

117TH CONGRESS
2D SESSION

H. R. 6865

To authorize appropriations for the Coast Guard, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2022

Mr. DEFAZIO (for himself, Mr. GRAVES of Missouri, Mr. CARBAJAL, and Mr. GIBBS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To authorize appropriations for the Coast Guard, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Coast Guard Authorization Act of 2022”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.

Sec. 102. Authorized levels of military strength and training.

Sec. 103. Shoreside infrastructure and facilities.

Sec. 104. Availability of amounts for acquisition of additional cutters.

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

- Sec. 201. Authorized strength.
- Sec. 202. Continuation of officers with certain critical skills on active duty.
- Sec. 203. Number and distribution of officers on active duty promotion list.
- Sec. 204. Coast Guard behavioral health policy.
- Sec. 205. Improving representation of women and of racial and ethnic minorities among Coast Guard active-duty members.

Subtitle B—Operational Matters

- Sec. 206. Pilot project for enhancing Coast Guard cutter readiness through condition-based maintenance.
- Sec. 207. Unmanned systems strategy.
- Sec. 208. Budgeting of Coast Guard relating to certain operations.
- Sec. 209. Report on San Diego maritime domain awareness.
- Sec. 210. Great Lakes winter shipping.
- Sec. 211. Center of expertise for Great Lakes oil spill search and response.

Subtitle C—Other Matters

- Sec. 212. Responses of Commandant of the Coast Guard to safety recommendations.
- Sec. 213. Conveyance of Coast Guard vessels for public purposes.
- Sec. 214. Acquisition life-cycle cost estimates.
- Sec. 215. National Coast Guard Museum funding plan.
- Sec. 216. Report on Coast Guard explosive ordnance disposal.
- Sec. 217. Pribilof Island transition completion actions.
- Sec. 218. Notification of communication outages.

TITLE III—MARITIME

Subtitle A—Shipping

- Sec. 301. Nonoperating individual.
- Sec. 302. Oceanographic research vessels.
- Sec. 303. Atlantic Coast port access routes briefing.

Subtitle B—Vessel Safety

- Sec. 304. Fishing vessel safety.
- Sec. 305. Requirements for DUKW-type amphibious passenger vessels.
- Sec. 306. Exoneration and limitation of liability for small passenger vessels.

Subtitle C—Shipbuilding Program

- Sec. 307. Loans for retrofitting to qualify as a vessel of the United States.
- Sec. 308. Qualified vessel.
- Sec. 309. Establishing a capital construction fund.

TITLE IV—MISCELLANEOUS

Subtitle A—Navigation

- Sec. 401. Restriction on changing salvors.

- Sec. 402. Towing vessel inspection fees.
- Sec. 403. Providing requirements for vessels anchored in established anchorage grounds.
- Sec. 404. Aquatic Nuisance Species Task Force.
- Sec. 405. Limitation on recovery for certain injuries incurred in aquaculture activities.

Subtitle B—Other Matters

- Sec. 406. Information on type approval certificates.
- Sec. 407. Passenger vessel security and safety requirements.
- Sec. 408. Cargo waiting time reduction.
- Sec. 409. Limited indemnity provisions in standby oil spill response contracts.
- Sec. 410. Port Coordination Council for Point Spencer.
- Sec. 411. Alaska oil spill planning criteria.
- Sec. 412. Nonapplicability.

TITLE V—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

- Sec. 501. Definitions.
- Sec. 502. Convicted sex offender as grounds for denial.
- Sec. 503. Sexual harassment or sexual assault as grounds for suspension or revocation.
- Sec. 504. Accommodation; notices.
- Sec. 505. Protection against discrimination.
- Sec. 506. Alcohol prohibition.
- Sec. 507. Surveillance requirements.
- Sec. 508. Master key control.
- Sec. 509. Safety management systems.
- Sec. 510. Requirement to report sexual assault and harassment.
- Sec. 511. Civil actions for personal injury or death of seamen.
- Sec. 512. Administration of sexual assault forensic examination kits.

TITLE VI—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

- Sec. 601. Technical corrections.
- Sec. 602. Transportation worker identification credential technical amendments.
- Sec. 603. Reinstatement.

1 **TITLE I—AUTHORIZATION**

2 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

3 Section 4902 of title 14, United States Code, is
4 amended—

5 (1) in the matter preceding paragraph (1) by
6 striking “years 2020 and 2021” and inserting
7 “years 2022 and 2023”;

1 (2) in paragraph (1)—

2 (A) in subparagraph (A)—

3 (i) by striking “\$8,151,620,850 for
4 fiscal year 2020” and inserting
5 “\$9,282,360,000 for fiscal year 2022”;
6 and

7 (ii) by striking “\$8,396,169,475 for
8 fiscal year 2021” and inserting
9 “\$10,210,596,000 for fiscal year 2023”;

10 (B) in subparagraph (B) by striking
11 “\$17,035,000” and inserting “\$17,723,520”;
12 and

13 (C) in subparagraph (C) by striking
14 “\$17,376,000” and inserting “\$18,077,990”;

15 (3) in paragraph (2)—

16 (A) in subparagraph (A)—

17 (i) by striking “\$2,794,745,000 for
18 fiscal year 2020” and inserting
19 “\$3,312,114,000 for fiscal year 2022”;
20 and

21 (ii) by striking “\$3,312,114,000 for
22 fiscal year 2021” and inserting
23 “\$3,477,600,000 for fiscal year 2023”;
24 and

25 (B) in subparagraph (B)—

1 (i) by striking “\$10,000,000 for fiscal
2 year 2020” and inserting “\$20,400,000 for
3 fiscal year 2022”; and

4 (ii) by striking “\$20,000,000 for fis-
5 cal year 2021” and inserting “\$20,808,000
6 for fiscal year 2023”;

7 (4) in paragraph (3)—

8 (A) by striking “\$13,834,000 for fiscal
9 year 2020” and inserting “\$14,393,220 for fis-
10 cal year 2022”; and

11 (B) by striking “\$14,111,000 for fiscal
12 year 2021” and inserting “\$14,681,084 for fis-
13 cal year 2023”; and

14 (5) in paragraph (4)—

15 (A) by striking “\$205,107,000 for fiscal
16 year 2020” and inserting “\$213,393,180 for
17 fiscal year 2022”; and

18 (B) by striking “\$209,209,000 for fiscal
19 year 2021” and inserting “\$217,661,044 for
20 fiscal year 2023”.

21 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
22 **AND TRAINING.**

23 Section 4904 of title 14, United States Code, is
24 amended—

1 (1) in subsection (a) by striking “fiscal years
2 2020 and 2021” and inserting “fiscal years 2022
3 and 2023”; and

4 (2) in subsection (b) by striking “fiscal years
5 2020 and 2021” and inserting “fiscal years 2022
6 and 2023”.

7 **SEC. 103. SHORESIDE INFRASTRUCTURE AND FACILITIES.**

8 (a) IN GENERAL.—Of the amounts authorized to be
9 appropriated under section 4902(2)(A) of title 14, United
10 States Code, for each of fiscal years 2022 and 2023, up
11 to \$585,000,000 shall be authorized for the Secretary of
12 the department in which the Coast Guard is operating to
13 fund the acquisition, construction, rebuilding, or improve-
14 ment of Coast Guard shoreside infrastructure and facili-
15 ties necessary to support Coast Guard operations and
16 readiness.

17 (b) BALTIMORE COAST GUARD YARD.—Of the
18 amounts set aside under subsection (a), up to
19 \$175,000,000 shall be authorized to improve facilities at
20 the Coast Guard Yard in Baltimore, Maryland, including
21 improvements to piers and wharves, dry dock, capital
22 equipment utilities, or dredging necessary to facilitate ac-
23 cess to such Yard.

24 (c) TRAINING CENTER CAPE MAY.—Of the amounts
25 set aside under subsection (a), up to \$60,000,000 shall

1 be authorized to fund Phase I, in fiscal year 2022, and
2 Phase II, in fiscal year 2023, for the recapitalization of
3 the barracks at the United States Coast Guard Training
4 Center Cape May in Cape May, New Jersey.

5 (d) MITIGATION OF HAZARD RISKS.—In carrying out
6 projects with funds authorized under this section, the
7 Coast Guard shall mitigate, to the greatest extent prac-
8 ticable, natural hazard risks identified in any Shore Infra-
9 structure Vulnerability Assessment for Phase I related to
10 such projects.

11 **SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**
12 **ADDITIONAL CUTTERS.**

13 (a) IN GENERAL.—Of the amounts authorized to be
14 appropriated under—

15 (1) section 4902(2)(A)(i) of title 14, United
16 States Code, as amended by section 101 of this title,
17 for fiscal year 2022—

18 (A) \$300,000,000 shall be authorized for
19 the acquisition of a twelfth National Security
20 Cutter; and

21 (B) \$210,000,000 shall be authorized for
22 the acquisition of 3 Fast Response Cutters; and

23 (2) section 4902(2)(A)(ii) of title 14, United
24 States Code, as amended by section 101 of this title,
25 for fiscal year 2023—

1 (A) \$300,000,000 shall be authorized for
2 the acquisition of a twelfth National Security
3 Cutter; and

4 (B) \$210,000,000 shall be authorized for
5 the acquisition of 3 Fast Response Cutters.

6 (b) TREATMENT OF ACQUIRED CUTTER.—Any cutter
7 acquired using amounts authorized under subsection (a)
8 shall be in addition to the National Security Cutters and
9 Fast Response Cutters approved under the existing acqui-
10 sition baseline in the program of record for the National
11 Security Cutter and Fast Response Cutter.

12 (c) GREAT LAKES ICEBREAKER ACQUISITION.—Of
13 the amounts authorized to be appropriated under section
14 4902(2)(A)(ii) of title 14, United States Code—

15 (1) for fiscal year 2022, \$350,000,000 shall be
16 authorized for the acquisition of a Great Lakes ice-
17 breaker at least as capable as Coast Guard Cutter
18 Mackinaw (WLBB–30); and

19 (2) for fiscal year 2023, \$20,000,000 shall be
20 authorized for the design and selection of
21 icebreaking cutters for operation in the Great Lakes,
22 the Northeastern United States, and the Arctic, as
23 appropriate, that are at least as capable as the
24 Coast Guard 140-foot icebreaking tugs.

1 **TITLE II—COAST GUARD**
2 **Subtitle A—Military Personnel**
3 **Matters**

4 **SEC. 201. AUTHORIZED STRENGTH.**

5 Section 3702 of title 14, United States Code, is
6 amended by adding at the end the following:

7 “(c) The Secretary may vary the authorized end
8 strength of the Coast Guard Selected Reserves for a fiscal
9 year by a number equal to not more than 3 percent of
10 such end strength upon a determination by the Secretary
11 that varying such authorized end strength is in the na-
12 tional interest.

13 “(d) The Commandant may increase the authorized
14 end strength of the Coast Guard Selected Reserves by a
15 number equal to not more than 2 percent of such author-
16 ized end strength upon a determination by the Com-
17 mandant that such increase would enhance manning and
18 readiness in essential units or in critical specialties or rat-
19 ings.”.

20 **SEC. 202. CONTINUATION OF OFFICERS WITH CERTAIN**
21 **CRITICAL SKILLS ON ACTIVE DUTY.**

22 (a) IN GENERAL.—Chapter 21 of title 14, United
23 States Code, is amended by inserting after section 2165
24 the following:

1 **“§ 2166. Continuation on active duty; Coast Guard of-**
2 **ficers with certain critical skills**

3 “(a) IN GENERAL.—The Commandant may authorize
4 an officer in a grade above grade O–2 to remain on active
5 duty after the date otherwise provided for the retirement
6 of such officer in section 2154 of this title, if the officer
7 possesses a critical skill, or specialty, or is in a career field
8 designated pursuant to subsection (b).

9 “(b) CRITICAL SKILLS, SPECIALTY, OR CAREER
10 FIELD.—The Commandant shall designate any critical
11 skill, specialty, or career field eligible for continuation on
12 active duty as provided in subsection (a).

13 “(c) DURATION OF CONTINUATION.—An officer con-
14 tinued on active duty pursuant to this section shall, if not
15 earlier retired, be retired on the first day of the month
16 after the month in which the officer completes 40 years
17 of active service.

18 “(d) POLICY.—The Commandant shall carry out this
19 section by prescribing policy which shall specify the cri-
20 teria to be used in designating any critical skill, specialty,
21 or career field for purposes of subsection (b).”.

22 (b) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 21 of title 14, United States Code, is amended by in-
24 serting after the item relating to section 2165 the fol-
25 lowing:

“2166. Continuation on active duty; Coast Guard officers with certain critical skills.”.

1 **SEC. 203. NUMBER AND DISTRIBUTION OF OFFICERS ON**
 2 **ACTIVE DUTY PROMOTION LIST.**

3 (a) MAXIMUM NUMBER OF OFFICERS.—Section
 4 2103(a) of title 14, United States Code, is amended to
 5 read as follows:

6 “(a) MAXIMUM TOTAL NUMBER.—

7 “(1) IN GENERAL.—The total number of Coast
 8 Guard commissioned officers on the active duty pro-
 9 motion list, excluding warrant officers, shall not ex-
 10 ceed—

11 “(A) 7,100 in fiscal year 2022;

12 “(B) 7,200 in fiscal year 2023;

13 “(C) 7,300 in fiscal year 2024; and

14 “(D) 7,400 in fiscal year 2025 and each
 15 subsequent fiscal year.

16 “(2) TEMPORARY INCREASE.—Notwithstanding
 17 paragraph (1), the Commandant may temporarily
 18 increase the total number of commissioned officers
 19 permitted under such paragraph by up to 2 percent
 20 for no more than 60 days following the date of the
 21 commissioning of a Coast Guard Academy class.

22 “(3) NOTIFICATION.—Not later than 30 days
 23 after exceeding the total number of commissioned of-
 24 ficers permitted under paragraph (1), and each 30

1 days thereafter until the total number of commis-
2 sioned officers no longer exceeds the number of such
3 officers permitted under paragraph (1), the Com-
4 mandant shall notify the Committee on Transpor-
5 tation and Infrastructure of the House of Represent-
6 atives and the Committee on Commerce, Science,
7 and Transportation of the Senate of the number of
8 officers on the active duty promotion list on the last
9 day of the preceding 30-day period.”.

