To amend and enhance certain maritime programs of the Department of Transportation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. Fischer (for herself and Mr. Booker) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend and enhance certain maritime programs of the Department of Transportation, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MARITIME ADMINISTRATION AUTHORIZATION
Sec. 101. Authorization of the maritime administration.

Sec. 102. Maritime Administration authorization request.

TITLE II—PREVENTION OF SEXUAL HARASSMENT AND ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY

Sec. 201. Actions to address sexual harassment and sexual assault at the United States Merchant Marine Academy.


Sec. 203. Report from the Department of Transportation Inspector General.

Sec. 204. Sexual assault prevention and response working group.

TITLE III—MARITIME ADMINISTRATION ENHANCEMENT

Sec. 301. Status of National Defense Reserve Fleet vessels

Sec. 302. Port infrastructure development

Sec. 303. Use of State academy training vessels.

Sec. 304. State maritime academy physical standards and reporting.

Sec. 305. Authority to extend certain age restrictions relating to vessels participating in the maritime security fleet.

Sec. 306. Appointments.

Sec. 307. High-speed craft.

TITLE IV—IMPLEMENTATION OF WORKFORCE MANAGEMENT IMPROVEMENTS

Sec. 401. Workforce plans and onboarding policies.

Sec. 402. Drug and alcohol policy.

Sec. 403. Vessel transfers.

TITLE V—TECHNICAL AMENDMENTS

Sec. 501. Clarifying amendment; continuation boards.

Sec. 502. Prospective payment of funds necessary to provide medical care.

Sec. 503. Technical corrections to title 46 of the United States Code.

1 TITLE I—MARITIME ADMINISTRATION AUTHORIZATION

2 SEC. 101. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

3 There are authorized to be appropriated to the Department of Transportation for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for programs of the United States Maritime Administration associated with maintaining na-
tional security aspects of the merchant marine, the follow-
(1) For expenses necessary for operations of the
United States Merchant Marine Academy, $99,902,000, of which—
(A) $74,851,000 shall be for Academy op-
erations; and
(B) $25,051,000 shall remain available
until expended for capital asset management at
the Academy.
(2) For expenses necessary to support the State
maritime academies, $29,550,000, of which—
(A) $2,400,000 shall remain available until
September 30, 2018, for the Student Incentive
Program;
(B) $3,000,000 shall remain available until
expended for direct payments to such acad-
emies;
(C) $22,000,000 shall remain available
until expended for maintenance and repair of
State maritime academy training vessels;
(D) $1,800,000 shall remain available until
expended for training ship fuel assistance; and
(E) $350,000 shall remain available until expended for expenses to improve the monitoring of the service obligations of graduates.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $6,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $57,142,000.

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

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,000,000, which shall remain available until expended for administrative expenses of the program.

SEC. 102. MARITIME ADMINISTRATION AUTHORIZATION REQUEST.

Section 109 of title 49, United States Code, is amended by adding at the end the following:
“(k) Submission of Annual Maritime Administration Authorization Request.—

“(1) In general.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Maritime Administrator shall submit a Maritime Administration authorization request with respect to such fiscal year to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) Defined term.—In this subsection, the term ‘Maritime Administration authorization request’ means a proposal for legislation that, with respect to the Maritime Administration for the relevant fiscal year—

“(A) recommends authorizations of appropriations for that fiscal year; and

“(B) addresses any other matter that the Maritime Administrator determines is appropriate for inclusion in a Maritime Administration authorization bill.”.
TITLE II—PREVENTION OF SEXUAL HARASSMENT AND ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY

SEC. 201. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND SEXUAL ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) POLICY.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“§ 51318. Policy on sexual harassment and sexual assault

“(a) REQUIRED POLICY.—

“(1) IN GENERAL.—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual assault applicable to the cadets and other personnel of the Academy.

