one or more targeted populations;

1 “(vi) in conjunction with employers,
2 organized labor, other groups (such as
3 community coalitions), and Federal, State,
4 or local agencies, design, develop, and test
5 various training approaches in order to de-
6 termine effective practices; or

7 “(vii) assist in the development and
8 replication of effective service delivery
9 strategies for the national maritime indus-
10 try as a whole.

11 **“§ 51709. Authorization of appropriations**

12 “There are authorized to be appropriated for each of
13 fiscal years 2021 through 2026—

14 “(1) \$10,000,000 for making grants and enter-
15 ing into cooperative agreements under sections
16 51707 and 51708; and

17 “(2) \$1,000,000 for administrative expenses of
18 the Secretary in carrying out such sections.”.

19 (b) CONFORMING AMENDMENT.—The analysis for
20 such chapter is amended by adding at the end the fol-
21 lowing:

“51707. Merchant mariner career training loan program.

“51708. Merchant mariner recruitment, training, and retention program.

“51709. Authorization of appropriations.”.

1 **SEC. ____ . ASSISTANCE FOR INLAND AND SMALL COASTAL**
2 **PORTS AND TERMINALS.**

3 Section 50302 of title 46, United States Code, is
4 amended—

5 (1) in subsection (c)—

6 (A) in paragraph (2)—

7 (i) by inserting “and subsection (d)”
8 after “this subsection”; and

9 (ii) by adding at the end the fol-
10 lowing:

11 “(H) In the case of a small project funded
12 under subsection (d), a private entity or group
13 of entities.”;

14 (B) in paragraph (6) by striking subpara-
15 graph (C);

16 (C) in paragraph (7)(B) by striking “para-
17 graph (3)(A)” and inserting “subsection (d)”;

18 (D) in paragraph (8)(B)—

19 (i) in clause (i) by striking “under
20 this subsection” and inserting “under this
21 subsection and subsection (d)”;

22 (ii) in clause (ii) by inserting “under
23 subsection (d) or” after “project”; and

24 (E) in paragraph (11) by—

25 (i) striking “under this subsection”
26 and inserting “under this subsection and

1 subsection (d)” each place such phrase ap-
2 pears; and

3 (ii) striking “fiscal year.” and insert-
4 ing “fiscal year, and shall be awarded as
5 grants under the subsection for which the
6 original grant was made.”;

7 (2) by redesignating subsection (d) as sub-
8 section (e);

9 (3) by inserting after subsection (c) the fol-
10 lowing:

11 “(d) ASSISTANCE FOR INLAND AND SMALL COASTAL
12 PORTS AND TERMINALS.—

13 “(1) IN GENERAL.—Of amounts reserved under
14 subsection (c)(7)(B), the Secretary, acting through
15 the Administrator of the Maritime Administration,
16 shall make grants under this subsection—

17 “(A) to the owners or operators of a facil-
18 ity at a port, as such term is defined in sub-
19 section (c), to and from which the average an-
20 nual tonnage of cargo for the immediately pre-
21 ceding 3 calendar years from the time an appli-
22 cation is submitted is less than 8,000,000 short
23 tons as determined using Corps of Engineers
24 data; and

1 “(B) for infrastructure improvements,
2 equipment purchases, and capital investments
3 at such a facility, including piers, wharves,
4 docks, terminals, and similar structures used
5 principally for the movement of goods, including
6 areas of land, water, or areas in proximity to
7 such structure that are necessary for the move-
8 ment of goods.

9 “(2) AWARDS.—In providing assistance under
10 this subsection, the Secretary shall—

11 “(A) take into account—

12 “(i) the economic advantage and the
13 contribution to freight transportation at an
14 eligible facility; and

15 “(ii) the competitive disadvantage of
16 an eligible facility;

17 “(B) not make more than 1 award per ap-
18 plicant for each fiscal year appropriation; and

19 “(C) promote the enhancement and effi-
20 ciencies of an eligible facility.