10 (b) OFFICERS NOT ON ACTIVE DUTY PROMOTION
11 LIST.—

12 (1) IN GENERAL.—Chapter 51 of title 14,
13 United States Code, is amended by adding at the
14 end the following:

15 **“§ 5113. Officers not on active duty promotion list**

16 “Not later than 60 days after the date on which the
17 President submits to Congress a budget pursuant to sec-
18 tion 1105 of title 31, the Commandant shall submit to
19 the Committee on Transportation and Infrastructure of
20 the House of Representatives and the Committee on Com-
21 merce, Science, and Transportation of the Senate the
22 number of Coast Guard officers serving at other Federal
23 entities on a reimbursable basis but not on the active duty
24 promotion list.”.

1 (2) CLERICAL AMENDMENT.—The analysis for
 2 chapter 51 of title 14, United States Code, is
 3 amended by adding at the end the following:

“5113. Officers not on active duty promotion list.”.

4 **SEC. 204. COAST GUARD BEHAVIORAL HEALTH POLICY.**

5 (a) INTERIM BEHAVIORAL HEALTH POLICY.—Not
 6 later than 60 days after the date of enactment of this Act,
 7 the Commandant of the Coast Guard shall establish an
 8 interim behavioral health policy for members of the Coast
 9 Guard equivalent to the policy described in section 5.28
 10 (relating to behavioral health) of Department of Defense
 11 Instruction 6130.03, volume 2, “Medical Standards for
 12 Military Service: Retention”.

13 (b) TERMINATION.—The interim policy established
 14 under subsection (a) shall remain in effect until the date
 15 on which the Commandant issues a permanent behavior
 16 health policy for members of the Coast Guard which is,
 17 to the extent practicable, equivalent to such section 5.28.

18 **SEC. 205. IMPROVING REPRESENTATION OF WOMEN AND**
 19 **OF RACIAL AND ETHNIC MINORITIES AMONG**
 20 **COAST GUARD ACTIVE-DUTY MEMBERS.**

21 (a) IN GENERAL.—Not later than 180 days after the
 22 date of enactment of this Act, the Commandant of the
 23 Coast Guard shall—

24 (1) determine which recommendations in the
 25 RAND representation report can practicably be im-

1 plemented to promote improved representation in the
2 Coast Guard of—

3 (A) women; and

4 (B) racial and ethnic minorities; and

5 (2) submit to the Committee on Transportation
6 and Infrastructure of the House of Representatives
7 and the Committee on Commerce, Science, and
8 Transportation of the Senate a report on the actions
9 the Commandant has taken, or plans to take, to im-
10 plement such recommendations.

11 (b) CURRICULUM AND TRAINING.—The Com-
12 mandant shall update, to reflect actions described under
13 subsection (a)(2), the curriculum and training materials
14 used at—

15 (1) officer accession points, including the Coast
16 Guard Academy and the Leadership Development
17 Center;

18 (2) enlisted member accession at the United
19 States Coast Guard Training Center Cape May in
20 Cape May, New Jersey; and

21 (3) the officer, enlisted member, and civilian
22 leadership courses managed by the Leadership De-
23 velopment Center.

24 (c) DEFINITION.—In this section, the term “RAND
25 representation report” means the report titled “Improving

1 the Representation of Women and Racial/Ethnic Minori-
2 ties Among U.S. Coast Guard Active-Duty Members”
3 issued by the Homeland Security Operational Analysis
4 Center of the RAND Corporation on August 11, 2021.

5 **Subtitle B—Operational Matters**

6 **SEC. 206. PILOT PROJECT FOR ENHANCING COAST GUARD** 7 **CUTTER READINESS THROUGH CONDITION-** 8 **BASED MAINTENANCE.**

9 (a) IN GENERAL.—Not later than 2 years after the
10 date of enactment of this Act, the Commandant of the
11 Coast Guard shall conduct a pilot project to enhance cut-
12 ter readiness and reduce lost patrol days through the de-
13 ployment of commercially developed condition-based pro-
14 gram standards for cutter maintenance, in accordance
15 with the criteria set forth in subsection (b).

16 (b) CRITERIA FOR CONDITION-BASED MAINTENANCE
17 EVALUATION.—In conducting the pilot project under sub-
18 section (a), the Commandant shall—

19 (1) select at least 1 legacy cutter asset and 1
20 class of cutters under construction with respect to
21 which the application of the pilot project would en-
22 hance readiness;

23 (2) use commercially developed condition-based
24 program standards similar to those applicable to pri-
25 vately owned and operated vessels or vessels owned

1 or operated by other Federal agencies (such as those
2 currently operating under the direction of Military
3 Sealift Command);

4 (3) create and model a full ship digital twin for
5 the cutters selected under paragraph (1);

6 (4) install or modify instrumentation capable of
7 producing full hull, mechanical, and electrical data
8 necessary to analyze cutter operational conditions
9 with active maintenance alerts; and

10 (5) deploy artificial intelligence, prognostic-
11 based integrated maintenance planning modeled
12 after standards described in paragraph (2).

13 (c) REPORT TO CONGRESS.—The Commandant shall
14 submit to the Committee on Commerce, Science, and
15 Transportation of the Senate and the Committee on
16 Transportation and Infrastructure of the House of Rep-
17 resentatives—

18 (1) an interim report not later than 6 months
19 after the date of enactment of this Act on the
20 progress in carrying out the pilot project described
21 in subsection (a); and

22 (2) a final report not later than 2 years after
23 the date of enactment of this Act on the results of
24 the pilot project described in subsection (a) that in-
25 cludes—

1 (A) options to integrate commercially de-
2 veloped condition-based program standards for
3 cutter maintenance to Coast Guard cutters; and

4 (B) plans to deploy commercially developed
5 condition-based program standards for cutter
6 maintenance to Coast Guard cutters.

7 **SEC. 207. UNMANNED SYSTEMS STRATEGY.**

8 (a) SUBMISSION TO CONGRESS.—Not later than 180
9 days after the date of enactment of this Act, the Com-
10 mandant of the Coast Guard shall submit to the Com-
11 mittee on Transportation and Infrastructure of the House
12 of Representatives and the Committee on Commerce,
13 Science, and Transportation of the Senate a detailed de-
14 scription of the strategy of the Coast Guard to implement
15 unmanned systems across mission areas, including—

16 (1) the steps taken to implement actions rec-
17 ommended in the consensus study report of the Na-
18 tional Academies of Sciences, Engineering, and Med-
19 icine published on November 12, 2020, titled
20 “Leveraging Unmanned Systems for Coast Guard
21 Missions: A Strategic Imperative”;

22 (2) the strategic goals and acquisition strategies
23 for proposed uses and procurements of unmanned
24 systems;

1 (3) a strategy to sustain competition and inno-
2 vation for procurement of unmanned systems and
3 services for the Coast Guard, including defining op-
4 portunities for new and existing technologies; and

5 (4) an estimate of the timeline, costs, staff re-
6 sources, technology, or other resources necessary to
7 accomplish the strategy.

8 (b) PILOT PROJECT.—

9 (1) AUTONOMOUS CONTROL AND COMPUTER VI-
10 SION TECHNOLOGY.—The Commandant of the Coast
11 Guard, acting through the Blue Technology Center
12 of Expertise, shall conduct a pilot project to retrofit
13 an existing Coast Guard small boat with—

14 (A) commercially available autonomous
15 control and computer vision technology; and

16 (B) such sensors and methods of commu-
17 nication as are necessary to demonstrate the
18 ability of such control and technology to assist
19 in conducting search and rescue, surveillance,
20 and interdiction missions.

21 (2) COLLECTION OF DATA.—The pilot project
22 under paragraph (1) shall evaluate commercially
23 available products in the field and collect operational
24 data to inform future requirements.

1 (3) BRIEFING.—Not later than 6 months after
2 completing the pilot project required under para-
3 graph (1), the Commandant shall brief the Com-
4 mittee on Transportation and Infrastructure of the
5 House of Representatives and the Committee on
6 Commerce, Science, and Transportation of the Sen-
7 ate on the evaluation of the data derived from the
8 project.

9 **SEC. 208. BUDGETING OF COAST GUARD RELATING TO CER-**
10 **TAIN OPERATIONS.**

11 (a) IN GENERAL.—Chapter 51 of title 14, United
12 States Code, is further amended by adding at the end the
13 following:

14 **“§ 5114. Expenses of performing and executing de-**
15 **fense readiness mission activities**

16 “The Commandant of the Coast Guard shall include
17 in the annual budget submission of the President under
18 section 1105(a) of title 31, a dedicated budget line item
19 that adequately represents a calculation of the annual
20 costs and expenditures of performing and executing all de-
21 fense readiness mission activities, including—

22 “(1) all expenses related to the Coast Guard’s
23 coordination, training, and execution of defense
24 readiness mission activities in the Coast Guard’s ca-
25 pacity as an Armed Force (as such term is defined

1 in section 101 of title 10) in support of Department
 2 of Defense national security operations and activities
 3 or for any other military department or defense
 4 agency (as such terms are defined in such section);

5 “(2) costs associated with Coast Guard detach-
 6 ments assigned in support of the Coast Guard’s de-
 7 fense readiness mission; and

8 “(3) any other expenses, costs, or matters the
 9 Commandant determines appropriate or otherwise of
 10 interest to Congress.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
 12 ter 51 of title 14, United States Code, is further amended
 13 by adding at the end the following:

“5114. Expenses of performing and executing defense readiness mission activi-
 ties.”.

14 **SEC. 209. REPORT ON SAN DIEGO MARITIME DOMAIN**
 15 **AWARENESS.**

16 Not later than 180 days after the date of enactment
 17 of this Act, the Commandant of the Coast Guard shall
 18 submit to the Committee on Transportation and Infra-
 19 structure of the House of Representatives and the Com-
 20 mittee on Commerce, Science, and Transportation of the
 21 Senate a report containing—

22 (1) an overview of the maritime domain aware-
 23 ness in the area of responsibility of the Coast Guard

1 sector responsible for San Diego, California, includ-
2 ing—

3 (A) the average volume of known maritime
4 traffic that transited the area during fiscal
5 years 2020 through 2022;

6 (B) current sensor platforms deployed by
7 such sector to monitor illicit activity occurring
8 at sea in such area;

9 (C) the number of illicit activity incidents
10 at sea in such area that the sector responded to
11 during fiscal years 2020 through 2022;

12 (D) an estimate of the volume of traffic
13 engaged in illicit activity at sea in such area
14 and the type and description of any vessels used
15 to carry out illicit activities that such sector re-
16 sponded to during fiscal years 2020 through
17 2022; and

18 (E) the maritime domain awareness re-
19 quirements to effectively meet the mission of
20 such sector;

21 (2) a description of current actions taken by the
22 Coast Guard to partner with Federal, regional,
23 State, and local entities to meet the maritime do-
24 main awareness needs of such area;

1 (3) a description of any gaps in maritime do-
2 main awareness within the area of responsibility of
3 such sector resulting from an inability to meet the
4 enduring maritime domain awareness requirements
5 of the sector or adequately respond to maritime dis-
6 order;

7 (4) an identification of current technology and
8 assets the Coast Guard has to mitigate the gaps
9 identified in paragraph (3);

10 (5) an identification of capabilities needed to
11 mitigate such gaps, including any capabilities the
12 Coast Guard currently possesses that can be de-
13 ployed to the sector;

14 (6) an identification of technology and assets
15 the Coast Guard does not currently possess and are
16 needed to acquire in order to address such gaps; and

17 (7) an identification of any financial obstacles
18 that prevent the Coast Guard from deploying exist-
19 ing commercially available sensor technology to ad-
20 dress such gaps.

21 **SEC. 210. GREAT LAKES WINTER SHIPPING.**

22 (a) GREAT LAKES ICEBREAKING OPERATIONS.—

23 (1) GOVERNMENT ACCOUNTABILITY OFFICE RE-
24 PORT.—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of enactment of this Act, the
3 Comptroller General of the United States shall
4 submit to the Committee on Commerce,
5 Science, and Transportation of the Senate and
6 the Committee on Transportation and Infra-
7 structure of the House of Representatives a re-
8 port on Coast Guard icebreaking in the Great
9 Lakes.

10 (B) ELEMENTS.—The report required
11 under subparagraph (A) shall—

12 (i) evaluate—

13 (I) the economic impact related
14 to vessel delays or cancellations asso-
15 ciated with ice coverage on the Great
16 Lakes;

17 (II) the impact the standards
18 proposed in paragraph (2) would have
19 on Coast Guard operations in the
20 Great Lakes if such standards were
21 adopted;

22 (III) the fleet mix of medium ice-
23 breakers and icebreaking tugs nec-
24 essary to meet the standards proposed
25 in paragraph (2); and

1 (IV) the resources necessary to
2 support the fleet described in sub-
3 clause (III), including billets for crew
4 and operating costs; and

5 (ii) make recommendations to the
6 Commandant for improvements to the
7 Great Lakes icebreaking program, includ-
8 ing with respect to facilitating shipping
9 and meeting all Coast Guard mission
10 needs.

11 (2) PROPOSED STANDARDS FOR ICEBREAKING
12 OPERATIONS.—The proposed standards, the impact
13 of the adoption of which is evaluated in subclauses
14 (II) and (III) of paragraph (1)(B)(i), are the fol-
15 lowing:

16 (A) Except as provided in subparagraph
17 (B), the ice-covered waterways in the Great
18 Lakes shall be open to navigation not less than
19 90 percent of the hours that vessels engaged in
20 commercial service and ferries attempt to tran-
21 sit such ice-covered waterways.

22 (B) In a year in which the Great Lakes
23 are not open to navigation, as described in sub-
24 paragraph (A), because of ice of a thickness
25 that occurs on average only once every 10

1 years, ice-covered waterways in the Great Lakes
2 shall be open to navigation at least 70 percent
3 of the hours that vessels engaged in commercial
4 service and ferries attempt to transit such ice-
5 covered waterways.

6 (3) REPORT BY COMMANDANT.—Not later than
7 90 days after the date on which the Comptroller
8 General submits the report under paragraph (1), the
9 Commandant shall submit to the Committee on
10 Commerce, Science, and Transportation of the Sen-
11 ate and the Committee on Transportation and Infra-
12 structure of the House of Representatives a report
13 that includes the following:

14 (A) A plan for Coast Guard implementa-
15 tion of any recommendation made by the Comp-
16 troller General under paragraph (1)(B)(ii) with
17 which the Commandant concurs.

18 (B) With respect to any recommendation
19 made under paragraph (1)(B)(ii) with which
20 the Commandant does not concur, an expla-
21 nation of the reasons why the Commandant
22 does not concur.

23 (C) A review of, and a proposed implemen-
24 tation plan for, the results of the fleet mix anal-
25 ysis under paragraph (1)(B)(i)(III).

1 (D) Any proposed modifications to current
2 Coast Guard standards for icebreaking oper-
3 ations in the Great Lakes.