“(2) MATTERS TO BE SPECIFIED IN POLICY.—

The policy on sexual harassment and sexual assault prescribed under this subsection shall include—

“(A) a program to promote awareness of the incidence of rape, acquaintance rape, and
other sexual offenses of a criminal nature that
involve cadets or other Academy personnel;

“(B) procedures that a cadet should follow
in the case of an occurrence of sexual harass-
ment or sexual assault, including—

“(i) specifying the person or persons
to whom an alleged occurrence of sexual
harassment or sexual assault should be re-
ported by a cadet and the options for con-
fidential reporting;

“(ii) specifying any other person
whom the victim should contact; and

“(iii) procedures on the preservation
of evidence potentially necessary for proof
of criminal sexual assault;

“(C) a procedure for disciplinary action in
cases of alleged criminal sexual assault involv-
ing a cadet or other Academy personnel;

“(D) any other sanction authorized to be
imposed in a substantiated case of sexual har-
assment or sexual assault involving a cadet or
other Academy personnel in rape, acquaintance
rape, or any other criminal sexual offense,
whether forcible or nonforcible; and
“(E) required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual assault involving Academy personnel.

“(3) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under this subsection is available to—

“(A) all cadets and employees of the Academy; and

“(B) the public.

“(4) CONSULTATION AND ASSISTANCE.—In developing the policy under this subsection, the Secretary may consult or receive assistance from such Federal, State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

“(b) DEVELOPMENT PROGRAM.—

“(1) IN GENERAL.—The Secretary of Transportation shall ensure that the development program of the United States Merchant Marine Academy includes a section that—

“(A) describes the relationship between honor, respect, and character development and
the prevention of sexual harassment and sexual assault at the Academy; and

“(B) includes a brief history of the problem of sexual harassment and sexual assault in the merchant marine, in the Armed Forces, and at the Academy; and

“(C) includes information relating to reporting sexual assault and sexual assault, victims’ rights, and dismissal for offenders.

“(2) TRAINING.—The Superintendent of the Academy shall ensure that all cadets receive the training described in paragraph (1)—

“(A) not later than 21 days after their initial arrival at the Academy; and

“(B) annually thereafter until they graduate or leave the Academy.

“(c) ANNUAL ASSESSMENT.—

“(1) IN GENERAL.—The Secretary of Transportation, in cooperation with the Superintendent of the Academy, shall conduct an assessment at the Academy during each Academy program year to determine the effectiveness of the policies, procedures, and training of the Academy with respect to sexual harassment and sexual assault involving cadets or other Academy personnel.
“(2) BIENNIAL SURVEY.—For each assessment of the Academy under paragraph (1) during an Academy program year that begins in an odd-numbered calendar year, the Secretary shall conduct a survey of cadets and other Academy personnel—

“(A) to measure—

“(i) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have been reported to officials of the Academy; and

“(ii) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have not been reported to officials of the Academy; and

“(B) to assess the perceptions of cadets and other Academy personnel on—

“(i) the policies, procedures, and training on sexual harassment and sexual assault involving cadets or Academy personnel;

“(ii) the enforcement of the policies described in clause (i);
“(iii) the incidence of sexual harassment and sexual assault involving cadets or Academy personnel; and
“(iv) any other issues relating to sexual harassment and sexual assault involving cadets or Academy personnel.

“(3) FOCUS GROUPS FOR YEARS WHEN SURVEY NOT REQUIRED.—In any year in which the Secretary of Transportation is not required to conduct the survey described in paragraph (2), the Secretary shall conduct focus groups at the Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at the Academy.

“(d) ANNUAL REPORT.—

“(1) IN GENERAL.—The Superintendent of the Academy shall submit a report to the Secretary of Transportation that provides information about sexual harassment and sexual assault involving cadets or other personnel at the Academy for each Academy program year.

“(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the Academy program year covered by the report—
“(A) the number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials;

“(B) the number of the reported cases described in subparagraph (A) that have been substantiated;

“(C) the policies, procedures, and training implemented by the Superintendent and the leadership of the Academy in response to sexual harassment and sexual assault involving cadets or other Academy personnel; and

“(D) a plan for the actions that will be taken in the following Academy program year regarding prevention of, and response to, sexual harassment and sexual assault involving cadets or other Academy personnel.

