

Union Calendar No. 209

117TH CONGRESS
2^D SESSION

H. R. 6865

[Report No. 117-282]

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

MARCH 29, 2022

Additional sponsor: Mr. GARAMENDI

MARCH 29, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on February 28, 2022]

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 condi-
tion-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.

Sec. 212. Study on laydown of Coast Guard cutters.

Subtitle C—Other Matters

*Sec. 213. Responses of Commandant of the Coast Guard to safety recommenda-
tions.*

Sec. 214. Conveyance of Coast Guard vessels for public purposes.

Sec. 215. Acquisition life-cycle cost estimates.

Sec. 216. National Coast Guard Museum funding plan.

Sec. 217. Report on Coast Guard explosive ordnance disposal.

Sec. 218. Pribilof Island transition completion actions.

Sec. 219. 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 passengers vessels.*
- Sec. 307. Automatic identification system requirements.*

Subtitle C—Shipbuilding Program

- Sec. 308. Loans for retrofitting to qualify as a vessel of the United States.*
- Sec. 309. Qualified vessel.*
- Sec. 310. 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.*
- Sec. 413. Report on enforcement of coastwise laws.*
- Sec. 414. Land conveyance, Sharpe Army Depot, Lathrop, California.*
- Sec. 415. Center of Expertise for Marine Environmental Response.*
- Sec. 416. Prohibition on entry and operation.*
- Sec. 417. St. Lucie River railroad bridge.*
- Sec. 418. Assistance related to marine mammals.*
- Sec. 419. Manning and crewing requirements for certain vessels, vehicles, and structures.*

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 amend-*
4 *ed—*

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

8 (2) *in paragraph (1)—*

9 (A) *in subparagraph (A)—*

10 (i) *by striking “\$8,151,620,850 for fis-*
11 *cal year 2020” and inserting*
12 *“\$9,282,360,000 for fiscal year 2022”; and*

13 (ii) *by striking “\$8,396,169,475 for fis-*
14 *cal year 2021” and inserting*
15 *“\$10,210,596,000 for fiscal year 2023”;*

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

1 (C) in subparagraph (C) by striking
2 “\$17,376,000” and inserting “\$18,077,990”;

3 (3) in paragraph (2)—

4 (A) in subparagraph (A)—

5 (i) by striking “\$2,794,745,000 for fis-
6 cal year 2020” and inserting
7 “\$3,312,114,000 for fiscal year 2022”; and

8 (ii) by striking “\$3,312,114,000 for fis-
9 cal year 2021” and inserting
10 “\$3,477,600,000 for fiscal year 2023”; and

11 (B) in subparagraph (B)—

12 (i) by striking “\$10,000,000 for fiscal
13 year 2020” and inserting “\$20,400,000 for
14 fiscal year 2022”; and

15 (ii) by striking “\$20,000,000 for fiscal
16 year 2021” and inserting “\$20,808,000 for
17 fiscal year 2023”;

18 (4) in paragraph (3)—

19 (A) by striking “\$13,834,000 for fiscal year
20 2020” and inserting “\$14,393,220 for fiscal year
21 2022”; and

22 (B) by striking “\$14,111,000 for fiscal year
23 2021” and inserting “\$14,681,084 for fiscal year
24 2023”; and

25 (5) in paragraph (4)—

1 (A) by striking “\$205,107,000 for fiscal
2 year 2020” and inserting “\$213,393,180 for fis-
3 cal year 2022”; and

4 (B) by striking “\$209,209,000 for fiscal
5 year 2021” and inserting “\$217,661,044 for fis-
6 cal year 2023”.

7 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
8 **AND TRAINING.**

9 Section 4904 of title 14, United States Code, is amend-
10 ed—

11 (1) in subsection (a) by striking “fiscal years
12 2020 and 2021” and inserting “fiscal years 2022 and
13 2023”; and

14 (2) in subsection (b) by striking “fiscal years
15 2020 and 2021” and inserting “fiscal years 2022 and
16 2023”.

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

18 (a) *IN GENERAL.*—Of the amounts authorized to be
19 appropriated under section 4902(2)(A) of title 14, United
20 States Code, for each of fiscal years 2022 and 2023, up to
21 \$585,000,000 shall be authorized for the Secretary of the
22 department in which the Coast Guard is operating to fund
23 the acquisition, construction, rebuilding, or improvement of
24 Coast Guard shoreside infrastructure and facilities nec-
25 essary to support Coast Guard operations and readiness.

1 (b) *BALTIMORE COAST GUARD YARD.*—Of the amounts
 2 set aside under subsection (a), up to \$175,000,000 shall be
 3 authorized to improve facilities at the Coast Guard Yard
 4 in Baltimore, Maryland, including improvements to piers
 5 and wharves, dry dock, capital equipment utilities, or
 6 dredging necessary to facilitate access to such Yard.

7 (c) *TRAINING CENTER CAPE MAY.*—Of the amounts set
 8 aside under subsection (a), up to \$60,000,000 shall be au-
 9 thorized to fund Phase I, in fiscal year 2022, and Phase
 10 II, in fiscal year 2023, for the recapitalization of the bar-
 11 racks at the United States Coast Guard Training Center
 12 Cape May in Cape May, New Jersey.

13 (d) *MITIGATION OF HAZARD RISKS.*—In carrying out
 14 projects with funds authorized under this section, the Coast
 15 Guard shall mitigate, to the greatest extent practicable, nat-
 16 ural hazard risks identified in any Shore Infrastructure
 17 Vulnerability Assessment for Phase I related to such
 18 projects.

19 (e) *FORT WADSWORTH, NEW YORK.*—Of the amounts
 20 set aside under subsection (a), up to \$1,200,000 shall be
 21 authorized to fund a construction project to—

22 (1) *complete repairs to the Station, New York,*
 23 *waterfront, including repairs to the concrete pier; and*

1 (2) *replace floating piers Alpha and Bravo, the*
 2 *South Breakwater and Ice Screen, the North Break-*
 3 *water and Ice Screen, and the seawall.*

4 **SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**
 5 **ADDITIONAL CUTTERS.**

6 (a) *IN GENERAL.—Of the amounts authorized to be*
 7 *appropriated under—*

8 (1) *section 4902(2)(A)(i) of title 14, United*
 9 *States Code, as amended by section 101 of this title,*
 10 *for fiscal year 2022;*

11 (A) *\$300,000,000 shall be authorized for the*
 12 *acquisition of a twelfth National Security Cut-*
 13 *ter; and*

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

16 (2) *section 4902(2)(A)(ii) of title 14, United*
 17 *States Code, as amended by section 101 of this title,*
 18 *for fiscal year 2023;*

19 (A) *\$300,000,000 shall be authorized for the*
 20 *acquisition of a twelfth National Security Cut-*
 21 *ter; and*

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

24 (b) *TREATMENT OF ACQUIRED CUTTER.—Any cutter*
 25 *acquired using amounts authorized under subsection (a)*

1 *shall be in addition to the National Security Cutters and*
2 *Fast Response Cutters approved under the existing acquisi-*
3 *tion baseline in the program of record for the National Se-*
4 *curity Cutter and Fast Response Cutter.*

5 *(c) GREAT LAKES ICEBREAKER ACQUISITION.—Of the*
6 *amounts authorized to be appropriated under section*
7 *4902(2)(A)(ii) of title 14, United States Code—*

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

12 *(2) for fiscal year 2023, \$20,000,000 shall be au-*
13 *thorized for the design and selection of icebreaking*
14 *cutters for operation in the Great Lakes, the North-*
15 *eastern United States, and the Arctic, as appropriate,*
16 *that are at least as capable as the Coast Guard 140-*
17 *foot icebreaking tugs.*

18 *(d) DRUG AND MIGRANT INTERDICTION.—Of the Fast*
19 *Response Cutters authorized for acquisition under sub-*
20 *section (a), at least 1 shall be used for drug and migrant*
21 *interdiction in the Caribbean Basin (including the Gulf of*
22 *Mexico).*

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 amend-*
6 *ed 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 such*
10 *end strength upon a determination by the Secretary that*
11 *varying such authorized end strength is in the national in-*
12 *terest.*

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 authorized*
16 *end strength upon a determination by the Commandant*
17 *that such increase would enhance manning and readiness*
18 *in essential units or in critical specialties or ratings.”.*

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

21 “(a) *IN GENERAL.*—Chapter 21 of title 14, United
22 *States Code, is amended by inserting after section 2165 the*
23 *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 contin-
 14 ued on active duty pursuant to this section shall, if not
 15 earlier retired, be retired on the first day of the month after
 16 the month in which the officer completes 40 years of active
 17 service.

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

22 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
 23 21 of title 14, United States Code, is amended by inserting
 24 after the item relating to section 2165 the following:

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

1 **SEC. 203. NUMBER AND DISTRIBUTION OF OFFICERS ON AC-**
 2 **TIVE DUTY PROMOTION LIST.**

3 (a) *MAXIMUM NUMBER OF OFFICERS.*—Section
 4 2103(a) of title 14, United States Code, is amended to read
 5 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 in-
 18 crease the total number of commissioned officers per-
 19 mitted under such paragraph by up to 2 percent for
 20 no more than 60 days following the date of the com-
 21 missioning of a Coast Guard Academy class.

22 “(3) *NOTIFICATION.*—Not later than 30 days
 23 after exceeding the total number of commissioned offi-
 24 cers permitted under paragraph (1), and each 30
 25 days thereafter until the total number of commis-
 26 sioned officers no longer exceeds the number of such

1 officers permitted under paragraph (1), the Com-
 2 mandant shall notify the Committee on Transpor-
 3 tation and Infrastructure of the House of Representa-
 4 tives and the Committee on Commerce, Science, and
 5 Transportation of the Senate of the number of officers
 6 on the active duty promotion list on the last day of
 7 the preceding 30-day period.”.

8 (b) OFFICERS NOT ON ACTIVE DUTY PROMOTION
 9 LIST.—

10 (1) IN GENERAL.—Chapter 51 of title 14, United
 11 States Code, is amended by adding at the end the fol-
 12 lowing:

13 **“§5113. Officers not on active duty promotion list**

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

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

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

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

2 (a) *INTERIM BEHAVIORAL HEALTH POLICY.*—Not
 3 later than 60 days after the date of enactment of this Act,
 4 the Commandant of the Coast Guard shall establish an in-
 5 terim behavioral health policy for members of the Coast
 6 Guard equivalent to the policy described in section 5.28 (re-
 7 lating to behavioral health) of Department of Defense In-
 8 struction 6130.03, volume 2, “Medical Standards for Mili-
 9 tary Service: Retention”.

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

15 **SEC. 205. IMPROVING REPRESENTATION OF WOMEN AND**
 16 **OF RACIAL AND ETHNIC MINORITIES AMONG**
 17 **COAST GUARD ACTIVE-DUTY MEMBERS.**

18 (a) *IN GENERAL.*—Not later than 180 days after the
 19 date of enactment of this Act, the Commandant of the Coast
 20 Guard shall—

21 (1) *determine which recommendations in the*
 22 *RAND representation report can practicably be im-*
 23 *plemented to promote improved representation in the*
 24 *Coast Guard of—*

25 (A) *women; and*

26 (B) *racial and ethnic minorities; and*

1 (2) *submit to the Committee on Transportation*
2 *and Infrastructure of the House of Representatives*
3 *and the Committee on Commerce, Science, and Trans-*
4 *portation of the Senate a report on the actions the*
5 *Commandant has taken, or plans to take, to imple-*
6 *ment such recommendations.*

7 (b) *CURRICULUM AND TRAINING.—The Commandant*
8 *shall update, to reflect actions described under subsection*
9 *(a)(2), the curriculum and training materials used at—*

10 (1) *officer accession points, including the Coast*
11 *Guard Academy and the Leadership Development*
12 *Center;*

13 (2) *enlisted member accession at the United*
14 *States Coast Guard Training Center Cape May in*
15 *Cape May, New Jersey; and*

16 (3) *the officer, enlisted member, and civilian*
17 *leadership courses managed by the Leadership Devel-*
18 *opment Center.*

19 (c) *DEFINITION.—In this section, the term “RAND*
20 *representation report” means the report titled “Improving*
21 *the Representation of Women and Racial/Ethnic Minorities*
22 *Among U.S. Coast Guard Active-Duty Members” issued by*
23 *the Homeland Security Operational Analysis Center of the*
24 *RAND Corporation on August 11, 2021.*

1 ***Subtitle B—Operational Matters***

2 ***SEC. 206. PILOT PROJECT FOR ENHANCING COAST GUARD***
3 ***CUTTER READINESS THROUGH CONDITION-***
4 ***BASED MAINTENANCE.***

5 (a) *IN GENERAL.*—Not later than 2 years after the
6 date of enactment of this Act, the Commandant of the Coast
7 Guard shall conduct a pilot project to enhance cutter readi-
8 ness and reduce lost patrol days through the deployment
9 of commercially developed condition-based program stand-
10 ards for cutter maintenance, in accordance with the criteria
11 set forth in subsection (b).

12 (b) *CRITERIA FOR CONDITION-BASED MAINTENANCE*
13 *EVALUATION.*—In conducting the pilot project under sub-
14 section (a), the Commandant shall—

15 (1) *select at least 1 legacy cutter asset and 1*
16 *class of cutters under construction with respect to*
17 *which the application of the pilot project would en-*
18 *hance readiness;*

19 (2) *use commercially developed condition-based*
20 *program standards similar to those applicable to pri-*
21 *vately owned and operated vessels or vessels owned or*
22 *operated by other Federal agencies (such as those cur-*
23 *rently operating under the direction of Military Sea-*
24 *lift Command);*

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

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

7 (5) *deploy artificial intelligence, prognostic-*
8 *based integrated maintenance planning modeled after*
9 *standards described in paragraph (2).*

10 (c) *REPORT TO CONGRESS.—The Commandant shall*
11 *submit to the Committee on Commerce, Science, and Trans-*
12 *portation of the Senate and the Committee on Transpor-*
13 *tation and Infrastructure of the House of Representatives—*

14 (1) *an interim report not later than 6 months*
15 *after the date of enactment of this Act on the progress*
16 *in carrying out the pilot project described in sub-*
17 *section (a); and*

18 (2) *a final report not later than 2 years after the*
19 *date of enactment of this Act on the results of the*
20 *pilot project described in subsection (a) that in-*
21 *cludes—*

22 (A) *options to integrate commercially devel-*
23 *oped condition-based program standards for cut-*
24 *ter maintenance to Coast Guard cutters; and*

1 (B) plans to deploy commercially developed
2 condition-based program standards for cutter
3 maintenance to Coast Guard cutters.