4 (4) PILOT PROGRAM.—During the 5 ice seasons
5 following the date of enactment of this Act, the
6 Coast Guard shall conduct a pilot program to deter-
7 mine the extent to which the current Coast Guard
8 Great Lakes icebreaking cutter fleet can meet the
9 proposed standards described in paragraph (2).

10 (b) DATA ON ICEBREAKING OPERATIONS IN THE
11 GREAT LAKES.—

12 (1) IN GENERAL.—The Commandant shall col-
13 lect, during ice season, archive, and disseminate data
14 on icebreaking operations and transits on ice-covered
15 waterways in the Great Lakes of vessels engaged in
16 commercial service and ferries.

17 (2) ELEMENTS.—Data collected, archived, and
18 disseminated under paragraph (1) shall include the
19 following:

20 (A) Voyages by vessels engaged in com-
21 mercial service and ferries to transit ice-covered
22 waterways in the Great Lakes that are delayed
23 or canceled because of the nonavailability of a
24 suitable icebreaking vessel.

1 (B) Voyages attempted by vessels engaged
2 in commercial service and ferries to transit ice-
3 covered waterways in the Great Lakes that do
4 not reach their intended destination because of
5 the nonavailability of a suitable icebreaking ves-
6 sel.

7 (C) The period of time that each vessel en-
8 gaged in commercial service or ferry was de-
9 layed in getting underway or during a transit of
10 ice-covered waterways in the Great Lakes due
11 to the nonavailability of a suitable icebreaking
12 vessel.

13 (D) The period of time elapsed between
14 each request for icebreaking assistance by a
15 vessel engaged in commercial service or ferry
16 and the arrival of a suitable icebreaking vessel
17 and whether such icebreaking vessel was a
18 Coast Guard or commercial asset.

19 (E) The percentage of hours that Great
20 Lakes ice-covered waterways were open to navi-
21 gation while vessels engaged in commercial
22 service and ferries attempted to transit such
23 waterways for each ice season after the date of
24 enactment of this Act.

1 (F) Relevant communications of each ves-
2 sel engaged in commercial service or ferry with
3 the Coast Guard or commercial icebreaking
4 service providers with respect to subparagraphs
5 (A) through (D).

6 (G) A description of any mitigating cir-
7 cumstance, such as Coast Guard Great Lakes
8 icebreaker diversions to higher priority mis-
9 sions, that may have contributed to the amount
10 of time described in subparagraphs (C) and (D)
11 or the percentage of time described in subpara-
12 graph (E).

13 (3) VOLUNTARY REPORTING.—Any reporting by
14 operators of commercial vessels engaged in commer-
15 cial service or ferries under this section shall be vol-
16 untary.

17 (4) PUBLIC AVAILABILITY.—The Commandant
18 shall make the data collected, archived, and dissemi-
19 nated under this subsection available to the public
20 on a publicly accessible internet website of the Coast
21 Guard.

22 (5) CONSULTATION WITH INDUSTRY.—With re-
23 spect to the Great Lakes icebreaking operations of
24 the Coast Guard and the development of the data
25 collected, archived, and disseminated under this sub-

1 section, the Commandant shall consult operators
2 of—

3 (A) vessels engaged in commercial service;

4 and

5 (B) ferries.

6 (c) REPORT ON COMMON HULL DESIGN.—Section
7 8105 of the William M. (Mac) Thornberry National De-
8 fense Authorization Act for Fiscal Year 2021 (Public Law
9 116–283) is amended by striking subsection (b) and in-
10 serting the following:

11 “(b) REPORT.—Not later than 90 days after the date
12 of enactment of this subsection, the Commandant shall
13 submit to the Committee on Commerce, Science, and
14 Transportation of the Senate and the Committee on
15 Transportation and Infrastructure of the House of Rep-
16 resentatives a report on the operational benefits and limi-
17 tations of a common hull design for icebreaking cutters
18 for operation in the Great Lakes, the Northeastern United
19 States, and the Arctic, as appropriate, that are at least
20 as capable as the Coast Guard 140-foot icebreaking
21 tugs.”.

22 (d) DEFINITIONS.—In this section:

23 (1) COMMERCIAL SERVICE.—The term “com-
24 mercial service” has the meaning given such term in
25 section 2101 of title 46, United States Code.

1 (2) GREAT LAKES.—The term “Great
2 Lakes”—

3 (A) has the meaning given such term in
4 section 118 of the Federal Water Pollution
5 Control Act (33 U.S.C. 1268); and

6 (B) includes harbors adjacent to such
7 waters.

8 (3) ICE-COVERED WATERWAY.—The term “ice-
9 covered waterway” means any portion of the Great
10 Lakes in which vessels engaged in commercial serv-
11 ice or ferries operate that is 70 percent or greater
12 covered by ice, but does not include any waters adja-
13 cent to piers or docks for which commercial
14 icebreaking services are available and adequate for
15 the ice conditions.

16 (4) OPEN TO NAVIGATION.—The term “open to
17 navigation” means navigable to the extent necessary
18 to—

19 (A) meet the reasonable demands of ship-
20 ping;

21 (B) minimize delays to passenger ferries;

22 (C) extricate vessels and persons from dan-
23 ger;

24 (D) prevent damage due to flooding; and

1 (E) conduct other Coast Guard missions,
2 as required.

3 (5) REASONABLE DEMANDS OF SHIPPING.—The
4 term “reasonable demands of shipping” means the
5 safe movement of vessels engaged in commercial
6 service and ferries transiting ice-covered waterways
7 in the Great Lakes to their intended destination, re-
8 gardless of type of cargo.

9 **SEC. 211. CENTER OF EXPERTISE FOR GREAT LAKES OIL**
10 **SPILL SEARCH AND RESPONSE.**

11 Section 807(d) of the Frank LoBiondo Coast Guard
12 Authorization Act of 2018 (14 U.S.C. 313 note) is amend-
13 ed to read as follows:

14 “(d) DEFINITION.—In this section, the term ‘Great
15 Lakes’ means—

16 “(1) Lake Ontario;

17 “(2) Lake Erie;

18 “(3) Lake Huron (including Lake St. Clair);

19 “(4) Lake Michigan;

20 “(5) Lake Superior; and

21 “(6) the connecting channels (including the fol-
22 lowing rivers and tributaries of such rivers: Saint
23 Mary’s River, Saint Clair River, Detroit River, Niag-
24 ara River, Illinois River, Chicago River, Fox River,
25 Grand River, St. Joseph River, St. Louis River, Me-

1 nominee River, Muskegon River, Kalamazoo River,
 2 and Saint Lawrence River to the Canadian bor-
 3 der).”.

4 **Subtitle C—Other Matters**

5 **SEC. 212. RESPONSES OF COMMANDANT OF THE COAST** 6 **GUARD TO SAFETY RECOMMENDATIONS.**

7 (a) IN GENERAL.—Chapter 7 of title 14, United
 8 States Code, is amended by adding at the end the fol-
 9 lowing:

10 **“§ 721. Responses to safety recommendations**

11 “(a) IN GENERAL.—Not later than 90 days after the
 12 submission to the Commandant of the Coast Guard of a
 13 recommendation by the National Transportation Safety
 14 Board relating to transportation safety, the Commandant
 15 shall submit to the Board a written response to each rec-
 16 ommendation, which shall include whether the Com-
 17 mandant—

18 “(1) concurs with the recommendation;

19 “(2) partially concurs with the recommendation;

20 or

21 “(3) does not concur with the recommendation.

22 “(b) EXPLANATION OF CONCURRENCE.—A response
 23 under subsection (a) shall include—

24 “(1) with respect to a recommendation to which
 25 the Commandant concurs, an explanation of the ac-

1 tions the Commandant intends to take to implement
2 such recommendation;

3 “(2) with respect to a recommendation to which
4 the Commandant partially concurs, an explanation
5 of the actions the Commandant intends to take to
6 implement the portion of such recommendation with
7 which the Commandant partially concurs; and

8 “(3) with respect to a recommendation to which
9 the Commandant does not concur, the reasons why
10 the Commandant does not concur with such rec-
11 ommendation.

12 “(c) FAILURE TO RESPOND.—If the Board has not
13 received the written response required under subsection
14 (a) by the end of the time period described in such sub-
15 section, the Board shall notify the Committee on Trans-
16 portation and Infrastructure of the House of Representa-
17 tives and the Committee on Commerce, Science, and
18 Transportation of the Senate that such response has not
19 been received.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 7 of title 14, United States Code, is amended by insert-
22 ing after the item relating to section 720 the following:

“721. Responses to safety recommendations.”.

1 **SEC. 213. CONVEYANCE OF COAST GUARD VESSELS FOR**
 2 **PUBLIC PURPOSES.**

3 (a) REDESIGNATION AND TRANSFER.—Section 914
 4 of the Coast Guard Authorization Act of 2010 (Public
 5 Law 111–281) is transferred to chapter 5 of title 14,
 6 United States Code, inserted after section 508, and rededesignated as section 509.

8 (b) CONVEYANCE OF COAST GUARD VESSELS FOR
 9 PUBLIC PURPOSES.—Section 509 of title 14, United
 10 States Code (as redesignated under subsection (a)), is
 11 amended—

12 (1) by amending subsection (a) to read as follows:
 13

14 “(a) IN GENERAL.—At the request of the Com-
 15 mandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard
 16 vessel or aircraft to an eligible entity for use for educational, cultural, historical, charitable, recreational, or
 17 other public purposes if such transfer is authorized by
 18 law.”; and
 19

20 (2) in subsection (b)—

21 (A) in paragraph (1)—

22 (i) by inserting “as if such a request
 23 were being processed” after “vessels”; and
 24

25 (ii) by inserting “, as in effect on the
 26 date of enactment of the Coast Guard Au-

1 thorization Act of 2021” after “Code of
2 Federal Regulations”; and

3 (B) in paragraph (2) by inserting “, as in
4 effect on the date of enactment of the Coast
5 Guard Authorization Act of 2021” after “such
6 title”.

7 **SEC. 214. ACQUISITION LIFE-CYCLE COST ESTIMATES.**

8 Section 1132(e) of title 14, United States Code, is
9 amended by striking paragraphs (2) and (3) and inserting
10 the following:

11 “(2) TYPES OF ESTIMATES.—For each Level 1
12 or Level 2 acquisition project or program, in addi-
13 tion to life-cycle cost estimates developed under
14 paragraph (1), the Commandant shall require that—

15 “(A) such life-cycle cost estimates be up-
16 dated before—

17 “(i) each milestone decision is con-
18 cluded; and

19 “(ii) the project or program enters a
20 new acquisition phase; and

21 “(B) an independent cost estimate or inde-
22 pendent cost assessment, as appropriate, be de-
23 veloped to validate such life-cycle cost estimates
24 developed under paragraph (1).”.

1 **SEC. 215. NATIONAL COAST GUARD MUSEUM FUNDING**
2 **PLAN.**

3 Section 316(c)(4) of title 14, United States Code, is
4 amended by striking “the Inspector General of the depart-
5 ment in which the Coast Guard is operating” and insert-
6 ing “a third party entity qualified to undertake such a
7 certification process”.

8 **SEC. 216. REPORT ON COAST GUARD EXPLOSIVE ORD-**
9 **NANCE DISPOSAL.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Commandant of the
12 Coast Guard shall submit to the Committee on Transpor-
13 tation and Infrastructure of the House of Representatives
14 and the Committee on Commerce, Science, and Transpor-
15 tation of the Senate a report on the viability of estab-
16 lishing an explosive ordnance disposal program (herein-
17 after referred to as the “Program”) in the Coast Guard.

18 (b) CONTENTS.—The report required under sub-
19 section (a) shall contain, at a minimum, an explanation
20 of the following with respect to such a Program:

21 (1) Where within the organizational structure
22 of the Coast Guard the Program would be located,
23 including a discussion of whether the Program
24 should reside in—

25 (A) Maritime Safety and Security Teams;
26 (B) Maritime Security Response Teams;

1 (C) a combination of the teams described
2 under subparagraphs (A) and (B); or

3 (D) elsewhere within the Coast Guard.

4 (2) The vehicles and dive craft that are Coast
5 Guard airframe and vessel transportable that would
6 be required for the transportation of explosive ord-
7 nance disposal elements.

8 (3) The Coast Guard stations at which—

9 (A) portable explosives storage magazines
10 would be available for explosive ordnance dis-
11 posal elements; and

12 (B) explosive ordnance disposal elements
13 equipment would be pre-positioned.

14 (4) How the Program would support other ele-
15 ments within the Department of Homeland Security,
16 the Department of Justice, and in wartime, the De-
17 partment of Defense to—

18 (A) counter improvised explosive devices;

19 (B) counter unexploded ordnance;

20 (C) combat weapons of destruction;

21 (D) provide service in support of the Presi-
22 dent; and

23 (E) support national security special
24 events.

1 (5) The career progression of Coast Guardsman
2 participating in the Program from—

3 (A) Seaman Recruit to Command Master
4 Chief Petty Officer;

5 (B) Chief Warrant Officer 2 to that of
6 Chief Warrant Officer 4; and

7 (C) Ensign to that of Rear Admiral.

8 (6) Initial and annual budget justification esti-
9 mates on a single program element of the Program
10 for—

11 (A) civilian and military pay with details
12 on military pay, including special and incentive
13 pays such as—

14 (i) officer responsibility pay;

15 (ii) officer SCUBA diving duty pay;

16 (iii) officer demolition hazardous duty
17 pay;

18 (iv) enlisted SCUBA diving duty pay;

19 (v) enlisted demolition hazardous duty
20 pay;

21 (vi) enlisted special duty assignment
22 pay at level special duty-5;

23 (vii) enlisted assignment incentive
24 pays;

- 1 (viii) enlistment and reenlistment bo-
- 2 nuses;
- 3 (ix) officer and enlisted full civilian
- 4 clothing allowances;
- 5 (x) an exception to the policy allowing
- 6 a third hazardous duty pay for explosive
- 7 ordnance disposal-qualified officers and en-
- 8 listed; and
- 9 (xi) parachutist hazardous duty pay;
- 10 (B) research, development, test, and eval-
- 11 uation;
- 12 (C) procurement;
- 13 (D) other transaction agreements;
- 14 (E) operations and support; and
- 15 (F) overseas contingency operations.

16 **SEC. 217. PRIBILOF ISLAND TRANSITION COMPLETION AC-**
 17 **TIONS.**

18 (a) EXTENSIONS.—Section 524 of the Pribilof Island
 19 Transition Completion Act of 2016 (Public Law 114–
 20 120)—

- 21 (1) in subsection (b)(5) by striking “5 years”
- 22 and inserting “6 years”; and
- 23 (2) in subsection (c)(3) by striking “60 days”
- 24 and inserting “120 days”.

