

RECOGNIZING NATIONAL AREA HEALTH EDUCATION CENTERS WEEK

(Mrs. LEE of Nevada asked and was given permission to address the House for 1 minute.)

Mrs. LEE of Nevada. Mr. Speaker, I rise today to recognize this last week of March as National Area Health Education Centers, or AHEC, week.

The AHEC program is vital to this country and for Nevadans because we are facing an unprecedented shortage of healthcare providers. The doctor shortage in southern Nevada is nearing crisis levels, which means longer wait times, fewer choices, and less access to quality healthcare.

The size of Nevada's physician workforce ranks near last in this country. As our community continues to expand, the challenges continue to grow.

To solve this crisis, underserved communities like Las Vegas need to expand the resources we offer so that medical providers can learn and grow their careers right here.

That is exactly what AHECs do. They are part of the solution. The Nation's 300 federally funded AHECs are in nearly every State and in multiple U.S. territories. In the past 5 years, they have trained 2 million healthcare professionals.

Please join me in saluting AHECs as they continue to be committed to prepare, plan, and train for a better healthcare future.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4521. An act to provide for a coordinated Federal research initiative to ensure continued United States leadership in engineering biology.

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AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL PEACE OFFICERS MEMORIAL SERVICE AND THE NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Resolution 74, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 74

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the 41st Annual National Peace Officers Memorial Service (in this resolution referred to as the "Memorial Service"), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2021.

(b) DATE OF MEMORIAL SERVICE.—The Memorial Service shall be held on May 15, 2022, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate, with preparation for the event to begin on May 10, 2022, and takedown completed on May 16, 2022.

SEC. 2. USE OF THE CAPITOL GROUNDS FOR NATIONAL HONOR GUARD AND PIPE BAND EXHIBITION.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary shall be permitted to sponsor a public event, the National Honor Guard and Pipe Band Exhibition (in this resolution referred to as the "Exhibition"), on the Capitol Grounds, in order to allow law enforcement representatives to exhibit their ability to demonstrate Honor Guard programs and provide for a bagpipe exhibition.

(b) DATE OF EXHIBITION.—The Exhibition shall be held on May 14, 2022, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 3. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsors of the Memorial Service and Exhibition shall assume full responsibility for all expenses and liabilities incident to all activities associated with the events.

SEC. 4. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsors referred to in section 3(b) are authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the Memorial Service and Exhibition.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the events.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DISPENSING WITH CALL OF PRIVATE CALENDAR ON TUESDAY, APRIL 5, 2022, AND TUESDAY, MAY 3, 2022

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be dispensed with on Tuesday, April 5, 2022 and Tuesday, May 3, 2022.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

DON YOUNG COAST GUARD AUTHORIZATION ACT OF 2022

Mr. DEFAZIO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6865) to authorize appropriations for the Coast Guard, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Don Young Coast Guard Authorization Act of 2022".

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

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.

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

Sec. 103. Shoreside infrastructure and facilities.

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

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

Sec. 201. Authorized strength.

Sec. 202. Continuation of officers with certain critical skills on active duty.

Sec. 203. Number and distribution of officers on active duty promotion list.

Sec. 204. Coast Guard behavioral health policy.

Sec. 205. Improving representation of women and of racial and ethnic minorities among Coast Guard active-duty members.

Subtitle B—Operational Matters

Sec. 206. Pilot project for enhancing Coast Guard cutter readiness through condition-based maintenance.

Sec. 207. Unmanned systems strategy.

Sec. 208. Budgeting of Coast Guard relating to certain operations.

Sec. 209. Report on San Diego maritime domain awareness.

Sec. 210. Great Lakes winter shipping.

Sec. 211. Center of expertise for Great Lakes oil spill search and response.

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

Subtitle C—Other Matters

Sec. 213. Responses of Commandant of the Coast Guard to safety recommendations.

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. Qualified vessel.
- Sec. 309. Establishing a capital construction fund.

TITLE IV—FEDERAL MARITIME COMMISSION

- Sec. 401. Short title.
- Sec. 402. Purposes.
- Sec. 403. Service contracts.
- Sec. 404. Shipping exchange registry.
- Sec. 405. Data collection.
- Sec. 406. National shipper advisory committee.
- Sec. 407. Annual report and public disclosures.
- Sec. 408. General prohibitions.
- Sec. 409. Prohibition on unreasonably declining cargo.
- Sec. 410. Detention and demurrage.
- Sec. 411. Assessment of penalties.
- Sec. 412. Investigations.
- Sec. 413. Injunctive relief.
- Sec. 414. Technical amendments.
- Sec. 415. Authorization of appropriations.
- Sec. 416. NAS study on supply chain industry.
- Sec. 417. Temporary emergency authority.
- Sec. 418. Terms and vacancies.

TITLE V—MISCELLANEOUS

Subtitle A—Navigation

- Sec. 501. Restriction on changing salvors.
- Sec. 502. Providing requirements for vessels anchored in established anchorage grounds.
- Sec. 503. Aquatic Nuisance Species Task Force.
- Sec. 504. Limitation on recovery for certain injuries incurred in aquaculture activities.

Subtitle B—Other Matters

- Sec. 505. Information on type approval certificates.
- Sec. 506. Passenger vessel security and safety requirements.
- Sec. 507. Cargo waiting time reduction.
- Sec. 508. Limited indemnity provisions in standby oil spill response contracts.
- Sec. 509. Port Coordination Council for Point Spencer.
- Sec. 510. Western Alaska oil spill planning criteria.
- Sec. 511. Nonapplicability.
- Sec. 512. Report on enforcement of coastwise laws.
- Sec. 513. Land conveyance, Sharpe Army Depot, Lathrop, California.
- Sec. 514. Center of Expertise for Marine Environmental Response.
- Sec. 515. Prohibition on entry and operation.
- Sec. 516. St. Lucie River railroad bridge.

- Sec. 517. Assistance related to marine mammals.

- Sec. 518. Manning and crewing requirements for certain vessels, vehicles, and structures.

TITLE VI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

- Sec. 601. Definitions.
- Sec. 602. Convicted sex offender as grounds for denial.
- Sec. 603. Sexual harassment or sexual assault as grounds for suspension or revocation.
- Sec. 604. Accommodation; notices.
- Sec. 605. Protection against discrimination.
- Sec. 606. Alcohol prohibition.
- Sec. 607. Surveillance requirements.
- Sec. 608. Master key control.
- Sec. 609. Safety management systems.
- Sec. 610. Requirement to report sexual assault and harassment.
- Sec. 611. Civil actions for personal injury or death of seamen.
- Sec. 612. Administration of sexual assault forensic examination kits.

TITLE VII—TECHNICAL AND CONFORMING PROVISIONS

- Sec. 701. Technical corrections.
- Sec. 702. Transportation worker identification credential technical amendments.
- Sec. 703. Reinstatement.
- Sec. 704. Determination of budgetary effects.

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

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

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

(2) in paragraph (1)—

(A) in subparagraph (A)—

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

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

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

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

(3) in paragraph (2)—

(A) in subparagraph (A)—

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

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

(B) in subparagraph (B)—

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

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

(4) in paragraph (3)—

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

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

(5) in paragraph (4)—

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

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

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

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

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

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

SEC. 103. SHORESIDE INFRASTRUCTURE AND FACILITIES.

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

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

(c) TRAINING CENTER CAPE MAY.—Of the amounts set aside under subsection (a), up to \$60,000,000 shall be authorized to fund Phase I, in fiscal year 2022, and Phase II, in fiscal year 2023, for the recapitalization of the barracks at the United States Coast Guard Training Center Cape May in Cape May, New Jersey.

(d) MITIGATION OF HAZARD RISKS.—In carrying out projects with funds authorized under this section, the Coast Guard shall mitigate, to the greatest extent practicable, natural hazard risks identified in any Shore Infrastructure Vulnerability Assessment for Phase I related to such projects.

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

(1) complete repairs to the United States Coast Guard Station, New York, waterfront, including repairs to the concrete pier; and

(2) replace floating piers Alpha and Bravo, the South Breakwater and Ice Screen, the North Breakwater and Ice Screen, and the seawall.

SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF ADDITIONAL CUTTERS.

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

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

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

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

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

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

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

(b) TREATMENT OF ACQUIRED CUTTER.—Any cutter acquired using amounts authorized under subsection (a) shall be in addition to the National Security Cutters and Fast Response Cutters approved under the existing acquisition baseline in the program of record for the National Security Cutter and Fast Response Cutter.

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

(1) for fiscal year 2022, \$350,000,000 shall be authorized for the acquisition of a Great

Lakes icebreaker at least as capable as Coast Guard Cutter *Mackinaw* (WLBB-30); and

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

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

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

SEC. 201. AUTHORIZED STRENGTH.

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

“(c) The Secretary may vary the authorized end strength of the Coast Guard Selected Reserves for a fiscal year by a number equal to not more than 3 percent of such end strength upon a determination by the Secretary that varying such authorized end strength is in the national interest.

“(d) The Commandant may increase the authorized end strength of the Coast Guard Selected Reserves by a number equal to not more than 2 percent of such authorized end strength upon a determination by the Commandant that such increase would enhance manning and readiness in essential units or in critical specialties or ratings.”.

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

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

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

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

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

“(c) **DURATION OF CONTINUATION.**—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

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

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

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

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

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

“(a) **MAXIMUM TOTAL NUMBER.**—

“(1) **IN GENERAL.**—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed—

“(A) 7,100 in fiscal year 2022;

“(B) 7,200 in fiscal year 2023;

“(C) 7,300 in fiscal year 2024; and

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

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

“(3) **NOTIFICATION.**—Not later than 30 days after exceeding the total number of commissioned officers permitted under paragraph (1), and each 30 days thereafter until the total number of commissioned officers no longer exceeds the number of such officers permitted under paragraph (1), the Commandant shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the number of officers on the active duty promotion list on the last day of the preceding 30-day period.”.

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

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

“§5113. Officers not on active duty promotion list

“Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant 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 the number of Coast Guard officers serving at other Federal entities on a reimbursable basis but not on the active duty promotion list.”.

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

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

SEC. 204. COAST GUARD BEHAVIORAL HEALTH POLICY.

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

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

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

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

(1) determine which recommendations in the RAND representation report can practicably be implemented to promote improved representation in the Coast Guard of—

(A) women; and

(B) racial and ethnic minorities; and

(2) 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 on the actions the Com-

mandant has taken, or plans to take, to implement such recommendations.

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

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

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

(3) the officer, enlisted member, and civilian leadership courses managed by the Leadership Development Center.

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

Subtitle B—Operational Matters

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

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

(b) **CRITERIA FOR CONDITION-BASED MAINTENANCE EVALUATION.**—In conducting the pilot project under subsection (a), the Commandant shall—

(1) select at least 1 legacy cutter asset and 1 class of cutters under construction with respect to which the application of the pilot project would enhance readiness;

(2) use commercially developed condition-based program standards similar to those applicable to privately owned and operated vessels or vessels owned or operated by other Federal agencies (such as those currently operating under the direction of Military Sealift Command);

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

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

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

(c) **REPORT TO CONGRESS.**—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

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

(2) a final report not later than 2 years after the date of enactment of this Act on the results of the pilot project described in subsection (a) that includes—

(A) options to integrate commercially developed condition-based program standards for cutter maintenance to Coast Guard cutters; and

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

SEC. 207. UNMANNED SYSTEMS STRATEGY.

(a) **SUBMISSION TO CONGRESS.**—Not later than 180 days after the date of enactment of

this Act, the Commandant of the Coast Guard 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 detailed description of the strategy of the Coast Guard to implement unmanned systems across mission areas, including—

(1) the steps taken to implement actions recommended in the consensus study report of the National Academies of Sciences, Engineering, and Medicine published on November 12, 2020, titled “Leveraging Unmanned Systems for Coast Guard Missions: A Strategic Imperative”;

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

(3) a strategy to sustain competition and innovation for procurement of unmanned systems and services for the Coast Guard, including defining opportunities for new and existing technologies; and

(4) an estimate of the timeline, costs, staff resources, technology, or other resources necessary to accomplish the strategy.

(b) PILOT PROJECT.—

(1) AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY.—The Commandant of the Coast Guard, acting through the Blue Technology Center of Expertise, shall conduct a pilot project to retrofit an existing Coast Guard small boat with—

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

(B) such sensors and methods of communication as are necessary to demonstrate the ability of such control and technology to assist in conducting search and rescue, surveillance, and interdiction missions.

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

(3) BRIEFING.—Not later than 6 months after completing the pilot project required under paragraph (1), the Commandant shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on commerce, Science, and Transportation of the Senate on the evaluation of the data derived from the project.

SEC. 208. BUDGETING OF COAST GUARD RELATING TO CERTAIN OPERATIONS.

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

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

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

“(1) all expenses related to the Coast Guard’s coordination, training, and execution of defense readiness mission activities in the Coast Guard’s capacity as an Armed Force (as such term is defined in section 101 of title 10) in support of Department of Defense national security operations and activities or for any other military department or defense agency (as such terms are defined in such section);

“(2) costs associated with Coast Guard detachments assigned in support of the Coast Guard’s defense readiness mission; and

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

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code,

is further amended by adding at the end the following:

“5114. Expenses of performing and executing defense readiness mission activities.”

SEC. 209. REPORT ON SAN DIEGO MARITIME DOMAIN AWARENESS.

Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard 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 containing—

(1) an overview of the maritime domain awareness in the area of responsibility of the Coast Guard sector responsible for San Diego, California, including—

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

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

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

(D) an estimate of the volume of traffic engaged in illicit activity at sea in such area and the type and description of any vessels used to carry out illicit activities that such sector responded to during fiscal years 2020 through 2022; and

(E) the maritime domain awareness requirements to effectively meet the mission of such sector;

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

(3) a description of any gaps in maritime domain awareness within the area of responsibility of such sector resulting from an inability to meet the enduring maritime domain awareness requirements of the sector or adequately respond to maritime disorder;

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

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

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

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

SEC. 210. GREAT LAKES WINTER SHIPPING.

(a) GREAT LAKES ICEBREAKING OPERATIONS.—

(1) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on Coast Guard icebreaking in the Great Lakes.

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

(i) evaluate—

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

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

(III) the fleet mix of medium icebreakers and icebreaking tugs necessary to meet the standards proposed in paragraph (2); and

(IV) the resources necessary to support the fleet described in subclause (III), including billets for crew and operating costs; and

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

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

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

(B) In a year in which the Great Lakes are not open to navigation, as described in subparagraph (A), because of ice of a thickness that occurs on average only once every 10 years, ice-covered waterways in the Great Lakes shall be open to navigation at least 70 percent of the hours that vessels engaged in commercial service and ferries attempt to transit such ice-covered waterways.

(3) REPORT BY COMMANDANT.—Not later than 90 days after the date on which the Comptroller General submits the report under paragraph (1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the following:

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

(B) With respect to any recommendation made under paragraph (1)(B)(ii) with which the Commandant does not concur, an explanation of the reasons why the Commandant does not concur.