4 **SEC. 207. UNMANNED SYSTEMS STRATEGY.**

5 (a) *SUBMISSION TO CONGRESS.*—Not later than 180
6 days after the date of enactment of this Act, the Com-
7 mandant of the Coast Guard shall submit to the Committee
8 on Transportation and Infrastructure of the House of Rep-
9 resentatives and the Committee on Commerce, Science, and
10 Transportation of the Senate a detailed description of the
11 strategy of the Coast Guard to implement unmanned sys-
12 tems across mission areas, including—

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

19 (2) the strategic goals and acquisition strategies
20 for proposed uses and procurements of unmanned sys-
21 tems;

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

1 (4) *an estimate of the timeline, costs, staff re-*
2 *sources, technology, or other resources necessary to ac-*
3 *complish the strategy.*

4 **(b) PILOT PROJECT.—**

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

10 **(A)** *commercially available autonomous*
11 *control and computer vision technology; and*

12 **(B)** *such sensors and methods of commu-*
13 *nication as are necessary to demonstrate the*
14 *ability of such control and technology to assist in*
15 *conducting search and rescue, surveillance, and*
16 *interdiction missions.*

17 **(2) COLLECTION OF DATA.—***The pilot project*
18 *under paragraph (1) shall evaluate commercially*
19 *available products in the field and collect operational*
20 *data to inform future requirements.*

21 **(3) BRIEFING.—***Not later than 6 months after*
22 *completing the pilot project required under paragraph*
23 *(1), the Commandant shall brief the Committee on*
24 *Transportation and Infrastructure of the House of*
25 *Representatives and the Committee on commerce,*

1 *Science, and Transportation of the Senate on the*
 2 *evaluation of the data derived from the project.*

3 **SEC. 208. BUDGETING OF COAST GUARD RELATING TO CER-**
 4 **TAIN OPERATIONS.**

5 *(a) IN GENERAL.—Chapter 51 of title 14, United*
 6 *States Code, is further amended by adding at the end the*
 7 *following:*

8 **“§ 5114. Expenses of performing and executing defense**
 9 **readiness mission activities**

10 *“The Commandant of the Coast Guard shall include*
 11 *in the annual budget submission of the President under sec-*
 12 *tion 1105(a) of title 31, a dedicated budget line item that*
 13 *adequately represents a calculation of the annual costs and*
 14 *expenditures of performing and executing all defense readi-*
 15 *ness mission activities, including—*

16 *“(1) all expenses related to the Coast Guard’s co-*
 17 *ordination, training, and execution of defense readi-*
 18 *ness mission activities in the Coast Guard’s capacity*
 19 *as an Armed Force (as such term is defined in section*
 20 *101 of title 10) in support of Department of Defense*
 21 *national security operations and activities or for any*
 22 *other military department or defense agency (as such*
 23 *terms are defined in such section);*

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

4 “(3) any other expenses, costs, or matters the
 5 Commandant determines appropriate or otherwise of
 6 interest to Congress.”.

7 (b) CLERICAL AMENDMENT.—The analysis for chapter
 8 51 of title 14, United States Code, is further amended by
 9 adding at the end the following:

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

10 **SEC. 209. REPORT ON SAN DIEGO MARITIME DOMAIN**
 11 **AWARENESS.**

12 Not later than 180 days after the date of enactment
 13 of this Act, the Commandant of the Coast Guard shall sub-
 14 mit to the Committee on Transportation and Infrastructure
 15 of the House of Representatives and the Committee on Com-
 16 merce, Science, and Transportation of the Senate a report
 17 containing—

18 (1) an overview of the maritime domain aware-
 19 ness in the area of responsibility of the Coast Guard
 20 sector responsible for San Diego, California, includ-
 21 ing—

22 (A) the average volume of known maritime
 23 traffic that transited the area during fiscal years
 24 2020 through 2022;

1 (B) current sensor platforms deployed by
2 such sector to monitor illicit activity occurring
3 at sea in such area;

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

7 (D) an estimate of the volume of traffic en-
8 gaged in illicit activity at sea in such area and
9 the type and description of any vessels used to
10 carry out illicit activities that such sector re-
11 sponded to during fiscal years 2020 through
12 2022; and

13 (E) the maritime domain awareness re-
14 quirements to effectively meet the mission of such
15 sector;

16 (2) a description of current actions taken by the
17 Coast Guard to partner with Federal, regional, State,
18 and local entities to meet the maritime domain
19 awareness needs of such area;

20 (3) a description of any gaps in maritime do-
21 main awareness within the area of responsibility of
22 such sector resulting from an inability to meet the en-
23 during maritime domain awareness requirements of
24 the sector or adequately respond to maritime disorder;

1 (4) *an identification of current technology and*
 2 *assets the Coast Guard has to mitigate the gaps iden-*
 3 *tified in paragraph (3);*

4 (5) *an identification of capabilities needed to*
 5 *mitigate such gaps, including any capabilities the*
 6 *Coast Guard currently possesses that can be deployed*
 7 *to the sector;*

8 (6) *an identification of technology and assets the*
 9 *Coast Guard does not currently possess and are need-*
 10 *ed to acquire in order to address such gaps; and*

11 (7) *an identification of any financial obstacles*
 12 *that prevent the Coast Guard from deploying existing*
 13 *commercially available sensor technology to address*
 14 *such gaps.*

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

16 (a) *GREAT LAKES ICEBREAKING OPERATIONS.—*

17 (1) *GOVERNMENT ACCOUNTABILITY OFFICE RE-*
 18 *PORT.—*

19 (A) *IN GENERAL.—Not later than 1 year*
 20 *after the date of enactment of this Act, the*
 21 *Comptroller General of the United States shall*
 22 *submit to the Committee on Commerce, Science,*
 23 *and Transportation of the Senate and the Com-*
 24 *mittee on Transportation and Infrastructure of*

1 *the House of Representatives a report on Coast*
2 *Guard icebreaking in the Great Lakes.*

3 *(B) ELEMENTS.—The report required under*
4 *subparagraph (A) shall—*

5 *(i) evaluate—*

6 *(I) the economic impact related to*
7 *vessel delays or cancellations associated*
8 *with ice coverage on the Great Lakes;*

9 *(II) the impact the standards pro-*
10 *posed in paragraph (2) would have on*
11 *Coast Guard operations in the Great*
12 *Lakes if such standards were adopted;*

13 *(III) the fleet mix of medium ice-*
14 *breakers and icebreaking tugs necessary*
15 *to meet the standards proposed in*
16 *paragraph (2); and*

17 *(IV) the resources necessary to*
18 *support the fleet described in subclause*
19 *(III), including billets for crew and op-*
20 *erating costs; and*

21 *(ii) make recommendations to the*
22 *Commandant for improvements to the Great*
23 *Lakes icebreaking program, including with*
24 *respect to facilitating shipping and meeting*
25 *all Coast Guard mission needs.*

1 (2) *PROPOSED STANDARDS FOR ICEBREAKING*
 2 *OPERATIONS.*—*The proposed standards, the impact of*
 3 *the adoption of which is evaluated in subclauses (II)*
 4 *and (III) of paragraph (1)(B)(i), are the following:*

5 (A) *Except as provided in subparagraph*
 6 *(B), the ice-covered waterways in the Great*
 7 *Lakes shall be open to navigation not less than*
 8 *90 percent of the hours that vessels engaged in*
 9 *commercial service and ferries attempt to transit*
 10 *such ice-covered waterways.*

11 (B) *In a year in which the Great Lakes are*
 12 *not open to navigation, as described in subpara-*
 13 *graph (A), because of ice of a thickness that oc-*
 14 *curs on average only once every 10 years, ice-*
 15 *covered waterways in the Great Lakes shall be*
 16 *open to navigation at least 70 percent of the*
 17 *hours that vessels engaged in commercial service*
 18 *and ferries attempt to transit such ice-covered*
 19 *waterways.*

20 (3) *REPORT BY COMMANDANT.*—*Not later than*
 21 *90 days after the date on which the Comptroller Gen-*
 22 *eral submits the report under paragraph (1), the*
 23 *Commandant shall submit to the Committee on Com-*
 24 *merce, Science, and Transportation of the Senate and*
 25 *the Committee on Transportation and Infrastructure*

1 of the House of Representatives a report that includes
2 the following:

3 (A) A plan for Coast Guard implementation
4 of any recommendation made by the Comptroller
5 General under paragraph (1)(B)(ii) with which
6 the Commandant concurs.

7 (B) With respect to any recommendation
8 made under paragraph (1)(B)(ii) with which the
9 Commandant does not concur, an explanation of
10 the reasons why the Commandant does not con-
11 cur.

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

15 (D) Any proposed modifications to current
16 Coast Guard standards for icebreaking oper-
17 ations in the Great Lakes.

18 (4) *PILOT PROGRAM.*—During the 5 ice seasons
19 following the date of enactment of this Act, the Coast
20 Guard shall conduct a pilot program to determine the
21 extent to which the current Coast Guard Great Lakes
22 icebreaking cutter fleet can meet the proposed stand-
23 ards described in paragraph (2).

24 (b) *DATA ON ICEBREAKING OPERATIONS IN THE*
25 *GREAT LAKES.*—

1 (1) *IN GENERAL.*—*The Commandant shall col-*
2 *lect, during ice season, archive, and disseminate data*
3 *on icebreaking operations and transits on ice-covered*
4 *waterways in the Great Lakes of vessels engaged in*
5 *commercial service and ferries.*

6 (2) *ELEMENTS.*—*Data collected, archived, and*
7 *disseminated under paragraph (1) shall include the*
8 *following:*

9 (A) *Voyages by vessels engaged in commer-*
10 *cial service and ferries to transit ice-covered wa-*
11 *terways in the Great Lakes that are delayed or*
12 *canceled because of the nonavailability of a suit-*
13 *able icebreaking vessel.*

14 (B) *Voyages attempted by vessels engaged in*
15 *commercial service and ferries to transit ice-cov-*
16 *ered waterways in the Great Lakes that do not*
17 *reach their intended destination because of the*
18 *nonavailability of a suitable icebreaking vessel.*

19 (C) *The period of time that each vessel en-*
20 *gaged in commercial service or ferry was delayed*
21 *in getting underway or during a transit of ice-*
22 *covered waterways in the Great Lakes due to the*
23 *nonavailability of a suitable icebreaking vessel.*

24 (D) *The period of time elapsed between each*
25 *request for icebreaking assistance by a vessel en-*

1 *gaged in commercial service or ferry and the ar-*
2 *rival of a suitable icebreaking vessel and whether*
3 *such icebreaking vessel was a Coast Guard or*
4 *commercial asset.*

5 *(E) The percentage of hours that Great*
6 *Lakes ice-covered waterways were open to navi-*
7 *gation while vessels engaged in commercial serv-*
8 *ice and ferries attempted to transit such water-*
9 *ways for each ice season after the date of enact-*
10 *ment of this Act.*

11 *(F) Relevant communications of each vessel*
12 *engaged in commercial service or ferry with the*
13 *Coast Guard or commercial icebreaking service*
14 *providers with respect to subparagraphs (A)*
15 *through (D).*

16 *(G) A description of any mitigating cir-*
17 *cumstance, such as Coast Guard Great Lakes ice-*
18 *breaker diversions to higher priority missions,*
19 *that may have contributed to the amount of time*
20 *described in subparagraphs (C) and (D) or the*
21 *percentage of time described in subparagraph*
22 *(E).*

23 *(3) VOLUNTARY REPORTING.—Any reporting by*
24 *operators of commercial vessels engaged in commer-*

1 *cial service or ferries under this section shall be vol-*
 2 *untary.*

3 (4) *PUBLIC AVAILABILITY.*—*The Commandant*
 4 *shall make the data collected, archived, and dissemi-*
 5 *nated under this subsection available to the public on*
 6 *a publicly accessible internet website of the Coast*
 7 *Guard.*

8 (5) *CONSULTATION WITH INDUSTRY.*—*With re-*
 9 *spect to the Great Lakes icebreaking operations of the*
 10 *Coast Guard and the development of the data col-*
 11 *lected, archived, and disseminated under this sub-*
 12 *section, the Commandant shall consult operators of—*

13 (A) *vessels engaged in commercial service;*

14 *and*

15 (B) *ferries.*

16 (c) *REPORT ON COMMON HULL DESIGN.*—*Section*
 17 *8105 of the William M. (Mac) Thornberry National Defense*
 18 *Authorization Act for Fiscal Year 2021 (Public Law 116–*
 19 *283) is amended by striking subsection (b) and inserting*
 20 *the following:*

21 “(b) *REPORT.*—*Not later than 90 days after the date*
 22 *of enactment of this subsection, the Commandant shall sub-*
 23 *mit to the Committee on Commerce, Science, and Transpor-*
 24 *tation of the Senate and the Committee on Transportation*
 25 *and Infrastructure of the House of Representatives a report*

1 *on the operational benefits and limitations of a common*
 2 *hull design for icebreaking cutters for operation in the Great*
 3 *Lakes, the Northeastern United States, and the Arctic, as*
 4 *appropriate, that are at least as capable as the Coast Guard*
 5 *140-foot icebreaking tugs.”.*

6 (d) *DEFINITIONS.—In this section:*

7 (1) *COMMERCIAL SERVICE.—The term “commer-*
 8 *cial service” has the meaning given such term in sec-*
 9 *tion 2101 of title 46, United States Code.*

10 (2) *GREAT LAKES.—The term “Great Lakes”—*
 11 *(A) has the meaning given such term in sec-*
 12 *tion 118 of the Federal Water Pollution Control*
 13 *Act (33 U.S.C. 1268); and*

14 *(B) includes harbors adjacent to such*
 15 *waters.*

16 (3) *ICE-COVERED WATERWAY.—The term “ice-*
 17 *covered waterway” means any portion of the Great*
 18 *Lakes in which vessels engaged in commercial service*
 19 *or ferries operate that is 70 percent or greater covered*
 20 *by ice, but does not include any waters adjacent to*
 21 *piers or docks for which commercial icebreaking serv-*
 22 *ices are available and adequate for the ice conditions.*

23 (4) *OPEN TO NAVIGATION.—The term “open to*
 24 *navigation” means navigable to the extent necessary*
 25 *to—*

1 (A) meet the reasonable demands of ship-
2 ping;

3 (B) minimize delays to passenger ferries;

4 (C) extricate vessels and persons from dan-
5 ger;

6 (D) prevent damage due to flooding; and

7 (E) conduct other Coast Guard missions, as
8 required.

9 (5) *REASONABLE DEMANDS OF SHIPPING.*—The
10 term “reasonable demands of shipping” means the
11 safe movement of vessels engaged in commercial serv-
12 ice and ferries transiting ice-covered waterways in the
13 Great Lakes to their intended destination, regardless
14 of type of cargo.

15 **SEC. 211. CENTER OF EXPERTISE FOR GREAT LAKES OIL**
16 **SPILL SEARCH AND RESPONSE.**

17 Section 807(d) of the Frank LoBiondo Coast Guard
18 Authorization Act of 2018 (14 U.S.C. 313 note) is amended
19 to read as follows:

20 “(d) *DEFINITION.*—In this section, the term ‘Great
21 Lakes’ means—

22 “(1) Lake Ontario;

23 “(2) Lake Erie;

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

25 “(4) Lake Michigan;

1 “(5) *Lake Superior; and*
 2 “(6) *the connecting channels (including the fol-*
 3 *lowing rivers and tributaries of such rivers: Saint*
 4 *Mary’s River, Saint Clair River, Detroit River, Niag-*
 5 *ara River, Illinois River, Chicago River, Fox River,*
 6 *Grand River, St. Joseph River, St. Louis River, Me-*
 7 *nominee River, Muskegon River, Kalamazoo River,*
 8 *and Saint Lawrence River to the Canadian border).”.*

9 **SEC. 212. STUDY ON LAYDOWN OF COAST GUARD CUTTERS.**

10 *Not later than 120 days after the date of enactment*
 11 *of this Act, the Secretary of Homeland Security, in con-*
 12 *sultation with the Secretary of Transportation, shall con-*
 13 *duct a study on the laydown of Coast Guard Fast Response*
 14 *Cutters to assess Coast Guard mission readiness and to*
 15 *identify areas of need for asset coverage.*

16 ***Subtitle C—Other Matters***

17 **SEC. 213. RESPONSES OF COMMANDANT OF THE COAST**
 18 **GUARD TO SAFETY RECOMMENDATIONS.**

19 *(a) IN GENERAL.—Chapter 7 of title 14, United States*
 20 *Code, is amended by adding at the end the following:*

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

22 *“(a) IN GENERAL.—Not later than 90 days after the*
 23 *submission to the Commandant of the Coast Guard of a*
 24 *recommendation by the National Transportation Safety*
 25 *Board relating to transportation safety, the Commandant*

1 *shall submit to the Board a written response to each rec-*
 2 *ommendation, which shall include whether the Com-*
 3 *mandant—*

4 “(1) *concurs with the recommendation;*

5 “(2) *partially concurs with the recommendation;*

6 *or*

7 “(3) *does not concur with the recommendation.*

8 “(b) *EXPLANATION OF CONCURRENCE.—A response*
 9 *under subsection (a) shall include—*

10 “(1) *with respect to a recommendation to which*
 11 *the Commandant concurs, an explanation of the ac-*
 12 *tions the Commandant intends to take to implement*
 13 *such recommendation;*

14 “(2) *with respect to a recommendation to which*
 15 *the Commandant partially concurs, an explanation of*
 16 *the actions the Commandant intends to take to imple-*
 17 *ment the portion of such recommendation with which*
 18 *the Commandant partially concurs; and*

19 “(3) *with respect to a recommendation to which*
 20 *the Commandant does not concur, the reasons why the*
 21 *Commandant does not concur with such recommenda-*
 22 *tion.*

23 “(c) *FAILURE TO RESPOND.—If the Board has not re-*
 24 *ceived the written response required under subsection (a)*
 25 *by the end of the time period described in such subsection,*

1 *the Board shall notify the Committee on Transportation*
 2 *and Infrastructure of the House of Representatives and the*
 3 *Committee on Commerce, Science, and Transportation of*
 4 *the Senate that such response has not been received.”.*

5 *(b) CLERICAL AMENDMENT.—The analysis for chapter*
 6 *7 of title 14, United States Code, is amended by inserting*
 7 *after the item relating to section 720 the following:*

“721. Responses to safety recommendations.”.