1 (b) ACTUAL USE AND OCCUPANCY REPORTS.—Not
2 later than 90 days after enactment of this Act, and quar-
3 terly thereafter, the Secretary of the department in which
4 the Coast Guard is operating shall submit to the Com-
5 mittee on Transportation and Infrastructure of the House
6 of Representatives and the Committee on Commerce,
7 Science, and Transportation of the Senate a report de-
8 scribing—

9 (1) the degree to which Coast Guard personnel
10 and equipment are deployed to St. Paul Island,
11 Alaska, in actual occupancy of the facilities, as re-
12 quired under section 524 of the Pribilof Island
13 Transition Completion Act of 2016 (Public Law
14 114–120); and

15 (2) the status of the activities described in sub-
16 sections (c) and (d) until such activities have been
17 completed.

18 (c) AIRCRAFT HANGER.—The Secretary may—

19 (1) enter into a lease for a hangar to house de-
20 ployed Coast Guard aircraft if such hangar was pre-
21 viously under lease by the Coast Guard for purposes
22 of housing such aircraft; and

23 (2) may enter into an agreement with the lessor
24 of such a hangar in which the Secretary may carry
25 out repairs necessary to support the deployment of

1 such aircraft and the cost such repairs may be offset
2 under the terms of the lease.

3 (d) FUEL TANK.—

4 (1) DETERMINATION.—Not later than 30 days
5 after the date of enactment of this Act, the Sec-
6 retary shall determine whether the fuel tank located
7 on St. Paul Island, Alaska, that is owned by the
8 Coast Guard is needed for Coast Guard operations.

9 (2) TRANSFER.—Subject to paragraph (3), if
10 the Secretary determines such tank is not needed for
11 operations, the Secretary shall, not later than 90
12 days after making such determination, transfer such
13 tank to the Alaska Native Village Corporation for
14 St. Paul Island, Alaska.

15 (3) FAIR MARKET VALUE EXCEPTION.—The
16 Secretary may only carry out a transfer under para-
17 graph (2) if the fair market value of such tank is
18 less than the aggregate value of any lease payments
19 for the property on which the tank is located that
20 the Coast Guard would have paid to the Alaska Na-
21 tive Village Corporation for St. Paul Island, Alaska,
22 had such lease been extended at the same rate.

23 (e) SAVINGS CLAUSE.—Nothing in this section shall
24 be construed to limit any rights of the Alaska Native Vil-
25 lage Corporation for St. Paul to receive conveyance of all

1 or part of the lands and improvements related to Tract
2 43 under the same terms and conditions as prescribed in
3 section 524 of the Pribilof Island Transition Completion
4 Act of 2016 (Public Law 114–120).

5 **SEC. 218. NOTIFICATION OF COMMUNICATION OUTAGES.**

6 Not later than 180 days after the date of enactment
7 of this Act, the Commandant of the Coast Guard shall
8 submit to the Committee on Transportation and Infra-
9 structure of the House of Representatives and the Com-
10 mittee on Commerce, Science, and Transportation of the
11 Senate a report that—

12 (1) contains a plan for the Coast Guard to no-
13 tify mariners of radio outages for towers owned and
14 operated by the Coast Guard in District 17;

15 (2) address in such plan how the Coast Guard
16 in District 17 will—

17 (A) disseminate outage updates regarding
18 outages on social media at least every 48 hours;

19 (B) provide updates on a publicly acces-
20 sible website at least every 48 hours;

21 (C) develop methods for notifying mariners
22 where cellular connectivity does not exist;

23 (D) generate receipt confirmation and ac-
24 knowledgment of outages from mariners; and

1 (E) develop and advertise a web-based
 2 communications update hub on AM/FM radio
 3 for mariners; and

4 (3) identifies technology gaps necessary to im-
 5 plement the plan and provide a budgetary assess-
 6 ment necessary to implement the plan.

7 **TITLE III—MARITIME**

8 **Subtitle A—Shipping**

9 **SEC. 301. NONOPERATING INDIVIDUAL.**

10 Section 8313(b) of the William M. (Mac) Thornberry
 11 National Defense Authorization Act for Fiscal Year 2021
 12 (Public Law 116–283) is amended by striking “the date
 13 that is 2 years after the date of the enactment of this
 14 Act” and inserting “January 1, 2025”.

15 **SEC. 302. OCEANOGRAPHIC RESEARCH VESSELS.**

16 (a) REPORT REQUIRED.—Not later than 180 days
 17 after the date of enactment of this Act, the Secretary of
 18 Transportation, in consultation with the Secretary of the
 19 department in which the Coast Guard is operating, shall
 20 submit to the Committee on Transportation and Infra-
 21 structure of the House of Representatives and the Com-
 22 mittee on Commerce, Science, and Transportation of the
 23 Senate a report detailing the total number of vessels
 24 known or estimated to operate or to have operated under

1 section 50503 of title 46, United States Code, during each
2 of the past 10 fiscal years.

3 (b) CONTENTS.—The report required by subsection
4 (a) shall include the following elements:

5 (1) The total number of foreign-flagged vessels
6 known or estimated to operate or to have operated
7 as oceanographic research vessels (as such term is
8 defined in section 2101 of title 46, United States
9 Code) during each of the past 10 fiscal years.

10 (2) The total number of United States-flagged
11 vessels known or estimated to operate or to have op-
12 erated as oceanographic research vessels (as such
13 term is defined section 2101 of title 46, United
14 States Code) during each of the past 10 fiscal years.

15 **SEC. 303. ATLANTIC COAST PORT ACCESS ROUTES BRIEF-**
16 **ING.**

17 Not later than 30 days after the date of enactment
18 of this Act, and every 30 days thereafter until the require-
19 ments of section 70003 of title 46, United States Code,
20 are fully executed with respect to the Atlantic Coast Port
21 Access Route, the Secretary of the department in which
22 the Coast Guard is operating shall brief the Committee
23 on Transportation and Infrastructure of the House of
24 Representatives and the Committee on Commerce,

1 Science, and Transportation of the Senate on any progress
 2 made to execute such requirements.

3 **Subtitle B—Vessel Safety**

4 **SEC. 304. FISHING VESSEL SAFETY.**

5 (a) IN GENERAL.—Chapter 45 of title 46, United
 6 States Code, is amended—

7 (1) in section 4502(f)(2) by striking “certain
 8 vessels described in subsection (b) if requested by
 9 the owner or operator; and” and inserting “vessels
 10 described in subsection (b) if—

11 “(A) requested by an owner or operator; or

12 “(B) the vessel is—

13 “(i) at least 50 feet overall in length;

14 “(ii) built before July 1, 2013; and

15 “(iii) 25 years of age or older; and”;

16 (2) in section 4503(b) by striking “Except as
 17 provided in section 4503a, subsection (a)” and in-
 18 serting “Subsection (a)”; and

19 (3) by repealing section 4503a.

20 (b) ALTERNATIVE SAFETY COMPLIANCE AGREE-
 21 MENTS.—Nothing in this section or the amendments made
 22 by this section shall be construed to affect or apply to any
 23 alternative compliance and safety agreement entered into
 24 by the Coast Guard that is in effect on the date of enact-
 25 ment of this Act.

1 (c) CONFORMING AMENDMENTS.—The table of sec-
2 tions in chapter 45 of title 46, United States Code, is
3 amended by striking the item relating to section 4503a.

4 **SEC. 305. REQUIREMENTS FOR DUKW-TYPE AMPHIBIOUS**
5 **PASSENGER VESSELS.**

6 (a) REGULATIONS REQUIRED.—Not later than 1 year
7 after the date of enactment of this Act, the Commandant
8 of the Coast Guard shall issue regulations for DUKW-type
9 amphibious passenger vessels operating in waters subject
10 to the jurisdiction of the United States, as defined in sec-
11 tion 2.38 of title 33, Code of Federal Regulations (as in
12 effect on the date of enactment of this Act).

13 (b) DEADLINE FOR COMPLIANCE.—The regulations
14 issued under subsection (a) shall take effect not later than
15 24 months after the date of enactment of this Act.

16 (c) REQUIREMENTS.—The regulations required
17 under subsection (a) shall include the following:

18 (1) A requirement that operators of DUKW-
19 type amphibious passenger vessels provide reserve
20 buoyancy for such vessels through passive means, in-
21 cluding watertight compartmentalization, built-in flo-
22 tation, or such other means as determined appro-
23 priate by the Commandant, in order to ensure that
24 such vessels remain afloat and upright in the event

1 of flooding, including when carrying a full com-
2 plement of passengers and crew.

3 (2) A requirement that an operator of a
4 DUKW-type amphibious passenger vessel—

5 (A) review and notate the forecast of the
6 National Weather Service of the National Oce-
7 anic and Atmospheric Administration in the
8 logbook of the vessel before getting underway
9 and periodically while underway;

10 (B) proceed to the nearest harbor or safe
11 refuge in any case in which a watch or warning
12 is issued for wind speeds exceeding the wind
13 speed equivalent used to certify the stability of
14 such DUKW-type amphibious passenger vessel;
15 and

16 (C) maintain and monitor a weather mon-
17 itor radio receiver at the operator station of the
18 vessel that is automatically activated by the
19 warning alarm device of the National Weather
20 Service.

21 (3) A requirement that—

22 (A) operators of DUKW-type amphibious
23 passenger vessels inform passengers that seat-
24 belts may not be worn during waterborne oper-
25 ations;

1 (B) before the commencement of water-
2 borne operations, a crew member shall visually
3 check that the seatbelt of each passenger is un-
4 buckled; and

5 (C) operators or crew maintain a log re-
6 cording the actions described in subparagraphs
7 (A) and (B).

8 (4) A requirement for annual training for oper-
9 ators and crew of DUKW-type amphibious pas-
10 sengers vessels, including—

11 (A) training for personal flotation and
12 seatbelt requirements, verifying the integrity of
13 the vessel at the onset of each waterborne de-
14 parture, identification of weather hazards, and
15 use of National Weather Service resources prior
16 to operation; and

17 (B) training for crew to respond to emer-
18 gency situations, including flooding, engine
19 compartment fires, man-overboard situations,
20 and in water emergency egress procedures.

21 (d) CONSIDERATION.—In issuing the regulations re-
22 quired under subsection (a), the Commandant shall con-
23 sider whether personal flotation devices should be required
24 for the duration of the waterborne transit of a DUKW-
25 type amphibious passenger vessel.

1 (e) INTERIM REQUIREMENTS.—Beginning on the
2 date on which the regulations under subsection (a) are
3 issued, the Commandant shall require that operators of
4 DUKW-type amphibious passenger vessels that are not in
5 compliance with such regulations shall be subject to the
6 following requirements:

7 (1) Remove the canopies and any window cov-
8 erings of such vessels for waterborne operations, or
9 install in such vessels a canopy that does not restrict
10 horizontal or vertical escape by passengers in the
11 event of flooding or sinking.

12 (2) If a canopy and window coverings are re-
13 moved from any such vessel pursuant to paragraph
14 (1), require that all passengers wear a personal flo-
15 tation device approved by the Coast Guard before
16 the onset of waterborne operations of such vessel.

17 (3) Reengineer such vessels to permanently
18 close all unnecessary access plugs and reduce all
19 through-hull penetrations to the minimum number
20 and size necessary for operation.

21 (4) Install in such vessels independently pow-
22 ered electric bilge pumps that are capable of
23 dewatering such vessels at the volume of the largest
24 remaining penetration in order to supplement an op-

1 erable Higgins pump or a dewatering pump of equiv-
 2 alent or greater capacity.

3 (5) Install in such vessels not fewer than 4
 4 independently powered bilge alarms.

5 (6) Conduct an in-water inspection of any such
 6 vessel after each time a through-hull penetration of
 7 such vessel has been removed or uncovered.

8 (7) Verify through an in-water inspection the
 9 watertight integrity of any such vessel at the outset
 10 of each waterborne departure of such vessel.

11 (8) Install underwater LED lights that activate
 12 automatically in an emergency.

13 (9) Otherwise comply with any other provisions
 14 of relevant Coast Guard guidance or instructions in
 15 the inspection, configuration, and operation of such
 16 vessels.

17 **SEC. 306. EXONERATION AND LIMITATION OF LIABILITY**
 18 **FOR SMALL PASSENGERS VESSELS.**

19 (a) RESTRUCTURING.—Chapter 305 of title 46,
 20 United States Code, is amended—

21 (1) by inserting the following before section
 22 30501:

23 **“Subchapter I—General Provisions”;**

24 (2) by inserting the following before section
 25 30503:

1 **“Subchapter II—Exoneration and Limitation**
 2 **of Liability Generally”;**

3 and

4 (3) by redesignating sections 30503 through
 5 30512 as sections 30521 through 30530, respec-
 6 tively.

7 (b) DEFINITIONS.—Section 30501 of title 46, United
 8 States Code, is amended to read as follows:

9 **“§ 30501. Definitions**

10 “In this chapter:

11 “(1) COVERED SMALL PASSENGER VESSEL.—

12 The term ‘covered small passenger vessel’—

13 “(A) means a small passenger vessel, as
 14 defined in section 2101 that is—

15 “(i) not a wing-in-ground craft; and

16 “(ii) carrying—

17 “(I) not more than 49 passengers
 18 on an overnight domestic voyage; and

19 “(II) not more than 150 pas-
 20 sengers on any voyage that is not an
 21 overnight domestic voyage; and

22 “(B) includes any wooden vessel con-
 23 structed prior to March 11, 1996, carrying at
 24 least 1 passenger for hire.

1 “(2) OWNER.—The term ‘owner’ includes a
2 charterer that mans, supplies, and navigates a vessel
3 at the charterer’s own expense or by the charterer’s
4 own procurement.”.

5 (c) CLERICAL AMENDMENT.—The item relating to
6 section 30501 in the analysis for chapter 305 of title 46,
7 United States Code, is amended to read as follows:

 “30501. Definitions.”.

8 (d) APPLICABILITY.—Section 30502 of title 46,
9 United States Code, is amended by inserting “as to cov-
10 ered small passenger vessels, and” before “as otherwise
11 provided”.

12 (e) PROVISIONS REQUIRING NOTICE OF CLAIM OR
13 LIMITING TIME FOR BRINGING ACTION.—Section 30526
14 of title 46, United States Code, as redesignated by sub-
15 section (a), is amended—

16 (1) in subsection (a), by inserting “and covered
17 small passenger vessels” after “seagoing vessels”;

18 (2) in subsection (b)(1), by striking “6 months”
19 and inserting “2 years”; and

20 (3) in subsection (b)(2), by striking “one year”
21 and inserting “2 years”.