(C) A review of, and a proposed implementation plan for, the results of the fleet mix analysis under paragraph (1)(B)(i)(III).

(D) Any proposed modifications to current Coast Guard standards for icebreaking operations in the Great Lakes.

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

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

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

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

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

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

(C) The period of time that each vessel engaged in commercial service or ferry was delayed in getting underway or during a transit of ice-covered waterways in the Great

Lakes due to the nonavailability of a suitable icebreaking vessel.

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

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

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

(G) A description of any mitigating circumstance, such as Coast Guard Great Lakes icebreaker diversions to higher priority missions, that may have contributed to the amount of time described in subparagraphs (C) and (D) or the percentage of time described in subparagraph (E).

(3) VOLUNTARY REPORTING.—Any reporting by operators of commercial vessels engaged in commercial service or ferries under this section shall be voluntary.

(4) PUBLIC AVAILABILITY.—The Commandant shall make the data collected, archived, and disseminated under this subsection available to the public on a publicly accessible internet website of the Coast Guard.

(5) CONSULTATION WITH INDUSTRY.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the data collected, archived, and disseminated under this subsection, the Commandant shall consult operators of—

(A) vessels engaged in commercial service; and

(B) ferries.

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

“(b) REPORT.—Not later than 90 days after the date of enactment of this subsection, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the operational benefits and limitations of a common hull design for icebreaking cutters for operation in the Great Lakes, the Northeastern United States, and the Arctic, as appropriate, that are at least as capable as the Coast Guard 140-foot icebreaking tugs.”.

(d) DEFINITIONS.—In this section:

(1) COMMERCIAL SERVICE.—The term “commercial service” has the meaning given such term in section 2101 of title 46, United States Code.

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

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

(B) includes harbors adjacent to such waters.

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

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

(A) meet the reasonable demands of shipping;

(B) minimize delays to passenger ferries;

(C) extricate vessels and persons from danger;

(D) prevent damage due to flooding; and

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

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

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

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

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

“(1) Lake Ontario;

“(2) Lake Erie;

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

“(4) Lake Michigan;

“(5) Lake Superior; and

“(6) the connecting channels (including the following rivers and tributaries of such rivers: Saint Mary’s River, Saint Clair River, Detroit River, Niagara River, Illinois River, Chicago River, Fox River, Grand River, St. Joseph River, St. Louis River, Menominee River, Muskegon River, Kalamazoo River, and Saint Lawrence River to the Canadian border).”.

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

Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, shall conduct a study on the laydown of Coast Guard Fast Response Cutters to assess Coast Guard mission readiness and to identify areas of need for asset coverage.

Subtitle C—Other Matters

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

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

“§ 721. Responses to safety recommendations

“(a) IN GENERAL.—Not later than 90 days after the submission to the Commandant of the Coast Guard of a recommendation by the National Transportation Safety Board relating to transportation safety, the Commandant shall submit to the Board a written response to each recommendation, which shall include whether the Commandant—

“(1) concurs with the recommendation;

“(2) partially concurs with the recommendation; or

“(3) does not concur with the recommendation.

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

“(1) with respect to a recommendation to which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;

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

“(3) with respect to a recommendation to which the Commandant does not concur, the

reasons why the Commandant does not concur with such recommendation.

“(c) FAILURE TO RESPOND.—If the Board has not received the written response required under subsection (a) by the end of the time period described in such subsection, the Board shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that such response has not been received.”.

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

“721. Responses to safety recommendations.”.

SEC. 214. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.

(a) REDESIGNATION AND TRANSFER.—

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

(2) CLERICAL AMENDMENTS.—

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

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

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

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

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

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

(2) in subsection (b)—

(A) in paragraph (1)—

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

(ii) by inserting “, as in effect on the date of enactment of the Don Young Coast Guard Authorization Act of 2022” after “Code of Federal Regulations”; and

(B) in paragraph (2) by inserting “, as in effect on the date of enactment of the Don Young Coast Guard Authorization Act of 2022” after “such title”.

SEC. 215. ACQUISITION LIFE-CYCLE COST ESTIMATES.

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

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

“(A) such life-cycle cost estimates be updated before—

“(i) each milestone decision is concluded; and

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

“(B) an independent cost estimate or independent cost assessment, as appropriate, be

developed to validate such life-cycle cost estimates developed under paragraph (1).”.

SEC. 216. NATIONAL COAST GUARD MUSEUM FUNDING PLAN.

Section 316(c)(4) of title 14, United States Code, is amended by striking “the Inspector General of the department in which the Coast Guard is operating” and inserting “a third party entity qualified to undertake such a certification process”.

SEC. 217. REPORT ON COAST GUARD EXPLOSIVE ORDNANCE DISPOSAL.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard 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 on the viability of establishing an explosive ordnance disposal program (hereinafter referred to as the “Program”) in the Coast Guard.

(b) CONTENTS.—The report required under subsection (a) shall contain, at a minimum, an explanation of the following with respect to such a Program:

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

- (A) Maritime Safety and Security Teams;
- (B) Maritime Security Response Teams;
- (C) a combination of the teams described under subparagraphs (A) and (B); or
- (D) elsewhere within the Coast Guard.

(3) The vehicles and dive craft that are Coast Guard airframe and vessel transportable that would be required for the transportation of explosive ordnance disposal elements.

(4) The Coast Guard stations at which—

- (A) portable explosives storage magazines would be available for explosive ordnance disposal elements; and
- (B) explosive ordnance disposal elements equipment would be pre-positioned.

(5) How the Program would support other elements within the Department of Homeland Security, the Department of Justice, and in wartime, the Department of Defense to—

- (A) counter improvised explosive devices;
- (B) counter unexploded ordnance;
- (C) combat weapons of destruction;
- (D) provide service in support of the President; and
- (E) support national security special events.

(6) The career progression of Coast Guardsmen participating in the Program from—

- (A) Seaman Recruit to Command Master Chief Petty Officer;
- (B) Chief Warrant Officer 2 to that of Chief Warrant Officer 4; and
- (C) Ensign to that of Rear Admiral.

(7) Initial and annual budget justification estimates on a single program element of the Program for—

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

- (i) officer responsibility pay;
- (ii) officer SCUBA diving duty pay;
- (iii) officer demolition hazardous duty pay;
- (iv) enlisted SCUBA diving duty pay;
- (v) enlisted demolition hazardous duty pay;
- (vi) enlisted special duty assignment pay at level special duty-5;
- (vii) enlisted assignment incentive pays;
- (viii) enlistment and reenlistment bonuses;
- (ix) officer and enlisted full civilian clothing allowances;

(x) an exception to the policy allowing a third hazardous duty pay for explosive ordnance disposal-qualified officers and enlisted; and

- (xi) parachutist hazardous duty pay;
- (B) research, development, test, and evaluation;
- (C) procurement;
- (D) other transaction agreements;
- (E) operations and support; and
- (F) overseas contingency operations.

SEC. 218. PRIBILOF ISLAND TRANSITION COMPLETION ACTIONS.

(a) EXTENSIONS.—Section 524 of the Pribilof Island Transition Completion Act of 2016 (Public Law 114-120) is amended—

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

(b) ACTUAL USE AND OCCUPANCY REPORTS.—Not later than 90 days after enactment of this Act, and quarterly thereafter, 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 describing—

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

(2) the status of the activities described in subsections (c) and (d) until such activities have been completed.

(c) AIRCRAFT HANGER.—The Secretary may—

(1) enter into a lease for a hangar to house deployed Coast Guard aircraft if such hangar was previously under lease by the Coast Guard for purposes of housing such aircraft; and

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

(d) FUEL TANK.—

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

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

(3) FAIR MARKET VALUE EXCEPTION.—The Secretary may only carry out a transfer under paragraph (2) if the fair market value of such tank is less than the aggregate value of any lease payments for the property on which the tank is located that the Coast Guard would have paid to the Alaska Native Village Corporation for St. Paul Island, Alaska, had such lease been extended at the same rate.

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

SEC. 219. NOTIFICATION OF COMMUNICATION OUTAGES.

Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard 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 that—

(1) contains a plan for the Coast Guard to notify mariners of radio outages for towers owned and operated by the Coast Guard in District 17;

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

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

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

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

(D) generate receipt confirmation and acknowledgment of outages from mariners; and

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

(3) identifies technology gaps necessary to implement the plan and provide a budgetary assessment 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 defined in section 2101 of title 46, United States Code) during each of the past 10 fiscal years.

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

SEC. 303. ATLANTIC COAST PORT ACCESS ROUTES BRIEFING.

Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter until the requirements of section 70003 of title 46, United States Code, are fully executed with respect to the Atlantic Coast Port Access Route, the Secretary of the department in which the Coast Guard is operating shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on any progress made to execute such requirements.

Subtitle B—Vessel Safety

SEC. 304. FISHING VESSEL SAFETY.

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

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

“(A) requested by an owner or operator; or
“(B) the vessel is—

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

“(ii) built before July 1, 2013; and

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

(2) in section 4503(b) by striking “Except as provided in section 4503a, subsection (a)” and inserting “Subsection (a)”;

(3) by repealing section 4503a.

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

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

SEC. 305. REQUIREMENTS FOR DUKW-TYPE AMPHIBIOUS PASSENGER VESSELS.

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

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

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

(1) A requirement that operators of DUKW-type amphibious passenger vessels provide reserve buoyancy for such vessels through passive means, including watertight compartmentalization, built-in flotation, or such other means as determined appropriate by the Commandant, in order to ensure that such vessels remain afloat and upright in the event of flooding, including when carrying a full complement of passengers and crew.

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

(A) review and notate the forecast of the National Weather Service of the National Oceanic and Atmospheric Administration in the logbook of the vessel before getting underway and periodically while underway;

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

(C) maintain and monitor a weather monitor radio receiver at the operator station of the vessel that is automatically activated by the warning alarm device of the National Weather Service.

(3) A requirement that—

(A) operators of DUKW-type amphibious passenger vessels inform passengers that seat belts may not be worn during waterborne operations;

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

(C) operators or crew maintain a log recording the actions described in subparagraphs (A) and (B).

(4) A requirement for annual training for operators and crew of DUKW-type amphibious passenger vessels, including—

(A) training for personal flotation and seat belt requirements, verifying the integrity of the vessel at the onset of each waterborne departure, identification of weather hazards, and use of National Weather Service resources prior to operation; and

(B) training for crew to respond to emergency situations, including flooding, engine

compartment fires, man-overboard situations, and in water emergency egress procedures.

(d) **CONSIDERATION.**—In issuing the regulations required under subsection (a), the Commandant shall consider whether personal flotation devices should be required for the duration of the waterborne transit of a DUKW-type amphibious passenger vessel.

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

(1) Remove the canopies and any window coverings of such vessels for waterborne operations, or install in such vessels a canopy that does not restrict horizontal or vertical escape by passengers in the event of flooding or sinking.

(2) If a canopy and window coverings are removed from any such vessel pursuant to paragraph (1), require that all passengers wear a personal flotation device approved by the Coast Guard before the onset of waterborne operations of such vessel.

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

(4) Install in such vessels independently powered electric bilge pumps that are capable of dewatering such vessels at the volume of the largest remaining penetration in order to supplement an operable Higgins pump or a dewatering pump of equivalent or greater capacity.

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

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

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

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

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

SEC. 306. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.

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

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

“Subchapter I—General Provisions”;

(2) by inserting the following before section 30503:

“Subchapter II—Exoneration and Limitation of Liability”;

and

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

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

“§ 30501. Definitions

“In this chapter:

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

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

“(i) not a wing-in-ground craft; and

“(ii) carrying—

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

“(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

“(B) includes any wooden vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

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

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

“30501. Definitions.”

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

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

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

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

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

(f) **TABLES OF SUBCHAPTERS AND TABLES OF SECTIONS.**—The table of sections for chapter 305 of title 46, United States Code, is amended—

(1) by inserting before section 30501 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

(2) by inserting after section 30502 the following:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

and

(3) by redesignating the items relating to sections 30503 through 30512 as items relating to sections 30521 through 30530, respectively.

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

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

(2) in section 30523(a), as redesignated by subsection (a), by striking “section 30506” and inserting “section 30524”;

(3) in section 30524(b), as redesignated by subsection (a), by striking “section 30505” and inserting “section 30523”;

(4) in section 30525, as redesignated by subsection (a)—

(A) in the matter preceding paragraph (1), by striking “sections 30505 and 30506” and inserting “sections 30523 and 30524”;

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

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

SEC. 307. AUTOMATIC IDENTIFICATION SYSTEM REQUIREMENTS.

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

(1) by striking “, while operating on the navigable waters of the United States,”;

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

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

“(A) While operating on the navigable waters of the United States;”;

(4) by adding at the end the following:

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

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

Subtitle C—Shipbuilding Program

SEC. 308. QUALIFIED VESSEL.

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

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

(2) in subparagraph (B)(v) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

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

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

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

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

(2) in subparagraph (B)(v) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

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

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

SEC. 309. ESTABLISHING A CAPITAL CONSTRUCTION FUND.

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

TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. SHORT TITLE.

This title may be cited as the “Ocean Shipping Reform Act of 2022”.

SEC. 402. PURPOSES.

Section 40101 of title 46, United States Code, is amended by striking paragraphs (2) through (4) and inserting the following:

“(2) ensure an efficient and competitive transportation system for the common carriage of goods by water in the foreign commerce of the United States that is, as far as possible, in harmony with fair and equitable international shipping practices;

“(3) encourage the development of a competitive and efficient liner fleet of vessels of the United States capable of meeting national security and commerce needs of the United States;

“(4) support the growth and development of United States exports through a competitive and efficient system for the common carriage of goods by water in the foreign commerce of the United States and by placing a greater reliance on the marketplace; and

“(5) promote reciprocal trade in the common carriage of goods by water in the foreign commerce of the United States.”.

SEC. 403. SERVICE CONTRACTS.

Section 40502 of title 46, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (7) by striking “; and” and inserting a semicolon;

(B) in paragraph (8) by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(9) any other essential terms or minimum contract requirements that the Federal Maritime Commission determines necessary or appropriate.”; and

(2) by adding at the end the following:

“(g) **SERVICE CONTRACT REQUIREMENT.**—With respect to service contracts entered into under this section, a common carrier shall establish, observe, and enforce just and reasonable regulations and practices relating to essential terms and minimum contract requirements the Commission determines are necessary or appropriate under subsection (c)(9).”.

SEC. 404. SHIPPING EXCHANGE REGISTRY.

(a) **IN GENERAL.**—Chapter 405 of title 46, United States Code, is amended by adding at the end the following:

“§ 40504. Shipping exchange registry

“(a) **IN GENERAL.**—No person may operate a shipping exchange involving ocean transportation in the foreign commerce of the United States unless the shipping exchange is registered as a national shipping exchange under the terms and conditions provided in this section and the regulations issued pursuant to this section.