8 **SEC. 214. CONVEYANCE OF COAST GUARD VESSELS FOR**
 9 **PUBLIC PURPOSES.**

10 *(a) REDESIGNATION AND TRANSFER.—*

11 *(1) IN GENERAL.—Section 914 of the Coast*
 12 *Guard Authorization Act of 2010 (Public Law 111–*
 13 *281) is transferred to chapter 5 of title 14, United*
 14 *States Code, inserted after section 508, redesignated*
 15 *as section 509, and amended so that the enumerator,*
 16 *section heading, typeface, and typestyle conform to*
 17 *those appearing in other sections in title 46, United*
 18 *States Code.*

19 *(2) CLERICAL AMENDMENTS.—*

20 *(A) COAST GUARD AUTHORIZATION ACT OF*
 21 *2010.—The table of contents in section 1(b) of the*
 22 *Coast Guard Authorization Act of 2010 (Public*
 23 *Law 111–281) is amended by striking the item*
 24 *relating to section 914.*

1 (B) *TITLE 46.—The analysis for chapter 5*
 2 *of title 14, United States Code, is amended by*
 3 *inserting after the item relating to section 508*
 4 *the following:*

“509. Conveyance of Coast Guard vessels for public purposes.”.

5 (b) *CONVEYANCE OF COAST GUARD VESSELS FOR*
 6 *PUBLIC PURPOSES.—Section 509 of title 14, United States*
 7 *Code (as transferred and redesignated under subsection*
 8 *(a)), is amended—*

9 (1) *by amending subsection (a) to read as fol-*
 10 *lows:*

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

17 (2) *in subsection (b)—*

18 (A) *in paragraph (1)—*

19 (i) *by inserting “as if such a request*
 20 *were being processed” after “vessels”; and*

21 (ii) *by inserting “, as in effect on the*
 22 *date of enactment of the Coast Guard Au-*
 23 *thorization Act of 2021” after “Code of Fed-*
 24 *eral Regulations”; and*

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

5 **SEC. 215. ACQUISITION LIFE-CYCLE COST ESTIMATES.**

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

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

13 “(A) such life-cycle cost estimates be up-
 14 dated before—

15 “(i) each milestone decision is con-
 16 cluded; and

17 “(ii) the project or program enters a
 18 new acquisition phase; and

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

1 **SEC. 216. 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 inserting*
6 *“a third party entity qualified to undertake such a certifi-*
7 *cation process”.*

8 **SEC. 217. REPORT ON COAST GUARD EXPLOSIVE ORD-**
9 **NANCE DISPOSAL.**

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

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

21 *(1) Where within the organizational structure of*
22 *the Coast Guard the Program would be located, in-*
23 *cluding a discussion of whether the Program should*
24 *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 (3) 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 (4) 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 (5) 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 events.

24 (6) The career progression of Coast Guardsman
25 participating in the Program from—

1 (A) *Seaman Recruit to Command Master*
 2 *Chief Petty Officer;*

3 (B) *Chief Warrant Officer 2 to that of Chief*
 4 *Warrant Officer 4; and*

5 (C) *Ensign to that of Rear Admiral.*

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

9 (A) *civilian and military pay with details*
 10 *on military pay, including special and incentive*
 11 *pays such as—*

12 (i) *officer responsibility pay;*

13 (ii) *officer SCUBA diving duty pay;*

14 (iii) *officer demolition hazardous duty*
 15 *pay;*

16 (iv) *enlisted SCUBA diving duty pay;*

17 (v) *enlisted demolition hazardous duty*
 18 *pay;*

19 (vi) *enlisted special duty assignment*
 20 *pay at level special duty-5;*

21 (vii) *enlisted assignment incentive*
 22 *pays;*

23 (viii) *enlistment and reenlistment bo-*
 24 *nuses;*

1 *(ix) officer and enlisted full civilian*
 2 *clothing allowances;*

3 *(x) an exception to the policy allowing*
 4 *a third hazardous duty pay for explosive*
 5 *ordnance disposal-qualified officers and en-*
 6 *listed; and*

7 *(xi) parachutist hazardous duty pay;*

8 *(B) research, development, test, and evalua-*
 9 *tion;*

10 *(C) procurement;*

11 *(D) other transaction agreements;*

12 *(E) operations and support; and*

13 *(F) overseas contingency operations.*

14 **SEC. 218. PRIBILOF ISLAND TRANSITION COMPLETION AC-**
 15 **TIONS.**

16 *(a) EXTENSIONS.—Section 524 of the Pribilof Island*
 17 *Transition Completion Act of 2016 (Public Law 114–120)*
 18 *is amended—*

19 *(1) in subsection (b)(5) by striking “5 years”*
 20 *and inserting “6 years”; and*

21 *(2) in subsection (c)(3) by striking “60 days”*
 22 *and inserting “120 days”.*

23 *(b) ACTUAL USE AND OCCUPANCY REPORTS.—Not*
 24 *later than 90 days after enactment of this Act, and quar-*
 25 *terly thereafter, the Secretary of the department in which*

1 *the Coast Guard is operating shall submit to the Committee*
 2 *on Transportation and Infrastructure of the House of Rep-*
 3 *resentatives and the Committee on Commerce, Science, and*
 4 *Transportation of the Senate a report describing—*

5 *(1) the degree to which Coast Guard personnel*
 6 *and equipment are deployed to St. Paul Island, Alas-*
 7 *ka, in actual occupancy of the facilities, as required*
 8 *under section 524 of the Pribilof Island Transition*
 9 *Completion Act of 2016 (Public Law 114–120); and*

10 *(2) the status of the activities described in sub-*
 11 *sections (c) and (d) until such activities have been*
 12 *completed.*

13 *(c) AIRCRAFT HANGER.—The Secretary may—*

14 *(1) enter into a lease for a hangar to house de-*
 15 *ployed Coast Guard aircraft if such hangar was pre-*
 16 *viously under lease by the Coast Guard for purposes*
 17 *of housing such aircraft; and*

18 *(2) may enter into an agreement with the lessor*
 19 *of such a hangar in which the Secretary may carry*
 20 *out repairs necessary to support the deployment of*
 21 *such aircraft and the cost such repairs may be offset*
 22 *under the terms of the lease.*

23 *(d) FUEL TANK.—*

24 *(1) DETERMINATION.—Not later than 30 days*
 25 *after the date of enactment of this Act, the Secretary*

1 *shall determine whether the fuel tank located on St.*
2 *Paul Island, Alaska, that is owned by the Coast*
3 *Guard is needed for Coast Guard operations.*

4 (2) *TRANSFER.—Subject to paragraph (3), if the*
5 *Secretary determines such tank is not needed for oper-*
6 *ations, the Secretary shall, not later than 90 days*
7 *after making such determination, transfer such tank*
8 *to the Alaska Native Village Corporation for St. Paul*
9 *Island, Alaska.*

10 (3) *FAIR MARKET VALUE EXCEPTION.—The Sec-*
11 *retary may only carry out a transfer under para-*
12 *graph (2) if the fair market value of such tank is less*
13 *than the aggregate value of any lease payments for*
14 *the property on which the tank is located that the*
15 *Coast Guard would have paid to the Alaska Native*
16 *Village Corporation for St. Paul Island, Alaska, had*
17 *such lease been extended at the same rate.*

18 (e) *SAVINGS CLAUSE.—Nothing in this section shall be*
19 *construed to limit any rights of the Alaska Native Village*
20 *Corporation for St. Paul to receive conveyance of all or part*
21 *of the lands and improvements related to Tract 43 under*
22 *the same terms and conditions as prescribed in section 524*
23 *of the Pribilof Island Transition Completion Act of 2016*
24 *(Public Law 114–120).*

1 **SEC. 219. NOTIFICATION OF COMMUNICATION OUTAGES.**

2 *Not later than 180 days after the date of enactment*
3 *of this Act, the Commandant of the Coast Guard shall sub-*
4 *mit to the Committee on Transportation and Infrastructure*
5 *of the House of Representatives and the Committee on Com-*
6 *merce, Science, and Transportation of the Senate a report*
7 *that—*

8 *(1) contains a plan for the Coast Guard to no-*
9 *tify mariners of radio outages for towers owned and*
10 *operated by the Coast Guard in District 17;*

11 *(2) address in such plan how the Coast Guard*
12 *in District 17 will—*

13 *(A) disseminate outage updates regarding*
14 *outages on social media at least every 48 hours;*

15 *(B) provide updates on a publicly accessible*
16 *website at least every 48 hours;*

17 *(C) develop methods for notifying mariners*
18 *where cellular connectivity does not exist;*

19 *(D) generate receipt confirmation and ac-*
20 *knowledgment of outages from mariners; and*

21 *(E) develop and advertise a web-based com-*
22 *munications update hub on AM/FM radio for*
23 *mariners; and*

24 *(3) identifies technology gaps necessary to imple-*
25 *ment the plan and provide a budgetary assessment*
26 *necessary to implement the plan.*

TITLE III—MARITIME

Subtitle A—Shipping

SEC. 301. NONOPERATING INDIVIDUAL.

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

SEC. 302. OCEANOGRAPHIC RESEARCH VESSELS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the total number of vessels known or estimated to operate or to have operated under section 50503 of title 46, United States Code, during each of the past 10 fiscal years.

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

(1) The total number of foreign-flagged vessels known or estimated to operate or to have operated as oceanographic research vessels (as such term is de-

1 *fined in section 2101 of title 46, United States Code)*
 2 *during each of the past 10 fiscal years.*

3 *(2) The total number of United States-flagged*
 4 *vessels known or estimated to operate or to have oper-*
 5 *ated as oceanographic research vessels (as such term*
 6 *is defined section 2101 of title 46, United States*
 7 *Code) during each of the past 10 fiscal years.*

8 **SEC. 303. ATLANTIC COAST PORT ACCESS ROUTES BRIEF-**
 9 **ING.**

10 *Not later than 30 days after the date of enactment of*
 11 *this Act, and every 30 days thereafter until the require-*
 12 *ments of section 70003 of title 46, United States Code, are*
 13 *fully executed with respect to the Atlantic Coast Port Access*
 14 *Route, the Secretary of the department in which the Coast*
 15 *Guard is operating shall brief the Committee on Transpor-*
 16 *tation and Infrastructure of the House of Representatives*
 17 *and the Committee on Commerce, Science, and Transpor-*
 18 *tation of the Senate on any progress made to execute such*
 19 *requirements.*

20 **Subtitle B—Vessel Safety**

21 **SEC. 304. FISHING VESSEL SAFETY.**

22 *(a) IN GENERAL.—Chapter 45 of title 46, United*
 23 *States Code, is amended—*

24 *(1) in section 4502(f)(2) by striking “certain ves-*
 25 *sels described in subsection (b) if requested by the*

1 owner or operator; and” and inserting “vessels de-
 2 scribed in subsection (b) if—

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

4 “(B) the vessel is—

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

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

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

8 (2) in section 4503(b) by striking “Except as
 9 provided in section 4503a, subsection (a)” and insert-
 10 ing “Subsection (a)”; and

11 (3) by repealing section 4503a.

12 (b) *ALTERNATIVE SAFETY COMPLIANCE AGREE-*
 13 *MENTS.*—Nothing in this section or the amendments made
 14 by this section shall be construed to affect or apply to any
 15 alternative compliance and safety agreement entered into
 16 by the Coast Guard that is in effect on the date of enactment
 17 of this Act.

18 (c) *CONFORMING AMENDMENTS.*—The table of sections
 19 in chapter 45 of title 46, United States Code, is amended
 20 by striking the item relating to section 4503a.

21 **SEC. 305. REQUIREMENTS FOR DUKW-TYPE AMPHIBIOUS**
 22 **PASSENGER VESSELS.**

23 (a) *REGULATIONS REQUIRED.*—Not later than 1 year
 24 after the date of enactment of this Act, the Commandant
 25 of the Coast Guard shall issue regulations for DUKW-type

1 *amphibious passenger vessels operating in waters subject to*
2 *the jurisdiction of the United States, as defined in section*
3 *2.38 of title 33, Code of Federal Regulations (as in effect*
4 *on the date of enactment of this Act).*

5 (b) *DEADLINE FOR COMPLIANCE.*—*The regulations*
6 *issued under subsection (a) shall take effect not later than*
7 *24 months after the date of enactment of this Act.*

8 (c) *REQUIREMENTS.*—*The regulations required under*
9 *subsection (a) shall include the following:*

10 (1) *A requirement that operators of DUKW-type*
11 *amphibious passenger vessels provide reserve buoy-*
12 *ancy for such vessels through passive means, includ-*
13 *ing watertight compartmentalization, built-in flota-*
14 *tion, or such other means as determined appropriate*
15 *by the Commandant, in order to ensure that such ves-*
16 *sels remain afloat and upright in the event of flood-*
17 *ing, including when carrying a full complement of*
18 *passengers and crew.*

19 (2) *A requirement that an operator of a DUKW-*
20 *type amphibious passenger vessel—*

21 (A) *review and notate the forecast of the*
22 *National Weather Service of the National Oce-*
23 *anic and Atmospheric Administration in the log-*
24 *book of the vessel before getting underway and*
25 *periodically while underway;*

1 (B) proceed to the nearest harbor or safe ref-
2 uge in any case in which a watch or warning
3 is issued for wind speeds exceeding the wind
4 speed equivalent used to certify the stability of
5 such DUKW-type amphibious passenger vessel;
6 and

7 (C) maintain and monitor a weather mon-
8 itor radio receiver at the operator station of the
9 vessel that is automatically activated by the
10 warning alarm device of the National Weather
11 Service.

12 (3) A requirement that—

13 (A) operators of DUKW-type amphibious
14 passenger vessels inform passengers that seat
15 belts may not be worn during waterborne oper-
16 ations;

17 (B) before the commencement of waterborne
18 operations, a crew member shall visually check
19 that the seatbelt of each passenger is unbuckled;
20 and

21 (C) operators or crew maintain a log re-
22 cording the actions described in subparagraphs
23 (A) and (B).