“(3) SURVEY AND FOCUS GROUP RESULTS.—

“(A) SURVEY RESULTS.—Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).
“(B) Focus group results.—Each report under paragraph (1) for an Academy program year in which the Secretary of Transportation is not required to conduct the survey described (c)(2) shall include the results of the focus group conducted in that program year under subsection (c)(3).

“(4) Reporting requirement.—

“(A) By the superintendent.—For each incident of sexual harassment or sexual assault reported to the Superintendent under this subsection, the Superintendent shall provide the Secretary of Transportation and the Board of Visitors of the Academy with a report that includes—

“(i) the facts surrounding the incident, except for any details that would reveal the identities of the people involved; and

“(ii) the Academy’s response to the incident.

“(B) By the secretary.—The Secretary shall submit a copy of each report received under subparagraph (A) and the Secretary’s comments on the report to the Committee on
Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.’’.

(b) Clerical Amendment.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

“51318. Policy on sexual harassment and sexual assault.”.

SEC. 202. SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT VICTIM ADVOCATES.

(a) Coordinators and Advocates.—Chapter 513 of title 46, United States Code, as amended by section 201, is further amended by adding at the end the following:

“§ 51319. Sexual assault response coordinators and sexual assault victim advocates

“(a) Sexual Assault Response Coordinators.—The United States Merchant Marine Academy shall employ or contract with at least 1 full-time sexual assault response coordinator who shall reside on or near the Academy. The Secretary of Transportation may assign additional full-time or part-time sexual assault response coordinators at the Academy as may be necessary.

“(b) Volunteer Sexual Assault Victim Advocates.—
“(1) IN GENERAL.—The Secretary of Transportation, acting through the Superintendent of the United States Merchant Marine Academy, shall designate 1 or more permanent employees who volunteer to serve as advocates for victims of sexual assaults involving—

“(A) cadets of the Academy; or

“(B) individuals who work with or conduct business on behalf of the Academy.

“(2) TRAINING; OTHER DUTIES.—Each victim advocate designated under this subsection shall—

“(A) have or receive training in matters relating to sexual assault and the comprehensive policy developed under section 51318 of title 46, United States Code, as added by section 201; and

“(B) serve as a victim advocate voluntarily, in addition to the individual’s other duties as an employee of the Academy.

“(3) PRIMARY DUTIES.—While performing the duties of a victim advocate under this subsection, a designated employee shall—

“(A) support victims of sexual assault by informing them of the rights and resources available to them as victims;
“(B) identify additional resources to ensure the safety of victims of sexual assault; and

“(C) connect victims of sexual assault to an Academy sexual assault response coordinator, or full-time or part-time victim advocate, who shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

“(4) COMPANION.—At least 1 victim advocate designated under this subsection, while performing the duties of a victim advocate, shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

“(5) HOTLINE.—The Secretary shall establish a 24-hour hotline through which the victim of a sexual assault can receive victim support services.

“(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates or to implement paragraphs (3), (4), and (5).”
(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

"51319. Sexual assault response coordinators and sexual assault victim advocates."

SEC. 203. REPORT FROM THE DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.

(a) IN GENERAL.—Not later than March 31, 2018, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the effectiveness of the sexual harassment and sexual assault prevention and response program at the United States Merchant Marine Academy.

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

(1) assess progress toward addressing any outstanding recommendations;

(2) include any recommendations to reduce the number of sexual assaults involving members of the United States Merchant Marine Academy, whether a member is the victim, the alleged assailant, or both;

(3) include any recommendations to improve the response of the Department of Transportation
and the United States Merchant Marine Academy to reports of sexual assaults involving members of the Academy, whether a member is the victim, the alleged assailant, or both.

(c) EXPERTISE.—In compiling the report required under this section, the inspection teams acting under the direction of the Inspector General shall—

(1) include at least 1 member with expertise and knowledge of sexual assault prevention and response policies; or

(2) consult with subject matter experts in the prevention of and response to sexual assaults.

