

1 in section 4 of the SHIPS for America Act of 2024)
2 at any time during the 3 years preceding the date
3 of the determination of the application of subsection
4 (a).”.

5 **TITLE III—SEALIFT CAPABILITY**

6 **SEC. 301. SEALIFT CAPABILITY.**

7 (a) IN GENERAL.—Subtitle V of title 46, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 **“PART H—STRATEGIC SEALIFT**

“Sec.

“59101. Objectives and policy.

“59102. Procurement, maintenance, and operation.

“59103. Sealift prioritization.

“59104. International agreements.

“59105. Briefing on shipbuilding capacity.

“59106. Briefing on privileging fleet.

“59107. Report on privilege.

“59108. Report on requirements for sealift force deployment.

“59109. Assessment on marine infrastructure readiness.

11 **“§ 59101. Objectives and policy**

12 “(a) OBJECTIVES.—It is necessary for the national
13 defense and economic security of the United States that
14 the United States have a fleet of vessels of the United
15 States capable of providing and supporting strategic sea-
16 lift—

17 “(1) sufficient to meet defense deployment and
18 essential economic activities for the United States in
19 times of crisis or war;

1 “(2) sufficient to respond unilaterally to na-
2 tional security threats in geographic areas not cov-
3 ered by alliance commitments and ensure economic
4 security resilience for United States trade; and

5 “(3) built, operated, and maintained during
6 peace, crisis, and war primarily in the United States
7 to protect and ensure national security resiliency
8 and avoid foreign coercion of critical supply chains.

9 “(b) POLICY.—It is the policy of the United States
10 to encourage and aid the development and maintenance
11 of a fleet of vessels of the United States with strategic
12 sealift capabilities satisfying the objectives described in
13 subsection (a).

14 “(c) STRATEGY REQUIRED.—

15 “(1) IN GENERAL.—The Maritime Security
16 Board shall annually develop a strategy to leverage
17 the financial assistance programs established under
18 part C of this subtitle to expand the fleet of vessels
19 of the United States to meet the minimum number
20 of vessels needed to accomplish the objectives de-
21 scribed under subsection (a).

22 “(2) STRATEGY COMPONENTS.—The strategy
23 developed by the Maritime Security Board shall in-
24 clude—

1 “(A) annual goals for the number of ves-
2 sels that will be brought into the fleet of vessels
3 of the United States capable of providing stra-
4 tegic sealift utilizing the Maritime Security
5 Fleet under chapter 531 of this title, the Cable
6 Security Fleet under chapter 532 of this title,
7 the Tanker Security Fleet under chapter 534 of
8 this title, the Strategic Commercial Fleet under
9 chapter 536 of this title, and the Shipbuilding
10 Financial Incentives program, consistent with
11 the most recent Mobility Capability Require-
12 ments Study produced by United States Trans-
13 portation Command; and

14 “(B) an assessment of domestic ship-
15 building capacity and a strategy to increase the
16 capacity of the domestic shipbuilding industry
17 utilizing the Shipbuilding Financial Incentives
18 program.

19 “(3) NATIONAL MARITIME STRATEGY.—The
20 strategy developed by the Maritime Security Board
21 under paragraph (1) shall be consistent with the Na-
22 tional Maritime Strategy developed under section
23 50114.

24 “(d) REPORT REQUIRED.—

1 “(1) IN GENERAL.—Upon completion, the Mari-
2 time Security Board shall transmit to the appro-
3 priate committees of Congress a summary of the
4 strategy developed under subsection (c), with a clas-
5 sified annex as necessary.

6 “(2) DEFINITION.—In this part, the term ‘ap-
7 propriate committees of Congress’ has the meaning
8 given that term in section 4 of the SHIPS for Amer-
9 ica Act of 2024.

10 **“§ 59102. Procurement, maintenance, and operation**

11 “(a) STATEMENT OF POLICY.—The Maritime Admin-
12 istrator, in coordination with the Secretary of Defense and
13 the Secretary of Homeland Security, shall build, acquire,
14 maintain, coordinate, support, and operate a sufficient
15 and privileged fleet of vessels of the United States with
16 commercial and military sealift capability.

17 “(b) SUPPLEMENTAL CAPABILITY.—In developing
18 sealift capability under this part, the Secretary of Trans-
19 portation and the Secretary of Defense shall continue to
20 operate a sufficient Maritime Security Fleet under chapter
21 531 of this title, a Cable Security Fleet under chapter 532
22 of this title, a Tanker Security Fleet under chapter 534
23 of this title, the Strategic Commercial Fleet under chapter
24 536 of this title, a Military Sealift Command of the De-
25 partment of the Navy, and a Ready Reserve Force compo-

1 ment of the National Defense Reserve Fleet under section
2 57100 of this title, to provide capacity and resiliency for
3 unilateral United States strategic sealift in peace, crisis,
4 and war.

5 “(c) JUDICIAL REVIEW.—No court shall have juris-
6 diction to review decisions made by the Maritime Adminis-
7 trator, the Secretary of Defense, or the Secretary of
8 Homeland Security with respect to this section.

9 **“§ 59103. Sealift prioritization**

10 “(a) IN GENERAL.—In building, acquiring, maintain-
11 ing, coordinating, supporting, and operating a fleet of ves-
12 sels capable of providing sealift capacity during wartime
13 and crisis, the Maritime Administrator, in coordination
14 with the Secretary of Defense, shall ensure the availability
15 of vessels, in the following order of priority:

16 “(1) Commercial vessels of the United States.

17 “(2) Vessels of the United States that are
18 owned and operated by the United States Govern-
19 ment.

20 “(3) Vessels of countries that are defense treaty
21 allies of the United States.

22 “(4) Vessels of countries that are strategic
23 partners of the United States.

24 “(b) JUDICIAL REVIEW.—No court shall have juris-
25 diction to review decisions made by the Maritime Adminis-