1 (4) *A requirement for annual training for opera-*
2 *tors and crew of DUKW-type amphibious passengers*
3 *vessels, including—*

4 (A) *training for personal flotation and seat*
5 *belt requirements, verifying the integrity of the*
6 *vessel at the onset of each waterborne departure,*
7 *identification of weather hazards, and use of Na-*
8 *tional Weather Service resources prior to oper-*
9 *ation; and*

10 (B) *training for crew to respond to emer-*
11 *gency situations, including flooding, engine com-*
12 *partment fires, man-overboard situations, and in*
13 *water emergency egress procedures.*

14 (d) *CONSIDERATION.—In issuing the regulations re-*
15 *quired under subsection (a), the Commandant shall con-*
16 *sider whether personal flotation devices should be required*
17 *for the duration of the waterborne transit of a DUKW-type*
18 *amphibious passenger vessel.*

19 (e) *INTERIM REQUIREMENTS.—Beginning on the date*
20 *on which the regulations under subsection (a) are issued,*
21 *the Commandant shall require that operators of DUKW-*
22 *type amphibious passenger vessels that are not in compli-*
23 *ance with such regulations shall be subject to the following*
24 *requirements:*

1 (1) *Remove the canopies and any window cov-*
2 *erings of such vessels for waterborne operations, or in-*
3 *stall in such vessels a canopy that does not restrict*
4 *horizontal or vertical escape by passengers in the*
5 *event of flooding or sinking.*

6 (2) *If a canopy and window coverings are re-*
7 *moved from any such vessel pursuant to paragraph*
8 *(1), require that all passengers wear a personal flota-*
9 *tion device approved by the Coast Guard before the*
10 *onset of waterborne operations of such vessel.*

11 (3) *Reengineer such vessels to permanently close*
12 *all unnecessary access plugs and reduce all through-*
13 *hull penetrations to the minimum number and size*
14 *necessary for operation.*

15 (4) *Install in such vessels independently powered*
16 *electric bilge pumps that are capable of dewatering*
17 *such vessels at the volume of the largest remaining*
18 *penetration in order to supplement an operable Hig-*
19 *gins pump or a dewatering pump of equivalent or*
20 *greater capacity.*

21 (5) *Install in such vessels not fewer than 4 inde-*
22 *pendently powered bilge alarms.*

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

1 (7) *Verify through an in-water inspection the*
 2 *watertight integrity of any such vessel at the outset*
 3 *of each waterborne departure of such vessel.*

4 (8) *Install underwater LED lights that activate*
 5 *automatically in an emergency.*

6 (9) *Otherwise comply with any other provisions*
 7 *of relevant Coast Guard guidance or instructions in*
 8 *the inspection, configuration, and operation of such*
 9 *vessels.*

10 **SEC. 306. EXONERATION AND LIMITATION OF LIABILITY**
 11 **FOR SMALL PASSENGERS VESSELS.**

12 (a) *RESTRUCTURING.*—Chapter 305 of title 46, United
 13 *States Code, is amended—*

14 (1) *by inserting the following before section*
 15 *30501 the following:*

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

17 (2) *by inserting the following before section*
 18 *30503:*

19 **“Subchapter II—Exoneration and Limitation**
 20 **of Liability”;**

21 *and*

22 (3) *by redesignating sections 30503 through*
 23 *30512 as sections 30521 through 30530, respectively.*

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

1 **“§ 30501. Definitions**

2 *“In this chapter:*

3 *“(1) COVERED SMALL PASSENGER VESSEL.—The*
 4 *term ‘covered small passenger vessel’—*

5 *“(A) means a small passenger vessel, as de-*
 6 *fined in section 2101 that is—*

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

8 *“(ii) carrying—*

9 *“(I) not more than 49 passengers*
 10 *on an overnight domestic voyage; and*

11 *“(II) not more than 150 pas-*
 12 *sengers on any voyage that is not an*
 13 *overnight domestic voyage; and*

14 *“(B) includes any wooden vessel constructed*
 15 *prior to March 11, 1996, carrying at least 1 pas-*
 16 *senger for hire.*

17 *“(2) OWNER.—The term ‘owner’ includes a*
 18 *charterer that mans, supplies, and navigates a vessel*
 19 *at the charterer’s own expense or by the charterer’s*
 20 *own procurement.”.*

21 *(c) CLERICAL AMENDMENT.—The item relating to sec-*
 22 *tion 30501 in the analysis for chapter 305 of title 46,*
 23 *United States Code, is amended to read as follows:*

“30501. Definitions.”.

1 (d) *APPLICABILITY*.—Section 30502 of title 46, United
 2 States Code, is amended by inserting “as to covered small
 3 passenger vessels, and” before “as otherwise provided”.

4 (e) *PROVISIONS REQUIRING NOTICE OF CLAIM OR LIM-*
 5 *ITING TIME FOR BRINGING ACTION*.—Section 30526 of title
 6 46, United States Code, as redesignated by subsection (a),
 7 is amended—

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

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

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

14 (f) *TABLES OF SUBCHAPTERS AND TABLES OF SEC-*
 15 *TIONS*.—The table of sections for chapter 305 of title 46,
 16 United States Code, is amended—

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

“SUBCHAPTER I—GENERAL PROVISIONS”;

19 (2) by inserting after section 30502 the fol-
 20 lowing:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

21 and

22 (3) by redesignating the items relating to sec-
 23 tions 30503 through 30512 as items relating to sec-
 24 tions 30521 through 30530, respectively.

1 (g) *CONFORMING AMENDMENTS.*—Title 46, United
2 States Code, is further amended—

3 (1) in section 14305(a)(5), by striking “section
4 30506” and inserting “section 30524”;

5 (2) in section 30523(a), as redesignated by sub-
6 section (a), by striking “section 30506” and inserting
7 “section 30524”;

8 (3) in section 30524(b), as redesignated by sub-
9 section (a), by striking “section 30505” and inserting
10 “section 30523”; and

11 (4) in section 30525, as redesignated by sub-
12 section (a)—

13 (A) in the matter preceding paragraph (1),
14 by striking “sections 30505 and 30506” and in-
15 serting “sections 30523 and 30524”;

16 (B) in paragraph (1) by striking “section
17 30505” and inserting “section 30523”; and

18 (C) in paragraph (2) by striking “section
19 30506(b)” and inserting “section 30524(b)”.

20 **SEC. 307. AUTOMATIC IDENTIFICATION SYSTEM REQUIRE-**
21 **MENTS.**

22 (a) *REQUIREMENT FOR FISHING VESSELS TO HAVE*
23 *AUTOMATIC IDENTIFICATION SYSTEMS.*—Section
24 70114(a)(1) of title 46, United States Code, is amended—

1 (1) by striking “, while operating on the navi-
2 gable waters of the United States,”;

3 (2) by redesignating subparagraphs (A) through
4 (D) as clauses (i) through (iv);

5 (3) by inserting before clauses (i) through (iv), as
6 redesignated by paragraph (2), the following:

7 “(A) While operating on the navigable waters of
8 the United States:”; and

9 (4) by adding at the end the following:

10 “(B) A vessel of the United States that is more
11 than 65 feet overall in length, while engaged in fish-
12 ing, fish processing, or fish tendering operations on
13 the navigable waters of the United States or in the
14 United States exclusive economic zone.”.

15 (b) *AUTHORIZATION OF APPROPRIATIONS.*—There is
16 authorized to be appropriated to the Secretary of Commerce
17 for fiscal year 2022, \$5,000,000, to remain available until
18 expended, to purchase automatic identification systems for
19 fishing vessels, fish processing vessels, fish tender vessels
20 more than 50 feet in length, as described under this section
21 and the amendments made by this section.

1 ***Subtitle C—Shipbuilding Program***

2 ***SEC. 308. LOANS FOR RETROFITTING TO QUALIFY AS A VES-***
3 ***SEL OF THE UNITED STATES.***

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

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

11 “(A) *required for the vessel to be a vessel of*
12 *the United States;*

13 “(B) *required for the vessel to be issued a*
14 *coastwise endorsement under chapter 121;*

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

18 “(D) *for any vessel under contract to the*
19 *Federal Government; or*

20 “(E) *for any vessel participating in—*

21 “(i) *the Maritime Security Program or*
22 *the Emergency Preparedness Program*
23 *under chapter 531;*

24 “(ii) *the Cable Security Fleet under*
25 *chapter 532;*

1 “(iii) the Tanker Security Fleet under
 2 chapter 534; or
 3 “(iv) the National Defense Reserve
 4 Fleet under section 57100.”.

5 **SEC. 309. 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 sec-
 14 tion 2101; and

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

19 (b) *QUALIFIED VESSEL*.—Section 53501(5) of title 46,
 20 *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 sec-
2 tion 2101; and

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

7 **SEC. 310. 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 ca-
12 pacity of 50 passengers or greater)” after “short sea trans-
13 portation”.

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 Con-
18 trol Act (33 U.S.C. 1321(c)(3)) is amended by adding at
19 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 Na-
24 tional Contingency Plan and the applicable response
25 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 devi-*
3 *ation under subparagraph (B) from the applicable re-*
4 *sponse plan required under subsection (j), the Com-*
5 *mandant shall submit to the Committee on Transpor-*
6 *tation and Infrastructure of the House of Representa-*
7 *tives and the Committee on Commerce, Science, and*
8 *Transportation of the Senate a report describing the*
9 *deviation and the reasons for such deviation.*”.

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

11 *Notwithstanding section 9701 of title 31, United States*
12 *Code, and section 2110 of title 46, United States Code, the*
13 *Secretary of the department in which the Coast Guard is*
14 *operating may not charge an inspection fee for towing ves-*
15 *sels required to have a Certificate of Inspection under sub-*
16 *chapter M of title 46, Code of Federal Regulations, until—*

- 17 *(1) the completion of the review required under*
18 *section 815 of the Frank LoBiondo Coast Guard Au-*
19 *thorization Act of 2018 (Public Law 115–282); and*
20 *(2) the promulgation of regulations to establish*
21 *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 de-
9 partment in which the Coast Guard is operating shall
10 define and establish anchorage grounds in the navi-
11 gable waters of the United States for vessels operating
12 in such waters.

13 “(2) *RELEVANT FACTORS FOR ESTABLISH-*
14 *MENT.*—In carrying out paragraph (1), the Secretary
15 shall take into account all relevant factors concerning
16 navigational safety, protection of the marine environ-
17 ment, proximity to undersea pipelines and cables,
18 safe and efficient use of Marine Transportation Sys-
19 tem, and national security.

20 “(b) *VESSEL REQUIREMENTS.*—Vessels, of certain sizes
21 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 issued
25 by the Captain of the Port; and

1 “(3) *comply with any applicable anchorage regu-*
2 *lations.*

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 the*
6 *Port;*

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

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

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

20 “(b) *REGULATORY REVIEW.—*

21 “(1) *REVIEW REQUIRED.—Not later than 1 year*
22 *after the date of enactment of this Act, the Secretary*
23 *of the department in which the Coast Guard is oper-*
24 *ating shall complete a review of existing anchorage*

1 *regulations and identify regulations that may need*
 2 *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 by*
 8 *this section.*

9 *(2) BRIEFING.—Upon completion of the review*
 10 *under paragraph (1), but not later than 2 years after*
 11 *the date of enactment of this Act, the Secretary shall*
 12 *provide a briefing to the Committee on Commerce,*
 13 *Science, and Transportation of the Senate and the*
 14 *Subcommittee on Coast Guard and Maritime Trans-*
 15 *portation of the Committee on Transportation and*
 16 *Infrastructure of the House of Representatives that*
 17 *summarizes the review.*

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

“70006. Anchorage grounds.”.

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

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

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

5 *(a) RECREATIONAL VESSEL DEFINED.—Section 1003*
6 *of the Nonindigenous Aquatic Nuisance Prevention and*
7 *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, the*
14 *District of Columbia, American Samoa, Guam, Puer-*
15 *to Rico, the Northern Mariana Islands, and the Vir-*
16 *gin Islands of the United States;*

17 *“(14) ‘recreational vessel’ has the meaning given*
18 *that term in section 502 of the Federal Water Pollu-*
19 *tion 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 following:*

23 *“(g) OBSERVERS.—The chairpersons designated under*
24 *subsection (d) may invite representatives of nongovern-*

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

3 (c) *AQUATIC NUISANCE SPECIES TASK FORCE.*—Sec-
4 *tion 1201(b) of the Nonindigenous Aquatic Nuisance Pre-*
5 *vention and Control Act of 1990 (16 U.S.C. 4721(b)) is*
6 *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 Manage-*
15 *ment;*

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

17 (d) *AQUATIC NUISANCE SPECIES PROGRAM.*—Section
18 *1202 of the Nonindigenous Aquatic Nuisance Prevention*
19 *and Control Act of 1990 (16 U.S.C. 4722) is amended—*

20 (1) *in subsection (e) by adding at the end the fol-*
21 *lowing:*

22 “(4) *TECHNICAL ASSISTANCE AND RECOMMENDA-*
23 *TIONS.*—*The Task Force may provide technical assist-*
24 *ance and recommendations for best practices to an*

1 *agency or entity engaged in vessel inspections or de-*
 2 *contaminations 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; and*

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

10 *“(5) CONSULTATION.—In carrying out para-*
 11 *graph (4), including the development of recommenda-*
 12 *tions, the Task Force may consult with—*

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

15 *“(B) other State agencies that manage fish-*
 16 *ery resources of the State or sustain fishery habi-*
 17 *tat; and*

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

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

22 *“(3) Not later than 90 days after the date of en-*
 23 *actment of the Coast Guard Authorization Act of*
 24 *2022, the Task Force shall submit a report to Con-*
 25 *gress recommending legislative, programmatic, or reg-*

1 *ulatory changes to eliminate remaining gaps in au-*
 2 *thorities between members of the Task Force to effec-*
 3 *tively manage and control the movement of aquatic*
 4 *nuisance species.”.*

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

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

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

13 *(3) in section 1203(a)—*

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

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

18 *(4) in section 1204(b)(4), in the paragraph head-*
 19 *ing, by striking “ADMINISRATIVE” and inserting*
 20 *“ADMINISTRATIVE”;* *and*

21 *(5) in section 1209, by striking “subsection (a)”*
 22 *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 the
 7 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 this
 21 subsection, the term ‘aquaculture worker’ means an
 22 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 re-
 23 quest by any State, the District of Columbia, or territory
 24 of the United States, provide all data possessed by the Coast
 25 Guard pertaining to challenge water quality characteristics,

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

7 (b) *CLERICAL AMENDMENT.—The table of contents for*
 8 *the Frank LoBiondo Coast Guard Authorization Act of*
 9 *2018 (Public Law 115–282) is amended by inserting after*
 10 *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, is
 14 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 250
 20 or more passengers; and”.

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

22 (a) *INTERAGENCY TASK FORCE.—The President shall,*
 23 *acting through the Supply Chain Disruptions Task Force*
 24 *established under Executive Order 14017 (relating to sup-*
 25 *ply chains) of February 24, 2021 (86 Fed. Reg. 11849)*

1 *(hereinafter referred to as the “Task Force”), carry out the*
2 *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 processing*
19 *delays, including the Port of Los Angeles*
20 *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 90
4 days after the date of enactment of this Act, the Com-
5 mandant of the Coast Guard shall submit to the Committee
6 on Transportation and Infrastructure of the House of Rep-
7 resentatives and the Committee on Commerce, Science, and
8 Transportation of the Senate a report on cargo backlogs
9 that includes—

10 (1) *an explanation of the extent to which vessels*
11 *carrying cargo are complying with the requirements*
12 *of chapter 700 of title 46, United States Code;*

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

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

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

24 (B) *address other safety concerns and envi-*
25 *ronmental impacts.*

1 **SEC. 409. LIMITED INDEMNITY PROVISIONS IN STANDBY**
2 **OIL SPILL RESPONSE CONTRACTS.**

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

15 (b) *REQUIREMENTS.*—

16 (1) *SOURCE OF FUNDS.*—The provision required
17 under subsection (a) shall include a provision that the
18 obligation to indemnify is limited to funds available
19 in the Oil Spill Liability Trust Fund established by
20 section 9509(a) of the Internal Revenue Code of 1986
21 at the time the claim for indemnity is made.

