
LEGISLATIVE UPDATE

JANUARY 2022



The largest-ever Defense Authorization bill was signed into law after previously passing the House and Senate by large margins. Among many other programs and initiatives, the \$777 billion package covering Fiscal Year 2022 supports continued Defense Department modernization efforts and would provide necessary resources for a strong national defense.

Authorization bills continue or establish agencies and programs and create dollar ceilings for them. But the actual funding is reliant on the passage of a subsequent appropriations measure that defines the specific funding level and secures the allocation of funds for the agencies and programs that have been authorized. Currently, the government is operating under a Continuing Resolution (CR) through mid-February, when Congress will either have to punt once again with another CR, or push through the “regular order” spending legislation that will fund the remainder of FY 2022, but only for programs at the same rate of the previous year’s funding level.

The Maritime Security Program was previously authorized until 2035, and thus it was not necessary to reauthorize the program in the new Defense bill. However, M.E.B.A. and U.S. shipping interests will continue working hard to ensure that full MSP funding for FY '22 (\$318 million - \$5.3 million per ship) is appropriated.

Among other things, the Defense bill authorizes continued funding for maintenance and repair of State maritime academy training vessels as well as over \$315 million to support the National Security Multi-Mission Vessel Program to supply the maritime academies with new state-of-the-art training ships.

Full \$60 million funding for the Tanker Security Program was authorized in the new bill, but the TSP has not yet gotten off the ground because of the failure of the last Congress to pass an appropriations bill for the FY '21 National Defense Authorization Act (NDAA). However, the current CR cannot provide any new funding for the TSP since it was not funded upon inception in FY 2021.

The NDAA authorizes a series of Maritime Administration programs including funding for operations and maintenance of the U.S. Merchant Marine Academy including the creation of an advisory council to provide advice and guidance to strengthen the Academy’s ability to ensure a safe learning environment for midshipmen.

The bill also reauthorizes the Port Infrastructure Development Program which provides project management assistance to improve port capacity and operations. It also increases the funding level to support port development activities to \$750,000,000 - with the noteworthy caveat that no funding may be used for automation-based cargo handling systems if such systems would result in a loss of jobs.