“(b) **REGISTRATION.**—A person shall register a shipping exchange by filing with the Federal Maritime Commission an application for registration in such form as the Commission, by rule, may prescribe containing the rules of the exchange and such other information and documents as the Commission, by rule, may prescribe as necessary or appropriate in the public interest.

“(c) **EXEMPTION.**—The Commission may exempt, conditionally or unconditionally, a shipping exchange from registration and licensing under this section if the Commission finds that the shipping exchange is subject to comparable, comprehensive supervision and regulation by the appropriate governmental authorities in the home country of the shipping exchange.

“(d) **REGULATIONS.**—In issuing regulations pursuant to subsection (a), the Commission shall set standards necessary to carry out subtitle IV for registered national shipping exchanges, including the minimum requirements for service contracts established under section 40502, and issue licenses for registered national shipping exchanges.

“(e) **DEFINITION.**—In this subsection, the term ‘shipping exchange’ means a platform, digital, over-the-counter or otherwise, which connects shippers with common carriers (both vessel-operating and non-vessel-operating) for the purpose of entering into underlying agreements or contracts for the transport of cargo, by vessel or other modes of transportation.”.

(b) **APPLICABILITY.**—The registration requirement under section 40504 of title 46, United States Code (as added by this section), shall take effect on the date on which the Federal Maritime Commission issues regulations required under subsection (d) of such section.

(c) **CLERICAL AMENDMENT.**—The analysis for chapter 405 of title 46, United States Code, is amended by adding at the end the following:

“40504. Shipping exchange registry.”.

SEC. 405. DATA COLLECTION.

(a) **IN GENERAL.**—Chapter 411 of title 46, United States Code, is amended by adding at the end the following:

“§ 41110. Data collection

“(a) **IN GENERAL.**—Common carriers covered under this chapter shall submit to the Federal Maritime Commission a calendar quarterly report that describes the total import and export tonnage and the total loaded and empty 20-foot equivalent units per vessel

(making port in the United States, including any territory or possession of the United States) operated by such common carrier.

“(b) **PROHIBITION ON DUPLICATION.**—Data required to be reported under subsection (a) may not duplicate information—

“(1) submitted to the Corps of Engineers pursuant to section 11 of the Act entitled ‘An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes’, approved September 22, 1922 (33 U.S.C. 555), by an ocean common carrier acting as a vessel operator; or

“(2) submitted pursuant to section 481 of the Tariff Act of 1930 (19 U.S.C. 1481) to U.S. Customs and Border Protection by merchandise importers.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 411 of title 46, United States Code, is amended by adding at the end the following:

“41110. Data collection.”.

SEC. 406. NATIONAL SHIPPER ADVISORY COMMITTEE.

(a) **NATIONAL SHIPPER ADVISORY COMMITTEE.**—Section 42502(c)(3) of title 46, United States Code, is amended by inserting “, including customs brokers or freight forwarders” after “ocean common carriers” each place such term occurs.

(b) **ANALYSIS.**—The analysis for chapter 425 of title 46, United States Code, is amended by inserting before the item relating to section 42501 the following:

“Sec.”.

SEC. 407. ANNUAL REPORT AND PUBLIC DISCLOSURES.

(a) **REPORT ON FOREIGN LAWS AND PRACTICES.**—Section 46106(b) of title 46, United States Code, is amended—

(1) in paragraph (5) by striking “and” at the end;

(2) in paragraph (6)—

(A) by striking “under this part” and inserting “under chapter 403”; and

(B) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(7) an identification of any anticompetitive or nonreciprocal trade practices by ocean common carriers;

“(8) an analysis of any trade imbalance resulting from the business practices of ocean common carriers, including an analysis of the data collected under section 41110; and

“(9) an identification of any otherwise concerning practices by ocean common carriers, particularly such carriers that are—

“(A) State-owned or State-controlled enterprises; or

“(B) owned or controlled by, is a subsidiary of, or is otherwise related legally or financially (other than a minority relationship or investment) to a corporation based in a country—

“(i) identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of (U.S.C. 1677(18))) as of the date of enactment of this paragraph;

“(ii) identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; or

“(iii) subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).”.

(b) **PUBLIC DISCLOSURE.**—

(1) **IN GENERAL.**—Section 46106 of title 46, United States Code, is amended by adding at the end the following:

“(d) **PUBLIC DISCLOSURES.**—The Federal Maritime Commission shall publish, and annually update, on the website of the Commission—

“(1) all findings by the Commission of false certifications by common carriers or marine

terminal operators under section 41104(a)(15); and

“(2) all penalties imposed or assessed against common carriers or marine terminal operators, as applicable, under sections 41107, 41108, and 41109, listed by each common carrier or marine terminal operator.”.

(2) CONFORMING AND CLERICAL AMENDMENTS.—

(A) CONFORMING AMENDMENT.—The heading for section 46106 of title 46, United States Code, is amended by inserting “**and public disclosure**” after “**report**”.

(B) CLERICAL AMENDMENT.—The analysis for chapter 461 of title 46, United States Code, is amended by striking the item related to section 46106 and inserting the following:

“46106. Annual report and public disclosure.”.

SEC. 408. GENERAL PROHIBITIONS.

Section 41102 of title 46, United States Code, is amended by adding by adding at the end the following:

“(d) PROHIBITION ON RETALIATION.—A common carrier, marine terminal operator, or ocean transportation intermediary, either alone or in conjunction with any other person, directly or indirectly, may not retaliate against a shipper, a shipper’s agent, or a motor carrier by refusing, or threatening to refuse, cargo space accommodations when available, or resort to other unfair or unjustly discriminatory methods because the shipper has patronized another carrier, has filed a complaint, or for any other reason.

“(e) CERTIFICATION.—A common carrier or marine terminal operator shall not charge any other person demurrage or detention charges under a tariff, marine terminal schedule, service contract, or any other contractual obligation unless accompanied by an accurate certification that such charges comply with all rules and regulations concerning demurrage or detention issued by the Commission. The certification requirement only applies to the entity that establishes the charge, and a common carrier or marine terminal operator that collects a charge on behalf of another common carrier or marine terminal operator is not responsible for providing the certification, except that an invoice from a common carrier or marine terminal operator collecting a charge on behalf of another must include a certification from the party that established the charge.”.

SEC. 409. PROHIBITION ON UNREASONABLY DECLINING CARGO.

(a) UNREASONABLY DECLINING CARGO.—Section 41104 of title 46, United States Code, is amended in subsection (a)—

(1) by striking paragraph (3) and inserting the following:

“(3) engage in practices that unreasonably reduce shipper accessibility to equipment necessary for the loading or unloading of cargo;”;

(2) in paragraph (12) by striking “; or” and inserting a semicolon;

(3) in paragraph (13) by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

“(14) fail to furnish or cause a contractor to fail to furnish containers or other facilities and instrumentalities needed to perform transportation services, including allocation of vessel space accommodations, in consideration of reasonably foreseeable import and export demands; or

“(15) unreasonably decline export cargo bookings if such cargo can be loaded safely and timely, as determined by the Commandant of the Coast Guard, and carried on a vessel scheduled for the immediate destination of such cargo.”.

(b) RULEMAKING ON UNREASONABLY DECLINING CARGO.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commission shall initiate a rulemaking proceeding to define the term “unreasonably decline” for the purposes of subsection (a)(15) of section 41104 of title 46, United States Code (as added by subsection (a)).

(2) CONTENTS.—The rulemaking under paragraph (1) shall address the unreasonableness of ocean common carriers prioritizing the shipment of empty containers while excluding, limiting, or otherwise reducing the shipment of full, loaded containers when such containers are readily available to be shipped and the appurtenant vessel has the weight and space capacity available to carry such containers if loaded in a safe and timely manner.

SEC. 410. DETENTION AND DEMURRAGE.

(a) IN GENERAL.—Section 41104 of title 46, United States Code, is further amended by adding at the end the following:

“(d) CERTIFICATION.—Failure of a common carrier to include a certification under section 41102(e) alongside any demurrage or detention charge shall eliminate any obligation of the charged party to pay the applicable charge.

“(e) DEMURRAGE AND DETENTION PRACTICES AND CHARGES.—Notwithstanding any other provision of law and not later than 30 days of the date of enactment of this subsection, a common carrier or marine terminal operator, shall—

“(1) act in a manner consistent with any rules or regulations concerning demurrage or detention issued by the Commission;

“(2) maintain all records supporting the assessment of any demurrage or detention charges for a period of 5 years and provide such records to the invoiced party or to the Commission on request; and

“(3) bear the burden of establishing the reasonableness of any demurrage or detention charges which are the subject of any complaint proceeding challenging a common carrier or marine terminal operator demurrage or detention charges as unjust and unreasonable.

“(f) PENALTIES FOR FALSE OR INACCURATE CERTIFIED DEMURRAGE OR DETENTION CHARGES.—In the event of a finding that the certification under section 41102(e) was inaccurate, or false after submission under section 41301, penalties under section 41107 shall be applied if the Commission determines, in a separate enforcement proceeding, such certification was inaccurate or false.”.

(b) RULEMAKING ON DETENTION AND DEMURRAGE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Federal Maritime Commission shall initiate a rulemaking proceeding to establish rules prohibiting common carriers and marine terminal operators from adopting and applying unjust and unreasonable demurrage and detention rules and practices.

(2) CONTENTS.—The rulemaking under paragraph (1) shall address the issues identified in the final rule published on May 18, 2020, titled “Interpretive Rule on Demurrage and Detention Under the Shipping Act” (85 Fed. Reg. 29638), including the following:

(A) Establishing clear and uniform definitions for demurrage, detention, cargo availability for retrieval and associated free time, and other terminology used in the rule, including establishing a definition for cargo availability for retrieval that accounts for government inspections.

(B) Establishing that demurrage and detention rules are not independent revenue sources but incentivize efficiencies in the ocean transportation network, including the retrieval of cargo and return of equipment.

(C) Prohibiting the consumption of free time or collection of demurrage and deten-

tion charges when obstacles to the cargo retrieval or return of equipment are within the scope of responsibility of the carrier or their agent and beyond the control of the invoiced or contracting party.

(D) Prohibiting the commencement or continuation of free time unless cargo is available for retrieval and timely notice of cargo availability has been provided.

(E) Prohibiting the consumption of free time or collection of demurrage charges when marine terminal appointments are not available during the free time period.

(F) Prohibiting the consumption of free time or collection of detention charges on containers when the marine terminal required for return is not open or available.

(G) Requiring common carriers to provide timely notice of—

(i) cargo availability after vessel discharge;

(ii) container return locations; and

(iii) advance notice for container early return dates.

(H) Establishing minimum billing requirements, including timeliness and supporting information that shall be included in or with invoices for demurrage and detention charges that will allow the invoiced party to validate the charges.

(I) Requiring common carriers and marine terminal operators to establish reasonable dispute resolution policies and practices.

(J) Establishing the responsibilities of shippers, receivers, and draymen with respect to cargo retrieval and equipment return.

(K) Clarifying rules for the invoicing of parties other than the shipper for any demurrage, detention, or other similar per container charges, including determining whether such parties should be billed at all.

(c) RULEMAKING ON MINIMUM SERVICE STANDARDS.—Not later than 90 days after the date of enactment of this Act, the Commission shall initiate a rulemaking proceeding to incorporate subsections (d) through (f) of 41104 of title 46, United States Code, (as added by section 410) which shall include the following:

(1) The obligation to adopt reasonable rules and practices related to or connected with the furnishing and allocation of adequate and suitable equipment, vessel space accommodations, containers, and other instrumentalities necessary for the receiving, loading, carriage, unloading and delivery of cargo.

(2) The duty to perform the contract of carriage with reasonable dispatch.

(3) The requirement to carry United States export cargo if such cargo can be loaded safely and timely, as determined by the Commandant of the Coast Guard, and carried on a vessel scheduled for such cargo’s immediate destination.

(4) The requirement of ocean common carriers to establish contingency service plans to address and mitigate service disruptions and inefficiencies during periods of port congestion and other market disruptions.

SEC. 411. ASSESSMENT OF PENALTIES.

(a) ASSESSMENT OF PENALTIES.—Section 41109 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting “or, in addition to or in lieu of a civil penalty, order the refund of money” after “this part”; and

(B) by inserting “or refund of money” after “conditions, a civil penalty”;

(2) in subsection (c) by inserting “or refund of money” after “civil penalty”;

(3) in subsection (e) by inserting “or order a refund of money” after “civil penalty”; and

(4) in subsection (f) by inserting “or who is ordered to refund money” after “civil penalty is assessed”.

(b) **ADDITIONAL PENALTIES.**—Section 41108(a) of title 46, United States Code, is amended by striking “section 41104(1), (2), or (7)” and inserting “subsections (d) or (e) of section 41102 or paragraph (1), (2), (7), (14), or (15) of section 41104(a)”.

(c) **CONFORMING AMENDMENT.**—Section 41309 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting “or refund of money” after “payment of reparation”; and

(B) by inserting “or to whom the refund of money was ordered” after “award was made”; and

(2) in subsection (b) by inserting “or refund of money” after “award of reparation”.

(d) **AWARD OF REPARATIONS.**—Section 41305(c) of title 46, United States Code, is amended—

(1) by inserting “or (c)” after “41102(b)”; and

(2) by inserting “, or if the Commission determines that a violation of section 41102(e) was made willfully or knowingly” after “of this title”.

SEC. 412. INVESTIGATIONS.

Section 41302 of title 46, United States Code, is amended by striking “or agreement” and inserting “, agreement, fee, or charge”.

SEC. 413. INJUNCTIVE RELIEF.

Section 41307(b) to title 46, United States Code, is amended—

(1) in paragraph (3)—

(A) in the heading by striking “AND THIRD PARTIES”; and

(B) by striking the second sentence; and

(2) by adding at the end the following:

“(5) **THIRD PARTY INTERVENTION.**—The court may allow a third party to intervene in a civil action brought under this section.”.

SEC. 414. TECHNICAL AMENDMENTS.

(a) **FEDERAL MARITIME COMMISSION.**—The analysis for chapter 461 of title 46, United States Code, is amended by striking the first item relating to chapter 461.

(b) **ASSESSMENT OF PENALTIES.**—Section 41109(c) of title 46, United States Code, is amended by striking “section 41104(1) or (2)” and inserting “paragraph (1) or (2) of section 41104(a)”.

(c) **NATIONAL SHIPPER ADVISORY COMMITTEE.**—Section 42502(c)(3) of title 46, United States Code is amended by striking “REPRESENTATION” and all that follows through “Members” and inserting “REPRESENTATION.—Members”.

SEC. 415. AUTHORIZATION OF APPROPRIATIONS.

Section 46108 of title 46, United States Code, is amended by striking “\$29,086,888 for fiscal year 2020 and \$29,639,538 for fiscal year 2021” and inserting “\$32,603,492 for fiscal year 2022 and \$35,863,842 for fiscal year 2023”.