22 (2) *UNCOMPENSATED REMOVAL.*—A claim for
23 indemnity under a contract described in subsection
24 (a) shall be made as a claim for uncompensated re-
25 moval costs under section 1012(a)(4) of the Oil Pollu-
26 tion Act of 1990 (33 U.S.C. 2712(a)(4)).

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

4 (c) *APPLICABILITY OF EXEMPTIONS.*—*Notwith-*
 5 *standing subsection (a), the United States shall not be obli-*
 6 *gated to indemnify a contractor for any act or omission*
 7 *of the contractor carried out pursuant to a contract entered*
 8 *into under this section where such act or omission is grossly*
 9 *negligent or which constitutes willful misconduct.*

10 **SEC. 410. PORT COORDINATION COUNCIL FOR POINT SPEN-**
 11 **CER.**

12 *Section 541 of the Coast Guard Authorization Act of*
 13 *2016 (Public Law 114–120) is amended—*

14 (1) *in subsection (b) by striking paragraphs (1)*
 15 *and (2) and inserting the following:*

16 “(1) *BSNC (to serve as Council Chair).*

17 “(2) *The Secretary of Homeland Security.*

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

20 (2) *in subsection (c)(1)—*

21 (A) *in subparagraph (B) by adding “and”*
 22 *at the end; and*

23 (B) *by striking subparagraphs (C) and (D)*
 24 *and inserting the following:*

1 “(C) *land use planning and development on*
2 *the Bering Sea, the Chukchi Sea, and the Arctic*
3 *Ocean, in support of—*

4 “(i) *search and rescue;*

5 “(ii) *shipping safety;*

6 “(iii) *economic development;*

7 “(iv) *oil spill prevention and response;*

8 “(v) *national security;*

9 “(vi) *major marine casualties;*

10 “(vii) *protection of Alaska Native ar-*
11 *chaeological and cultural resources; and*

12 “(viii) *port of refuge, arctic research,*
13 *and maritime law enforcement.”;*

14 (3) *by amending subsection (c)(3) to read as fol-*
15 *lows:*

16 “(3) *Facilitate coordination among members of*
17 *the Council on the development and use of the land*
18 *and coastline of Point Spencer, as such development*
19 *and use relate to activities of the Council at the Port*
20 *of Point Spencer.”; and*

21 (4) *in subsection (e)—*

22 (A) *by striking “Operations and manage-*
23 *ment costs” and inserting the following:*

24 “(1) *DETERMINATION OF COSTS.—Operations*
25 *and management costs”; and*

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

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

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

13 (a) *ALASKA OIL SPILL PLANNING CRITERIA.*—Section
14 311(j)(5) of the Federal Water Pollution Control Act (33
15 U.S.C. 1321(j)(5)) is amended by adding at the end the fol-
16 lowing:

17 “(J)(i) Except as provided in clause (iv), in any
18 case in which the Secretary has determined that the
19 national planning criteria established pursuant to
20 this subsection are inappropriate for a vessel oper-
21 ating in the area of responsibility of Coast Guard
22 Sector Anchorage, a response plan required under this
23 paragraph with respect to a discharge of oil for the
24 vessel shall comply with the planning criteria estab-
25 lished under clause (ii), which planning criteria

1 *shall, with respect to a discharge of oil from the ves-*
2 *sel, supercede the national planning criteria and*
3 *apply in lieu of any alternative planning criteria ap-*
4 *proved for vessels operating in such area.*

5 *“(ii) The President shall establish planning cri-*
6 *teria for a worst case discharge of oil, and a substan-*
7 *tial threat of such a discharge, within the area of re-*
8 *sponsibility of Coast Guard Sector Anchorage, includ-*
9 *ing planning criteria for the following:*

10 *“(I) Mechanical oil spill response resources*
11 *that are required to be located within such area.*

12 *“(II) Response times for mobilization of oil*
13 *spill response resources and arrival on the scene*
14 *of a worst case discharge of oil, or substantial*
15 *threat of such a discharge, occurring within such*
16 *area.*

17 *“(III) Dedicated vessels for oil spill response*
18 *that are capable of operating in the ocean envi-*
19 *ronment and required to be located within such*
20 *area.*

21 *“(IV) Ensuring the availability of at least*
22 *one oil spill removal organization that is classi-*
23 *fied by the Coast Guard and that—*

24 *“(aa) is capable of responding in all*
25 *operating environments in such area;*

1 “(bb) provides vessel routing measures
2 consistent with international routing meas-
3 ure deviation protocols;

4 “(cc) maintains real-time continuous
5 vessel tracking, monitoring, and engagement
6 protocols with the ability to detect and ad-
7 dress vessel operation anomalies;

8 “(dd) has the capability to manage
9 wildlife protection and rehabilitation;

10 “(ee) controls oil spill response re-
11 sources of dedicated and nondedicated re-
12 source providers within such area, through
13 ownership, contracts, agreements, or other
14 means approved by the President, sufficient
15 to mobilize and sustain a response to a
16 worst case discharge of oil and to contain,
17 recover, and temporarily store discharged
18 oil; and

19 “(ff) has pre-positioned all of its oil
20 spill response resources in strategic loca-
21 tions throughout such area in a manner
22 that ensures the ability to support response
23 personnel, marine operations, air cargo, or
24 other related logistics infrastructure.

1 “(V) *Temporary storage capability using*
2 *both dedicated and non-dedicated assets located*
3 *within such area.*

4 “(VI) *Non-mechanical oil spill response re-*
5 *sources, to be available under contracts, agree-*
6 *ments, or other means approved by the Presi-*
7 *dent, capable of responding to both a discharge*
8 *of persistent oil and a discharge of non-persistent*
9 *oil, whether the discharged oil was carried by a*
10 *vessel as fuel or cargo.*

11 “(VII) *With respect to tank barges carrying*
12 *non-persistent oil in bulk as cargo to be delivered*
13 *to communities within such area, oil spill re-*
14 *sponse resources that is required to be carried on*
15 *board.*

16 “(VIII) *Ensuring that oil spill response re-*
17 *sources otherwise required to be included in a re-*
18 *sponse plan for purposes of compliance with sal-*
19 *vage and marine firefighting requirements are*
20 *not used to meet the requirements of this sub-*
21 *paragraph.*

22 “(IX) *Specifying a minimum length of time*
23 *that approval of a response plan under this sub-*
24 *paragraph is valid.*

1 “(iii) *The President may approve a response*
 2 *plan for a vessel under this subparagraph only if the*
 3 *owner or operator of the vessel demonstrates the avail-*
 4 *ability of the oil spill response resources required to*
 5 *be included in the response plan under the planning*
 6 *criteria established under clause (ii).*

7 “(iv) *Nothing in this subparagraph affects—*

8 “(I) *vessels operating within the area of re-*
 9 *sponsibility of the Coast Guard sector responsible*
 10 *for Anchorage, Alaska, with primary operations*
 11 *occurring within Cook Inlet, Alaska; or*

12 “(II) *the requirements applicable to tank*
 13 *vessels subject to section 5005 of the Oil Pollu-*
 14 *tion Act of 1990 (33 U.S.C. 2735).”.*

15 (b) *ESTABLISHMENT OF ALASKA OIL SPILL PLANNING*
 16 *CRITERIA.—*

17 (1) *DEADLINE.—Not later than 180 days after*
 18 *the date of enactment of this Act, the President shall*
 19 *establish the planning criteria required to be estab-*
 20 *lished under subparagraph (J) of section 311(j)(5) of*
 21 *the Federal Water Pollution Control Act of (33 U.S.C.*
 22 *1321(j)(5)), as added by this section.*

23 (2) *CONSULTATION.—In establishing such plan-*
 24 *ning criteria, the President shall consult with the*
 25 *State of Alaska, owners and operators of vessels sub-*

1 *ject to such planning criteria, oil spill removal orga-*
 2 *nizations, Alaska Native organizations, and environ-*
 3 *mental non-governmental organizations located with-*
 4 *in the State of Alaska.*

5 *(c) CONGRESSIONAL REPORT.—Not later than one*
 6 *year after the date of enactment of this Act, the Secretary*
 7 *of the department in which the Coast Guard is operating*
 8 *shall submit to Congress a report regarding the status of*
 9 *implementing the requirements of subparagraph (J) of sec-*
 10 *tion 311(j)(5) of the Federal Water Pollution Control Act*
 11 *(33 U.S.C. 1321(j)(5)), as added by this section.*

12 **SEC. 412. NONAPPLICABILITY.**

13 *Requirements under sections 3507(d), 3507(e), 3508,*
 14 *and 3509 of title 46, United States Code, shall not apply*
 15 *to the passenger vessel American Queen (U.S. Coast Guard*
 16 *Official Number 1030765) or any other passenger vessel—*

17 *(1) on which construction identifiable with the*
 18 *specific vessel begins prior to the date of enactment of*
 19 *this Act; and*

20 *(2) to which sections 3507 and 3508 would other-*
 21 *wise apply when such vessels are operating inside the*
 22 *boundary line.*

23 **SEC. 413. REPORT ON ENFORCEMENT OF COASTWISE LAWS.**

24 *The Commandant of the Coast Guard shall submit to*
 25 *Congress a report describing any changes to the enforcement*

1 of chapters 121 and 551 of title 46, United States Code,
 2 as a result of the amendments to section 4(a)(1) of the Outer
 3 Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made
 4 by section 9503 of the William M. (Mac) Thornberry Na-
 5 tional Defense Authorization Act for Fiscal Year 2021 (Pub-
 6 lic Law 116–283).

7 **SEC. 414. LAND CONVEYANCE, SHARPE ARMY DEPOT,**
 8 **LATHROP, CALIFORNIA.**

9 Not later than 1 year after the date of enactment of
 10 this Act, the Administrator of the Maritime Administration
 11 shall complete the land conveyance required under section
 12 2833 of the William M. (Mac) Thornberry National Defense
 13 Authorization Act for Fiscal Year 2021 (Public Law 116–
 14 283).

15 **SEC. 415. CENTER OF EXPERTISE FOR MARINE ENVIRON-**
 16 **MENTAL RESPONSE.**

17 (a) *IN GENERAL.*—Not later than 1 year after the date
 18 of enactment of this Act, the Commandant of the Coast
 19 Guard, in consultation with the Administrator of the Na-
 20 tional Oceanic and Atmospheric Administration, shall es-
 21 tablish a Center of Expertise for Marine Environmental Re-
 22 sponse (referred to in this section as the “Center of Exper-
 23 tise”) in accordance with section 313 of title 14, United
 24 States Code.

1 (b) *LOCATION.*—*The Center of Expertise shall be lo-*
2 *cated in close proximity to—*

3 (1) *an area of the country with quick access to*
4 *State, Federal, and international waters, port and*
5 *marine environments, coastal and estuary environ-*
6 *ments, and the intercoastal waterway;*

7 (2) *multiple Coast Guard sea and air stations;*

8 (3) *multiple Federal agencies that are engaged*
9 *in coastal and fisheries management;*

10 (4) *one or more designated national estuaries;*

11 (5) *State coastal and wildlife management agen-*
12 *cies; and*

13 (6) *an institution of higher education with ade-*
14 *quate marine science search laboratory facilities and*
15 *capabilities and expertise in coastal marine ecology,*
16 *ecosystems, environmental chemistry, fish and wildlife*
17 *management, coastal mapping, water resources, and*
18 *marine technology development.*

19 (c) *FUNCTIONS.*—*The Center of Expertise shall—*

20 (1) *monitor and assess, on an ongoing basis, the*
21 *state of knowledge regarding training, education, and*
22 *technology development for marine environmental re-*
23 *sponse protocols in State, Federal, and international*
24 *waters, port and marine environments, coastal and*
25 *estuary environments, and the intercoastal waterway;*

1 (2) *identify any significant gaps in research re-*
2 *lated to marine environmental response protocols, in-*
3 *cluding an assessment of major scientific or techno-*
4 *logical deficiencies in responses to past incidents in*
5 *these waterways that are interconnected, and seek to*
6 *fill such gaps;*

7 (3) *conduct research, development, testing, and*
8 *evaluation for marine environmental response equip-*
9 *ment, technologies, and techniques to mitigate and re-*
10 *spond to environmental incidents in these waterways;*

11 (4) *educate and train Federal, State, and local*
12 *first responders in—*

13 (A) *the incident command system structure;*

14 (B) *marine environmental response tech-*
15 *niques and strategies; and*

16 (C) *public affairs; and*

17 (5) *work with academic and private sector re-*
18 *sponse training centers to develop and standardize*
19 *marine environmental response training and tech-*
20 *niques.*

21 (d) *MARINE ENVIRONMENTAL RESPONSE DEFINED.—*

22 *In this section, the term “marine environmental response”*
23 *means any response to incidents that—*

24 (1) *impacts—*

1 (A) the marine environment of State, Fed-
2 eral or international waterways;

3 (B) port and marine environments;

4 (C) coastal and estuary environments; or

5 (D) the intercoastal waterway; and

6 (2) promotes—

7 (A) the protection and conservation of the
8 marine environment;

9 (B) the health of fish, animal populations,
10 and endangered species; and

11 (C) the resilience of coastal ecosystems and
12 infrastructure.

13 **SEC. 416. PROHIBITION ON ENTRY AND OPERATION.**

14 (a) *PROHIBITION.*—

15 (1) *IN GENERAL.*—Except as otherwise provided
16 in this section, during the period in which Executive
17 Order 14065 (87 Fed. Reg. 10293, relating to blocking
18 certain Russian property or transactions), or any
19 successor Executive Order is in effect, no vessel de-
20 scribed in subsection (b) may enter or operate in the
21 navigable waters of the United States or transfer
22 cargo in any port or place under the jurisdiction of
23 the United States.

24 (2) *LIMITATIONS ON APPLICATION.*—

1 (A) *IN GENERAL.*—*The prohibition under*
2 *paragraph (1) shall not apply with respect to*
3 *vessel described in subsection (b) if the Secretary*
4 *of State determines that—*

5 *(i) the vessel is owned or operated by*
6 *a Russian national or operated by the gov-*
7 *ernment of the Russian Federation; and*

8 *(ii) it is in the national security inter-*
9 *est not to apply the prohibition to such ves-*
10 *sel.*

11 (B) *NOTICE.*—*Not later than 15 days after*
12 *making a determination under subparagraph*
13 *(A), the Secretary of State shall submit to the*
14 *Committee on Foreign Affairs and the Com-*
15 *mittee on Transportation and Infrastructure of*
16 *the House of Representatives and the Committee*
17 *on Foreign Relations and the Committee on*
18 *Commerce, Science, and Transportation of the*
19 *Senate written notice of the determination and*
20 *the basis upon which the determination was*
21 *made.*

22 (C) *PUBLICATION.*—*The Secretary of State*
23 *shall publish a notice in the Federal Register of*
24 *each determination made under subparagraph*
25 *(A).*

1 (b) *VESSELS DESCRIBED*.—A vessel referred to in sub-
 2 section (a) is a vessel owned or operated by a Russian na-
 3 tional or operated by the government of the Russian Federa-
 4 tion.

5 (c) *INFORMATION AND PUBLICATION*.—The Secretary
 6 of the department in which the Coast Guard is operating,
 7 with the concurrence of the Secretary of State, shall—

8 (1) maintain timely information on the registra-
 9 tions of all foreign vessels owned or operated by or on
 10 behalf of the Government of the Russian Federation,
 11 a Russian national, or a entity organized under the
 12 laws of the Russian Federation or any jurisdiction
 13 within the Russian Federation; and

14 (2) periodically publish in the Federal Register
 15 a list of the vessels described in paragraph (1).