22 (f) TABLES OF SUBCHAPTERS AND TABLES OF SEC-
23 TIONS.—The table of sections for chapter 305 of title 46,
24 United States Code, is amended—

1 (1) by inserting before section 30501 the fol-
 2 lowing:

“SUBCHAPTER I—GENERAL PROVISIONS”;

3 (2) by inserting after section 30502 the fol-
 4 lowing:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY
 GENERALLY”;

5 and

6 (3) by redesignating the items relating to sec-
 7 tions 30503 through 30512 as items relating to sec-
 8 tions 30521 through 30530, respectively.

9 (g) CONFORMING AMENDMENTS.—Title 46, United
 10 States Code, is further amended—

11 (1) in section 14305(a)(5), by striking “section
 12 30506” and inserting “section 30524”;

13 (2) in section 30523(a), as redesignated by sub-
 14 section (a), by striking “section 30506” and insert-
 15 ing “section 30524”;

16 (3) in section 30524(b), as redesignated by sub-
 17 section (a), by striking “section 30505” and insert-
 18 ing “section 30523”; and

19 (4) in section 30525—

20 (A) by striking “section 30505” and in-
 21 serting “section 30523”;

22 (B) by striking “section 30506” and in-
 23 serting “section 30524”; and

1 (C) by striking “section 30506(b)” and in-
2 serting “section 30524(b)”.

3 **Subtitle C—Shipbuilding Program**

4 **SEC. 307. LOANS FOR RETROFITTING TO QUALIFY AS A VES-**
5 **SEL OF THE UNITED STATES.**

6 Section 53706(a) of title 46, United States Code, is
7 amended by adding at the end the following:

8 “(8) Financing (including reimbursement of an
9 obligor for expenditures previously made for) the re-
10 construction, reconditioning, retrofitting, repair, or
11 similar work in a shipyard located in the United
12 States—

13 “(A) required for the vessel to be a vessel
14 of the United States;

15 “(B) required for the vessel to be issued a
16 coastwise endorsement under chapter 121;

17 “(C) to convert a civilian vessel of the
18 United States to a more useful military configu-
19 ration;

20 “(D) for any vessel under contract to the
21 Federal Government; or

22 “(E) for any vessel participating in—

23 “(i) the Maritime Security Program
24 under chapter 531;

1 “(ii) the Cable Security Fleet under
2 chapter 532; or
3 “(iii) the Tanker Security Fleet under
4 chapter 534.”.

5 **SEC. 308. QUALIFIED VESSEL.**

6 (a) ELIGIBLE VESSEL.—Section 53501(2) of title 46,
7 United States Code, is amended—

8 (1) in subparagraph (A)(iii) by striking “and”
9 at the end;

10 (2) in subparagraph (B)(v) by striking the pe-
11 riod at the end and inserting a semicolon; and

12 (3) by adding at the end the following:

13 “(C) a ferry, as such term is defined in
14 section 2101; and

15 “(D) a passenger vessel or small passenger
16 vessel, as such terms are defined in section
17 2101, that has a passenger capacity of 50 pas-
18 sengers or greater.”.

19 (b) QUALIFIED VESSEL.—Section 53501(5) of title
20 46, United States Code, is amended—

21 (1) in subparagraph (A)(iii) by striking “and”
22 at the end;

23 (2) in subparagraph (B)(v) by striking the pe-
24 riod at the end and inserting a semicolon; and

25 (3) by adding at the end the following:

1 “(C) a ferry, as such term is defined in
2 section 2101; and

3 “(D) a passenger vessel or small passenger
4 vessel, as such terms are defined in section
5 2101, that has a passenger capacity of 50 pas-
6 sengers or greater.”.

7 **SEC. 309. ESTABLISHING A CAPITAL CONSTRUCTION FUND.**

8 Section 53503(b) of title 46, United States Code, is
9 amended by inserting “(including transportation on a
10 ferry, passenger vessel, or small passenger vessel, as such
11 terms are defined in section 2101, that has a passenger
12 capacity of 50 passengers or greater)” after “short sea
13 transportation”.

14 **TITLE IV—MISCELLANEOUS**
15 **Subtitle A—Navigation**

16 **SEC. 401. RESTRICTION ON CHANGING SALVORS.**

17 Section 311(c)(3) of the Federal Water Pollution
18 Control Act (33 U.S.C. 1321(c)(3)) is amended by adding
19 at the end the following:

20 “(C) An owner or operator may not change
21 salvors as part of a deviation under subparagraph
22 (B) in cases in which the original salvor satisfies the
23 Coast Guard requirements in accordance with the
24 National Contingency Plan and the applicable re-
25 sponse plan required under subsection (j).

1 “(D) In any case in which the Coast Guard au-
2 thorizes a deviation from the salvor as part of a de-
3 viation under subparagraph (B) from the applicable
4 response plan required under subsection (j), the
5 Commandant shall submit to the Committee on
6 Transportation and Infrastructure of the House of
7 Representatives and the Committee on Commerce,
8 Science, and Transportation of the Senate a report
9 describing the deviation and the reasons for such de-
10 viation.”.

11 **SEC. 402. TOWING VESSEL INSPECTION FEES.**

12 Notwithstanding section 9701 of title 31, United
13 States Code, and section 2110 of title 46, United States
14 Code, the Secretary of the department in which the Coast
15 Guard is operating may not charge an inspection fee for
16 towing vessels required to have a Certificate of Inspection
17 under subchapter M of title 46, Code of Federal Regula-
18 tions, until—

19 (1) the completion of the review required under
20 section 815 of the Frank LoBiondo Coast Guard
21 Authorization Act of 2018 (Public Law 115–282);
22 and

23 (2) the promulgation of regulations to establish
24 specific inspection fees for such vessels.

1 **SEC. 403. PROVIDING REQUIREMENTS FOR VESSELS AN-**
2 **CHORED IN ESTABLISHED ANCHORAGE**
3 **GROUND.**

4 (a) IN GENERAL.—Section 70006 of title 46, United
5 States Code, is amended to read as follows:

6 **“§ 70006. Anchorage grounds**

7 “(a) ANCHORAGE GROUNDS.—

8 “(1) ESTABLISHMENT.—The Secretary of the
9 department in which the Coast Guard is operating
10 shall define and establish anchorage grounds in the
11 navigable waters of the United States for vessels op-
12 erating in such waters.

13 “(2) RELEVANT FACTORS FOR ESTABLISH-
14 MENT.—In carrying out paragraph (1), the Sec-
15 retary shall take into account all relevant factors
16 concerning navigational safety, protection of the ma-
17 rine environment, proximity to undersea pipelines
18 and cables, safe and efficient use of Marine Trans-
19 portation System, and national security.

20 “(b) VESSEL REQUIREMENTS.—Vessels, of certain
21 sizes or type determined by the Secretary, shall—

22 “(1) set and maintain an anchor alarm for the
23 duration of an anchorage;

24 “(2) comply with any directions or orders
25 issued by the Captain of the Port; and

1 “(3) comply with any applicable anchorage reg-
2 ulations.

3 “(c) PROHIBITIONS.—A vessel may not—

4 “(1) anchor in any Federal navigation channel
5 unless authorized or directed to by the Captain of
6 the Port;

7 “(2) anchor in near proximity, within distances
8 determined by the Coast Guard, to an undersea
9 pipeline or cable, unless authorized or directed to by
10 the Captain of the Port; and

11 “(3) anchor or remain anchored in an anchor-
12 age ground during any period in which the Captain
13 of the Port orders closure of the anchorage ground
14 due to inclement weather, navigational hazard, a
15 threat to the environment, or other safety or secu-
16 rity concern.

17 “(d) SAFETY EXCEPTION.—Nothing in this section
18 shall be construed to prevent a vessel from taking actions
19 necessary to maintain the safety of the vessel or to prevent
20 the loss of life or property.”.

21 (b) REGULATORY REVIEW.—

22 (1) REVIEW REQUIRED.—Not later than 1 year
23 after the date of enactment of this Act, the Sec-
24 retary of the department in which the Coast Guard
25 is operating shall complete a review of existing an-

1 anchorage regulations and identify regulations that
2 may need modification—

3 (A) in the interest of marine safety, secu-
4 rity, and environmental concerns, taking into
5 account undersea pipelines, cables, or other in-
6 frastructure; and

7 (B) to implement the amendments made
8 by this section.

9 (2) BRIEFING.—Upon completion of the review
10 under paragraph (1), but not later than 2 years
11 after the date of enactment of this Act, the Sec-
12 retary shall provide a briefing to the Committee on
13 Commerce, Science, and Transportation of the Sen-
14 ate and the Subcommittee on Coast Guard and Mar-
15 itime Transportation of the Committee on Transpor-
16 tation and Infrastructure of the House of Represent-
17 atives that summarizes the review.

18 (c) CLERICAL AMENDMENT.—The table of sections
19 for chapter 700 of title 46, United States Code, is amend-
20 ed by striking the item relating to section 70006 and in-
21 serting the following:

“70006. Anchorage grounds.”.

22 (d) APPLICABILITY OF REGULATIONS.—The amend-
23 ments made by subsection (a) may not be construed to
24 alter any existing rules, regulations, or final agency ac-
25 tions issued under section 70006 of title 46, United States

1 Code, as in effect on the day before the date of enactment
2 of this Act until all regulations required under subsection
3 (b) take effect.

4 **SEC. 404. AQUATIC NUISANCE SPECIES TASK FORCE.**

5 (a) RECREATIONAL VESSEL DEFINED.—Section
6 1003 of the Nonindigenous Aquatic Nuisance Prevention
7 and Control Act of 1990 (16 U.S.C. 4702) is amended—

8 (1) by redesignating paragraphs (13) through
9 (17) as paragraphs (15) through (19), respectively;
10 and

11 (2) by inserting after paragraph (12) the fol-
12 lowing:

13 “(13) ‘State’ means each of the several States,
14 the District of Columbia, American Samoa, Guam,
15 Puerto Rico, the Northern Mariana Islands, and the
16 Virgin Islands of the United States;

17 “(14) ‘recreational vessel’ has the meaning
18 given that term in section 502 of the Federal Water
19 Pollution Control Act (33 U.S.C. 1362);”.

20 (b) OBSERVERS.—Section 1201 of the Nonindigenous
21 Aquatic Nuisance Prevention and Control Act of 1990 (16
22 U.S.C. 4721) is amended by adding at the end the fol-
23 lowing:

24 “(g) OBSERVERS.—The chairpersons designated
25 under subsection (d) may invite representatives of non-

1 governmental entities to participate as observers of the
2 Task Force.”.

3 (c) AQUATIC NUISANCE SPECIES TASK FORCE.—
4 Section 1201(b) of the Nonindigenous Aquatic Nuisance
5 Prevention and Control Act of 1990 (16 U.S.C. 4721(b))
6 is amended—

7 (1) in paragraph (6), by striking “and” at the
8 end;

9 (2) by redesignating paragraph (7) as para-
10 graph (10); and

11 (3) by inserting after paragraph (6) the fol-
12 lowing:

13 “(7) the Director of the National Park Service;

14 “(8) the Director of the Bureau of Land Man-
15 agement;

16 “(9) the Commissioner of Reclamation; and”.

17 (d) AQUATIC NUISANCE SPECIES PROGRAM.—Sec-
18 tion 1202 of the Nonindigenous Aquatic Nuisance Preven-
19 tion and Control Act of 1990 (16 U.S.C. 4722) is amend-
20 ed—

21 (1) in subsection (e) by adding at the end the
22 following:

23 “(4) TECHNICAL ASSISTANCE AND REC-
24 OMMENDATIONS.—The Task Force may provide
25 technical assistance and recommendations for best

1 practices to an agency or entity engaged in vessel in-
2 spections or decontaminations for the purpose of—

3 “(A) effectively managing and controlling
4 the movement of aquatic nuisance species into,
5 within, or out of water of the United States;
6 and

7 “(B) inspecting recreational vessels in a
8 manner that minimizes disruptions to public ac-
9 cess for boating and recreation in non-contami-
10 nated vessels.

11 “(5) CONSULTATION.—In carrying out para-
12 graph (4), including the development of rec-
13 ommendations, the Task Force may consult with—

14 “(A) State fish and wildlife management
15 agencies;

16 “(B) other State agencies that manage
17 fishery resources of the State or sustain fishery
18 habitat; and

19 “(C) relevant nongovernmental entities.”;
20 and

21 (2) in subsection (k) by adding at the end the
22 following:

23 “(3) Not later than 90 days after the date of
24 enactment of the Coast Guard Authorization Act of
25 2022, the Task Force shall submit a report to Con-

1 gress recommending legislative, programmatic, or
2 regulatory changes to eliminate remaining gaps in
3 authorities between members of the Task Force to
4 effectively manage and control the movement of
5 aquatic nuisance species.”.

6 (e) TECHNICAL CORRECTIONS AND CONFORMING
7 AMENDMENTS.—The Nonindigenous Aquatic Nuisance
8 Prevention and Control Act of 1990 (16 U.S.C. 4701 et
9 seq.) is further amended—

10 (1) in section 1002(b)(2), by inserting a comma
11 after “funded”;

12 (2) in section 1003, in paragraph (7), by strik-
13 ing “Canandian” and inserting “Canadian”;

14 (3) in section 1203(a)—

15 (A) in paragraph (1)(F), by inserting
16 “and” after “research,”; and

17 (B) in paragraph (3), by striking “encour-
18 age” and inserting “encouraged”;

19 (4) in section 1204(b)(4), in the paragraph
20 heading, by striking “ADMINISRATIVE” and inserting
21 “ADMINISTRATIVE”; and

22 (5) in section 1209, by striking “subsection
23 (a)” and inserting “section 1202(a)”.

1 **SEC. 405. LIMITATION ON RECOVERY FOR CERTAIN INJU-**
2 **RIES INCURRED IN AQUACULTURE ACTIVI-**
3 **TIES.**

4 (a) IN GENERAL.—Section 30104 of title 46, United
5 States Code, is amended—

6 (1) by inserting “(a) IN GENERAL.—” before
7 the first sentence; and

8 (2) by adding at the end the following:

9 “(b) LIMITATION ON RECOVERY BY AQUACULTURE
10 WORKERS.—

11 “(1) IN GENERAL.—For purposes of subsection
12 (a), the term ‘seaman’ does not include an individual
13 who—

14 “(A) is an aquaculture worker if State
15 workers’ compensation is available to such indi-
16 vidual; and

17 “(B) was, at the time of injury, engaged in
18 aquaculture in a place where such individual
19 had lawful access.