SEC. 416. NAS STUDY ON SUPPLY CHAIN INDUSTRY.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study on the United States supply chain that examines data constraints that impede the flow of maritime cargo and add to supply chain inefficiencies and that identifies data sharing systems that can be employed to improve the functioning of the United States supply chain.

(b) **CONTENTS.**—The study required under subsection (a) shall include—

(1) the identification of where bottlenecks or chokepoints are most prominent within the United States supply chain;

(2) the identification of what common shipping data is created with each hand-off of a

container through the United States supply chain and how such data is stored and shared;

(3) the identification of critical data elements used by any entity covered by subsection (c), including the key elements used for various supply chain business processes;

(4) a review of the methodology used to store, access, and disseminate shipping data across the United States supply chain and evaluation of the inefficiencies in such methodology;

(5) an analysis of existing and potential impediments to the free flow of information among entities covered by subsection (c), including—

(A) identification of barriers that prevent carriers, terminals, and shippers from having access to commercial data; and

(B) any inconsistencies in—

(i) terminology used across data elements connected to the shipment, arrival, and unloading of a shipping container; and

(ii) the classification systems used across the United States supply chain, including inconsistencies in the names of entities covered by subsection (c), geographical names, and terminology;

(6) the identification of information to be included in an improved data sharing system designed to plan, execute, and monitor the optimal loading and unloading of maritime cargo; and

(7) the identification of existing software and data sharing platforms available to facilitate propagation of information to all agents involved in the loading and unloading of maritime cargo and evaluate the effectiveness of such software and platforms if implemented.

(c) **COLLECTION OF INFORMATION.**—In conducting the study required under subsection (a), the National Academy of Sciences shall collect information from—

(1) vessel operating common carriers and non-vessel operating common carriers;

(2) marine terminal operators;

(3) commercial motor vehicle operators;

(4) railroad carriers;

(5) chassis providers;

(6) ocean transportation intermediaries;

(7) custom brokers;

(8) freight forwarders;

(9) shippers and cargo owners;

(10) the National Shipper Advisory Committee;

(11) relevant government agencies, such as the Federal Maritime Commission, the Surface Transportation Board, and the United States Customs and Border Protection;

(12) to the extent practicable, representatives of foreign countries and maritime jurisdictions outside of the United States; and

(13) any other entity involved in the transportation of ocean cargo and the unloading of cargo upon arrival at a port.

(d) **FACILITATION OF DATA SHARING.**—In carrying out the study under subsection (a), the National Academy of Sciences may solicit information from any relevant agency relating to the United States supply chain.

(e) **REPORT.**—Not later than 18 months after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences 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, and make available on a publicly accessible website, a report containing—

(1) the study required under subsection (a);

(2) the information collected under subsections (b) and (c), excluding any personally identifiable information or sensitive business information; and

(3) any recommendations for—

(A) common data standards to be used in the United States supply chain; and

(B) policies and protocols that would streamline information sharing across the United States supply chain.

SEC. 417. TEMPORARY EMERGENCY AUTHORITY.

(a) **PUBLIC INPUT ON INFORMATION SHARING.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Federal Maritime Commission shall issue a request for information seeking public comment regarding—

(A) whether congestion of the common carriage of goods has created an emergency situation of a magnitude such that there exists a substantial adverse effect on the competitiveness and reliability of the international ocean transportation supply system;

(B) whether an emergency order described in subsection (b) would alleviate such an emergency situation; and

(C) the appropriate scope of such an emergency order, if applicable.

(2) **CONSULTATION.**—During the public comment period under paragraph (1), the Commission may consult, as the Commission determines to be appropriate, with—

(A) other Federal departments and agencies; and

(B) persons with expertise relating to maritime and freight operations.

(b) **AUTHORITY TO ISSUE EMERGENCY ORDER REQUIRING INFORMATION SHARING.**—On making a unanimous determination described in subsection (c), the Commission may issue an emergency order requiring any common carrier or marine terminal operator to share directly with relevant shippers, rail carriers, or motor carriers information relating to cargo throughput and availability, in order to ensure the efficient transportation, loading, and unloading of cargo to or from—

(1) any inland destination or point of origin;

(2) any vessel; or

(3) any point on a wharf or terminal.

(c) **DESCRIPTION OF DETERMINATION.**—

(1) **IN GENERAL.**—A determination referred to in subsection (b) is a unanimous determination by the Commission that congestion of common carriage of goods has created an emergency situation of a magnitude such that there exists a substantial adverse effect on the competitiveness and reliability of the international ocean transportation supply system.

(2) **FACTORS FOR CONSIDERATION.**—In issuing an emergency order under subsection (b), the Commission shall ensure that such order includes parameters relating to temporal and geographic scope, taking into consideration the likely burdens on ocean carriers and marine terminal operators and the likely benefits on congestion relating to the purposes described in section 40101 of title 46, United States Code.

(d) **PETITIONS FOR EXCEPTION.**—

(1) **IN GENERAL.**—A common carrier or marine terminal operator subject to an emergency order issued under this section may submit to the Commission a petition for exception from 1 or more requirements of the emergency order, based on a showing of undue hardship or other condition rendering compliance with such a requirement impractical.

(2) **DETERMINATION.**—Not later than 21 days after the date on which a petition for exception under paragraph (1) is submitted, the Commission shall determine whether to approve or deny such petition by majority vote.

(3) **INAPPLICABILITY PENDING REVIEW.**—The requirements of an emergency order that is the subject of a petition for exception under

this subsection shall not apply to a petitioner during the period for which the petition is pending.

(e) **LIMITATIONS.**—

(1) **TERM.**—An emergency order issued under this section shall remain in effect for a period of not longer than 60 days.

(2) **RENEWAL.**—The Commission may renew an emergency order issued under this section for an additional term by a unanimous determination by the Commission.

(f) **SUNSET.**—The authority provided by this section shall terminate on the date that is 2 years after the date of enactment of this Act.

(g) **DEFINITIONS.**—In this section:

(1) **COMMON CARRIER.**—The term “common carrier” has the meaning given such term in section 40102 of title 46, United States Code.

(2) **MOTOR CARRIER.**—The term “motor carrier” has the meaning given such term in section 13102 of title 49, United States Code.

(3) **RAIL CARRIER.**—The term “rail carrier” has the meaning given such term in section 10102 of title 49, United States Code.

(4) **SHIPPER.**—The term “shipper” has the meaning given such term in section 40102 of title 46, United States Code.

SEC. 418. TERMS AND VACANCIES.

Section 46101(b) of title 46, United States Code, is amended by—

(1) in paragraph (2)—

(A) by striking “one year” and inserting “2 years”; and

(B) by striking “2 terms” and inserting “3 terms”; and

(2) in paragraph (3)—

(A) by striking “of the individual being succeeded” and inserting “to which such individual is appointed”; and

(B) by striking “2 terms” and inserting “3 terms”; and

(C) by striking “the predecessor of that” and inserting “such”.

TITLE V—MISCELLANEOUS

Subtitle A—Navigation

SEC. 501. RESTRICTION ON CHANGING SALVORS.

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

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

“(D) In any case in which the Coast Guard authorizes a deviation from the salvor as part of a deviation under subparagraph (B) from the applicable response plan required under subsection (j), the Commandant 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 describing the deviation and the reasons for such deviation.”.

SEC. 502. PROVIDING REQUIREMENTS FOR VESSELS ANCHORED IN ESTABLISHED ANCHORAGE GROUNDS.

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

“§ 70006. Anchorage grounds

“(a) **ANCHORAGE GROUNDS.**—

“(1) **ESTABLISHMENT.**—The Secretary of the department in which the Coast Guard is operating shall define and establish anchorage grounds in the navigable waters of the United States for vessels operating in such waters.

“(2) **RELEVANT FACTORS FOR ESTABLISHMENT.**—In carrying out paragraph (1), the Secretary shall take into account all relevant factors concerning navigational safe-

ty, protection of the marine environment, proximity to undersea pipelines and cables, safe and efficient use of Marine Transportation System, and national security.

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

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

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

“(3) comply with any applicable anchorage regulations.

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

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

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

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

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

(b) **REGULATORY REVIEW.**—

(1) **REVIEW REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall complete a review of existing anchorage regulations and identify regulations that may need modification—

(A) in the interest of marine safety, security, and environmental concerns, taking into account undersea pipelines, cables, or other infrastructure; and

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

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

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

“70006. Anchorage grounds.”.

(d) **APPLICABILITY OF REGULATIONS.**—The amendments made by subsection (a) may not be construed to alter any existing rules, regulations, or final agency actions issued under section 70006 of title 46, United States Code, as in effect on the day before the date of enactment of this Act until all regulations required under subsection (b) take effect.

SEC. 503. AQUATIC NUISANCE SPECIES TASK FORCE.

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

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

(2) by inserting after paragraph (12) the following:

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

“(14) ‘recreational vessel’ has the meaning given that term in section 502 of the Federal

Water Pollution Control Act (33 U.S.C. 1362);”.

(b) **OBSERVERS.**—Section 1201 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4721) is amended by adding at the end the following:

“(g) **OBSERVERS.**—The chairpersons designated under subsection (d) may invite representatives of nongovernmental entities to participate as observers of the Task Force.”.

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

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

(2) by redesignating paragraph (7) as paragraph (10); and

(3) by inserting after paragraph (6) the following:

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

“(8) the Director of the Bureau of Land Management;

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

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

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

“(4) **TECHNICAL ASSISTANCE AND RECOMMENDATIONS.**—The Task Force may provide technical assistance and recommendations for best practices to an agency or entity engaged in vessel inspections or decontaminations for the purpose of—

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

“(B) inspecting recreational vessels in a manner that minimizes disruptions to public access for boating and recreation in non-contaminated vessels.

“(5) **CONSULTATION.**—In carrying out paragraph (4), including the development of recommendations, the Task Force may consult with—

“(A) State fish and wildlife management agencies;

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

“(C) relevant nongovernmental entities.”; and

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

“(3) Not later than 90 days after the date of enactment of the Don Young Coast Guard Authorization Act of 2022, the Task Force shall submit a report to Congress recommending legislative, programmatic, or regulatory changes to eliminate remaining gaps in authorities between members of the Task Force to effectively manage and control the movement of aquatic nuisance species.”.

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

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

(2) in section 1003, in paragraph (7), by striking “Canadian” and inserting “Canadian”;

(3) in section 1203(a)—

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

(B) in paragraph (3), by striking “encourage” and inserting “encouraged”;

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

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

SEC. 504. LIMITATION ON RECOVERY FOR CERTAIN INJURIES INCURRED IN AQUACULTURE ACTIVITIES.

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

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

(2) by adding at the end the following:

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

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

“(A) is an aquaculture worker if State workers’ compensation is available to such individual; and

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

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

“(A) is employed by a commercial enterprise that is involved in the controlled cultivation and harvest of aquatic plants and animals, including—

“(i) the cleaning, processing, or canning of fish and fish products;

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

“(iii) the controlled growing and harvesting of other aquatic species;

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

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

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

Subtitle B—Other Matters

SEC. 505. INFORMATION ON TYPE APPROVAL CERTIFICATES.

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

“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFICATES.

“The Commandant of the Coast Guard shall, upon request by any State, the District of Columbia, or territory of the United States, provide all data possessed by the Coast Guard pertaining to challenge water quality characteristics, challenge water biological organism concentrations, post-treatment water quality characteristics, and post-treatment biological organism concentrations data for a ballast water management system with a type approval certificate approved by the Coast Guard pursuant to subpart 162.060 of title 46, Code of Federal Regulations.”.

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

“904. Information on type approval certificates.”.

SEC. 506. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS.

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

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

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

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

SEC. 507. CARGO WAITING TIME REDUCTION.

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

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

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

(1) evaluate and quantify the economic and environmental impact of cargo backlogs;

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

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

(4) not later than 90 days after the date of enactment of this Act—

(A) develop a plan to—

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

(ii) reduce nationwide cargo processing delays, including the Port of Los Angeles and the Port of Long Beach; and

(B) 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 containing the plan developed under subparagraph (A).

(c) REPORT OF THE COMMANDANT.—No later than 90 days after the date of enactment of this Act, the Commandant of the Coast Guard 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 on cargo backlogs that includes—

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

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

(3) with respect to such vessels, a summary of actions taken or planned to be taken by the Commandant to—

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

(B) address other safety concerns and environmental impacts.

SEC. 508. LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.

(a) IN GENERAL.—Subject to subsections (b) and (c), a contract for the containment or removal of a discharge entered into by the President under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)) shall contain a provision to indemnify a contractor for liabilities and expenses incidental to the containment or removal arising out of the performance of the contract that is substantially identical to the terms contained in subsections (d) through (h) of section H.4 (except for paragraph (1) of subsection (d)) of the contract offered by the Coast Guard in the solicitation numbered DTICG89–98–A–68F953, dated November 17, 1998.

(b) REQUIREMENTS.—

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

(2) UNCOMPENSATED REMOVAL.—A claim for indemnity under a contract described in subsection (a) shall be made as a claim for uncompensated removal costs under section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)).

(3) LIMITATION.—The total indemnity for a claim under a contract described in sub-

section (a) may not be more than \$50,000 per incident.

(c) APPLICABILITY OF EXEMPTIONS.—Notwithstanding subsection (a), the United States shall not be obligated to indemnify a contractor for any act or omission of the contractor carried out pursuant to a contract entered into under this section where such act or omission is grossly negligent or which constitutes willful misconduct.

SEC. 509. PORT COORDINATION COUNCIL FOR POINT SPENCER.

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

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

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

“(2) The Secretary of Homeland Security.

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

“(4) The State.”;

(2) in subsection (c)(1)—

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

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

“(C) land use planning and development at Point Spencer in support of the following activities within the Bearing Sea, the Chukchi Sea, and the Arctic Ocean:

“(i) Search and rescue.

“(ii) Shipping safety.

“(iii) Economic development.

“(iv) Oil spill prevention and response.

“(v) National security.

“(vi) Major marine casualties.

“(vii) Protection of Alaska Native archaeological and cultural resources.

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

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

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

(4) in subsection (e)—

(A) by striking “Operations and management costs” and inserting the following:

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

(B) by adding at the end the following:

“(2) FUNDING.—To facilitate the mooring buoy system in Port Clarence and to assist the Council in the development of other oil spill prevention and response infrastructure, including reactivating the airstrip at Point Spencer with appropriate technology and safety equipment in support of response operations, there is authorized to be made available \$5,000,000 for each of fiscal years 2023 through 2025 from the interest generated from the Oil Spill Liability Trust Fund.”.

SEC. 510. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—Section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)) is amended by adding at the end the following:

“(J)(i) Except as provided in clause (iv) (including with respect to Cook Inlet), in any case in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone, a response plan required under this paragraph with respect to a discharge of oil for the vessel shall comply with the planning criteria established under clause (ii), which planning criteria shall, with respect to a discharge of oil from the

vessel, apply in lieu of any alternative planning criteria approved for vessels operating in such area.