16 (d) *NOTIFICATION OF GOVERNMENTS*.—

17 (1) *IN GENERAL*.—The Secretary of State shall
 18 notify each government, the agents or instrumental-
 19 ities of which are maintaining a registration of a for-
 20 eign vessel that is included on a list published under
 21 subsection (c)(2), not later than 30 days after such
 22 publication, that all vessels registered under such gov-
 23 ernment's authority are subject to subsection (a).

24 (2) *ADDITIONAL NOTIFICATION*.—In the case of a
 25 government that continues to maintain a registration

1 for a vessel that is included on such list after receiv-
2 ing an initial notification under paragraph (1), the
3 Secretary shall issue an additional notification to
4 such government not later than 120 days after the
5 publication of a list under subsection (c)(2).

6 (e) *NOTIFICATION OF VESSELS.*—Upon receiving a no-
7 tice of arrival under section 70001(a)(5) of title 46, United
8 States Code, from a vessel described in subsection (b), the
9 Secretary of the department in which the Coast Guard is
10 operating shall notify the master of such vessel that the ves-
11 sel may not enter or operate in the navigable waters of the
12 United States or transfer cargo in any port or place under
13 the jurisdiction of the United States, unless—

14 (1) the Secretary of State has made a determina-
15 tion under subsection (a)(2); or

16 (2) the Secretary of the department in which the
17 Coast Guard is operating allows provisional entry of
18 the vessel, or transfer of cargo from the vessel, under
19 subsection (f).

20 (f) *PROVISIONAL ENTRY OR CARGO TRANSFER.*—Not-
21 withstanding any other provision of this section, the Sec-
22 retary of the department in which the Coast Guard is oper-
23 ating may allow provisional entry of, or transfer of cargo
24 from, a vessel, if such entry or transfer is necessary for the
25 safety of the vessel or persons aboard.

1 **SEC. 417. ST. LUCIE RIVER RAILROAD BRIDGE.**

2 *The Commandant of the Coast Guard shall take such*
 3 *actions as are necessary to implement any recommenda-*
 4 *tions for the St. Lucie River railroad bridge made by the*
 5 *Coast Guard in the document titled “Waterways Analysis*
 6 *and Management System for Intracoastal Waterway Miles*
 7 *925-1005 (WAMS #07301)” published by Coast Guard Sec-*
 8 *tor Miami in 2018.*

9 **SEC. 418. ASSISTANCE RELATED TO MARINE MAMMALS.**

10 *(a) MARITIME ENVIRONMENTAL AND TECHNICAL AS-*
 11 *SISTANCE PROGRAM.—Section 50307(b) of title 46, United*
 12 *States Code, is amended—*

13 *(1) in paragraph (1)(D) by striking “and” at*
 14 *the end;*

15 *(2) in paragraph (2) by striking the period and*
 16 *insert “; and”; and*

17 *(3) by adding at the end the following:*

18 *“(3) technologies that quantifiably reduce under-*
 19 *water noise from marine vessels, including noise pro-*
 20 *duced incidental to the propulsion of marine vessels.”.*

21 *(b) ASSISTANCE TO REDUCE IMPACTS OF VESSEL*
 22 *STRIKES AND NOISE ON MARINE MAMMALS.—*

23 *(1) IN GENERAL.—Chapter 541 of title 46,*
 24 *United States Code, is amended by adding at the end*
 25 *the following:*

1 **“§ 54102. Assistance to reduce impacts of vessel strikes**
 2 **and noise on marine mammals**

3 “(a) *IN GENERAL.*—*The Administrator of the Mari-*
 4 *time Administration, in coordination with the Secretary of*
 5 *the department in which the Coast Guard is operating, may*
 6 *make grants to, or enter into contracts or cooperative agree-*
 7 *ments with, academic, public, private, and nongovern-*
 8 *mental entities to develop and implement mitigation meas-*
 9 *ures that will lead to a quantifiable reduction in—*

10 “(1) *impacts to marine mammals from vessels;*
 11 *and*

12 “(2) *underwater noise from vessels, including*
 13 *noise produced incidental to the propulsion of vessels.*

14 “(b) *ELIGIBLE USE.*—*Assistance under this section*
 15 *may be used to develop, assess, and carry out activities that*
 16 *reduce threats to marine mammals by—*

17 “(1) *reducing—*

18 “(A) *stressors related to vessel traffic; and*

19 “(B) *vessel strike mortality, and serious in-*
 20 *jury; or*

21 “(2) *monitoring—*

22 “(A) *sound; and*

23 “(B) *vessel interactions with marine mam-*
 24 *mals.*

25 “(c) *PRIORITY.*—*The Administrator shall prioritize*
 26 *assistance under this section for projects that—*

1 “(1) *is based on the best available science on*
2 *methods to reduce threats related to vessels traffic;*

3 “(2) *collect data on the reduction of such threats;*

4 “(3) *reduce—*

5 “(A) *disturbances from vessel presence;*

6 “(B) *mortality risk; or*

7 “(C) *serious injury from vessel strikes; or*

8 “(4) *conduct risk assessments, or tracks progress*
9 *toward threat reduction.*

10 “(d) *BRIEFING.—The Administrator shall provide to*
11 *the Committee on Transportation and Infrastructure of the*
12 *House of Representatives, and the Committee on Commerce,*
13 *Science, and Transportation of the Senate, an annual brief-*
14 *ing that includes the following:*

15 “(1) *The name and location of each entity re-*
16 *ceiving a grant under this section.*

17 “(2) *The amount of each such grant.*

18 “(3) *A description of the activities carried out*
19 *with assistance provided under this section.*

20 “(4) *An estimate of the impact that a project*
21 *carried out with such assistance has on the reduction*
22 *of threats to marine mammals.*

23 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
24 *authorized to be appropriated to the Administrator to carry*

1 *out this section \$10,000,000 for each of fiscal years 2022*
 2 *through 2026, to remain available until expended.”.*

3 (2) *CLERICAL AMENDMENT.—The analysis for*
 4 *chapter 541 of title 46, United States Code, is amend-*
 5 *ed by adding at the end the following:*

“54102. Assistance to reduce impacts of vessel strikes and noise on marine mam-
mals.”.

6 (c) *NEAR REAL-TIME MONITORING AND MITIGATION*
 7 *PROGRAM FOR LARGE WHALES.—*

8 (1) *IN GENERAL.—Part of A of subtitle V of title*
 9 *46, United States Code, is amended by adding at the*
 10 *end the following:*

11 **“CHAPTER 507—MONITORING AND**
 12 **MITIGATION**

“Sec.

“50701. Near real-time monitoring and mitigation program for large whales.

“50702. Pilot project.

13 **“§ 50701. Near real-time monitoring and mitigation**
 14 **program for large whales**

15 “(a) *ESTABLISHMENT.—The Administrator of the*
 16 *Maritime Administration, in consultation with the Com-*
 17 *mandant of the Coast Guard, shall design and deploy a*
 18 *near real-time large whale monitoring and mitigation pro-*
 19 *gram (in this section referred to as the Program) informed*
 20 *by the technologies, monitoring methods, and mitigation*
 21 *protocols developed pursuant to the pilot program required*
 22 *under section 50702.*

1 “(b) *PURPOSE.*—*The purpose of the Program will be*
2 *to reduce the risk to large whales of vessel collisions and*
3 *to minimize other impacts.*

4 “(c) *REQUIREMENTS.*—*In designing and deploying the*
5 *Program, the Administrator shall—*

6 “(1) *prioritize species of large whales for which*
7 *vessel collision impacts are of particular concern;*

8 “(2) *prioritize areas where such vessel impacts*
9 *are of particular concern;*

10 “(3) *develop technologies capable of detecting and*
11 *alerting individuals and enforcement agencies of the*
12 *probable location of large whales on a near real-time*
13 *basis, to include real time data whenever possible;*

14 “(4) *inform sector-specific mitigation protocols*
15 *to effectively reduce takes of large whales; and*

16 “(5) *integrate technology improvements as such*
17 *improvements become available.*

18 “(d) *AUTHORITY.*—*The Administrator may make*
19 *grants or enter into and contracts, leases, or cooperative*
20 *agreements as may be necessary to carry out the purposes*
21 *of this section on such terms as the Administrator considers*
22 *appropriate, consistent with Federal acquisition regula-*
23 *tions.*

1 **“§ 50702. *Pilot project***

2 “(a) *ESTABLISHMENT.*—*The Administrator of the*
 3 *Maritime Administration shall carry out a pilot moni-*
 4 *toring and mitigation project for North Atlantic right*
 5 *whales (in this section referred to as the ‘Pilot Program’)*
 6 *for purposes of informing a cost-effective, efficient, and re-*
 7 *sults-oriented near real-time monitoring and mitigation*
 8 *program for large whales under 50701.*

9 “(b) *PILOT PROJECT REQUIREMENTS.*—*In carrying*
 10 *out the pilot program, the Administrator, in coordination*
 11 *with the Commandant of the Coast Guard, using best avail-*
 12 *able scientific information, shall identify and ensure cov-*
 13 *erage of—*

14 “(1) *core foraging habitats of North Atlantic*
 15 *right whales, including—*

16 “(A) *the South of the Islands core foraging*
 17 *habitat;*

18 “(B) *the Cape Cod Bay Area core foraging*
 19 *habitat;*

20 “(C) *the Great South Channel core foraging*
 21 *habitat; and*

22 “(D) *the Gulf of Maine; and*

23 “(2) *important feeding, breeding, calving,*
 24 *rearing, or migratory habitats of North Atlantic right*
 25 *whales that co-occur with areas of high risk of mor-*

1 *tality, serious injury, or other impacts to such whales,*
2 *including from vessels or vessel strikes.*

3 “(c) *PILOT PROJECT COMPONENTS.*—

4 “(1) *IN GENERAL.*—Not later than 3 years after
5 *the date of enactment of the Coast Guard Authoriza-*
6 *tion Act of 2022, the Administrator, in consultation*
7 *with the Commandant, Tribal governments, and with*
8 *input from affected stakeholders, shall design and de-*
9 *ploy a near real-time monitoring system for North*
10 *Atlantic right whales that—*

11 “(A) *comprises the best available detection*
12 *and survey technologies to detect North Atlantic*
13 *right whales within core foraging habitats;*

14 “(B) *uses dynamic habitat suitability mod-*
15 *els to inform the likelihood of North Atlantic*
16 *right whale occurrence in core foraging habitat*
17 *at any given time;*

18 “(C) *coordinates with the Integrated Ocean*
19 *Observing System and Coast Guard vessel traffic*
20 *service centers, and may coordinate with Re-*
21 *gional Ocean Partnerships to leverage moni-*
22 *toring assets;*

23 “(D) *integrates historical data;*

1 “(E) integrates new near real-time moni-
2 toring methods and technologies as they become
3 available;

4 “(F) accurately verifies and rapidly com-
5 municates detection data;

6 “(G) creates standards for allowing ocean
7 users to contribute data to the monitoring system
8 using comparable near real-time monitoring
9 methods and technologies; and

10 “(H) communicates the risks of injury to
11 large whales to ocean users in a way that is
12 most likely to result in informed decision making
13 regarding the mitigation of those risks.

14 “(2) NATIONAL SECURITY CONSIDERATIONS.—All
15 monitoring methods, technologies, and protocols under
16 this section shall be consistent with national security
17 considerations and interests.

18 “(3) ACCESS TO DATA.—The Administrator shall
19 provide access to data generated by the monitoring
20 system deployed under paragraph (1) for purposes of
21 scientific research and evaluation, and public aware-
22 ness and education, including through the NOAA
23 Right Whale Sighting Advisory System and
24 WhaleMap or other successive public web portals, sub-
25 ject to review for national security considerations.

1 “(d) *MITIGATION PROTOCOLS.*—*The Administrator, in*
2 *consultation with the Commandant, and with input from*
3 *affected stakeholders, develop and deploy mitigation proto-*
4 *cols that make use of the near real-time monitoring system*
5 *deployed under subsection (c) to direct sector-specific miti-*
6 *gation measures that avoid and significantly reduce risk*
7 *of serious injury and mortality to North Atlantic right*
8 *whales.*

9 “(e) *REPORTING.*—

10 “(1) *PRELIMINARY REPORT.*—*Not later than 2*
11 *years after the date of the enactment of the Coast*
12 *Guard Authorization Act of 2022, the Administrator,*
13 *in consultation with the Commandant, shall submit*
14 *to the appropriate Congressional Committees and*
15 *make available to the public a preliminary report*
16 *which shall include—*

17 “(A) *a description of the monitoring meth-*
18 *ods and technology in use or planned for deploy-*
19 *ment;*

20 “(B) *analyses of the efficacy of the methods*
21 *and technology in use or planned for deployment*
22 *for detecting North Atlantic right whales;*

23 “(C) *how the monitoring system is directly*
24 *informing and improving North American right*
25 *whale management, health, and survival;*

1 “(D) a prioritized identification of tech-
2 nology or research gaps;

3 “(E) a plan to communicate the risks of in-
4 jury to large whales to ocean users in a way that
5 is most likely to result in informed decision mak-
6 ing regarding the mitigation of those risks; and

7 “(F) additional information, as appro-
8 priate.

9 “(2) *FINAL REPORT*.—Not later than 6 years
10 after the date of the enactment of the Coast Guard
11 Authorization Act of 2022, the Administrator, in con-
12 sultation with the Commandant, shall submit to the
13 appropriate congressional committees and make
14 available to the public a final report, addressing the
15 components in subparagraph (A) and including—

16 “(A) an assessment of the benefits and effi-
17 cacy of the near real-time monitoring and miti-
18 gation program;

19 “(B) a strategic plan to expand the pilot
20 program to provide near real-time monitoring
21 and mitigation measures;

22 “(i) to additional large whale species
23 of concern for which such measures would
24 reduce risk of serious injury or death; and

1 “(ii) *in important feeding, breeding,*
 2 *calving, rearing, or migratory habitats of*
 3 *whales that co-occur with areas of high risk*
 4 *of mortality or serious injury of such whales*
 5 *from vessel strikes or disturbance;*

6 “(C) *a prioritized plan for acquisition, de-*
 7 *ployment, and maintenance of monitoring tech-*
 8 *nologies;*

9 “(D) *the locations or species for which the*
 10 *plan would apply; and*

11 “(E) *a budget and description of funds nec-*
 12 *essary to carry out the strategic plan.*

13 “(f) *ADDITIONAL AUTHORITY.—The Administrator*
 14 *may make grants enter into contracts, leases, or cooperative*
 15 *agreements as may be necessary to carry out the purposes*
 16 *of this section on such terms as the Administrator considers*
 17 *appropriate, consistent with Federal acquisition regula-*
 18 *tions.*

19 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 20 *authorized to be appropriated to the Administrator to carry*
 21 *out this section \$17,000,000 for each of fiscal years 2022*
 22 *through 2026.*

23 “(h) *DEFINITIONS.—In this section and section 50701:*

24 “(1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 25 *TEES.—The term ‘appropriate congressional commit-*

1 *tees’ means the Committee Transportation and Infra-*
 2 *structure of the House of Representatives and the*
 3 *Committee on Commerce, Science, and Transpor-*
 4 *tation of the Senate.*

5 “(2) *CORE FORAGING HABITATS.*—*The term ‘core*
 6 *foraging habitats’ means areas with biological and*
 7 *physical oceanographic features that aggregate*
 8 *Calanus finmarchicus and where North Atlantic right*
 9 *whales foraging aggregations have been well docu-*
 10 *mented.*

11 “(3) *NEAR REAL-TIME.*—*The term ‘near real-*
 12 *time’ means detected activity that is visual, acoustic,*
 13 *or in any other form, of North Atlantic right whales*
 14 *that are transmitted and reported as soon as tech-*
 15 *nically feasible after such detected activity has oc-*
 16 *curred.*

17 “(4) *LARGE WHALE.*—*The term ‘large whale’*
 18 *means all Mysticeti species and species within the*
 19 *genera Physeter and Orcinus.”.*

20 (2) *CLERICAL AMENDMENT.*—*The table of chap-*
 21 *ters for subtitle V of title 46, United States Code is*
 22 *amended by adding after the item related to chapter*
 23 *505 the following:*

“507. Monitoring and Mitigation50701”.