20 “(2) AQUACULTURE WORKER DEFINED.—In
21 this subsection, the term ‘aquaculture worker’ means
22 an individual who—

23 “(A) is employed by a commercial enter-
24 prise that is involved in the controlled cultiva-
25 tion and harvest of aquatic plants and animals,
26 including—

1 “(i) the cleaning, processing, or can-
 2 ning of fish and fish products;

3 “(ii) the cultivation and harvesting of
 4 shellfish; and

5 “(iii) the controlled growing and har-
 6 vesting of other aquatic species;

7 “(B) does not hold a license issued under
 8 section 7101(c); and

9 “(C) is not required to hold a merchant
 10 mariner credential under part F of subtitle II.”.

11 (b) APPLICABILITY.—The amendments made by this
 12 section shall apply to an injury incurred on or after the
 13 date of enactment of this Act.

14 **Subtitle B—Other Matters**

15 **SEC. 406. INFORMATION ON TYPE APPROVAL CERTIFI-** 16 **CATES.**

17 (a) IN GENERAL.—Title IX of the Frank LoBiondo
 18 Coast Guard Authorization Act of 2018 (Public Law 115–
 19 282) is amended by adding at the end the following:

20 **“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFI-** 21 **CATES.**

22 “The Commandant of the Coast Guard shall, upon
 23 request by any State, the District of Columbia, or territory
 24 of the United States, provide all data possessed by the
 25 Coast Guard pertaining to challenge water quality charac-

1 teristics, challenge water biological organism concentra-
 2 tions, post-treatment water quality characteristics, and
 3 post-treatment biological organism concentrations data for
 4 a ballast water management system with a type approval
 5 certificate approved by the Coast Guard pursuant to sub-
 6 part 162.060 of title 46, Code of Federal Regulations.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
 8 for the Frank LoBiondo Coast Guard Authorization Act
 9 of 2018 (Public Law 115–282) is amended by inserting
 10 after the item relating to section 903 the following:

“904. Information on type approval certificates.”.

11 **SEC. 407. PASSENGER VESSEL SECURITY AND SAFETY RE-**
 12 **QUIREMENTS.**

13 Section 3507(k)(1) of title 46, United States Code,
 14 is amended—

15 (1) in subparagraph (A) by striking “at least
 16 250” and inserting “250 or more”; and

17 (2) by striking subparagraph (B) and inserting
 18 the following:

19 “(B) has overnight accommodations for
 20 250 or more passengers; and”.

21 **SEC. 408. CARGO WAITING TIME REDUCTION.**

22 (a) INTERAGENCY TASK FORCE.—The President
 23 shall, acting through the Supply Chain Disruptions Task
 24 Force established under Executive Order 14017 (relating
 25 to supply chains) of February 24, 2021 (86 Fed. Reg.

1 11849) (hereinafter referred to as the “Task Force”),
2 carry out the duties described in subsection (c).

3 (b) DUTIES.—In carrying out this section, the Task
4 Force shall—

5 (1) evaluate and quantify the economic and en-
6 vironmental impact of cargo backlogs;

7 (2) evaluate and quantify the costs incurred by
8 each Federal agency represented on the Task Force,
9 and by State and local governments, due to such
10 cargo backlogs;

11 (3) evaluate the responses of each such Federal
12 agency to such cargo backlogs; and

13 (4) not later than 90 days after the date of en-
14 actment of this Act—

15 (A) develop a plan to—

16 (i) significantly reduce or eliminate
17 such cargo backlog; and

18 (ii) reduce nationwide cargo proc-
19 essing delays, including the Port of Los
20 Angeles and the Port of Long Beach; and

21 (B) submit to the Committee on Transpor-
22 tation and Infrastructure of the House of Rep-
23 resentatives and the Committee on Commerce,
24 Science, and Transportation of the Senate a re-

1 port containing the plan developed under sub-
2 paragraph (A).

3 (c) REPORT OF THE COMMANDANT.—No later than
4 90 days after the date of enactment of this Act, the Com-
5 mandant of the Coast Guard shall submit to the Com-
6 mittee on Transportation and Infrastructure of the House
7 of Representatives and the Committee on Commerce,
8 Science, and Transportation of the Senate a report on
9 cargo backlogs that includes—

10 (1) an explanation of the extent to which ves-
11 sels carrying cargo are complying with the require-
12 ments of chapter 700 of title 46, United States
13 Code;

14 (2) the status of the investigation on the cause
15 of the oil spill that occurred in October 2021 on the
16 waters over the San Pedro Shelf related to an an-
17 chor strike, including the expected date on which the
18 Marine Casualty Investigation Report with respect
19 to such spill will be released; and

20 (3) with respect to such vessels, a summary of
21 actions taken or planned to be taken by the Com-
22 mandant to—

23 (A) provide additional protections against
24 oil spills caused by anchor strikes; and

1 (B) address other safety concerns and en-
2 vironmental impacts.

3 **SEC. 409. LIMITED INDEMNITY PROVISIONS IN STANDBY**
4 **OIL SPILL RESPONSE CONTRACTS.**

5 (a) IN GENERAL.—Subject to subsections (b) and (c),
6 a contract for the containment or removal of a discharge
7 entered into by the President under section 311(c) of the
8 Federal Water Pollution Control Act (33 U.S.C. 1321(c))
9 shall contain a provision to indemnify a contractor for li-
10 abilities and expenses incidental to the containment or re-
11 moval arising out of the performance of the contract that
12 is substantially identical to the terms contained in sub-
13 sections (d) through (h) of section H.4 (except for para-
14 graph (1) of subsection (d)) of the contract offered by the
15 Coast Guard in the solicitation numbered DTCG89–98–
16 A–68F953, dated November 17, 1998.

17 (b) REQUIREMENTS.—

18 (1) SOURCE OF FUNDS.—The provision re-
19 quired under subsection (a) shall include a provision
20 that the obligation to indemnify is limited to funds
21 available in the Oil Spill Liability Trust Fund estab-
22 lished by section 9509(a) of the Internal Revenue
23 Code of 1986 at the time the claim for indemnity is
24 made.

1 (2) UNCOMPENSATED REMOVAL.—A claim for
 2 indemnity under a contract described in subsection
 3 (a) shall be made as a claim for uncompensated re-
 4 moval costs under section 1012(a)(4) of the Oil Pol-
 5 lution Act of 1990 (33 U.S.C. 2712(a)(4)).

6 (3) LIMITATION.—The total indemnity for a
 7 claim under a contract described in subsection (a)
 8 may not be more than \$50,000 per incident.

9 (c) APPLICABILITY OF EXEMPTIONS.—Notwith-
 10 standing subsection (a), the United States shall not be ob-
 11 ligated to indemnify a contractor for any act or omission
 12 of the contractor carried out pursuant to a contract en-
 13 tered into under this section where such act or omission
 14 is grossly negligent or which constitutes willful mis-
 15 conduct.

16 **SEC. 410. PORT COORDINATION COUNCIL FOR POINT SPEN-**
 17 **CER.**

18 Section 541 of the Coast Guard Authorization Act
 19 of 2016 (Public Law 114–120) is amended—

20 (1) in subsection (b) by striking paragraphs (1)
 21 and (2) and inserting the following:

22 “(1) BSNC (to serve as Council Chair).

23 “(2) The Secretary of Homeland Security.

24 “(3) An Oil Spill Response Organization that
 25 serves the area in which such Port is located.”;

1 (2) in subsection (c)(1)—

2 (A) in subparagraph (B) by adding “and”
3 at the end; and

4 (B) by striking subparagraphs (C) and (D)
5 and inserting the following:

6 “(C) land use planning and development
7 on the Bering Sea, the Chukchi Sea, and the
8 Arctic Ocean, in support of—

9 “(i) search and rescue;

10 “(ii) shipping safety;

11 “(iii) economic development;

12 “(iv) oil spill prevention and response;

13 “(v) national security;

14 “(vi) major marine casualties;

15 “(vii) protection of Alaska Native ar-
16 chaeological and cultural resources; and

17 “(viii) port of refuge, arctic research,
18 and maritime law enforcement.”;

19 (3) by amending subsection (c)(3) to read as
20 follows:

21 “(3) Facilitate coordination among members of
22 the Council on the development and use of the land
23 and coastline of Point Spencer, as such development
24 and use relate to activities of the Council at the Port
25 of Point Spencer.”; and

1 (4) in subsection (e)—

2 (A) by striking “Operations and manage-
3 ment costs” and inserting the following:

4 “(1) DETERMINATION OF COSTS.—Operations
5 and management costs”; and

6 (B) by adding at the end the following:

7 “(2) FUNDING.—To facilitate the mooring buoy
8 system in Port Clarence and to assist the Council in
9 the development of other oil spill prevention and re-
10 sponse infrastructure, including reactivating the air-
11 strip at Point Spencer with appropriate technology
12 and safety equipment in support of response oper-
13 ations, there is authorized to be made available
14 \$5,000,000 for each of fiscal years 2023 through
15 2025 from the interest generated from the Oil Spill
16 Liability Trust Fund.”.

17 **SEC. 411. ALASKA OIL SPILL PLANNING CRITERIA.**

18 (a) ALASKA OIL SPILL PLANNING CRITERIA.—Sec-
19 tion 311(j)(5) of the Federal Water Pollution Control Act
20 (33 U.S.C. 1321(j)(5)) is amended by adding at the end
21 the following:

22 “(J)(i) Except as provided in clause (iv), in any
23 case in which the Secretary has determined that the
24 national planning criteria established pursuant to
25 this subsection are inappropriate for a vessel oper-

1 ating in the area of responsibility of Coast Guard
2 Sector Anchorage, a response plan required under
3 this paragraph with respect to a discharge of oil for
4 the vessel shall comply with the planning criteria es-
5 tablished under clause (ii), which planning criteria
6 shall, with respect to a discharge of oil from the ves-
7 sel, supercede the national planning criteria and
8 apply in lieu of any alternative planning criteria ap-
9 proved for vessels operating in such area.

10 “(ii) The President shall establish planning cri-
11 teria for a worst case discharge of oil, and a sub-
12 stantial threat of such a discharge, within the area
13 of responsibility of Coast Guard Sector Anchorage,
14 including planning criteria for the following:

15 “(I) Mechanical oil spill response resources
16 that are required to be located within such
17 area.

18 “(II) Response times for mobilization of oil
19 spill response resources and arrival on the scene
20 of a worst case discharge of oil, or substantial
21 threat of such a discharge, occurring within
22 such area.

23 “(III) Dedicated vessels for oil spill re-
24 sponse that are capable of operating in the

1 ocean environment and required to be located
2 within such area.

3 “(IV) Ensuring the availability of at least
4 one oil spill removal organization that is classi-
5 fied by the Coast Guard and that—

6 “(aa) is capable of responding in all
7 operating environments in such area;

8 “(bb) provides vessel routing meas-
9 ures consistent with international routing
10 measure deviation protocols;

11 “(cc) maintains real-time continuous
12 vessel tracking, monitoring, and engage-
13 ment protocols with the ability to detect
14 and address vessel operation anomalies;

15 “(dd) has the capability to manage
16 wildlife protection and rehabilitation;

17 “(ee) controls oil spill response re-
18 sources of dedicated and nondedicated re-
19 source providers within such area, through
20 ownership, contracts, agreements, or other
21 means approved by the President, suffi-
22 cient to mobilize and sustain a response to
23 a worst case discharge of oil and to con-
24 tain, recover, and temporarily store dis-
25 charged oil; and

1 “(ff) has pre-positioned all of its oil
2 spill response resources in strategic loca-
3 tions throughout such area in a manner
4 that ensures the ability to support re-
5 sponse personnel, marine operations, air
6 cargo, or other related logistics infrastruc-
7 ture.

8 “(V) Temporary storage capability using
9 both dedicated and non-dedicated assets located
10 within such area.

11 “(VI) Non-mechanical oil spill response re-
12 sources, to be available under contracts, agree-
13 ments, or other means approved by the Presi-
14 dent, capable of responding to both a discharge
15 of persistent oil and a discharge of non-per-
16 sistent oil, whether the discharged oil was car-
17 ried by a vessel as fuel or cargo.

18 “(VII) With respect to tank barges car-
19 rying non-persistent oil in bulk as cargo to be
20 delivered to communities within such area, oil
21 spill response resources that is required to be
22 carried on board.

23 “(VIII) Ensuring that oil spill response re-
24 sources otherwise required to be included in a
25 response plan for purposes of compliance with

1 salvage and marine firefighting requirements
2 are not used to meet the requirements of this
3 subparagraph.

4 “(IX) Specifying a minimum length of
5 time that approval of a response plan under
6 this subparagraph is valid.

7 “(iii) The President may approve a response
8 plan for a vessel under this subparagraph only if the
9 owner or operator of the vessel demonstrates the
10 availability of the oil spill response resources re-
11 quired to be included in the response plan under the
12 planning criteria established under clause (ii).

13 “(iv) Nothing in this subparagraph affects—

14 “(I) vessels operating within the area of
15 responsibility of the Coast Guard sector respon-
16 sible for Anchorage, Alaska, with primary oper-
17 ations occurring within Cook Inlet, Alaska; or

18 “(II) the requirements applicable to tank
19 vessels subject to section 5005 of the Oil Pollu-
20 tion Act of 1990 (33 U.S.C. 2735).”.

21 (b) ESTABLISHMENT OF ALASKA OIL SPILL PLAN-
22 NING CRITERIA.—

23 (1) DEADLINE.—Not later than 180 days after
24 the date of enactment of this Act, the President
25 shall establish the planning criteria required to be

1 established under subparagraph (J) of section
2 311(j)(5) of the Federal Water Pollution Control
3 Act of (33 U.S.C. 1321(j)(5)), as added by this sec-
4 tion.

5 (2) CONSULTATION.—In establishing such plan-
6 ning criteria, the President shall consult with the
7 State of Alaska, owners and operators of vessels
8 subject to such planning criteria, oil spill removal or-
9 ganizations, Alaska Native organizations, and envi-
10 ronmental nongovernmental organizations located
11 within the State of Alaska.

12 (c) CONGRESSIONAL REPORT.—Not later than one
13 year after the date of enactment of this Act, the Secretary
14 of the department in which the Coast Guard is operating
15 shall submit to Congress a report regarding the status of
16 implementing the requirements of subparagraph (J) of
17 section 311(j)(5) of the Federal Water Pollution Control
18 Act (33 U.S.C. 1321(j)(5)), as added by this section.