“(ii) The President shall establish planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within the area of responsibility of Western Alaska Captain of the Port Zone, including planning criteria for the following:

“(I) Oil spill response resources that are required to be located within such area.

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

“(III) Pre-identified vessels for oil spill response that are capable of operating in the ocean environment and required to be located within such area.

“(IV) Real-time continuous vessel tracking, monitoring, and engagement protocols that detect and address vessel operation anomalies.

“(V) Vessel routing measures consistent with international routing measure deviation protocols.

“(VI) Ensuring the availability of at least one oil spill removal organization that is classified by the Coast Guard and that—

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

“(bb) controls oil spill response resources of dedicated and nondedicated resources within such area, through ownership, contracts, agreements, or other means approved by the President, sufficient to mobilize and sustain a response to a worst case discharge of oil and to contain, recover, and temporarily store discharged oil; and

“(cc) has pre-positioned oil spill response resources in strategic locations throughout such area in a manner that ensures the ability to support response personnel, marine operations, air cargo, or other related logistics infrastructure.

“(VII) Temporary storage capability using both dedicated and non-dedicated assets located within such area.

“(VIII) Non-mechanical oil spill response resources, to be available under contracts, agreements, or other means approved by the President, capable of responding to both a discharge of persistent oil and a discharge of non-persistent oil, whether the discharged oil was carried by a vessel as fuel or cargo.

“(IX) With respect to tank barges carrying non-persistent oil in bulk as cargo, oil spill response resources that are required to be carried on board.

“(X) Ensuring that oil spill response resources required to comply with this subparagraph are separate from and in addition to resources otherwise required to be included in a response plan for purposes of compliance with salvage and marine firefighting planning requirements under this subsection.

“(XI) Specifying a minimum length of time that approval of a response plan under this subparagraph is valid.

“(XII) Ensuring compliance with requirements for the preparation and submission of vessel response plans established by regulations pursuant to this paragraph.

“(iii) The President may approve a response plan for a vessel under this subparagraph only if the owner or operator of the vessel demonstrates the availability of the oil spill response resources required to be included in the response plan under the planning criteria established under clause (ii).

“(iv) Nothing in this subparagraph affects—

“(I) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsi-

bility of the Western Alaska Captain of the Port Zone within Cook Inlet, Alaska;

“(II) the requirements applicable to tank vessels operating within Prince William Sound Captain of the Port Zone that are subject to section 5005 of the Oil Pollution Act of 1990 (33 U.S.C. 2735); or

“(III) the authority of a Federal On-Scene Coordinator to use any available resources when responding to an oil spill.

“(v) The Secretary shall review any determination that the national planning criteria are inappropriate for a vessel operating in the area of responsibility of Western Alaska Captain of the Port Zone not less frequently than once every five years.

“(vi) For purposes of this subparagraph, the term ‘Western Alaska Captain of the Port Zone’ means the area described in section 3.85–15 of title 33, Code of Federal Regulations, as in effect on the date of enactment of this subparagraph.”

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

(1) DEADLINE.—Not later than 2 years after the date of enactment of this Act, the President shall establish the planning criteria required to be established under subparagraph (J) of section 311(j)(5) of the Federal Water Pollution Control Act of (33 U.S.C. 1321(j)(5)), as added by this section.

(2) CONSULTATION.—In establishing such planning criteria, the President shall consult with the State of Alaska, owners and operators of vessels subject to such planning criteria, oil spill removal organizations, Alaska Native organizations, and environmental nongovernmental organizations located within the State of Alaska.

(3) VESSELS IN COOK INLET.—Unless otherwise authorized by the Secretary of the department in which the Coast Guard, a vessel may only operate in Cook Inlet, Alaska, under a vessel response plan that meets the requirements of the national planning criteria established pursuant to section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

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

SEC. 511. NONAPPLICABILITY.

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

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

(2) to which sections 3507 and 3508 would otherwise apply when such vessels are operating inside the boundary line.

SEC. 512. REPORT ON ENFORCEMENT OF COASTWISE LAWS.

The Commandant of the Coast Guard shall submit to Congress a report describing any changes to the enforcement of chapters 121 and 551 of title 46, United States Code, as a result of the amendments to section 4(a)(1) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made by section 9503 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SEC. 513. LAND CONVEYANCE, SHARPE ARMY DEPOT, LATHROP, CALIFORNIA.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Maritime Administration shall complete

the land conveyance required under section 2833 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

SEC. 514. CENTER OF EXPERTISE FOR MARINE ENVIRONMENTAL RESPONSE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall establish a Center of Expertise for Marine Environmental Response (referred to in this section as the “Center of Expertise”) in accordance with section 313 of title 14, United States Code.

(b) LOCATION.—The Center of Expertise shall be located in close proximity to—

(1) an area of the country with quick access to State, Federal, and international waters, port and marine environments, coastal and estuary environments, and the intercoastal waterway;

(2) multiple Coast Guard sea and air stations;

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

(4) one or more designated national estuaries;

(5) State coastal and wildlife management agencies; and

(6) an institution of higher education with adequate marine science search laboratory facilities and capabilities and expertise in coastal marine ecology, ecosystems, environmental chemistry, fish and wildlife management, coastal mapping, water resources, and marine technology development.

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

(1) monitor and assess, on an ongoing basis, the state of knowledge regarding training, education, and technology development for marine environmental response protocols in State, Federal, and international waters, port and marine environments, coastal and estuary environments, and the intercoastal waterway;

(2) identify any significant gaps in research related to marine environmental response protocols, including an assessment of major scientific or technological deficiencies in responses to past incidents in these waterways that are interconnected, and seek to fill such gaps;

(3) conduct research, development, testing, and evaluation for marine environmental response equipment, technologies, and techniques to mitigate and respond to environmental incidents in these waterways;

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

(A) the incident command system structure;

(B) marine environmental response techniques and strategies; and

(C) public affairs; and

(5) work with academic and private sector response training centers to develop and standardize marine environmental response training and techniques.

(d) MARINE ENVIRONMENTAL RESPONSE DEFINED.—In this section, the term “marine environmental response” means any response to incidents that—

(1) impacts—

(A) the marine environment of State, Federal or international waterways;

(B) port and marine environments;

(C) coastal and estuary environments; or

(D) the intercoastal waterway; and

(2) promotes—

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

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

(C) the resilience of coastal ecosystems and infrastructure.

SEC. 515. PROHIBITION ON ENTRY AND OPERATION.**(a) PROHIBITION.—**

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

(2) LIMITATIONS ON APPLICATION.—

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

(i) the vessel is owned or operated by a Russian national or operated by the government of the Russian Federation; and

(ii) it is in the national security interest not to apply the prohibition to such vessel.

(B) NOTICE.—Not later than 15 days after making a determination under subparagraph (A), the Secretary of State shall submit to the Committee on Foreign Affairs and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate written notice of the determination and the basis upon which the determination was made.

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

(b) VESSELS DESCRIBED.—A vessel referred to in subsection (a) is a vessel owned or operated by a Russian national or operated by the government of the Russian Federation.

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

(1) maintain timely information on the registrations of all foreign vessels owned or operated by or on behalf of the Government of the Russian Federation, a Russian national, or a entity organized under the laws of the Russian Federation or any jurisdiction within the Russian Federation; and

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

(d) NOTIFICATION OF GOVERNMENTS.—

(1) IN GENERAL.—The Secretary of State shall notify each government, the agents or instrumentalities of which are maintaining a registration of a foreign vessel that is included on a list published under subsection (c)(2), not later than 30 days after such publication, that all vessels registered under such government's authority are subject to subsection (a).

(2) ADDITIONAL NOTIFICATION.—In the case of a government that continues to maintain a registration for a vessel that is included on such list after receiving an initial notification under paragraph (1), the Secretary shall issue an additional notification to such government not later than 120 days after the publication of a list under subsection (c)(2).

(e) NOTIFICATION OF VESSELS.—Upon receiving a notice of arrival under section 70001(a)(5) of title 46, United States Code, from a vessel described in subsection (b), the Secretary of the department in which the Coast Guard is operating shall notify the master of such vessel that the vessel may not enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States, unless—

(1) the Secretary of State has made a determination under subsection (a)(2); or

(2) the Secretary of the department in which the Coast Guard is operating allows

provisional entry of the vessel, or transfer of cargo from the vessel, under subsection (f).

(f) PROVISIONAL ENTRY OR CARGO TRANSFER.—Notwithstanding any other provision of this section, the Secretary of the department in which the Coast Guard is operating may allow provisional entry of, or transfer of cargo from, a vessel, if such entry or transfer is necessary for the safety of the vessel or persons aboard.

SEC. 516. ST. LUCIE RIVER RAILROAD BRIDGE.

The Commandant of the Coast Guard shall take such actions as are necessary to implement any recommendations for the St. Lucie River railroad bridge made by the Coast Guard in the document titled “Waterways Analysis and Management System for Intra-coastal Waterway Miles 925-1005 (WAMS #07301)” published by Coast Guard Sector Miami in 2018.

SEC. 517. ASSISTANCE RELATED TO MARINE MAMMALS.

(a) MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.—Section 50307(b) of title 46, United States Code, is amended—

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

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

(3) by adding at the end the following:

“(3) technologies that quantifiably reduce underwater noise from marine vessels, including noise produced incidental to the propulsion of marine vessels.”.

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

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

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

“(a) IN GENERAL.—The Administrator of the Maritime Administration, in coordination with the Secretary of the department in which the Coast Guard is operating, may make grants to, or enter into contracts or cooperative agreements with, academic, public, private, and nongovernmental entities to develop and implement mitigation measures that will lead to a quantifiable reduction in—

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

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

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

“(1) reducing—

“(A) stressors related to vessel traffic; and

“(B) vessel strike mortality, and serious injury; or

“(2) monitoring—

“(A) sound; and

“(B) vessel interactions with marine mammals.

“(c) PRIORITY.—The Administrator shall

prioritize assistance under this section for projects that—

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

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

“(3) reduce—

“(A) disturbances from vessel presence;

“(B) mortality risk; or

“(C) serious injury from vessel strikes; or

“(4) conduct risk assessments, or tracks progress toward risk reduction.

“(d) BRIEFING.—The Administrator shall

provide to the Committee on Transportation and Infrastructure of the House of Rep-

resentatives, and the Committee on Commerce, Science, and Transportation of the Senate, an annual briefing that includes the following:

“(1) The name and location of each entity receiving a grant under this section.

“(2) The amount of each such grant.

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

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

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$10,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 541 of title 46, United States Code, is amended by adding at the end the following:

“54102. Assistance to reduce impacts of vessel strikes and noise on marine mammals.”.

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

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

“CHAPTER 507—MONITORING AND MITIGATION

“Sec.

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

“50702. Pilot project.

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

“(a) ESTABLISHMENT.—The Administrator of the Maritime Administration, in consultation with the Commandant of the Coast Guard, shall design and deploy a near real-time large whale monitoring and mitigation program (in this section referred to as the Program) informed by the technologies, monitoring methods, and mitigation protocols developed pursuant to the pilot program required under section 50702.

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

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

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

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

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

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

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

“(d) AUTHORITY.—The Administrator may make grants or enter into and contracts, leases, or cooperative agreements as may be necessary to carry out the purposes of this section on such terms as the Administrator considers appropriate, consistent with Federal acquisition regulations.

“§ 50702. Pilot project

“(a) ESTABLISHMENT.—The Administrator of the Maritime Administration shall carry out a pilot monitoring and mitigation project for North Atlantic right whales (in this section referred to as the ‘Pilot Program’) for purposes of informing a cost-effective, efficient, and results-oriented near real-

time monitoring and mitigation program for large whales under 50701.

“(b) PILOT PROJECT REQUIREMENTS.—In carrying out the pilot program, the Administrator, in coordination with the Commandant of the Coast Guard, using best available scientific information, shall identify and ensure coverage of—

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

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

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

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

“(D) the Gulf of Maine; and

“(2) important feeding, breeding, calving, rearing, or migratory habitats of North Atlantic right whales that co-occur with areas of high risk of mortality, serious injury, or other impacts to such whales, including from vessels or vessel strikes.

“(c) PILOT PROJECT COMPONENTS.—

“(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Don Young Coast Guard Authorization Act of 2022, the Administrator, in consultation with the Commandant, Tribal governments, and with input from affected stakeholders, shall design and deploy a near real-time monitoring system for North Atlantic right whales that—

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

“(B) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in core foraging habitat at any given time;

“(C) coordinates with the Integrated Ocean Observing System and Coast Guard vessel traffic service centers, and may coordinate with Regional Ocean Partnerships to leverage monitoring assets;

“(D) integrates historical data;

“(E) integrates new near real-time monitoring methods and technologies as they become available;

“(F) accurately verifies and rapidly communicates detection data;

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

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

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

“(3) ACCESS TO DATA.—The Administrator shall provide access to data generated by the monitoring system deployed under paragraph (1) for purposes of scientific research and evaluation, and public awareness and education, including through the NOAA Right Whale Sighting Advisory System and WhaleMap or other successive public web portals, subject to review for national security considerations.

“(d) MITIGATION PROTOCOLS.—The Administrator, in consultation with the Commandant, and with input from affected stakeholders, develop and deploy mitigation protocols that make use of the near real-time monitoring system deployed under subsection (c) to direct sector-specific mitigation measures that avoid and significantly reduce risk of serious injury and mortality to North Atlantic right whales.

“(e) REPORTING.—

“(1) PRELIMINARY REPORT.—Not later than 2 years after the date of the enactment of

the Don Young Coast Guard Authorization Act of 2022, the Administrator, in consultation with the Commandant, shall submit to the appropriate Congressional Committees and make available to the public a preliminary report which shall include—

“(A) a description of the monitoring methods and technology in use or planned for deployment;

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

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

“(D) a prioritized identification of technology or research gaps;

“(E) a plan to communicate the risks of injury to large whales to ocean users in a way that is most likely to result in informed decision making regarding the mitigation of those risks; and

“(F) additional information, as appropriate.

“(2) FINAL REPORT.—Not later than 6 years after the date of the enactment of the Don Young Coast Guard Authorization Act of 2022, the Administrator, in consultation with the Commandant, shall submit to the appropriate congressional committees and make available to the public a final report, addressing the components in subparagraph (A) and including—

“(A) an assessment of the benefits and efficacy of the near real-time monitoring and mitigation program;

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

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

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

“(C) a prioritized plan for acquisition, deployment, and maintenance of monitoring technologies;

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

“(E) a budget and description of funds necessary to carry out the strategic plan.

“(f) ADDITIONAL AUTHORITY.—The Administrator may make grants enter into contracts, leases, or cooperative agreements as may be necessary to carry out the purposes of this section on such terms as the Administrator considers appropriate, consistent with Federal acquisition regulations.

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

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

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(2) CORE FORAGING HABITATS.—The term ‘core foraging habitats’ means areas with biological and physical oceanographic features that aggregate *Calanus finmarchicus* and where North Atlantic right whales foraging aggregations have been well documented.