1 **SEC. 419. MANNING AND CREWING REQUIREMENTS FOR**
 2 **CERTAIN VESSELS, VEHICLES, AND STRUC-**
 3 **TURES.**

4 (a) *AUTHORIZATION OF LIMITED EXEMPTIONS FROM*
 5 *MANNING AND CREW REQUIREMENT.*—Chapter 81 of title
 6 46, United States Code, is amended by adding at the end
 7 the following:

8 **“§ 8108. Exemptions from manning and crew require-**
 9 **ments**

10 “(a) *IN GENERAL.*—The Secretary may provide an ex-
 11emption described in subsection (b) to the owner or operator
 12 of a covered facility if each individual who is manning or
 13 crewing the covered facility is—

14 “(1) a citizen of the United States;

15 “(2) an alien lawfully admitted to the United
 16 States for permanent residence; or

17 “(3) a citizen of the nation under the laws of
 18 which the vessel is documented.

19 “(b) *REQUIREMENTS FOR ELIGIBILITY FOR EXEMP-*
 20 *TION.*—An exemption under this subsection is an exemption
 21 from the regulations established pursuant to section
 22 302(a)(3) of the Outer Continental Shelf Lands Act (43
 23 U.S.C. 1356(a)(3)).

24 “(c) *LIMITATIONS.*—An exemption under this sec-
 25 tion—

1 “(1) shall provide that the number of individuals
 2 manning or crewing the covered facility who are de-
 3 scribed in paragraphs (2) and (3) of subsection (a)
 4 may not exceed two and one-half times the number
 5 of individuals required to man or crew the covered fa-
 6 cility under the laws of the nation under the laws of
 7 which the covered facility is documented; and

8 “(2) shall be effective for not more than 12
 9 months, but may be renewed by application to and
 10 approval by the Secretary.

11 “(d) APPLICATION.—To be eligible for an exemption
 12 or a renewal of an exemption under this section, the owner
 13 or operator of a covered facility shall apply to the Secretary
 14 with an application that includes a sworn statement by the
 15 applicant of all information required for the issuance of
 16 the exemption.

17 “(e) REVOCATION.—

18 “(1) IN GENERAL.—The Secretary—

19 “(A) may revoke an exemption for a covered
 20 facility under this section if the Secretary deter-
 21 mines that information provided in the applica-
 22 tion for the exemption was false or incomplete,
 23 or is no longer true or complete; and

24 “(B) shall immediately revoke such an ex-
 25 emption if the Secretary determines that the cov-

1 *ered facility, in the effective period of the exemp-*
2 *tion, was manned or crewed in a manner not*
3 *authorized by the exemption.*

4 “(2) *NOTICE REQUIRED.—The Secretary shall*
5 *provides notice of a determination under subpara-*
6 *graph (A) or (B) of paragraph (1) to the owner or*
7 *operator of the covered facility.*

8 “(f) *REVIEW OF COMPLIANCE.—The Secretary shall*
9 *periodically, but not less than once annually, inspect each*
10 *covered facility that operates under an exemption under*
11 *this section to verify the owner or operator of the covered*
12 *facility’s compliance with the exemption. During an inspec-*
13 *tion under this subsection, the Secretary shall require all*
14 *crew members serving under the exemption to hold a valid*
15 *transportation security card issued under section 70105.*

16 “(g) *PENALTY.—In addition to revocation under sub-*
17 *section (e), the Secretary may impose on the owner or oper-*
18 *ator of a covered facility a civil penalty of \$10,000 per day*
19 *for each day the covered facility—*

20 “(1) *is manned or crewed in violation of an ex-*
21 *emption under this subsection; or*

22 “(2) *operated under an exemption under this*
23 *subsection that the Secretary determines was not val-*
24 *idly obtained.*

1 “(h) *NOTIFICATION OF SECRETARY OF STATE.*—The
 2 *Secretary shall notify the Secretary of State of each exemp-*
 3 *tion issued under this section, including the effective period*
 4 *of the exemption.*

5 “(i) *DEFINITIONS.*—*In this section:*

6 “(1) *COVERED FACILITY.*—*The term ‘covered fa-*
 7 *cility’ means any vessel, rig, platform, or other vehi-*
 8 *cle or structure, over 50 percent of which is owned by*
 9 *citizens of a foreign nation or with respect to which*
 10 *the citizens of a foreign nation have the right effec-*
 11 *tively to control, except to the extent and to the degree*
 12 *that the President determines that the government of*
 13 *such foreign nation or any of its political subdivi-*
 14 *sions has implemented, by statute, regulation, policy,*
 15 *or practice, a national manning requirement for*
 16 *equipment engaged in the exploring for, developing, or*
 17 *producing resources, including non-mineral energy re-*
 18 *sources in its offshore areas.*

19 “(2) *SECRETARY.*—*The term ‘Secretary’ means*
 20 *the Secretary of the department in which the Coast*
 21 *Guard is operating.”.*

22 “(b) *ANNUAL REPORT.*—

23 “(1) *IN GENERAL.*—*Not later than 1 year after*
 24 *the date of enactment of this Act, and annually there-*
 25 *after, the Secretary shall submit to Congress a report*

1 *containing information on each letter of nonapplica-*
 2 *bility of section 8109 of title 46, United States Code,*
 3 *with respect to a covered facility that was issued by*
 4 *the Secretary during the preceding year.*

5 (2) *CONTENTS.—The report under paragraph (1)*
 6 *shall include, for each covered facility—*

7 (A) *the name and International Maritime*
 8 *Organization number;*

9 (B) *the nation in which the covered facility*
 10 *is documented;*

11 (C) *the nationality of owner or owners; and*

12 (D) *for any covered facility that was pre-*
 13 *viously issued a letter of nonapplicability in a*
 14 *prior year, any changes in the information de-*
 15 *scribed in subparagraphs (A) through (C).*

16 (c) *REGULATIONS.—Not later than 90 days after the*
 17 *date of the enactment of this Act, the Secretary shall pro-*
 18 *mulgate regulations that specify the documentary and other*
 19 *requirements for the issuance of an exemption under the*
 20 *amendment made by this section.*

21 (d) *EXISTING EXEMPTIONS.—*

22 (1) *EFFECT OF AMENDMENTS; TERMINATION.—*
 23 *Each exemption under section 30(c)(2) of the Outer*
 24 *Continental Shelf Lands Act (43 U.S.C. 1356(c)(2))*
 25 *issued before the date of the enactment of this Act—*

1 (A) shall not be affected by the amendments
 2 made by this section during the 120-day period
 3 beginning on the date of the enactment of this
 4 Act; and

5 (B) shall not be effective after such period.

6 (2) NOTIFICATION OF HOLDERS.—Not later than
 7 60 days after the date of the enactment of this Act,
 8 the Secretary shall notify all persons that hold such
 9 an exemption that it will expire as provided in para-
 10 graph (1).

11 (e) CLERICAL AMENDMENT.—The analysis for chapter
 12 81 of the title 46, United States Code, is amended by adding
 13 at the end the following:

“8108. Exemptions from manning and crew requirements.”.

14 **TITLE V—SEXUAL ASSAULT AND**
 15 **SEXUAL HARASSMENT PRE-**
 16 **VENTION AND RESPONSE**

17 **SEC. 501. DEFINITIONS.**

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

20 (1) by redesignating paragraphs (45) through
 21 (54) as paragraphs (47) through (56), respectively;
 22 and

23 (2) by inserting after paragraph (44) the fol-
 24 lowing:

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

4 “(46) ‘sexual harassment’ means—

5 “(A) conduct that—

6 “(i) involves unwelcome sexual ad-
7 vances, requests for sexual favors, or delib-
8 erate or repeated offensive comments or ges-
9 tures of a sexual nature if any—

10 “(I) submission to such conduct is
11 made either explicitly or implicitly a
12 term or condition of employment, pay,
13 career, benefits, or entitlements of the
14 individual;

15 “(II) submission to, or rejection,
16 of such conduct by an individual is
17 used as a basis for decisions affecting
18 that individual’s job, pay, career, bene-
19 fits, or entitlements;

20 “(III) such conduct has the pur-
21 pose or effect of unreasonably inter-
22 fering with an individual’s work per-
23 formance or creates an intimidating,
24 hostile, or offensive work environment;
25 or

1 “(IV) conduct may have been by
2 an individual’s supervisor, a super-
3 visor in another area, a co-worker, or
4 another credentialed mariner; and

5 “(ii) is so severe or pervasive that a
6 reasonable person would perceive, and the
7 victim does perceive, the environment as
8 hostile or offensive;

9 “(B) any use or condonation associated
10 with first-hand or personal knowledge, by any
11 individual in a supervisory or command posi-
12 tion, of any form of sexual behavior to control,
13 influence, or affect the career, pay, benefits, enti-
14 tlements, or employment of a subordinate; and

15 “(C) any deliberate or repeated unwelcome
16 verbal comment or gesture of a sexual nature by
17 any fellow employee of the complainant.”.

18 (b) *REPORT.*—The Commandant of the Coast Guard
19 shall submit to the Committee on Transportation and In-
20 frastructure of the House of Representatives and the Com-
21 mittee on Commerce, Science, and Transportation of the
22 Senate a report describing any changes the Commandant
23 may propose to the definitions added by the amendments
24 in subsection (a).

1 **SEC. 502. CONVICTED SEX OFFENDER AS GROUNDS FOR DE-**
 2 **NIAL.**

3 (a) *IN GENERAL.*—Chapter 75 of title 46, United
 4 States Code, is amended by adding at the end the following:

5 **“§ 7511. Convicted sex offender as grounds for denial**

6 “(a) *SEXUAL ABUSE.*—A license, certificate of registry,
 7 or merchant mariner’s document authorized to be issued
 8 under this part shall be denied to an individual who has
 9 been convicted of a sexual offense prohibited under chapter
 10 109A of title 18, except for subsection (b) of section 2244
 11 of title 18, or a substantially similar State, local, or Tribal
 12 offense.

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

20 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
 21 75 of title 46, United States Code, is amended by adding
 22 at the end the following:

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

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

7 **“§ 7704a. Sexual harassment or sexual assault as**
8 **grounds for suspension or revocation**

9 “(a) *SEXUAL HARASSMENT.—If it is shown at a hear-*
10 *ing under this chapter that a holder of a license, certificate*
11 *of registry, or merchant mariner’s document issued under*
12 *this part, within 5 years before the beginning of the suspen-*
13 *sion and revocation proceedings, is the subject of an official*
14 *finding of sexual harassment, then the license, certificate*
15 *of registry, or merchant mariner’s document may be sus-*
16 *pending or revoked.*

17 “(b) *SEXUAL ASSAULT.*—If it is shown at a hearing
18 under this chapter that a holder of a license, certificate of
19 registry, or merchant mariner’s document issued under this
20 part, within 10 years before the beginning of the suspension
21 and revocation proceedings, is the subject of an official find-
22 ing of sexual assault, then the license, certificate of registry,
23 or merchant mariner’s document shall be revoked.

24 “(c) *OFFICIAL FINDING.*—

25 “(1) *IN GENERAL.*—In this section, the term ‘of-
26 ficial finding’ means—

1 “(A) a legal proceeding or agency finding
2 or decision that determines the individual com-
3 mitted sexual harassment or sexual assault in
4 violation of any Federal, State, local, or Tribal
5 law or regulation; or

6 “(B) a determination after an investigation
7 by the Coast Guard that, by a preponderance of
8 the evidence, the individual committed sexual
9 harassment or sexual assault if the investigation
10 affords appropriate due process rights to the sub-
11 ject of the investigation.

12 “(2) INVESTIGATION BY THE COAST GUARD.—An
13 investigation by the Coast Guard under paragraph
14 (1)(B) shall include, at a minimum, evaluation of the
15 following materials that, upon request, shall be pro-
16 vided to the Coast Guard:

17 “(A) Any inquiry or determination made
18 by the employer or former employer of the indi-
19 vidual as to whether the individual committed
20 sexual harassment or sexual assault.

21 “(B) Any investigative materials, docu-
22 ments, records, or files in the possession of an
23 employer or former employer of the individual
24 that are related to the claim of sexual harass-
25 ment or sexual assault by the individual.

1 “(3) *ADMINISTRATIVE LAW JUDGE REVIEW.*—

2 “(A) *COAST GUARD INVESTIGATION.*—A de-
3 *termination under paragraph (1)(B) shall be re-*
4 *viewed and affirmed by an administrative law*
5 *judge within the same proceeding as any suspen-*
6 *sion or revocation of a license, certificate of reg-*
7 *istry, or merchant mariner’s document under*
8 *subsection (a) or (b).*

9 “(B) *LEGAL PROCEEDING.*—A determina-
10 *tion under paragraph (1)(A) that an individual*
11 *committed sexual harassment or sexual assault is*
12 *conclusive in suspension and revocation pro-*
13 *ceedings.”.*

14 (b) *CLERICAL AMENDMENT.*—The chapter analysis of
15 chapter 77 of title 46, United States Code, is amended by
16 inserting after the item relating to section 7704 the fol-
17 lowing:

“7704a. *Sexual harassment or sexual assault as grounds for suspension or revoca-*
tion.”.

18 **SEC. 504. ACCOMMODATION; NOTICES.**

19 Section 11101 of title 46, United States Code, is
20 amended—

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

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

1 (3) in subsection (a), by adding at the end the
2 *following:*

3 “(5) each crew berthing area shall be equipped
4 *with information regarding—*

5 “(A) vessel owner or company policies pro-
6 *hibiting sexual assault and sexual harassment,*
7 *retaliation, and drug and alcohol usage; and*

8 “(B) procedures and resources to report
9 *crimes, including sexual assault and sexual har-*
10 *assment, including information—*

11 “(i) on the contact information,
12 *website address, and mobile application to*
13 *the Coast Guard Investigative Services for*
14 *reporting of crimes and the Coast Guard*
15 *National Command Center;*

16 “(ii) on vessel owner or company pro-
17 *cedures to report violations of company pol-*
18 *icy and access resources;*

19 “(iii) on resources provided by outside
20 *organizations such as sexual assault hot-*
21 *lines and counseling;*

22 “(iv) on the retention period for sur-
23 *veillance video recording after an incident*
24 *of sexual harassment or sexual assault is re-*
25 *ported; and*

1 “(v) additional items specified in regu-
 2 lations issued by, and at the discretion of,
 3 the Secretary of the department in which
 4 the Coast Guard is operating.”; and

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

13 **SEC. 505. PROTECTION AGAINST DISCRIMINATION.**

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

16 (1) by redesignating subparagraphs (B) through
 17 (G) as subparagraphs (C) through (H), respectively;
 18 and

19 (2) by inserting after subparagraph (A) the fol-
 20 lowing:

21 “(B) the seaman in good faith has reported or is
 22 about to report to the vessel owner, Coast Guard or
 23 other appropriate Federal agency or department sex-
 24 ual harassment or sexual assault against the seaman

1 or knowledge of sexual harassment or sexual assault
2 against another seaman;”.