19 **SEC. 412. NONAPPLICABILITY.**

20 Requirements under sections 3507(d), 3507(e), 3508,
21 and 3509 of title 46, United States Code, shall not apply
22 to the passenger vessel American Queen (U.S. Coast
23 Guard Official Number 1030765) or any other passenger
24 vessel—

1 (1) on which construction identifiable with the
2 specific vessel begins prior to the date of enactment
3 of this Act; and

4 (2) to which sections 3507 and 3508 would oth-
5 erwise apply when such vessels are operating inside
6 the boundary line.

7 **TITLE V—SEXUAL ASSAULT AND**
8 **SEXUAL HARASSMENT PRE-**
9 **VENTION AND RESPONSE**

10 **SEC. 501. DEFINITIONS.**

11 (a) IN GENERAL.—Section 2101 of title 46, United
12 States Code, is amended—

13 (1) by redesignating paragraphs (45) through
14 (54) as paragraphs (47) through (56), respectively;
15 and

16 (2) by inserting after paragraph (44) the fol-
17 lowing:

18 “(45) ‘sexual assault’ means any form of abuse
19 or contact as defined in chapter 109A of title 18, or
20 a substantially similar State, local, or Tribal offense.

21 “(46) ‘sexual harassment’ means—

22 “(A) conduct that—

23 “(i) involves unwelcome sexual ad-
24 vances, requests for sexual favors, or delib-

1 erate or repeated offensive comments or
2 gestures of a sexual nature if any—

3 “(I) submission to such conduct
4 is made either explicitly or implicitly a
5 term or condition of employment, pay,
6 career, benefits, or entitlements of the
7 individual;

8 “(II) submission to, or rejection,
9 of such conduct by an individual is
10 used as a basis for decisions affecting
11 that individual’s job, pay, career, ben-
12 efits, or entitlements;

13 “(III) such conduct has the pur-
14 pose or effect of unreasonably inter-
15 fering with an individual’s work per-
16 formance or creates an intimidating,
17 hostile, or offensive work environment;
18 or

19 “(IV) conduct may have been by
20 an individual’s supervisor, a super-
21 visor in another area, a co-worker, or
22 another credentialed mariner; and

23 “(ii) is so severe or pervasive that a
24 reasonable person would perceive, and the

1 victim does perceive, the environment as
2 hostile or offensive;

3 “(B) any use or condonation associated
4 with firsthand or personal knowledge, by any
5 individual in a supervisory or command posi-
6 tion, of any form of sexual behavior to control,
7 influence, or affect the career, pay, benefits, en-
8 titlements, or employment of a subordinate; and

9 “(C) any deliberate or repeated unwelcome
10 verbal comment or gesture of a sexual nature
11 by any fellow employee of the complainant.”.

12 (b) REPORT.—The Commandant of the Coast Guard
13 shall submit to the Committee on Transportation and In-
14 frastructure of the House of Representatives and the Com-
15 mittee on Commerce, Science, and Transportation of the
16 Senate a report describing any changes the Commandant
17 may propose to the definitions added by the amendments
18 in subsection (a).

19 **SEC. 502. CONVICTED SEX OFFENDER AS GROUNDS FOR**
20 **DENIAL.**

21 (a) IN GENERAL.—Chapter 75 of title 46, United
22 States Code, is amended by adding at the end the fol-
23 lowing:

1 “§ 7511. Convicted sex offender as grounds for denial

2 “(a) SEXUAL ABUSE.—A license, certificate of reg-
3 istry, or merchant mariner’s document authorized to be
4 issued under this part shall be denied to an individual who
5 has been convicted of a sexual offense prohibited under
6 chapter 109A of title 18, except for subsection (b) of sec-
7 tion 2244 of title 18, or a substantially similar State, local,
8 or Tribal offense.

9 “(b) ABUSIVE SEXUAL CONTACT.—A license, certifi-
10 cate of registry, or merchant mariner’s document author-
11 ized to be issued under this part may be denied to an indi-
12 vidual who within 5 years before applying for the license,
13 certificate, or document, has been convicted of a sexual
14 offense prohibited under subsection (b) of section 2244 of
15 title 18, or a substantially similar State, local, or Tribal
16 offense.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 75 of title 46, United States Code, is amended by adding at the end the following:

“7511. Convicted sex offender as grounds for denial.”.

20 SEC. 503. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS
21 GROUNDS FOR SUSPENSION OR REVOCATION.
22

(a) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

1 **“§ 7704a. Sexual harassment or sexual assault as**
 2 **grounds for suspension or revocation**

3 “(a) SEXUAL HARASSMENT.—If it is shown at a
 4 hearing under this chapter that a holder of a license, cer-
 5 tificate of registry, or merchant mariner’s document
 6 issued under this part, within 5 years before the beginning
 7 of the suspension and revocation proceedings, is the sub-
 8 ject of an official finding of sexual harassment, then the
 9 license, certificate of registry, or merchant mariner’s docu-
 10 ment may be suspended or revoked.

11 “(b) SEXUAL ASSAULT.—If it is shown at a hearing
 12 under this chapter that a holder of a license, certificate
 13 of registry, or merchant mariner’s document issued under
 14 this part, within 10 years before the beginning of the sus-
 15 pension and revocation proceedings, is the subject of an
 16 official finding of sexual assault, then the license, certifi-
 17 cate of registry, or merchant mariner’s document shall be
 18 revoked.

19 “(c) OFFICIAL FINDING.—

20 “(1) IN GENERAL.—In this section, the term
 21 ‘official finding’ means—

22 “(A) a legal proceeding or agency finding
 23 or decision that determines the individual com-
 24 mitted sexual harassment or sexual assault in
 25 violation of any Federal, State, local, or Tribal
 26 law or regulation; or

1 “(B) a determination after an investigation
2 by the Coast Guard that, by a preponderance of
3 the evidence, the individual committed sexual
4 harassment or sexual assault if the investiga-
5 tion affords appropriate due process rights to
6 the subject of the investigation.

7 “(2) INVESTIGATION BY THE COAST GUARD.—
8 An investigation by the Coast Guard under para-
9 graph (1)(B) shall include, at a minimum, evalua-
10 tion of the following materials that, upon request,
11 shall be provided to the Coast Guard:

12 “(A) Any inquiry or determination made
13 by the employer or former employer of the indi-
14 vidual as to whether the individual committed
15 sexual harassment or sexual assault.

16 “(B) Any investigative materials, docu-
17 ments, records, or files in the possession of an
18 employer or former employer of the individual
19 that are related to the claim of sexual harass-
20 ment or sexual assault by the individual.

21 “(3) ADMINISTRATIVE LAW JUDGE REVIEW.—

22 “(A) COAST GUARD INVESTIGATION.—A
23 determination under paragraph (1)(B) shall be
24 reviewed and affirmed by an administrative law
25 judge within the same proceeding as any sus-

1 pension or revocation of a license, certificate of
 2 registry, or merchant mariner’s document under
 3 subsection (a) or (b).

4 “(B) LEGAL PROCEEDING.—A determina-
 5 tion under paragraph (1)(A) that an individual
 6 committed sexual harassment or sexual assault
 7 is conclusive in suspension and revocation pro-
 8 ceedings.”.

9 (b) CLERICAL AMENDMENT.—The chapter analysis
 10 of chapter 77 of title 46, United States Code, is amended
 11 by inserting after the item relating to section 7704 the
 12 following:

“7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.”.

13 **SEC. 504. ACCOMMODATION; NOTICES.**

14 Section 11101 of title 46, United States Code, is
 15 amended—

16 (1) in subsection (a)(3), by striking “and” at
 17 the end;

18 (2) in subsection (a)(4), by striking the period
 19 at the end and inserting “; and”;

20 (3) in subsection (a), by adding at the end the
 21 following:

22 “(5) each crew berthing area shall be equipped
 23 with information regarding—

1 “(A) vessel owner or company policies pro-
2 hibiting sexual assault and sexual harassment,
3 retaliation, and drug and alcohol usage; and

4 “(B) procedures and resources to report
5 crimes, including sexual assault and sexual har-
6 assment, including information—

7 “(i) on the contact information,
8 website address, and mobile application to
9 the Coast Guard Investigative Services for
10 reporting of crimes and the Coast Guard
11 National Command Center;

12 “(ii) on vessel owner or company pro-
13 cedures to report violations of company
14 policy and access resources;

15 “(iii) on resources provided by outside
16 organizations such as sexual assault hot-
17 lines and counseling;

18 “(iv) on the retention period for sur-
19 veillance video recording after an incident
20 of sexual harassment or sexual assault is
21 reported; and

22 “(v) additional items specified in reg-
23 ulations issued by, and at the discretion of,
24 the Secretary of the department in which
25 the Coast Guard is operating.”; and

1 (4) in subsection (d), by adding at the end the
 2 following: “In each washing space in a visible loca-
 3 tion there shall be information regarding procedures
 4 and resources to report crimes upon the vessel, in-
 5 cluding sexual assault and sexual harassment, and
 6 vessel owner or company policies prohibiting sexual
 7 assault and sexual harassment, retaliation, and drug
 8 and alcohol usage.”.

9 **SEC. 505. PROTECTION AGAINST DISCRIMINATION.**

10 Section 2114(a)(1) of title 46, United States Code,
 11 is amended—

12 (1) by redesignating subparagraphs (B)
 13 through (G) as subsections (C) through (H), respec-
 14 tively; and

15 (2) by inserting after subparagraph (A) the fol-
 16 lowing:

17 “(B) the seaman in good faith has reported or
 18 is about to report to the vessel owner, Coast Guard
 19 or other appropriate Federal agency or department
 20 sexual harassment or sexual assault against the sea-
 21 man or knowledge of sexual harassment or sexual
 22 assault against another seaman;”.

23 **SEC. 506. ALCOHOL PROHIBITION.**

24 (a) REGULATIONS.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary of
3 the department in which the Coast Guard is oper-
4 ating shall, taking into account the safety and secu-
5 rity of every individual on documented vessels, issue
6 such regulations as are necessary relating to alcohol
7 consumption on documented vessels, according to
8 the following requirements:

9 (A) The Secretary shall determine safe lev-
10 els of alcohol consumption by crewmembers
11 aboard documented vessels engaged in commer-
12 cial service.

13 (B) If the Secretary determines there is no
14 alcohol policy that can be implemented to en-
15 sure a safe environment for crew and pas-
16 sengers, the Secretary shall implement a prohi-
17 bition on possession and consumption of alcohol
18 by crewmembers while aboard a vessel, except
19 when possession is associated with the commer-
20 cial sale or gift to non-crew members aboard
21 the vessel.

22 (2) IMMUNITY FROM CIVIL LIABILITY.—Any
23 crewmember who reports an incident of sexual as-
24 sault or sexual harassment that is directly related to
25 a violation of the regulations issued under paragraph

1 (1) is immune from civil liability for any related vio-
 2 lation of such regulations.

3 **SEC. 507. SURVEILLANCE REQUIREMENTS.**

4 (a) IN GENERAL.—Part B of subtitle II of title 46,
 5 United States Code, is amended by adding at the end the
 6 following:

7 **“CHAPTER 49—OCEANGOING NON-**
 8 **PASSENGER COMMERCIAL VESSELS**

“Sec.

“4901. Surveillance requirements.

9 **“§ 4901. Surveillance requirements**

10 “(a) IN GENERAL.—A vessel engaged in commercial
 11 service that does not carry passengers, shall maintain a
 12 video surveillance system.

13 “(b) APPLICABILITY.—The requirements in this sec-
 14 tion shall apply to—

15 “(1) documented vessels with overnight accom-
 16 modations for at least 10 persons on board—

17 “(A) is on a voyage of at least 600 miles
 18 and crosses seaward of the Boundary Line; or

19 “(B) is at least 24 meters (79 feet) in
 20 overall length and required to have a load line
 21 under chapter 51;

22 “(2) documented vessels of at least 500 gross
 23 tons as measured under section 14502, or an alter-
 24 nate tonnage measured under section 14302 as pre-

1 scribed by the Secretary under section 14104 on an
2 international voyage; and

3 “(3) vessels with overnight accommodations for
4 at least 10 persons on board that are operating for
5 no less than 72 hours on waters superjacent to the
6 Outer Continental Shelf.

7 “(c) PLACEMENT OF VIDEO AND AUDIO SURVEIL-
8 LANCE EQUIPMENT.—

9 “(1) IN GENERAL.—The owner of a vessel to
10 which this section applies shall install video and
11 audio surveillance equipment aboard the vessel not
12 later than 2 years after enactment of the Coast
13 Guard Authorization Act of 2022, or during the next
14 scheduled drydock, whichever is later.

15 “(2) LOCATIONS.—Video and audio surveillance
16 equipment shall be placed in passageways on to
17 which doors from staterooms open. Such equipment
18 shall be placed in a manner ensuring the visibility of
19 every door in each such passageway.

20 “(d) NOTICE OF VIDEO AND AUDIO SURVEIL-
21 LANCE.—The owner of a vessel to which this section ap-
22 plies shall provide clear and conspicuous signs on board
23 the vessel notifying the crew of the presence of video and
24 audio surveillance equipment.

25 “(e) ACCESS TO VIDEO AND AUDIO RECORDS.—

1 “(1) IN GENERAL.—The owner of a vessel to
2 which this section applies shall provide to any Fed-
3 eral, State, or other law enforcement official per-
4 forming official duties in the course and scope of a
5 criminal or marine safety investigation, upon re-
6 quest, a copy of all records of video and audio sur-
7 veillance that the official believes is relevant to the
8 investigation.

9 “(2) CIVIL ACTIONS.—Except as proscribed by
10 law enforcement authorities or court order, the
11 owner of a vessel to which this section applies shall,
12 upon written request, provide to any individual or
13 the individual’s legal representative a copy of all
14 records of video and audio surveillance—

15 “(A) in which the individual is a subject of
16 the video and audio surveillance;

17 “(B) the request is in conjunction with a
18 legal proceeding or investigation; and

19 “(C) that may provide evidence of any sex-
20 ual harassment or sexual assault incident in a
21 civil action.

22 “(3) LIMITED ACCESS.—The owner of a vessel
23 to which this section applies shall ensure that access
24 to records of video and audio surveillance is limited
25 to the purposes described in this paragraph and not

1 used as part of a labor action against a crew mem-
 2 ber or employment dispute unless used in a criminal
 3 or civil action.

4 “(f) RETENTION REQUIREMENTS.—The owner of a
 5 vessel to which this section applies shall retain all records
 6 of audio and video surveillance for not less than 150 days
 7 after the footage is obtained. Any video and audio surveil-
 8 lance found to be associated with an alleged incident
 9 should be preserved for not less than 4 years from the
 10 date of the alleged incident. The Federal Bureau of Inves-
 11 tigation and the Coast Guard are authorized access to all
 12 records of video and audio surveillance relevant to an in-
 13 vestigation into criminal conduct.

14 “(g) DEFINITION.—In this section, the term ‘owner’
 15 means the owner, charterer, managing operator, master,
 16 or other individual in charge of a vessel.

17 “(h) EXEMPTION.—Fishing vessels, fish processing
 18 vessels, and fish tender vessels are exempt from this sec-
 19 tion.”.

20 (b) CLERICAL AMENDMENT.—The table of chapters
 21 for subtitle II of title 46, United States Code, is amended
 22 by adding after the item related to chapter 47 the fol-
 23 lowing:

“49. Oceangoing non-passenger commercial vessels 4901”.

1 **SEC. 508. MASTER KEY CONTROL.**

2 (a) IN GENERAL.—Chapter 31 of title 46, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 3106. Master key control system**

6 “(a) IN GENERAL.—The owner of a vessel subject to
7 inspection under section 3301 shall—

8 “(1) ensure that such vessel is equipped with a
9 vessel master key control system, manual or elec-
10 tronic, which provides controlled access to all copies
11 of the vessel’s master key of which access shall only
12 be available to the individuals described in para-
13 graph (2);

14 “(2) establish a list of all crew, identified by po-
15 sition, allowed to access and use the master key and
16 maintain such list upon the vessel, within owner
17 records and included in the vessel safety manage-
18 ment system;

19 “(3) record in a logbook, located in a central-
20 ized location that is readily accessible to law enforce-
21 ment personnel, information on all access and use of
22 the vessel’s master key; and

23 “(4) make the list under paragraph (2) and the
24 logbook under paragraph (3) available upon request
25 to any agent of the Federal Bureau of Investigation,
26 any member of the Coast Guard, and any law en-

1 enforcement officer performing official duties in the
2 course and scope of an investigation.

3 “(b) PROHIBITED USE.—Crew not included on the
4 list described in subsection (a)(2) shall not have access
5 to or use the master key unless in an emergency and shall
6 immediately notify the master and owner of the vessel fol-
7 lowing use of such key.

8 “(c) REQUIREMENTS FOR LOGBOOK.—The logbook
9 described in subsection (a)(3)—

10 “(1) may be—

11 “(A) electronic; and

12 “(B) included in the vessel safety manage-
13 ment system; and

14 “(2) shall include—

15 “(A) dates and times of access;

16 “(B) the room or location accessed; and

17 “(C) the name and rank of the crew mem-
18 ber who used the master key.

19 “(d) PENALTY.—Any crew member who uses the
20 master key without having been granted access pursuant
21 to subsection (a)(2) shall be liable to the United States
22 Government for a civil penalty of not more than \$1,000
23 and may be subject to suspension or revocation under sec-
24 tion 7703.

1 “(e) EXEMPTION.—This section shall not apply to
2 vessels subject to section 3507(f).”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 31 of title 46, United States Code, is amended by add-
5 ing at the end the following:

“3106. Master key control system.”.

6 **SEC. 509. SAFETY MANAGEMENT SYSTEMS.**

7 Section 3203 of title 46, United States Code, is
8 amended—

9 (1) in subsection (a)—

10 (A) by redesignating paragraphs (5) and

11 (6) as paragraphs (7) and (8); and

12 (B) by inserting after paragraph (4) the
13 following:

14 “(5) with respect to sexual harassment and sex-
15 ual assault, procedures for, and annual training re-
16 quirements for all shipboard personnel on—

17 “(A) prevention;

18 “(B) bystander intervention;

19 “(C) reporting;

20 “(D) response; and

21 “(E) investigation;

22 “(6) the logbook required under section 3106;”;

23 (2) by redesignating subsections (b) and (c) as
24 subsections (c) and (d), respectively; and

1 (3) by inserting after subsection (a) the fol-
2 lowing:

3 “(b) PROCEDURES AND TRAINING REQUIRE-
4 MENTS.—In prescribing regulations for the procedures
5 and training requirements described in subsection (a)(5),
6 such procedures and requirements shall be consistent with
7 the requirements to report sexual harassment or sexual
8 assault under section 10104.”.

9 **SEC. 510. REQUIREMENT TO REPORT SEXUAL ASSAULT**
10 **AND HARASSMENT.**

11 Section 10104 of title 46, United States Code, is
12 amended by striking subsections (a) and (b) and inserting
13 the following:

14 “(a) MANDATORY REPORTING BY CREW MEMBER.—

15 “(1) IN GENERAL.—A crew member of a docu-
16 mented vessel shall report to the Secretary any com-
17 plaint or incident of sexual harassment or sexual as-
18 sault of which the crewmember has firsthand or per-
19 sonal knowledge.

20 “(2) PENALTY.—A crew member with firsthand
21 or personal knowledge of a sexual assault or sexual
22 harassment incident on a documented vessel who
23 knowingly fails to report in compliance with para-
24 graph (a)(1) is liable to the United States Govern-
25 ment for a civil penalty of not more than \$5,000.

1 “(3) AMNESTY.—A crew member who fails to
2 make the required reporting under paragraph (1)
3 shall not be subject to the penalty described in para-
4 graph (2) if the complaint is shared in confidence
5 with the crew member directly from the assaulted in-
6 dividual or the crew member is a victim advocate as
7 defined in section 40002(a) of the Violent Crime
8 Control and Law Enforcement Act of 1994 (34
9 U.S.C. 12291(a)).

10 “(b) MANDATORY REPORTING BY VESSEL OWNER.—

11 “(1) IN GENERAL.—A vessel owner or man-
12 aging operator of a documented vessel or the em-
13 ployer of a seafarer on that vessel shall report to the
14 Secretary any complaint or incident of harassment,
15 sexual harassment, or sexual assault in violation of
16 employer policy or law, of which such vessel owner
17 or managing operator of a vessel engaged in com-
18 mercial service, or the employer of the seafarer is
19 made aware. Such reporting shall include results of
20 any investigation into the incident, if applicable, and
21 any action taken against the offending crewmember.

22 “(2) PENALTY.—A vessel owner or managing
23 operator of a vessel engaged in commercial service,
24 or the employer of a seafarer on that vessel who
25 knowingly fails to report in compliance with para-

1 graph (1) is liable to the United States Government
2 for a civil penalty of not more than \$25,000.

3 “(c) REPORTING PROCEDURES.—

4 “(1) A report required under subsection (a)
5 shall be made as soon as practicable, but no later
6 than 10 days after the individual develops firsthand
7 or personal knowledge of the sexual assault or sexual
8 harassment incident to the Coast Guard National
9 Command Center by the fastest telecommunication
10 channel available.

11 “(2) A report required under subsection (b)
12 shall be made immediately after the vessel owner,
13 managing operator, or employer of the seafarer
14 gains knowledge of a sexual assault or sexual har-
15 assment incident by the fastest telecommunication
16 channel available, and such report shall be made to
17 the Coast Guard National Command Center—

18 “(A) the nearest Coast Guard Captain of
19 the Port; or

20 “(B) the appropriate officer or agency of
21 the government of the country in whose waters
22 the incident occurs.

23 “(3) A report required under subsections (a)
24 and (b) shall include, to the best of the reporter’s
25 knowledge—

1 “(A) the name, official position or role in
2 relation to the vessel, and contact information
3 of the individual making the report;

4 “(B) the name and official number of the
5 documented vessel;

6 “(C) the time and date of the incident;

7 “(D) the geographic position or location of
8 the vessel when the incident occurred; and

9 “(E) a brief description of the alleged sex-
10 ual harassment or sexual assault being re-
11 ported.

12 “(4) After receipt of the report made under this
13 subsection, the Coast Guard will collect information
14 related to the identity of each alleged victim, alleged
15 perpetrator, and witness through means designed to
16 protect, to the extent practicable, the personal iden-
17 tifiable information of such individuals.

18 “(d) REGULATIONS.—The requirements of this sec-
19 tion are effective as of the date of enactment of Coast
20 Guard Authorization Act of 2022. The Secretary may
21 issue additional regulations to implement the requirements
22 of this section.”.

1 **SEC. 511. CIVIL ACTIONS FOR PERSONAL INJURY OR**
2 **DEATH OF SEAMEN.**

3 (a) **PERSONAL INJURY TO OR DEATH OF SEAMEN.—**

4 Section 30104 of title 46, United States Code, is amended
5 by inserting “, including an injury resulting from sexual
6 assault or sexual harassment,” after “in the course of em-
7 ployment”.

8 (b) **TIME LIMIT ON BRINGING MARITIME ACTION.—**

9 Section 30106 of title 46, United States Code, is amend-
10 ed—

11 (1) in the section heading by striking “**for**
12 **personal injury or death**”;

13 (2) by striking “Except as otherwise” and in-
14 serting the following:

15 “(a) **IN GENERAL.—**Except as otherwise”; and

16 (3) by adding at the end the following:

17 “(b) **EXTENSION FOR SEXUAL OFFENSE.—**A civil ac-
18 tion under subsection (a) arising out of a maritime tort
19 for a claim of sexual harassment or sexual assault shall
20 be brought not less than 5 years after the cause of action
21 for a claim of sexual harassment or sexual assault arose.”.

22 (c) **CLERICAL AMENDMENT.—**The analysis for chap-
23 ter 301 of title 46, United States Code, is amended by
24 striking the item related to section 30106 and inserting
25 the following:

“30106. Time limit on bringing maritime action.”.

1 **SEC. 512. ADMINISTRATION OF SEXUAL ASSAULT FORENSIC**
2 **EXAMINATION KITS.**

3 (a) IN GENERAL.—Chapter 5 of title 14, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 564. Administration of sexual assault forensic ex-**
7 **amination kits**

8 “(a) REQUIREMENT.—A Coast Guard vessel that em-
9 barks on a covered voyage shall be—

10 “(1) equipped with no less than 2 sexual as-
11 sault and forensic examination kits; and

12 “(2) staffed with at least 1 medical professional
13 qualified and trained to administer such kits.

14 “(b) COVERED VOYAGE DEFINED.—In this section,
15 the term ‘covered voyage’ means a prescheduled voyage
16 of a Coast Guard vessel that, at any point during such
17 voyage—

18 “(1) would require the vessel to travel 5 con-
19 secutive days or longer at 20 knots per hour to
20 reach a land-based or afloat medical facility; and

21 “(2) aeromedical evacuation will be unavailable
22 during the travel period referenced in paragraph
23 (1).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 for chapter 5 of title 14, United States Code, is amended
 3 by adding at the end the following:

“564. Administration of sexual assault forensic examination kits.”.

4 **TITLE VI—TECHNICAL, CON-**
 5 **FORMING, AND CLARIFYING**
 6 **AMENDMENTS**

7 **SEC. 601. TECHNICAL CORRECTIONS.**

8 (a) Section 319(b) of title 14, United States Code,
 9 is amended by striking “section 331 of the FAA Mod-
 10 ernization and Reform Act of 2012 (49 U.S.C. 40101
 11 note)” and inserting “section 44801 of title 49”.

12 (b) Section 1156(c) of title 14, United States Code,
 13 is amended by striking “section 331 of the FAA Mod-
 14 ernization and Reform Act of 2012 (49 U.S.C. 40101
 15 note)” and inserting “section 44801 of title 49”.

16 **SEC. 602. TRANSPORTATION WORKER IDENTIFICATION**
 17 **CREDENTIAL TECHNICAL AMENDMENTS.**

18 (a) IN GENERAL.—Section 70105 of title 46, United
 19 States Code, is amended—

20 (1) in the section heading by striking “**secu-**
 21 **urity cards**” and inserting “**worker identifica-**
 22 **tion credentials**”;

23 (2) by striking “transportation security card”
 24 each place it appears and inserting “transportation
 25 worker identification credential”;

1 (3) by striking “transportation security cards”
2 each place it appears and inserting “transportation
3 worker identification credentials”;

4 (4) by striking “card” each place it appears
5 and inserting “credential”;

6 (5) in the heading for subsection (b) by striking
7 “CARDS” and inserting “CREDENTIALS”;

8 (6) by striking subsection (i) and redesignating
9 subsections (j) and (k) as subsections (i) and (j), re-
10 spectively;

11 (7) by striking subsection (l) and redesignating
12 subsections (m) through (q) as subsections (k)
13 through (o), respectively;

14 (8) in subsection (j), as so redesignated—

15 (A) in the subsection heading by striking
16 “SECURITY CARD” and inserting “WORKER
17 IDENTIFICATION CREDENTIAL”; and

18 (B) in the heading for paragraph (2) by
19 striking “SECURITY CARDS” and inserting
20 “WORKER IDENTIFICATION CREDENTIALS”;

21 (9) in subsection (k)(1), as so redesignated, by
22 striking “subsection (k)(3)” and inserting “sub-
23 section (j)(3)”; and

24 (10) in subsection (o), as so redesignated—

1 (A) in the subsection heading by striking
 2 “SECURITY CARD” and inserting “WORKER
 3 IDENTIFICATION CREDENTIAL”;

4 (B) in paragraph (1)—

5 (i) by striking “subsection (k)(3)” and
 6 inserting “subsection (j)(3)”; and

7 (ii) by striking “This plan shall” and
 8 inserting “Such receipt and activation
 9 shall”; and

10 (C) in paragraph (2) by striking “on-site
 11 activation capability” and inserting “on-site re-
 12 ceipt and activation of transportation worker
 13 identification credentials”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
 15 ter 701 of title 46, United States Code, is amended by
 16 striking the item related to section 70105 and inserting
 17 the following:

“70105. Transportation worker identification credentials.”.

18 **SEC. 603. REINSTATEMENT.**

19 (a) REINSTATEMENT.—The text of section 12(a) of
 20 the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly
 21 known as the Truman-Hobbs Act, is—

22 (1) reinstated as it appeared on the day before
 23 the date of enactment of section 8507(b) of the Wil-
 24 liam M. (Mac) Thornberry National Defense Author-

1 ization Act for Fiscal Year 2021 (Public Law 116–
2 283); and

3 (2) redesignated as the sole text of section 12
4 of the Act of June 21, 1940 (33 U.S.C. 522).

5 (b) EFFECTIVE DATE.—The provision reinstated by
6 subsection (a) shall be treated as if such section 8507(b)
7 had never taken effect.

8 (c) CONFORMING AMENDMENT.—The provision rein-
9 stated under subsection (a) is amended by striking “, ex-
10 cept to the extent provided in this section”.

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