“(3) NEAR REAL-TIME.—The term ‘near real-time’ means detected activity that is visual, acoustic, or in any other form, of North Atlantic right whales that are transmitted and reported as soon as technically feasible after such detected activity has occurred.

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

(2) CLERICAL AMENDMENT.—The table of chapters for subtitle V of title 46, United States Code is amended by adding after the item related to chapter 505 the following:

“507. Monitoring and Mitigation 50701”.

SEC. 518. MANNING AND CREWING REQUIREMENTS FOR CERTAIN VESSELS, VEHICLES, AND STRUCTURES.

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

“§ 8108. Exemptions from manning and crew requirements

“(a) IN GENERAL.—The Secretary may provide an exemption described in subsection (b) to the owner or operator of a covered facility if each individual who is manning or crewing the covered facility is—

“(1) a citizen of the United States;

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

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

“(b) REQUIREMENTS FOR ELIGIBILITY FOR EXEMPTION.—An exemption under this subsection is an exemption from the regulations established pursuant to section 30(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356(a)(3)).

“(c) LIMITATIONS.—An exemption under this section—

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

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

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

“(e) REVOCATION.—

“(1) IN GENERAL.—The Secretary—

“(A) may revoke an exemption for a covered facility under this section if the Secretary determines that information provided in the application for the exemption was false or incomplete, or is no longer true or complete; and

“(B) shall immediately revoke such an exemption if the Secretary determines that the covered facility, in the effective period of the exemption, was manned or crewed in a manner not authorized by the exemption.

“(2) NOTICE REQUIRED.—The Secretary shall provides notice of a determination under subparagraph (A) or (B) of paragraph (1) to the owner or operator of the covered facility.

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

“(g) PENALTY.—In addition to revocation under subsection (e), the Secretary may impose on the owner or operator of a covered

facility a civil penalty of \$10,000 per day for each day the covered facility—

“(1) is manned or crewed in violation of an exemption under this subsection; or

“(2) operated under an exemption under this subsection that the Secretary determines was not validly obtained.

“(h) NOTIFICATION OF SECRETARY OF STATE.—The Secretary shall notify the Secretary of State of each exemption issued under this section, including the effective period of the exemption.

“(i) DEFINITIONS.—In this section:

“(1) COVERED FACILITY.—The term ‘covered facility’ means any vessel, rig, platform, or other vehicle or structure, over 50 percent of which is owned by citizens of a foreign nation or with respect to which the citizens of a foreign nation have the right effectively to control, except to the extent and to the degree that the President determines that the government of such foreign nation or any of its political subdivisions has implemented, by statute, regulation, policy, or practice, a national manning requirement for equipment engaged in the exploring for, developing, or producing resources, including non-mineral energy resources in its offshore areas.

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

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report containing information on each letter of nonapplicability of section 8109 of title 46, United States Code, with respect to a covered facility that was issued by the Secretary during the preceding year.

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

(A) the name and International Maritime Organization number;

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

(C) the nationality of owner or owners; and

(D) for any covered facility that was previously issued a letter of nonapplicability in a prior year, any changes in the information described in subparagraphs (A) through (C).

(c) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall promulgate regulations that specify the documentary and other requirements for the issuance of an exemption under the amendment made by this section.

(d) EXISTING EXEMPTIONS.—

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

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

(B) shall not be effective after such period.

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

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

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

TITLE VI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

SEC. 601. DEFINITIONS.

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

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

(2) by inserting after paragraph (44) the following:

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

“(46) ‘sexual harassment’ means—

“(A) conduct that—

“(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature if any—

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

“(II) submission to, or rejection, of such conduct by an individual is used as a basis for decisions affecting that individual’s job, pay, career, benefits, or entitlements;

“(III) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive work environment; or

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

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

“(B) any use or condonation associated with first-hand or personal knowledge, by any individual in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, benefits, entitlements, or employment of a subordinate; and

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

(b) REPORT.—The Commandant of the Coast Guard 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 describing any changes the Commandant may propose to the definitions added by the amendments in subsection (a).

SEC. 602. CONVICTED SEX OFFENDER AS GROUNDS FOR DENIAL.

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

“§ 7511. Convicted sex offender as grounds for denial

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

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

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

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

SEC. 603. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION OR REVOCATION.

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

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

“(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 5 years before the beginning of the suspension and revocation proceedings, is the subject of an official finding of sexual harassment, then the license, certificate of registry, or merchant mariner’s document may be suspended or revoked.

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

“(c) OFFICIAL FINDING.—

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

“(A) a legal proceeding or agency finding or decision that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation; or

“(B) a determination after an investigation by the Coast Guard that, by a preponderance of the evidence, the individual committed sexual harassment or sexual assault if the investigation affords appropriate due process rights to the subject of the investigation.

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

“(A) Any inquiry or determination made by the employer or former employer of the individual as to whether the individual committed sexual harassment or sexual assault.

“(B) Any investigative materials, documents, records, or files in the possession of an employer or former employer of the individual that are related to the claim of sexual harassment or sexual assault by the individual.

“(3) ADMINISTRATIVE LAW JUDGE REVIEW.—

“(A) COAST GUARD INVESTIGATION.—A determination under paragraph (1)(B) shall be reviewed and affirmed by an administrative law judge within the same proceeding as any suspension or revocation of a license, certificate of registry, or merchant mariner’s document under subsection (a) or (b).

“(B) LEGAL PROCEEDING.—A determination under paragraph (1)(A) that an individual committed sexual harassment or sexual assault is conclusive in suspension and revocation proceedings.”.

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

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

SEC. 604. ACCOMMODATION; NOTICES.

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

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

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

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

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

“(A) vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol usage; and

“(B) procedures and resources to report crimes, including sexual assault and sexual harassment, including information—

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

“(ii) on vessel owner or company procedures to report violations of company policy and access resources;

“(iii) on resources provided by outside organizations such as sexual assault hotlines and counseling;

“(iv) on the retention period for surveillance video recording after an incident of sexual harassment or sexual assault is reported; and

“(v) additional items specified in regulations issued by, and at the discretion of, the Secretary of the department in which the Coast Guard is operating.”; and

(4) in subsection (d), by adding at the end the following: “In each washing space in a visible location there shall be information regarding procedures and resources to report crimes upon the vessel, including sexual assault and sexual harassment, and vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol usage.”.

SEC. 605. PROTECTION AGAINST DISCRIMINATION.

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

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

(2) by inserting after subparagraph (A) the following:

“(B) the seaman in good faith has reported or is about to report to the vessel owner, Coast Guard or other appropriate Federal agency or department sexual harassment or sexual assault against the seaman or knowledge of sexual harassment or sexual assault against another seaman.”.

SEC. 606. ALCOHOL PROHIBITION.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall, taking into account the safety and security of every individual on documented vessels, issue such regulations as are necessary relating to alcohol consumption on documented vessels, according to the following requirements:

(A) The Secretary shall determine safe levels of alcohol consumption by crewmembers aboard documented vessels engaged in commercial service.

(B) If the Secretary determines there is no alcohol policy that can be implemented to ensure a safe environment for crew and passengers, the Secretary shall implement a prohibition on possession and consumption of alcohol by crewmembers while aboard a vessel, except when possession is associated with the commercial sale or gift to non-crew members aboard the vessel.

(C) To the extent a policy establishes safe levels of alcohol consumption in accordance with subparagraph (A), such policy shall not supersede a vessel owner's discretion to further limit or prohibit alcohol on its vessels.

(2) IMMUNITY FROM CIVIL LIABILITY.—Any crewmember who reports an incident of sexual assault or sexual harassment that is directly related to a violation of the regulations issued under paragraph (1) is immune

from civil liability for any related violation of such regulations.

SEC. 607. SURVEILLANCE REQUIREMENTS.

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

“CHAPTER 49—OCEANGOING NON-PASSENGER COMMERCIAL VESSELS

“Sec.

“4901. Surveillance requirements.

“§ 4901. Surveillance requirements

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

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

“(1) documented vessels with overnight accommodations for at least 10 persons on board—

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

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

“(2) documented vessels of at least 500 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104 on an international voyage; and

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

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

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

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

“(d) NOTICE OF VIDEO AND AUDIO SURVEILLANCE.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

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

“(1) IN GENERAL.—The owner of a vessel to which this section applies shall provide to any Federal, state, or other law enforcement official performing official duties in the course and scope of a criminal or marine safety investigation, upon request, a copy of all records of video and audio surveillance that the official believes is relevant to the investigation.

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

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

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

“(C) that may provide evidence of any sexual harassment or sexual assault incident in a civil action.

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

labor action against a crew member or employment dispute unless used in a criminal or civil action.

“(f) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 150 days after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident should be preserved for not less than 4 years from the date of the alleged incident. The Federal Bureau of Investigation and the Coast Guard are authorized access to all records of video and audio surveillance relevant to an investigation into criminal conduct.

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

“(h) EXEMPTION.—Fishing vessels, fish processing vessels, and fish tender vessels are exempt from this section.”.

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

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

SEC. 608. MASTER KEY CONTROL.

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

“§ 3106. Master key control system

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

“(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides controlled access to all copies of the vessel's master key of which access shall only be available to the individuals described in paragraph (2);

“(2) establish a list of all crew, identified by position, allowed to access and use the master key and maintain such list upon the vessel, within owner records and included in the vessel safety management system;

“(3) record in a log book information on all access and use of the vessel's master key, including—

“(A) dates and times of access;

“(B) the room or location accessed; and

“(C) the name and rank of the crew member that used the master key; and

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

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

“(c) REQUIREMENTS FOR LOG BOOK.—The log book described in subsection (a)(3) and required to be included in a safety management system under section 3203(a)(6)—

“(1) may be electronic; and

“(2) shall be located in a centralized location that is readily accessible to law enforcement personnel.

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

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

(b) CLERICAL AMENDMENT.—The analysis for chapter 31 of title 46, United States Code,

is amended by adding at the end the following:

“3106. Master key control system.”.

SEC. 609. SAFETY MANAGEMENT SYSTEMS.

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

(1) in subsection (a)—
(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8); and

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

“(5) with respect to sexual harassment and sexual assault, procedures for, and annual training requirements for all shipboard personnel on—

“(A) prevention;
“(B) bystander intervention;
“(C) reporting;
“(D) response; and
“(E) investigation;

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

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

(3) by inserting after subsection (a) the following:

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

SEC. 610. REQUIREMENT TO REPORT SEXUAL ASSAULT AND HARASSMENT.

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

“(a) MANDATORY REPORTING BY CREW MEMBER.—

“(1) IN GENERAL.—A crew member of a documented vessel shall report to the Secretary any complaint or incident of sexual harassment or sexual assault of which the crew member has first-hand or personal knowledge.

“(2) PENALTY.—A crew member with first-hand or personal knowledge of a sexual assault or sexual harassment incident on a documented vessel who knowingly fails to report in compliance with paragraph (a)(1) is liable to the United States Government for a civil penalty of not more than \$5,000.

“(3) AMNESTY.—A crew member who fails to make the required reporting under paragraph (1) shall not be subject to the penalty described in paragraph (2) if—

“(A) the crew member is the victim of such sexual assault or sexual harassment incident;

“(B) the complaint is shared in confidence with the crew member directly from the victim; or

“(C) the crew member is a victim advocate as defined in section 40002(a) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12291(a)).

“(b) MANDATORY REPORTING BY VESSEL OWNER.—

“(1) IN GENERAL.—A vessel owner or managing operator of a documented vessel or the employer of a seafarer on that vessel shall report to the Secretary any complaint or incident of harassment, sexual harassment, or sexual assault in violation of employer policy or law, of which such vessel owner or managing operator of a vessel engaged in commercial service, or the employer of the seafarer is made aware. Such reporting shall include results of any investigation into the incident, if applicable, and any action taken against the offending crewmember.

“(2) PENALTY.—A vessel owner or managing operator of a vessel engaged in commercial service, or the employer of a seafarer on that vessel who knowingly fails to report in compliance with paragraph (1) is

liable to the United States Government for a civil penalty of not more than \$25,000.

“(c) REPORTING PROCEDURES.—

“(1) CREW MEMBER REPORTING.—A report required under subsection (a)—

“(A) with respect to a crew member, shall be made as soon as practicable, but no later than 10 days after the crew member develops first-hand or personal knowledge of the sexual assault or sexual harassment incident to the Coast Guard National Command Center by the fastest telecommunication channel available; and

“(B) with respect to a master, shall be made immediately after the master develops first-hand or personal knowledge of a sexual assault incident to the Coast Guard National Command Center by the fastest telecommunication channel available.

“(2) VESSEL OWNER REPORTING.—A report required under subsection (b) shall be made immediately after the vessel owner, managing operator, or employer of the seafarer gains knowledge of a sexual assault or sexual harassment incident by the fastest telecommunication channel available, and such report shall be made to the Coast Guard National Command Center and to—

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

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

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

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

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

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

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

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

“(4) INFORMATION COLLECTION.—After receipt of the report made under this subsection, the Coast Guard will collect information related to the identity of each alleged victim, alleged perpetrator, and witness through means designed to protect, to the extent practicable, the personal identifiable information of such individuals.

“(d) REGULATIONS.—The requirements of this section are effective as of the date of enactment of the Don Young Coast Guard Authorization Act of 2022. The Secretary may issue additional regulations to implement the requirements of this section.”.

SEC. 611. CIVIL ACTIONS FOR PERSONAL INJURY OR DEATH OF SEAMEN.

(a) PERSONAL INJURY TO OR DEATH OF SEAMEN.—Section 30104(a) of title 46, United States Code, as so designated by section 505(a)(1), is amended by inserting “, including an injury resulting from sexual assault or sexual harassment,” after “in the course of employment”.

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

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

(2) by striking “Except as otherwise” and inserting the following:

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

(3) by adding at the end the following:

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

(c) CLERICAL AMENDMENT.—The analysis for chapter 301 of title 46, United States

Code, is amended by striking the item related to section 30106 and inserting the following:

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

SEC. 612. ADMINISTRATION OF SEXUAL ASSAULT FORENSIC EXAMINATION KITS.

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

“§ 564. Administration of sexual assault forensic examination kits

“(a) REQUIREMENT.—A Coast Guard vessel that embarks on a covered voyage shall be—

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

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

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

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

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

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

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

TITLE VII—TECHNICAL AND CONFORMING PROVISIONS

SEC. 701. TECHNICAL CORRECTIONS.

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

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

SEC. 702. TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL TECHNICAL AMENDMENTS.

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

(1) in the section heading by striking “**security cards**” and inserting “**worker identification credentials**”;

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

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

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

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

(6) in subsection (g), by striking “Assistant Secretary of Homeland Security for” and inserting “Administrator of”;

(7) by striking subsection (i) and redesignating subsections (j) and (k) as subsections (i) and (j), respectively;

(8) by striking subsection (l) and redesignating subsections (m) through (q) as subsections (k) through (o), respectively;

(9) in subsection (j), as so redesignated—

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

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

(10) in subsection (k)(1), as so redesignated, by striking “subsection (k)(3)” and inserting “subsection (j)(3)”; and

(11) in subsection (o), as so redesignated—

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

(B) in paragraph (1)—

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

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

(C) in paragraph (2) by striking “on-site activation capability” and inserting “on-site receipt and activation of transportation worker identification credentials”.