3 **SEC. 506. ALCOHOL PROHIBITION.**

4 (a) *REGULATIONS.*—

5 (1) *IN GENERAL.*—Not later than 1 year after
6 the date of enactment of this Act, the Secretary of the
7 department in which the Coast Guard is operating
8 shall, taking into account the safety and security of
9 every individual on documented vessels, issue such
10 regulations as are necessary relating to alcohol con-
11 sumption on documented vessels, according to the fol-
12 lowing requirements:

13 (A) *The Secretary shall determine safe levels*
14 *of alcohol consumption by crewmembers aboard*
15 *documented vessels engaged in commercial serv-*
16 *ice.*

17 (B) *If the Secretary determines there is no*
18 *alcohol policy that can be implemented to ensure*
19 *a safe environment for crew and passengers, the*
20 *Secretary shall implement a prohibition on pos-*
21 *session and consumption of alcohol by crew-*
22 *members while aboard a vessel, except when pos-*
23 *session is associated with the commercial sale or*
24 *gift to non-crew members aboard the vessel.*

1 (2) *IMMUNITY FROM CIVIL LIABILITY.*—Any
 2 crewmember who reports an incident of sexual assault
 3 or sexual harassment that is directly related to a vio-
 4 lation of the regulations issued under paragraph (1)
 5 is immune from civil liability for any related viola-
 6 tion of such regulations.

7 **SEC. 507. SURVEILLANCE REQUIREMENTS.**

8 (a) *IN GENERAL.*—Part B of subtitle II of title 46,
 9 United States Code, is amended by adding at the end the
 10 following:

11 **“CHAPTER 49—OCEANGOING NON-**
 12 **PASSENGER COMMERCIAL VESSELS**

“Sec.

“4901. Surveillance requirements.

13 **“§ 4901. Surveillance requirements**

14 “(a) *IN GENERAL.*—A vessel engaged in commercial
 15 service that does not carry passengers, shall maintain a
 16 video surveillance system.

17 “(b) *APPLICABILITY.*—The requirements in this section
 18 shall apply to—

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

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

1 “(B) is at least 24 meters (79 feet) in over-
2 all length and required to have a load line under
3 chapter 51;

4 “(2) documented vessels of at least 500 gross tons
5 as measured under section 14502, or an alternate ton-
6 nage measured under section 14302 as prescribed by
7 the Secretary under section 14104 on an inter-
8 national voyage; and

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

13 “(c) *PLACEMENT OF VIDEO AND AUDIO SURVEILLANCE*
14 *EQUIPMENT.*—

15 “(1) *IN GENERAL.*—The owner of a vessel to
16 which this section applies shall install video and
17 audio surveillance equipment aboard the vessel not
18 later than 2 years after enactment of the Coast Guard
19 Authorization Act of 2022, or during the next sched-
20 uled drydock, whichever is later.

21 “(2) *LOCATIONS.*—Video and audio surveillance
22 equipment shall be placed in passageways on to which
23 doors from staterooms open. Such equipment shall be
24 placed in a manner ensuring the visibility of every
25 door in each such passageway.

1 “(d) *NOTICE OF VIDEO AND AUDIO SURVEILLANCE.*—
2 *The owner of a vessel to which this section applies shall*
3 *provide clear and conspicuous signs on board the vessel no-*
4 *tifying the crew of the presence of video and audio surveil-*
5 *lance equipment.*

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

7 “(1) *IN GENERAL.*—*The owner of a vessel to*
8 *which this section applies shall provide to any Fed-*
9 *eral, state, or other law enforcement official per-*
10 *forming official duties in the course and scope of a*
11 *criminal or marine safety investigation, upon request,*
12 *a copy of all records of video and audio surveillance*
13 *that the official believes is relevant to the investiga-*
14 *tion.*

15 “(2) *CIVIL ACTIONS.*—*Except as proscribed by*
16 *law enforcement authorities or court order, the owner*
17 *of a vessel to which this section applies shall, upon*
18 *written request, provide to any individual or the in-*
19 *dividual’s legal representative a copy of all records of*
20 *video and audio surveillance—*

21 “(A) *in which the individual is a subject of*
22 *the video and audio surveillance;*

23 “(B) *the request is in conjunction with a*
24 *legal proceeding or investigation; and*

1 “(C) that may provide evidence of any sex-
2 ual harassment or sexual assault incident in a
3 civil action.

4 “(3) *LIMITED ACCESS.*—The owner of a vessel to
5 which this section applies shall ensure that access to
6 records of video and audio surveillance is limited to
7 the purposes described in this paragraph and not
8 used as part of a labor action against a crew member
9 or employment dispute unless used in a criminal or
10 civil action.

11 “(f) *RETENTION REQUIREMENTS.*—The owner of a ves-
12 sel to which this section applies shall retain all records of
13 audio and video surveillance for not less than 150 days after
14 the footage is obtained. Any video and audio surveillance
15 found to be associated with an alleged incident should be
16 preserved for not less than 4 years from the date of the al-
17 leged incident. The Federal Bureau of Investigation and the
18 Coast Guard are authorized access to all records of video
19 and audio surveillance relevant to an investigation into
20 criminal conduct.

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

24 “(h) *EXEMPTION.*—Fishing vessels, fish processing ves-
25 sels, and fish tender vessels are exempt from this section.”.

1 (b) *CLERICAL AMENDMENT.*—*The table of chapters for*
 2 *subtitle II of title 46, United States Code, is amended by*
 3 *adding after the item related to chapter 47 the following:*

“49. Oceangoing Non-Passenger Commercial Vessels 4901”.

4 **SEC. 508. MASTER KEY CONTROL.**

5 (a) *IN GENERAL.*—*Chapter 31 of title 46, United*
 6 *States Code, is amended by adding at the end the following:*

7 **“§ 3106. Master key control system**

8 “(a) *IN GENERAL.*—*The owner of a vessel subject to*
 9 *inspection under section 3301 shall—*

10 “(1) *ensure that such vessel is equipped with a*
 11 *vessel master key control system, manual or elec-*
 12 *tronic, which provides controlled access to all copies*
 13 *of the vessel’s master key of which access shall only*
 14 *be available to the individuals described in paragraph*
 15 *(2);*

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

21 “(3) *record in a log book, located in a centralized*
 22 *location that is readily accessible to law enforcement*
 23 *personnel, information on all access and use of the*
 24 *vessel’s master key; and*

1 “(4) *make the list under paragraph (2) and the*
2 *log book under paragraph (3) available upon request*
3 *to any agent of the Federal Bureau of Investigation,*
4 *any member of the Coast Guard, and any law en-*
5 *forcement officer performing official duties in the*
6 *course and scope of an investigation.*

7 “(b) *PROHIBITED USE.—Crew not included on the list*
8 *described in subsection (a)(2) shall not have access to or*
9 *use the master key unless in an emergency and shall imme-*
10 *diately notify the master and owner of the vessel following*
11 *use of such key.*

12 “(c) *REQUIREMENTS FOR LOG BOOK.—The log book*
13 *described in subsection (a)(3)—*

14 “(1) *may be—*

15 “(A) *electronic; and*

16 “(B) *included in the vessel safety manage-*
17 *ment system; and*

18 “(2) *shall include—*

19 “(A) *dates and times of access;*

20 “(B) *the room or location accessed; and*

21 “(C) *the name and rank of the crew member*
22 *that used the master key.*

23 “(d) *PENALTY.—Any crew member who uses the mas-*
24 *ter key without having been granted access pursuant to sub-*
25 *section (a)(2) shall be liable to the United States Govern-*

1 *ment for a civil penalty of not more than \$1,000 and may*
 2 *be subject to suspension or revocation under section 7703.*

3 “(e) *EXEMPTION.*—*This section shall not apply to ves-*
 4 *sels subject to section 3507(f).”.*

5 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 6 *31 of title 46, United States Code, is amended by adding*
 7 *at the end the following:*

“3106. Master key control system.”.

8 ***SEC. 509. SAFETY MANAGEMENT SYSTEMS.***

9 *Section 3203 of title 46, United States Code, is amend-*
 10 *ed—*

11 *(1) in subsection (a)—*

12 *(A) by redesignating paragraphs (5) and*
 13 *(6) as paragraphs (7) and (8); and*

14 *(B) by inserting after paragraph (4) the fol-*
 15 *lowing:*

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

19 *“(A) prevention;*

20 *“(B) bystander intervention;*

21 *“(C) reporting;*

22 *“(D) response; and*

23 *“(E) investigation;*

24 *“(6) the log book required under section 3106;”;*

1 (2) *by redesignating subsections (b) and (c) as*
 2 *subsections (c) and (d), respectively; and*

3 (3) *by inserting after subsection (a) the fol-*
 4 *lowing:*

5 “(b) *PROCEDURES AND TRAINING REQUIREMENTS.—*
 6 *In prescribing regulations for the procedures and training*
 7 *requirements described in subsection (a)(5), such procedures*
 8 *and requirements shall be consistent with the requirements*
 9 *to report sexual harassment or sexual assault under section*
 10 *10104.”.*

11 **SEC. 510. REQUIREMENT TO REPORT SEXUAL ASSAULT AND**
 12 **HARASSMENT.**

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

16 “(a) *MANDATORY REPORTING BY CREW MEMBER.—*

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

22 “(2) *PENALTY.—A crew member with first-hand*
 23 *or personal knowledge of a sexual assault or sexual*
 24 *harassment incident on a documented vessel who*
 25 *knowingly fails to report in compliance with para-*

1 *graph (a)(1) is liable to the United States Govern-*
2 *ment for a civil penalty of not more than \$5,000.*

3 “(3) *AMNESTY.*—*A crew member who fails to*
4 *make the required reporting under paragraph (1)*
5 *shall not be subject to the penalty described in para-*
6 *graph (2) if the complaint is shared in confidence*
7 *with the crew member directly from the assaulted in-*
8 *dividual or the crew member is a victim advocate as*
9 *defined in section 40002(a) of the Violent Crime Con-*
10 *trol and Law Enforcement Act of 1994 (34 U.S.C.*
11 *12291(a)).*

12 “(b) *MANDATORY REPORTING BY VESSEL OWNER.*—

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

24 “(2) *PENALTY.*—*A vessel owner or managing op-*
25 *erator of a vessel engaged in commercial service, or*

1 *the employer of a seafarer on that vessel who know-*
2 *ingly fails to report in compliance with paragraph*
3 *(1) is liable to the United States Government for a*
4 *civil penalty of not more than \$25,000.*

5 “(c) *REPORTING PROCEDURES.*—

6 “(1) *A report required under subsection (a) shall*
7 *be made as soon as practicable, but no later than 10*
8 *days after the individual develops first-hand or per-*
9 *sonal knowledge of the sexual assault or sexual har-*
10 *assment incident to the Coast Guard National Com-*
11 *mand Center by the fastest telecommunication chan-*
12 *nel available.*

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

20 “(A) *the nearest Coast Guard Captain of*
21 *the Port; or*

22 “(B) *the appropriate officer or agency of the*
23 *government of the country in whose waters the*
24 *incident occurs.*

1 “(3) A report required under subsections (a) and
2 (b) shall include, to the best of the reporter’s knowl-
3 edge—

4 “(A) the name, official position or role in
5 relation to the vessel, and contact information of
6 the individual making the report;

7 “(B) the name and official number of the
8 documented vessel;

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

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

12 “(E) a brief description of the alleged sexual
13 harassment or sexual assault being reported.

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

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

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

3 (a) *PERSONAL INJURY TO OR DEATH OF SEAMEN.*—
 4 Section 30104(a) of title 46, United States Code, as so des-
 5 ignated by section 405(a)(1), is amended by inserting “,
 6 including an injury resulting from sexual assault or sexual
 7 harassment,” after “in the course of employment”.

8 (b) *TIME LIMIT ON BRINGING MARITIME ACTION.*—
 9 Section 30106 of title 46, United States Code, is amended—

10 (1) in the section heading by striking “**for per-**
 11 **sonal injury or death**”;

12 (2) by striking “Except as otherwise” and insert-
 13 ing the following:

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

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

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

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

“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 States
 4 Code, is amended by adding at the end the following:

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

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

9 “(1) *equipped with no less than 2 sexual assault*
 10 *and forensic examination kits; and*

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

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

16 “(1) *would require the vessel to travel 5 consec-*
 17 *utive days or longer at 20 knots per hour to reach a*
 18 *land-based or afloat medical facility; and*

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

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

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

1 **TITLE VI—TECHNICAL, CON-**
 2 **FORMING, AND CLARIFYING**
 3 **AMENDMENTS**

4 **SEC. 601. TECHNICAL CORRECTIONS.**

5 *(a) Section 319(b) of title 14, United States Code, is*
 6 *amended by striking “section 331 of the FAA Modernization*
 7 *and Reform Act of 2012 (49 U.S.C. 40101 note)” and in-*
 8 *serting “section 44801 of title 49”.*

9 *(b) Section 1156(c) of title 14, United States Code, is*
 10 *amended by striking “section 331 of the FAA Modernization*
 11 *and Reform Act of 2012 (49 U.S.C. 40101 note)” and in-*
 12 *serting “section 44801 of title 49”.*

13 **SEC. 602. TRANSPORTATION WORKER IDENTIFICATION**
 14 **CREDENTIAL TECHNICAL AMENDMENTS.**

15 *(a) IN GENERAL.—Section 70105 of title 46, United*
 16 *States Code, is amended—*

17 *(1) in the section heading by striking “**security***
 18 ***cards**” and inserting “**worker identification***
 19 ***credentials**”;*

20 *(2) by striking “transportation security card”*
 21 *each place it appears and inserting “transportation*
 22 *worker identification credential”;*

23 *(3) by striking “transportation security cards”*
 24 *each place it appears and inserting “transportation*
 25 *worker identification credentials”;*

1 (4) by striking “card” each place it appears and
2 inserting “credential”

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

5 (6) by striking subsection (i) and redesignating
6 subsections (j) and (k) as subsections (i) and (j), re-
7 spectively;

8 (7) by striking subsection (l) and redesignating
9 subsections (m) through (q) as subsections (k) through
10 (o), respectively;

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

12 (A) in the subsection heading by striking
13 “SECURITY CARD” and inserting “WORKER
14 IDENTIFICATION CREDENTIAL”; and

15 (B) in the heading for paragraph (2) by
16 striking “SECURITY CARDS” and inserting
17 “WORKER IDENTIFICATION CREDENTIAL”;

18 (9) in subsection (k)(1), as so redesignated, by
19 striking “subsection (k)(3)” and inserting “subsection
20 (j)(3)”; and

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

22 (A) in the subsection heading by striking
23 “SECURITY CARD” and inserting “WORKER
24 IDENTIFICATION CREDENTIAL”;

25 (B) in paragraph (1)—

1 (i) by striking “subsection (k)(3)” and
 2 inserting “subsection (j)(3)”; and

3 (ii) by striking “This plan shall” and
 4 inserting “Such receipt and activation
 5 shall”; and

6 (C) in paragraph (2) by striking “on-site
 7 activation capability” and inserting “on-site re-
 8 ceipt and activation of transportation worker
 9 identification credentials”.

10 (b) *CLERICAL AMENDMENT.*—The analysis for chapter
 11 701 of title 46, United States Code, is amended by striking
 12 the item related to section 70105 and inserting the fol-
 13 lowing:

“70105. Transportation worker identification credentials.”.

14 **SEC. 603. REINSTATEMENT.**

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

18 (1) reinstated as it appeared on the day before
 19 the date of enactment of section 8507(b) of the Wil-
 20 liam M. (Mac) Thornberry National Defense Author-
 21 ization Act for Fiscal Year 2021 (Public Law 116–
 22 283); and

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

1 (b) *EFFECTIVE DATE.*—*The provision reinstated by*
2 *subsection (a) shall be treated as if such section 8507(b)*
3 *had never taken effect.*

4 (c) *CONFORMING AMENDMENT.*—*The provision rein-*
5 *stated under subsection (a) is amended by striking “, except*
6 *to the extent provided in this section”.*

Union Calendar No. 209

117TH CONGRESS
2D Session

H. R. 6865

[Report No. 117-282]

A BILL

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

MARCH 29, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed