

strongly encourages the Department of Transportation to continue to support this proven and cost effective program in its fiscal year 2016 budget request.

OPERATIONS AND TRAINING

Appropriations, 2014 .....	\$148,003,000
Budget estimate, 2015 .....	148,400,000
Committee recommendation .....	149,900,000

PROGRAM DESCRIPTION

The Operations and Training appropriation primarily funds the salaries and expenses for MARAD headquarters and regional staff in the administration and direction for all MARAD programs. The account includes funding for the U.S. Merchant Marine Academy, six State maritime schools, port and intermodal development, cargo preference, international trade relations, deep-water port licensing and administrative support costs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$149,900,000 for Operations and Training at MARAD for fiscal year 2015 to be distributed between agency operations, the United States Merchant Marine Academy, and State maritime academies as outlined in the chart below. This amount is \$1,897,000 more than the fiscal year 2014 enacted level and \$1,500,000 more than the budget request.

MARITIME ADMINISTRATION

	Fiscal year 2015 Senate
U.S. Merchant Marine Academy .....	\$80,090,000
Academy Operations .....	64,336,000
Capital Improvements .....	12,000,000
Facilities Maintenance, Repair and Equipment .....	3,954,000
State Maritime Academies .....	19,100,000
SMA Direct Payments .....	4,200,000
Student Incentive Payments .....	2,400,000
Schoolship Maintenance and Repair .....	11,300,000
Fuel Assistance Payments .....	1,200,000
MARAD Operations .....	50,710,000
<b>TOTAL .....</b>	<b>149,900,000</b>

*Sexual Assault and Sexual Harassment at the United States Merchant Marine Academy.*—The United States Merchant Marine Academy [USMMA] provides educational programs for men and women to become shipboard officers and leaders in the maritime industry. The Committee is committed to ensuring the Academy's midshipmen receive the highest quality education to prepare them for a commission with the U.S. Naval Reserve or other uniformed service upon graduation.

To that end, the Committee is very concerned about the increasing rate of incidents of sexual assault and sexual harassment at the Academy. The fiscal year 2009 Department of Defense Authorization Act set specific requirements in statute to address incidents of sexual harassment and sexual assault. MARAD is required to conduct an annual assessment of the effectiveness of the USMMA

policies, training and procedures. Every other year, MARAD is required to conduct a survey of staff and midshipmen.

The USMMA survey of sexual harassment and sexual assault from the 2009–2010 academic year revealed disturbing results about conditions at the Academy. In response, the Secretary announced a nine point action plan in November 2011, aimed at fostering a climate that is intolerant of abuse, and focused on improving student and faculty trust and confidence in senior leadership.

Unfortunately, the succeeding survey for the 2011–2012 academic year revealed significant increases in the number of incidents, with the estimated rate of sexual assault more than doubling, and the estimated rate of sexual harassment increasing by more than 500 percent. Almost as disturbing is the fact that none of these incidents were reported to USMMA officials.

While the Committee recognizes that changes in the methodology between the 2009–2010 and 2011–2012 surveys may have affected the results, a dramatic increase in the number of incidents is indisputable, even when taking into consideration the potential margin of error and non-response bias. According to survey analysts, the level of non-response bias stemming from changing the survey from compulsory to voluntary participation “seems more likely to understate the rate of unwanted sexual contact that overstate it.”

MARAD contends that many of Secretary’s reforms were not implemented prior to the second survey being conducted, and as a result the impact of these reforms is not reflected. Based on information the Department recently provided the Committee, this appears to be the case, yet it is totally unacceptable.

According to the Department, many of the Secretary’s proposed corrective actions were not slated for implementation until the second and third quarters of fiscal year 2012, 4 to 10 months after the Secretary’s plan was announced, and well into the next survey period. The Committee is deeply troubled by the inexcusably slow implementation of reforms after the deeply disturbing first survey.

The Committee’s confidence in the Department’s commitment to confront abuse at the Academy has also been damaged by what appears to be the delayed release of survey findings. The survey results for the 2009–2010 academic year were not submitted to Congress until November 2011—more than a year after the survey was completed. Similarly, the survey results for the 2011–2012 academic year were not submitted to Congress until March 27, 2014—almost a year after that survey was completed, and again well into the current survey year now underway. Without a timely assessment of the survey results, the Academy cannot effectively determine if any of the changes to its policies or education and training programs are having a positive effect.

It is imperative that senior leadership throughout the Department make improving conditions at the Academy a top priority. The survey for the 2013–2014 school year is now being administered and should be finalized by November 2014. The Committee directs the Secretary to provide the survey report to the House and Senate Committees on Appropriations no later than January 12, 2015.

The DOT inspector general is currently auditing of the implementation of the Secretary’s nine point corrective action plan. The

Committee expects to have preliminary findings of the audit this summer. This will provide useful information for Committee oversight. It should also aid the new DOT Secretary, who is equally committed to preventing these crimes from occurring and fostering a climate of trust and confidence to encourage the Academy's students to report them when they do.

An annual report and biannual survey will be issued by MARAD in fiscal year 2015. The Committee directs the OIG to assess this new information and evaluate the progress the Academy has made to address corrective actions at the Academy. The OIG shall report its findings and recommendations to the House and Senate Committees on Appropriations no later than May 2015.

*United States Merchant Marine Academy Board of Visitors.*—The recommended level of funding includes sufficient resources to support to the annual USMMA Board of Visitors meeting required in 46 U.S.C. 51312. The Committee directs MARAD to assign a designated Federal officer to assist the Board of Visitors in the performance of its functions. The Committee urges MARAD to seek additional support from the Department of the Navy since the USMMA is the second leading commissioning source for Naval Officers.

*Evaluation of the Statutory Authorities of the United States Merchant Marine Academy.*—The Committee directs MARAD to conduct a legal review of existing statutory authorities of the USMMA and identify limitations that impede its ability to operate effectively and efficiently. In conducting this review, MARAD shall compare the statutory authorities of other service academies and public universities where suitable, including the acceptance of gifts and bequests, the legal and operational relationship with alumni foundations, and the use of non-appropriated fund instrumentalities. The Committee directs MARAD to make recommendations where inconsistencies exist that would improve Academy operations and financial controls, as well as any other issues that the Superintendent or Administrator find appropriate. MARAD shall report its findings, conclusions and recommendations to the House and Senate Committees on Appropriations, the Senate Committee on Commerce, Science and Transportation and the House Committee on Transportation and Infrastructure no later than April 3, 2015.

*United States Merchant Marine Academy Capital Improvements Plan [CIP].*—The Committee once again directs the Administrator to provide an annual report by March 31, 2015, on the current status of the CIP. The report should include a list of all projects that have received funding and all proposed projects that the Academy intends to initiate within the next 5 years; cost overruns and cost savings for each active project; specific target dates for project completion; delays and the cause of delays; schedule changes; up-to-date cost projections for each project; and any other deviations from the previous year's CIP.

*Environment and Compliance.*—The Committee commends MARAD's initiative to support the domestic maritime industry's efforts to comply with emerging international and domestic environmental regulatory requirements. Funds provided in fiscal year 2015 should be used to continue independent testing of ballast water technologies to meet domestic and international regulatory require-