21 “(3) USE OF FUNDS.—

22 “(A) IN GENERAL.—Assistance provided
23 under this subsection may be used to—

24 “(i) make capital improvements;

1 “(ii) construct, improve, repair, or
2 maintain transportation or physical infra-
3 structure, buildings, equipment, or facility
4 security;

5 “(iii) perform planning activities re-
6 lated to carrying out an activity described
7 in clause (i); and

8 “(iv) otherwise fulfill the purposes for
9 which such assistance is provided.

10 “(B) ACQUISITION METHODS.—The Sec-
11 retary may not require as a condition of issuing
12 a grant under this subsection—

13 “(i) direct ownership of either a facil-
14 ity or equipment to be procured using
15 funds awarded under this subsection; or

16 “(ii) that equipment procured using
17 such funds be new.

18 “(4) PROHIBITED USES.—Funds provided
19 under this subsection may not be used for—

20 “(A) projects conducted on property lying
21 outside port or terminal boundaries and not
22 owned or leased by the applicant;

23 “(B) any single grant award more than 10
24 percent of total allocation of funds to carry out
25 this subsection per fiscal year appropriation; or

1 “(C) activities, including channel improve-
2 ments or harbor deepening, authorized, as of
3 the date of the application for assistance under
4 this subsection, to be carried out by of the
5 Corps of Engineers.

6 “(5) MATCHING REQUIREMENTS.—

7 “(A) IN GENERAL.—The Secretary may
8 not provide assistance under this subsection un-
9 less the Secretary determines that sufficient
10 funding is available to meet the matching re-
11 quirements of subsection (c)(8). Any costs of
12 the project to be paid by the recipient’s match-
13 ing share may be incurred prior to the date on
14 which assistance is provided.

15 “(B) INCLUSIONS.—For the purpose of
16 making the determination under subparagraph
17 (A), funding may include a loan agreement, a
18 commitment from investors, cash on balance
19 sheet, or other contributions determined accept-
20 able by the Secretary.

21 “(6) APPLICATION AND AWARD.—

22 “(A) MINIMUM STANDARDS FOR PAYMENT
23 OR REIMBURSEMENT.—Each application sub-
24 mitted shall include a comprehensive description
25 of—

1 “(i) the project;

2 “(ii) the need for the project;

3 “(iii) the methodology for imple-
4 menting the project; and

5 “(iv) documentation of matching
6 funds as described in paragraph (5).

7 “(B) DEMONSTRATION OF EFFECTIVE-
8 NESS.—In determining whether a project will
9 achieve the purposes for which such assistance
10 is requested under this subsection, the Sec-
11 retary shall accept documentation used to ob-
12 tain a commitment of the matching funds de-
13 scribed in paragraph (5), including feasibility
14 studies, business plans, investor prospectuses,
15 loan applications, or similar documentation.

16 “(C) PROJECT APPROVAL REQUIRED.—
17 The Secretary may not award a grant under
18 this subsection unless the Secretary determines
19 that the—

20 “(i) project will be completed without
21 unreasonable delay; and

22 “(ii) recipient has authority to carry
23 out the proposed project.

24 “(7) PROCEDURAL SAFEGUARDS, AUDITS, AND
25 EXAMINATIONS.—

1 “(A) PROCEDURAL SAFEGUARDS.—The
2 Administrator shall issue guidelines to establish
3 appropriate accounting, reporting, and review
4 procedures to ensure that—

5 “(i) assistance provided under this
6 subsection is used for the purposes for
7 which such assistance made available; and

8 “(ii) grantees have properly accounted
9 for all expenditures of grant funds.

10 “(B) AUDITS AND EXAMINATIONS.—All
11 grantees under this subsection shall maintain
12 such records as the Administrator may require
13 and make such records available for review and
14 audit by the Administrator.

15 “(8) LIMITATION.—Not more than 10 percent
16 of the funds made available under subsection
17 (c)(7)(B) may be used to the planning and design of
18 eligible projects described in paragraph (3)(A)(iii).

19 “(9) DEFINITION OF PROJECT.—In this sub-
20 section, the term ‘project’ has the meaning given
21 such term in subsection (c).”.