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

“70105. Transportation worker identification credentials.”.

SEC. 703. REINSTATEMENT.

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

(1) reinstated as it appeared on the day before the date of enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283); and

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

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

(c) CONFORMING AMENDMENT.—The provision reinstated under subsection (a) is amended by striking “, except to the extent provided in this section”.

SEC. 704. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation for this Act”, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

GENERAL LEAVE

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6865, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am proud to call up and speak in support of my bill, H.R. 6865, the Don Young Coast Guard Authorization Act of 2022.

This bipartisan legislation will authorize funding for the United States Coast Guard for fiscal years 2022 and 2023 and address a number of important issues concerning the maritime industry.

I would like to take a moment to express my deepest sympathies to Congressman Don Young’s wife, Anne, the rest of the family, and the people of Alaska.

Don was larger than life. He was the dean of the House. He was affable, cantankerous, and sometimes funny.

You know, I have stories like the Speaker mentioned today about Don and the buck knife in his pocket, but I won’t go into those now. But, anyway, we developed a good friendship.

I feel fortunate that I had time to develop that relationship with him, serving together on both the House Committee on Natural Resources for 26 years and the Committee on Transportation and Infrastructure for 36 years.

His service as Chair of the Transportation and Infrastructure Committee had an extraordinary impact. It was capped by the passage of SAFETEA-LU, a surface transportation reauthorization that was named for his beloved late wife.

It was a strong bipartisan bill that provided much-needed investment infrastructure across the country, including my home State of Oregon.

Don believed in bipartisanship. We didn’t always agree, but we would often find a way to compromise, come together for the good of the country, and he always, always stayed true to his values and the people of Alaska.

Given Alaska’s vast coastlines, the Coast Guard plays a particularly important role in the State, and Congressman Young was always there to support the United States Coast Guard.

That is why I am particularly happy to include several provisions important to the Congressman that will have a dramatic impact on the State of Alaska and this bill.

At a committee markup earlier this month, Don said, I have voted on 20 Coast Guard authorization bills in my career. I have served on the Coast Guard subcommittee for 46 years. This is a good bill. It is really needed. And it is really needed. And naming it for Don Young is incredibly appropriate.

I would like to thank my ranking member, SAM GRAVES, and Subcommittee Ranking Member GIBBS for their work. I particularly want to thank the chair of the subcommittee, Congressman CARBAJAL, for this very important and overdue additional investment in the Coast Guard and addressing a number of other issues relating to the maritime industry. This is evidence that bipartisanship can still live in Washington, D.C. today.

It not only authorizes the Coast Guard but also reauthorizes the Federal Maritime Commission which is the center of the supply chain congestion that has plagued this country and the world for over a year.

It incorporates the Ocean Shipping Reform Act of 2021 which will begin to address several unfair shipping practices that have contributed to inflation across every sector of the American economy.

This legislation gives the Federal Maritime Commission the authority to protect exporters, importers, and consumers from unfair practices by expanding their oversight and enforcement capabilities.

The largest three shipping companies in the world made more money in the last year than they made over the last decade. It is not warranted. They are essentially running a cartel, and it is time that we took action.

The Federal Maritime Commission, under this administration, is finally waking up, and they are going to take action against these cartels and the price gouging that is going on on our consumers.

It further amends title 46 to ensure shipping capacity once contracts are signed, increases penalties for retaliation against shippers, and encourages reciprocal trade.

H.R. 6865 increases the Federal Maritime Commission’s annual operating budget by 10 percent over 2021. It will give them the additional resources they need to provide effective oversight and ensure that all foreign carriers abide by fair shipping practices which they are not doing today.

For the Coast Guard, this bill provides more than \$12 billion for fiscal year 2022, \$13 billion for fiscal year 2023. These authorized funding levels support servicemembers, fund new asset acquisitions, and improve the Coast Guard’s crumbling shoreside infrastructure.

I am particularly pleased with the improved vessel safety measures included in the legislation, and H.R. 6865 takes a leap forward in small passenger vessel safety by mandating common-sense requirements for passenger amphibious vessels and others.

Chairman CARBAJAL recently held a hearing on a horrible tragedy in his district which this will also have an impact in preventing in the future.

Moreover, H.R. 6865 offers meaningful reforms to a culture of sexual abuse within the maritime industry. I am proud to have worked with Members from both sides of the aisle to determine what changes are necessary to begin to address the toxic culture in the industry and create a safe work environment for all mariners.

H.R. 6865 includes language from my other bill, the Safer Seas Act, which will give the Coast Guard more leverage to investigate and remove predators who sexually harass and assault. It also includes important safety measures such as surveillance, master key control systems, and extends the statute of limitations for cases of sexual assault and harassment.

This groundbreaking legislation is just one step towards bringing justice for victims and getting predators out of the industry.

In closing, let me thank once again my Ranking Member SAM GRAVES, Ranking Member GIBBS, and of course, Chair CARBAJAL for all their extraordinary work on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6865, the Don Young Coast Guard Authorization Act of 2022, an important piece of legislation that ensures that the United States Coast Guard has the funding that they need to carry out the service's critical mission and keep our borders safe.

Today it is with both great sadness and great respect that we name this year's Coast Guard Authorization Act after former Transportation and Infrastructure Committee Chairman Don Young.

The passing of the dean of the House was a surprise to all of us and a tremendous loss for this body. Our thoughts are with his wife, Anne; his daughters, Joni and Dawn; and the rest of his family, as well as his current and his former staff.

I had the pleasure of serving as a freshman member of the Transportation Committee when Don began his chairmanship in 2001. And, as always, he brought his typical passion and zeal to the job.

He was always working for Alaska but also constantly helping other Members take care of their constituents.

The chairman, as many still called him, always pointed out that Alaska missed the great infrastructure investment of the earlier centuries that had been made in the lower 48, and he was bound and determined to make sure that he made up for lost time.

There isn't a city or a borough or a town or village in Alaska that can't point to at least one road, airstrip, harbor, dock, visitors center, or health clinic that Don didn't have some role in establishing, building, authorizing, or funding.

Recently, there has been a suggestion to name a volcano in Alaska after Chairman Young, a rugged and enduring part of the Alaskan landscape, always with the potential to erupt at any moment's notice, but always warm at its core. Part of me thinks this would be a very fitting tribute as well.

And as has been noted many times, it was fitting that he passed away on his way home to Alaska, the State that he loved so much.

I will always think of him and smile when I walk by his official—unofficial, I should say, unofficial but uncontested seat here on the House floor. His passing was truly a loss for the House.

In the Transportation Committee, we will always have the almost life-sized portrait watching over us, reminding Members of the importance of the work and the bipartisanship it takes to get it done.

One of Don's priorities throughout his career, and also one of my priorities, was strengthening the Coast Guard. This legislation authorizes the purchase of a 12th National Security Cutter as well as six additional Fast

Response Cutters to ensure that our Coast Guard is prepared for its current and future role in securing America.

During our markup of this bill earlier this month, Don remarked in his statement that both his support for this bill, and as the chairman pointed out, he had voted on 20 Coast Guard authorizations in his career, and I am deeply saddened today that he is not going to be able to cast his vote in support of yet one more.

Fittingly, H.R. 6865 also includes a provision offered by the late dean of the House that allows the Coast Guard to keep Russian vessels out of U.S. waters during the ongoing Russian invasion of Ukraine.

With that, Mr. Speaker, I urge support of this important legislation, and I reserve the balance of my time.

Mr. DEFazio. Mr. Speaker, I yield 3 minutes to the chair of the subcommittee, Congressman CARBAJAL.

Mr. CARBAJAL. Mr. Speaker, I would like to express my support for H.R. 6865, this year's Coast Guard Authorization Act, which is named in honor of our departed colleague, Mr. Don Young, who tirelessly advocated for the Coast Guard and maritime issues in his many decades of public service.

With his legacy in mind, I wish to express my thanks for the leadership of Chairman DEFazio, Ranking Member SAM GRAVES, and Subcommittee Ranking Member BOB GIBBS that created this bipartisan agreement.

H.R. 6865 will renew and enhance support for the critical missions of the United States Coast Guard. Every day Coasties work to protect our national security and enforce the laws in the maritime environment.

They maintain our Nation's waterways for the sake of commerce, save lives, and protect the oceans from pollution. These brave servicemembers have time and time again demonstrated their resourcefulness, but they need our support today.

The increased authorizations in today's bill signals our confidence in the excellence of the Coast Guard and starts down the road to providing the resources Coasties need to successfully complete their missions.

H.R. 6865 also tackles current challenges to our Nation's supply chain which have recently caused frustration in not only the transportation industry, but in the average families who are being confronted with shortages and increasing costs for basic household goods.

H.R. 6865 reauthorizes the Federal Maritime Commission, the entity in charge of promoting fairness and competition in ocean shipping.

And it includes the Ocean Shipping Reform Act of 2021 which would provide the Federal Maritime Commission with the authority to directly address international shipping's contribution to the inflation we are experiencing.

□ 1530

As chairman of the Coast Guard and Maritime Transportation Sub-

committee, I am proud that this bill also includes my legislation to amend an archaic 171-year-old maritime law that prevented victims and their families from seeking fair recourse against vessel owners who were found to be liable for maritime incidents. This provision was developed in response to the Conception dive boat fire in my district in 2019, which was the largest loss of life in a U.S. marine casualty in decades.

Finally, with this bill, we can make significant strides toward stamping out sexual assault and sexual harassment from the maritime industry. Provisions in H.R. 6865 strengthen transparency surrounding companies' sexual assault and sexual harassment policies, provide protections for mariners, and remove bad actors from the industry. Such criminal behavior and incidents have no place in the maritime industry.

I am proud to have worked with my colleagues on this important legislation, and I look forward to ensuring that it becomes law.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. GIBBS), the ranking member of the Coast Guard and Maritime Transportation Subcommittee.

Mr. GIBBS. Mr. Speaker, I am pleased to rise today in support of H.R. 6865, the Don Young Coast Guard Authorization Act of 2022. The bill represents this Congress' commitment to the men and women serving in the Coast Guard and lays the groundwork for maintaining the Service's mission capability in the future.

It also honors our colleague Don Young, who passed away last week, and is lying in state in Statuary Hall today. Our thoughts go out to his family and staff.

The dean of the House, the Congressman for all Alaska, the former chairman of both the Committee on Natural Resources and Committee on Transportation and Infrastructure, the longest serving Republican Member of the House, the former mayor of Fort Yukon: His titles were many, but they failed to fully capture Don's character and endless enthusiasm for the job he loved, representing the people of Alaska in Congress. He did that job for 49 years, and he did it well. His legislative record is as amazing as his personal legacy of the friendships he made over the last five decades. He was always a stalwart Representative for Alaska and will have a lasting legacy.

It is appropriate that we are naming this Congress' Coast Guard Authorization Act for Don. He served on the Subcommittee on Coast Guard and Maritime Transportation since it was established in 1995 and on its predecessor subcommittee for 20 years before that. He was the only licensed tugboat captain in Congress, and the Coast Guard plays many vital roles in the always vast and beautiful, but often stormy and dangerous, waters of his home State.

The Coast Guard is one of the six United States Armed Forces, and they

help secure our country's borders. As we watch the Ukraine crisis unfold and recognize the apparent lack of readiness in the Russian military, we should be especially aware of the need to provide our Armed Forces with the resources they need.

This bill includes provisions to strengthen the Coast Guard's ability to keep Russian vessels out of U.S. water, a provision Don Young authored. Both sides of the aisle worked together to craft this legislation, recognizing that port and coastal security, drug interdiction, and maritime safety are important bipartisan issues to our Nation rather than Republican or Democrat issues.

The Coast Guard plays an important and unique role in national security and maritime safety. The Service is a critical component in carrying out drug interdiction efforts, keeping our ports and coasts safe, and conducting icebreaking operations. H.R. 6865 helps the Coast Guard better perform these missions and encourages the use of cutting-edge technology to improve operations, while also addressing ongoing issues like how to bring the Service's crumbling IT infrastructure into the modern era.

Despite the administration's failure to seek appropriate capital funding levels, this bill authorizes over \$9 billion for the operations and support account and \$3 billion for the procurement, construction, and improvement account for fiscal 2022 and provides a 5 percent increase in FY23. We had hoped that would offset earlier budget shortfalls, but given the rise in inflation, it will be needed just to stay even.

As others have noted, this legislation authorizes the purchase of a twelfth National Security Cutter and six Fast Response Cutters, which are necessary for the Coast Guard's future mission capabilities.

Vital to my district, I am also proud of the commitment made to the Great Lakes in this bill. Working with my colleague, the gentleman from Wisconsin (Mr. GALLAGHER), the bill includes an authorization of a new dedicated icebreaker on the Lakes to keep commerce moving as much of the year as possible.

Thank you to Chair DEFAZIO, Ranking Member SAM GRAVES, and Subcommittee Chair CARBAJAL for working in a bipartisan fashion to give the Coast Guard the resources it needs to accomplish its missions. I urge support of this bill.

On a side note, my first year as a freshman, I was chairman of the Subcommittee on Water Resources and Environment, and I inadvertently overlooked Don Young in the questioning order. That was not a smart thing for a freshman Member to do. I realized my mistake, and I apologized to him, and we became the best of friends. He also invited all of us to go to his king salmon barbecue here in D.C. I am really going to miss Don Young. He was really an American patriot.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GARAMENDI), a senior member of the committee.

Mr. GARAMENDI. Mr. Speaker, I strongly support the Coast Guard Authorization Act of 2022, and I would like to thank the chairman and the ranking member, also Mr. CARBAJAL and the minority team for putting together a good piece of legislation.

This bipartisan legislation authorizes the U.S. Coast Guard, our fifth national military service branch, for fiscal years 2022 and 2023.

We know the Coast Guard is critically important. We just heard that here. This bill also goes beyond just the Coast Guard. It deals with the Jones Act and something I have worked on for 13 years here, which is Make It In America and how we can do that in our maritime industry.

In this bill, there are policies and proposals that include long overdue language to close some egregious loopholes to the Jones Act that would allow foreign vessels to undercut American-flagged vessels operating in America's offshore environment and the intercontinental shelf. This amendment, H.R. 6728, which is included in this bill, would close that loophole so that those foreign-flagged vessels are held to the very same high standards that American vessels have to hold to in those same offshore waters.

A lot of this comes down to the new offshore wind industry that is flourishing in the northeast and soon will be found in many other parts of this Nation. Do you want those to be American jobs or do you want those to be foreign jobs? The question is pretty simple. This bill, as amended, would make sure that those ships and crews operating offshore would have to meet the same high standards. They would have to be certified that they know what they are doing, that they pass the various background checks as American mariners must.