SEC. 204. SEXUAL ASSAULT PREVENTION AND RESPONSE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Maritime Administrator shall convene a working group to examine methods to improve the prevention of, and response to, any sexual harassment or sexual assault that occurs during a Cadet’s Sea Year experience with the United States Merchant Marine Academy.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened pursuant to subsection (a). Membership in the working group shall consist of—
(1) a representative of the Maritime Administration, which shall serve as chair of the working group;

(2) the Superintendent of the Academy, or designee;

(3) the sexual assault response coordinator appointed under section 51319 of title 46, United States Code;

(4) a subject matter expert from the United States Coast Guard;

(5) a subject matter expert from the Military Sealift Command;

(6) at least 1 representative from each of the State maritime academies;

(7) at least 1 representative from each private contracting party participating in the maritime security program;

(8) at least 1 representative from each non-profit labor organization representing a class or craft of employees employed on vessels in the Maritime Security Fleet;

(9) at least 2 representatives from approved maritime training institutions; and

(10) at least 1 representative from companies that—
(A) participate in sea training of Academy cadets; and

(B) do not participate in the maritime security program.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) evaluate options that could promote a climate of honor and respect, and a culture that is intolerant of sexual harassment and sexual assault and those who commit it, across the United States flag fleet;

(2) raise awareness of the United States Merchant Marine Academy’s sexual assault prevention and response program across the United States flag fleet;

(3) assess options that could be implemented by the United States flag fleet that would remove any barriers to the reporting of sexual harassment and sexual assault response that occur during a Cadet’s Sea Year experience and protect the victim’s confidentiality;

(4) assess a potential program or policy, applicable to all participants of the maritime security
program, to improve the prevention of, and response
to, sexual harassment and sexual assault incidents;

(5) assess a potential program or policy, appli-
cable to all vessels operating in the United States
flag fleet that participate in the Maritime Security
Fleet under section 53101 of title 46, United States
Code, which carry cargos to which chapter 531 of
such title applies, or are chartered by a Federal
agency, requiring crews to complete a sexual harass-
ment and sexual assault prevention and response
training program before the Cadet’s Sea Year that
includes—

(A) fostering a shipboard climate—

(i) that does not tolerate sexual har-
assment and sexual assault;

(ii) in which persons assigned to ves-
sel crews are encouraged to intervene to
prevent potential incidents of sexual harass-
ment or sexual assault; and

(iii) that encourages victims of sexual
assault to report any incident of sexual
harassment or sexual assault; and

(B) understanding the needs of, and the
resources available to, a victim after an incident
of sexual harassment or sexual assault;
(6) assess whether the United States Merchant Marine Academy should continue with sea year training on privately owned vessels or change its curricula to provide alternative training; and

(7) assess how vessel operators could ensure the confidentiality of a report of sexual harassment or sexual assault in order to protect the victim and prevent retribution.

(e) Report.—Not later than 15 months after the date of the enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) recommendations on each of the working group’s responsibilities described in subsection (d);

(2) the trade-offs, opportunities, and challenges associated with the recommendations made in paragraph (1); and

(3) any other information the working group determines appropriate.
TITLE III—MARITIME ADMINISTRATION ENHANCEMENT

SEC. 301. STATUS OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 4405 of title 50, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: “Vessels in the National Defense Reserve Fleet, including vessels loaned to State maritime academies, shall be considered public vessels of the United States.”; and

(2) by adding at the end the following:

“(g) VESSEL STATUS.—Ships or other watercraft in the National Defense Reserve Fleet determined by the Maritime Administration to be of insufficient value to remain in the National Defense Reserve Fleet—

“(1) shall remain vessels (as defined in section 3 of title 1); and

“(2) shall remain subject to the rights and responsibilities of a vessel under admiralty law until such time as the vessel is delivered to a dismantling facility or is otherwise disposed of from the National Defense Reserve Fleet.”.
SEC. 302. PORT INFRASTRUCTURE DEVELOPMENT.

Section 50302(e)(4) of title 46, United States Code, is amended—

(1) by striking “There are authorized” and inserting the following:

“(A) IN GENERAL.—There are authorized”; and

(2) by adding at the end the following:

“(B) ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the Administrator may use not more than 3 percent of the amounts appropriated to carry out this section for the administrative expenses of the program.”.

SEC. 303. USE OF STATE ACADEMY TRAINING VESSELS.

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

“(g) VESSEL SHARING.—The Secretary, after consulting with the affected State maritime academies, may implement a program requiring a State maritime academy to share its training vessel with another State maritime academy if the vessel of another State maritime academy—

“(1) is being used during a humanitarian assistance or disaster response activity;
“(2) is incapable of being maintained in good repair as required under section 51504(e) of title 46, United States Code;

“(3) requires maintenance or repair for an extended period;

“(4) is activated as a National Defense Reserve Fleet vessel pursuant to section 4405 of title 50, United States Code;

“(5) loses its United States Coast Guard Certificate of Inspection or its classification; or

“(6) does not comply with applicable environmental regulations.”.

SEC. 304. STATE MARITIME ACADEMY PHYSICAL STANDARDS AND REPORTING.

Section 51506 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “must” and inserting “shall”;

(B) in paragraph (2), by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:
“(4) agree that any individual enrolled at such State maritime academy in a merchant marine officer preparation program—

“(A) shall, not later than 9 months after each such individual’s date of enrollment, pass an examination in form and substance satisfactory to the Secretary that demonstrates that such individual meets the medical and physical requirements—

“(i) required for the issuance of an original license under section 7101; or

“(ii) set by the United States Coast Guard for issuing merchant mariners’ documentation under section 7302, with no limit to his or her operational authority;

“(B) following passage of the examination under subparagraph (A), shall continue to meet the requirements or standards described in subparagraph (A) throughout the remainder of their respective enrollments at the State maritime academy; and

“(C) if the individual has a medical or physical condition that disqualifies him or her from meeting the requirements or standards referred to in subparagraph (A), shall be trans-
ferred to a program other than a merchant marine officer preparation program, or otherwise appropriately disenrolled from such State maritime academy, until the individual demonstrates to the Secretary that the individual meets such requirements or standards.”; and

(2) by adding at the end the following:

“(c) Secretary Waiver Authority.—The Secretary is authorized to modify or waive any of the terms set forth in subsection (a)(4) with respect to any individual or State maritime academy.”.

SEC. 305. AUTHORITY TO EXTEND CERTAIN AGE RESTRICTIONS RELATING TO VESSELS PARTICIPATING IN THE MARITIME SECURITY FLEET.

(a) In General.—Section 53102 of title 46, United States Code, is amended by adding at the end the following:

“(g) Authority for Extension of Maximum Service Age for a Participating Fleet Vessel.—The Secretary of Defense, in conjunction with the Secretary of Transportation, may extend the maximum age restrictions under sections 53101(5)(A)(ii) and 53106(c)(3) for a particular participating fleet vessel for up to 5 years if the Secretary of Defense and the Secretary
of Transportation jointly determine that such extension is
in the national interest.”.

(b) **Repeal of Unnecessary Age Limitation.**—
Section 53106(c)(3) of such title is amended—

(1) in subparagraph (A), by striking “or (C);”
and inserting “; or”;

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

(3) by striking subparagraph (C).

**SEC. 306. APPOINTMENTS.**

(a) **In General.**—Section 51303 of title 46, United
States Code, is amended by striking “40” and inserting
“50”.

(b) **Class Profile.**—Not later than August 31 of
each year, the Superintendent of the United States Mer-
chant Marine Academy shall post on the Academy’s public
website a summary profile of each class at the Academy.

(c) **Contents.**—Each summary profile posted under
subsection (b) shall include, for the incoming class and
for the 4 classes that precede the incoming class, the num-
ber and percentage of students—

(1) by State;

(2) by country;

(3) by gender;

(4) by race and ethnicity; and
(5) with prior military service.

SEC. 307. HIGH-SPEED CRAFT.

Notwithstanding section 3316(a) of title 46, United States Code, the Secretary of the Navy may select a classification society recognized and authorized by the Secretary to provide a classification for high-speed craft.

TITLE IV—IMPLEMENTATION OF WORKFORCE MANAGEMENT IMPROVEMENTS

SEC. 401. WORKFORCE PLANS AND ONBOARDING POLICIES.

(a) Workforce Plans.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the United States Maritime Administration shall review the Maritime Administration’s workforce plans, including its Strategic Human Capital Plan and Leadership Succession Plan, and fully implement competency models for mission-critical occupations, including—

(1) leadership positions;

(2) human resources positions; and

(3) transportation specialist positions.

(b) Onboarding Policies.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall—
(1) review the Maritime Administration’s policies related to new hire orientation, training, and misconduct policies;

(2) align the onboarding policies and procedures at headquarters and the field offices to ensure consistent implementation and provision of critical information across the Maritime Administration; and

(3) update the Maritime Administration’s training policies and training systems to include controls that ensure that all completed training is tracked in a standardized training repository.

(c) ONBOARDING POLICIES.—Not later than 9 months after the date of the enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the Maritime Administration’s compliance with the requirements under this section.

SEC. 402. DRUG AND ALCOHOL POLICY.

(a) REVIEW.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall—
(1) review the Maritime Administration’s drug and alcohol policies, procedures, and training practices;

(2) ensure that all fleet managers have received training on the Department of Transportation’s drug and alcohol policy, including the testing procedures used by the Department and the Maritime Administration in cases of reasonable suspicion; and

(3) institute a system for tracking all drug and alcohol policy training conducted under paragraph (2) in a standardized training repository.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the Maritime Administration’s compliance with the requirements under this section.

SEC. 403. VESSEL TRANSFERS.

Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Rep-
resentatives that describes the policies and procedures for vessel transfer, including—

(1) a summary of the actions taken to update the Vessel Transfer Office procedures manual to reflect the current range of program responsibilities and processes; and

(2) a copy of the updated Vessel Transfer Office procedures to process vessel transfer applications.

**TITLE V—TECHNICAL AMENDMENTS**

**SEC. 501. CLARIFYING AMENDMENT; CONTINUATION BOARDS.**

Section 290(a) of title 14, United States Code, is amended by striking “five officers serving in the grade of vice admiral” and inserting “5 officers (other than the Commandant) serving in the grade of admiral or vice admiral”.

**SEC. 502. PROSPECTIVE PAYMENT OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.**

(a) In general.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:
§520. Prospective payment of funds necessary to provide medical care

(a) Prospective Payment Required.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

(2) for which a reimbursement would otherwise be made under such section 1085.

(b) Amount.—The amount of the prospective payment under subsection (a)—

(1) shall be derived from amounts appropriated for the operating expenses of the Coast Guard for treatment or care provided to members of the Coast Guard and their dependents;
“(2) shall be derived from amounts appropriated for retired pay for treatment or care provided to former members of the Coast Guard and their dependents;

“(3) shall be determined under procedures established by the Secretary of Defense;

“(4) shall be paid during the fiscal year in which treatment or care is provided; and

“(5) shall be subject to adjustment or reconciliation, as the Secretary of Homeland Security and the Secretary of Defense jointly determine appropriate, during or promptly after such fiscal year if the prospective payment is determined excessive or insufficient based on the services actually provided.

“(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

“(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.”.
(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by adding at the end the following:

“520. Prospective payment of funds necessary to provide medical care.”

(c) REPEAL.—Section 217 of the Coast Guard Authorization Act of 2016 (Public Law 114–120) and the item relating to that section in the table of contents in section 2 of such Act, are repealed.

SEC. 503. TECHNICAL CORRECTIONS TO TITLE 46 OF THE UNITED STATES CODE.

(a) IN GENERAL.—Title 46, United States Code, is amended—

(1) in section 4503(f)(2), by striking “that” after “necessary,”; and

(2) in section 7510(c)—

(A) in paragraph (1)(D), by striking “engine” and inserting “engineer”; and

(B) in paragraph (9), by inserting a period after “App”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of the Coast Guard Authorization Act of 2015 (Public Law 114–120).