22 **SEC. ____ . NATIONAL SHIPPER ADVISORY COMMITTEE.**

23 (a) IN GENERAL.—Part B of subtitle IV of title 46,
24 United States Code, is amended by adding at the end the
25 following:

1 **“CHAPTER 425—NATIONAL SHIPPER**
2 **ADVISORY COMMITTEE**

“Sec.

“42501. Definitions.

“42502. National Shipper Advisory Committee.

“42503. Administration.

3 **“§ 42501. Definitions**

4 “In this chapter:

5 “(1) COMMISSION.—The term ‘Commission’
6 means the Federal Maritime Commission.

7 “(2) COMMITTEE.—The term ‘Committee’
8 means the National Shipper Advisory Committee es-
9 tablished by section 42502.

10 **“§ 42502. National Shipper Advisory Committee**

11 “(a) ESTABLISHMENT.—There is established a Na-
12 tional Shipper Advisory Committee.

13 “(b) FUNCTION.—The Committee shall advise the
14 Federal Maritime Commission on policies relating to the
15 competitiveness, reliability, integrity, and fairness of the
16 international ocean freight delivery system.

17 “(c) MEMBERSHIP.—

18 “(1) IN GENERAL.—The Committee shall con-
19 sist of 24 members appointed by the Commission in
20 accordance with this section.

21 “(2) EXPERTISE.—Each member of the Com-
22 mittee shall have particular expertise, knowledge,

1 and experience in matters relating to the function of
2 the Committee.

3 “(3) REPRESENTATION.—Members of the Com-
4 mittee shall be appointed as follows:

5 “(A) Twelve members shall represent enti-
6 ties who import cargo to the United States
7 using ocean common carriers.

8 “(B) Twelve members shall represent enti-
9 ties who export cargo from the United States
10 using ocean common carriers.

11 **“§ 42503. Administration**

12 “(a) MEETINGS.—The Committee shall, not less than
13 once each year, meet at the call of the Commission or a
14 majority of the members of the Committee.

15 “(b) EMPLOYEE STATUS.—A member of the Com-
16 mittee shall not be considered an employee of the Federal
17 Government by reason of service on such Committee, ex-
18 cept for the purposes of the following:

19 “(1) Chapter 81 of title 5.

20 “(2) Chapter 171 of title 28 and any other
21 Federal law relating to tort liability.

22 “(c) ACCEPTANCE OF VOLUNTEER SERVICES.—Not-
23 withstanding any other provision of law, a member of the
24 Committee may serve on such committee on a voluntary
25 basis without pay.

1 “(d) STATUS OF MEMBERS.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), with respect to a member of the Com-
4 mittee whom the Commission appoints to represent
5 an entity or group—

6 “(A) the member is authorized to rep-
7 resent the interests of the applicable entity or
8 group; and

9 “(B) requirements under Federal law that
10 would interfere with such representation and
11 that apply to a special Government employee
12 (as defined in section 202(a) of title 18), in-
13 cluding requirements relating to employee con-
14 duct, political activities, ethics, conflicts of in-
15 terest, and corruption, do not apply to the
16 member.

17 “(2) EXCEPTION.—Notwithstanding subsection
18 (b), a member of the Committee shall be treated as
19 a special Government employee for purposes of the
20 committee service of the member if the member,
21 without regard to service on the Committee, is a spe-
22 cial Government employee.

23 “(e) SERVICE ON COMMITTEE.—

24 “(1) SOLICITATION OF NOMINATIONS.—Before
25 appointing an individual as a member of the Com-

1 mittee, the Commission shall publish a timely notice
2 in the Federal Register soliciting nominations for
3 membership on such Committee.

4 “(2) APPOINTMENTS.—

5 “(A) IN GENERAL.—After considering
6 nominations received pursuant to a notice pub-
7 lished under paragraph (1), the Commission
8 may appoint a member to the Committee.

9 “(B) PROHIBITION.—The Commission
10 shall not seek, consider, or otherwise use infor-
11 mation concerning the political affiliation of a
12 nominee in making an appointment to the Com-
13 mittee.

14 “(3) SERVICE AT PLEASURE OF THE COMMIS-
15 SION.—Each member of the Committee shall serve
16 at the pleasure of the Commission.

17 “(4) SECURITY BACKGROUND EXAMINATIONS.—
18 The Commission may require an individual to have
19 passed an appropriate security background examina-
20 tion before appointment to the Committee.

21 “(5) PROHIBITION.—A Federal employee may
22 not be appointed as a member of the Committee.

23 “(6) TERMS.—

24 “(A) IN GENERAL.—The term of each
25 member of the Committee shall expire on De-

1 cember 31 of the third full year after the effec-
2 tive date of the appointment.

3 “(B) CONTINUED SERVICE AFTER TERM.—

4 When the term of a member of the Committee
5 ends, the member, for a period not to exceed 1
6 year, may continue to serve as a member until
7 a successor is appointed.

8 “(7) VACANCIES.—A vacancy on the Committee
9 shall be filled in the same manner as the original ap-
10 pointment.

11 “(8) SPECIAL RULE FOR REAPPOINTMENTS.—

12 Notwithstanding paragraphs (1) and (2), the Com-
13 mission may reappoint a member of a committee for
14 any term, other than the first term of the member,
15 without soliciting, receiving, or considering nomina-
16 tions for such appointment.

17 “(f) STAFF SERVICES.—The Commission shall fur-
18 nish to the Committee any staff and services considered
19 by the Commission to be necessary for the conduct of the
20 Committee’s functions.

21 “(g) CHAIR; VICE CHAIR.—

22 “(1) IN GENERAL.—The Committee shall elect
23 a Chair and Vice Chair from among the committee’s
24 members.

1 “(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—

2 The Vice Chair shall act as Chair in the absence or
3 incapacity of, or in the event of a vacancy in the of-
4 fice of, the Chair.

5 “(h) SUBCOMMITTEES AND WORKING GROUPS.—

6 “(1) IN GENERAL.—The Chair of the Com-
7 mittee may establish and disestablish subcommittees
8 and working groups for any purpose consistent with
9 the function of the Committee.

10 “(2) PARTICIPANTS.—Subject to conditions im-
11 posed by the Chair, members of the Committee may
12 be assigned to subcommittees and working groups
13 established under paragraph (1).

14 “(i) CONSULTATION, ADVICE, REPORTS, AND REC-
15 COMMENDATIONS.—

16 “(1) CONSULTATION.—Before taking any sig-
17 nificant action, the Commission shall consult with,
18 and consider the information, advice, and rec-
19 ommendations of, the Committee if the function of
20 the Committee is to advise the Commission on mat-
21 ters related to the significant action.

22 “(2) ADVICE, REPORTS, AND RECOMMENDA-
23 TIONS.—The Committee shall submit, in writing, to
24 the Commission its advice, reports, and rec-

1 ommendations, in a form and at a frequency deter-
2 mined appropriate by the Committee.

3 “(3) EXPLANATION OF ACTIONS TAKEN.—Not
4 later than 60 days after the date on which the Com-
5 mission receives recommendations from the Com-
6 mittee under paragraph (2), the Commission shall—

7 “(A) publish the recommendations on a
8 public website; and

9 “(B) respond, in writing, to the Committee
10 regarding the recommendations, including by
11 providing an explanation of actions taken re-
12 garding the recommendations.

13 “(4) SUBMISSION TO CONGRESS.—The Commis-
14 sion shall submit to the Committee on Transpor-
15 tation and Infrastructure of the House of Represent-
16 atives and the Committee on Commerce, Science,
17 and Transportation of the Senate the advice, re-
18 ports, and recommendations received from the Com-
19 mittee under paragraph (2).

20 “(j) OBSERVERS.—The Commission may designate a
21 representative to—

22 “(1) attend any meeting of the Committee; and

23 “(2) participate as an observer at such meeting.

24 “(k) TERMINATION.—The Committee shall terminate
25 on September 30, 2029.”.

1 (b) CLERICAL AMENDMENT.—The analysis for sub-
2 title IV of title 46, United States Code, is amended by
3 inserting after the item related to chapter 423 the fol-
4 lowing:

“425. National Shipper Advisory Committee42501”.