Now, if you want a wide open thing, then just forget it, but this bill is there to protect American workers in the offshore wind industry, the offshore oil industry, and further beyond that to the general Jones Act fleet.

It is a good bill. There are other things in this bill that are good. I had the great pleasure of working with our former colleague, Don Young, on his Oil Spill Response Enhancement Act. We worked together on that for several years. It is included in this bill, and it would certainly be appropriate that that stay in this bill.

We are going to have always the normal trouble with the Senate. They just seem to not understand all that they should, but this is a great bill. I want to compliment all who worked on it. The minority teams did excellent work. I thank them so very much. I see the coauthor of our amendment, the gentleman from Louisiana (Mr. GRAVES), who has done good work on this bill, has taken his position to carry on.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. GRAVES), the ranking member of the Subcommittee on Aviation.

Mr. GRAVES of Louisiana. Mr. Speaker, first of all, I want to thank Chairman DEFAZIO, Ranking Member SAM GRAVES, Subcommittee Chair CARBAJAL, and Ranking Member GIBBS for their bipartisan efforts on this legislation. I want to thank the gentleman from California (Mr. GARAMENDI), my friend, for working with us to ensure that American mariners are given a level playing field, and I want to thank all Members involved for the efforts to help to bolster the Coast Guard.

Mr. Speaker, the Coast Guard is often described as a Swiss Army knife. You take all the laws that are enforced on terrestrial grounds, and we effectively put all of those on the Coast Guard men and women to be carried out or enforced on America's oceans, on our seas, and our near-shore waters. This is an incredible task. Everything from maritime safety, maritime security, counter drug, alien interdiction and many, many other missions.

We have got to make sure if we are going to ask them to do such a challenging task that we give them the equipment. This bill authorizes the twelfth National Security Cutter. It authorizes six of the Fast Response Cutter, the Sentinel-class vessels that are going to bring better interoperability, better offensive capabilities, faster transit speed, the ability to operate in much more adverse conditions in regard to sea state, many, many other things.

This also includes a provision that Don Young included that prohibits Russian vessels from being in Alaskan waters, and I think that is very important, especially considering what we are going through right now. I think that is absolutely critical.

It also includes a provision that Congressman HUFFMAN and I worked on on a bipartisan basis to ensure that AIS, the automatic identification system, requirements for fishing vessels of certain sizes are being applied to prevent illegal fishing or fishing that is beyond catch limits in our waters, so very, very important legislation being advanced today.

I want to thank everybody for working on it and, most importantly, I want to thank the fact that this bill is being named after Congressman Don Young. This is much deserved. I had the chance to work for him under John Rayfield when he was chair and absolutely very much deserve. I support the legislation.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. AUCHINCLOSS), a member of the committee.

Mr. AUCHINCLOSS. Mr. Speaker, I thank the chairman for working with me to meet President Biden's goal of deploying 30 gigawatts of offshore wind

energy by 2030 as we transition to a clean energy economy.

While I support funding the Coast Guard, I am deeply concerned that a provision in this bill would prevent us from meeting this imperative. To achieve 30 gigawatts by 2030, the United States will need five to six wind turbine installation vessels. Currently, there are only three in the world. This provision would prevent the use of these vessels and halt the only means we have to install and maintain wind turbines in the short term.

Not only would this put those 30 gigawatts of clean energy out of reach by 2030, it would also threaten thousands of good-paying union jobs in Massachusetts. I share the chairman's goal of staffing offshore wind projects with American workers in the long term.

Indeed, with my colleague, the gentleman from Massachusetts (Mr. KEATING), I have secured funding to help train those workers, but there will be no jobs and no offshore wind energy if this amendment is passed and the development of offshore wind is stillborn. I ask for a commitment to work in conference to ensure a seamless transition to American workers that does not jeopardize access to wind turbine installation vessels for current and future development of offshore wind projects.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER), the ranking member of the Water Resources and Environment Subcommittee.

Mr. ROUZER. Mr. Speaker, it is so fitting that today we are passing the Coast Guard reauthorization bill, a very good bipartisan piece of legislation, naming it in honor of our dear friend and colleague, Don Young of Alaska, who did so much during his time here for the Coast Guard.

A fixture in the House for 49 years, Don Young took care of the needs of Alaskans like no other could. So it was a natural fit for him to serve as chairman of both the Natural Resources Committee and the Transportation and Infrastructure Committee during his time here. His accomplishments for Alaska and throughout the course of his life are well known and numerous.

He was certainly a throw-back to the old days on Capitol Hill. He fought hard for his constituents, for Alaska, for America. He had the force of a lion, but great compassion. And, boy did he know how to live life to the fullest. He was the perfect public servant for he had two attributes one must have to survive and serve the public well: A tough hide but a tender heart. That is the gentleman from Alaska that I got to know. That is the man who, with his dear wife, Anne, by his side, told me at my birthday party last month that he wanted to get the show on the road, go up to the stage and sing happy birthday. I simply said, "Yes, sir," and what a memorable night he made it.

□ 1545

Sometimes words cannot properly describe a man, for the emotions that stir the heart are so powerful, words cannot possibly reflect them. That is how it feels for me, anyway.

But let it be said many times over: Don Young was a force, a legend in his own time. And America is better and greater because of him.

Let's pass this Coast Guard reauthorization bill in honor of our great friend, Don Young.

Mr. DEFAZIO. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Oregon has 5½ minutes remaining. The gentleman from Missouri has 8½ minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. Mr. Speaker, I associate myself with the remarks of my colleagues regarding our late colleague Don Young, my friend, someone I worked with on fishing issues, ferry issues, air service issues. He will be sorely missed.

Mr. Speaker, I rise in support of H.R. 6865, which makes significant investments in the extraordinary work of the United States Coast Guard.

I have deep concerns, though, about one provision in the bill regarding the sole-sourced crewing of foreign vessels needed to construct the first offshore wind projects in our country. This language will prevent existing crews from building already planned offshore wind projects years before the ships can be built and long before American seamen are trained to take on these jobs.

We all support U.S. jobs, but here at home, this industry is at its relative infancy. The requirements in this provision will prevent participation of the existing fleet of vessels needed to begin construction on these projects while no U.S. alternative exists.

This will cost us jobs, jeopardizing more than 3,600 jobs, largely union jobs, from the Vineyard Wind project in my district alone and create years of delays to the building of offshore wind projects with an estimated 20,000 new jobs across the eastern seaboard.

Mr. Speaker, I ask the chairman to work with me to amend this language in conference to ensure that the United States does not falter as we take our first steps into this burgeoning industry, one that will increase our energy independence, create American jobs, and move us away from our reliance on fossil fuels.

Mr. DEFAZIO. Mr. Speaker, certainly, I would assure both this gentleman and Representative AUCHINCLOSS that I will be happy to work with the two of them as the legislation goes to the Senate.

I want to move toward employing qualified American mariners and to have the people who work on these ships meet the same requirements as American mariners.

Flags of convenience have destroyed the U.S. maritime industry. We are

going to rebuild it, and we are going to rebuild it with American crews and ships. Dominion Resources is currently building an insertion ship.

I certainly do not want to impede projects in the near term, Vineyard Wind and others that are immediately pending, and we will work to ensure there are no disruptions as we move toward a cleaner energy future.

I would be happy to work with the two gentlemen and others who are concerned.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. BURCHETT).

Mr. BURCHETT. Mr. Speaker, I stand here not to talk about the bill but to talk about my friend, Don Young.

When I first got up here, I told Don that I was an avid gold panner in Knoxville, Tennessee, yet, in my lifetime, I had never found one flake of gold. He told me if I would come to Alaska, he said: "Timmy, I could put you on some gold." And we talked about our love of the outdoors.

We also talked about our love of traditional country music, Mr. Speaker. Rick Crawford had his little band over here playing one night, and they were playing some good old country music, some Johnny Paycheck, the music that speaks to your heart. Don and I were talking about the current state of country music and just how horrible it was, and if I wanted to listen to rock music, I would turn on a rock station; if I wanted to listen to rap, I would turn on a rap station; but, dadgummit, country music was what we wanted to hear, and these country music people today are not country music people. I would put it in Don's words, but I would probably be called out on an ethics charge, Mr. Speaker, so I will not do that.

I stand here today as a friend of Don Young's and someone who will miss him dearly. I will miss his abrupt, gruff way about himself. My daddy was quite like that, and I grew up in that household, and I understand completely. Don had a rough exterior, but he was a very gentle person, and I will miss him dearly.

Mr. DEFAZIO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican whip.

Mr. SCALISE. Mr. Speaker, I thank the gentleman from Missouri for yielding.

What a great tribute, to be naming this Coast Guard reauthorization bill after Don Young. While we mourn his loss today and pay tribute to Don in Statuary Hall, his family was here, and as you are paying tribute to a great life, the dean of the House who served 49 years in this great Chamber from the 49th State of Alaska, you can't

help but think of all the Don Young stories.

Clearly, there is a tie to this bill because Don served on the Coast Guard and Maritime Transportation Subcommittee for his entire tenure that the committee was in existence. Don loved the Coast Guard, loved the relationship they had in Alaska, just trying to get more icebreakers so that we could keep up with Russians continuing to open up their shipping lanes, but our not having the ability to get enough Coast Guard cutters to break ice in Alaska.

Don Young was always a champion for Alaska. He was a great friend. He was somebody who you knew where he stood all the time. And if you stood in his way, he would make it clear that he was going to keep moving forward.

As we look at the seat that Don Young always sat in, in a Chamber of 435 people where there are no reserved seats, everybody knows that is where Don Young sat. When you look over there today, it is a little bit sad, but you can only think of great memories of Don Young when you see the black cloth draped over that seat.

We will always remember Don Young, a man who loved this country, surely loved the Coast Guard, and epitomized what is the great State of Alaska. No better champion they had in Congress than Don Young.

I look forward to passing this bill with overwhelming support.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Speaker, I thank the gentleman from Missouri for yielding.

I rise today to recognize the passing of my friend and colleague, Representative Don Young.

While many accomplished and effective men and women have served here in the House of Representatives over the years, very few have built a legacy like Representative Young.

Over the last almost 12 years, I have had the honor of serving with him on the Transportation and Infrastructure Committee, where he spent untold hours fighting for stronger investment in American infrastructure. The Don Young Coast Guard Authorization Act on the floor today is just one of many examples of this.

Don took his job as dean of the House seriously. He regularly offered advice to colleagues, like his warnings to me to never shave my beard. He was eager to welcome Members and their families to Capitol Hill. My kids loved getting a tour of his office and hearing his wild hunting stories.

Representative Young will be remembered for his boisterous personality and outrageous anecdotes, but above all, he will be remembered for his passion for the people of Alaska.

I am thankful for the time I served with Representative Young, and my

prayers are with his family, friends, staff, and constituents.

Today, I encourage my colleagues to honor our friend and support H.R. 6865.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Missouri has 4½ minutes remaining. The gentleman from Oregon has 2½ minutes remaining.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise in support of this legislation.

Don represented Alaska in this House for nearly as long as Alaska has been a State. Don was a ferocious advocate for the people he represented, not the least of whom were Alaska's Native people, who held a special place in his heart.

We are going to miss Don. He was a champion for the North Slope, Alaska's commercial fisheries, and infrastructure, obviously. Don spent his career fighting for his constituents to use Alaska's vast natural resources to bring prosperity to his State.

Don knew what made our country great and how to work across the aisle to deliver for the people of Alaska.

Don was my first committee chairman when I came here 30 years ago, and he quickly found me and said: "I heard you want to be on my committee." I said: "Yes, Mr. Chairman." "Well, do whatever I tell you, and you will be just fine." I think, at some time or another, all of us have lived by those words.

I will miss Don. I will miss his friendship, his humor, and his passion. My thoughts and prayers go out to his wife, Anne, and the family.

Rest in peace, Don.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I had the honor to serve 26 years here in the House with Don Young.

There is an expression some of our Texans have about not messing with Texas. Well, with Don Young, you knew not to mess with Alaska.

We butted heads on that several times, but we remained friends. When my family and I went to Alaska some years ago, he told us the places not to miss. It was a family vacation. It was wonderful. We stopped by the State fair there, and we picked up "I'm a Young Man" buttons—this is one today—and "I'm a Young Woman" buttons for my wife and daughter. Periodically, I would wear it here in the House, and he always got a kick out of that.

Now, Don Young is gone, and as they said about Lincoln, he now belongs to the ages. He will be long remembered in this place, and he will certainly be long remembered in Alaska.

May Don rest in peace.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. Mr. Speaker, what can you say about Don in 30 seconds? I always saw him as a captain, the tugboat captain, the captain of the ship.

Don was the captain of this ship, this great institution, the House. Don was rough on the exterior like his State, rugged and larger than life, but he had a heart for serving others.

I will never forget going to the White House when we signed the Tax Cuts and Jobs Act into law. ANWR opened up. He did a little jig in front of the White House. I think that may have been one of the days he broke his promise of maybe having a little drink.

But I will say this: I will always cherish my last day in the House sitting right next to him. The very last day, we were here for an hour talking about this great institution, talking about our families, what is important in life. Little did I know that the next day he would be lost.

The SPEAKER pro tempore (Ms. MCCOLLUM). The time of the gentleman has expired.

Mr. GRAVES of Missouri. Madam Speaker, I yield the gentleman an additional 5 seconds.

Mr. MCCAUL. Madam Speaker, let me say in closing, Don planned to serve in Congress until God or the voters decided it was his time. It is no coincidence that God called him home on his 49th year in Congress as a Representative for the 49th State.

May God hold Don in the palms of his hands.

Mr. DEFAZIO. Madam Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from Missouri has 2½ minutes remaining. The gentleman from Oregon has 2½ minutes remaining.

Mr. GRAVES of Missouri. Madam Speaker, I yield 30 seconds to the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Speaker, Don Young has 50 years of stories, and I will tell you just one in 20 seconds.

Madam Speaker, Don Young, faced with a young Member wanting to affect bypass mail in Alaska, could have dressed me down and told me over his dead body. Instead, he directed me to go to Alaska to see how bypass mail was done in the post office there. He sent me to an Aleutian Island, sent me to a few other appropriate places, and changed my view of why we have bypass mail.

That is the Don Young I will remember.

Mr. DEFAZIO. Madam Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. BALDERSON).

Mr. BALDERSON. Madam Speaker, I thank the gentleman for yielding.

I rise in support of the Don Young Coast Guard Authorization Act, which ensures that the dedicated men and women of the U.S. Coast Guard are adequately trained and equipped to fulfill their critical mission of securing America's coastlines.

It has been an honor for me, as a 3-year Member of Congress, to serve alongside Don Young and always sit behind him and hear him.

Mr. DEFAZIO. Madam Speaker, I reserve the balance of my time.

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Mr. GRAVES of Missouri. Madam Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. VAN DREW).

Mr. VAN DREW. Madam Speaker, I rise in support of the Don Young Coast Guard Authorization Act of 2022.

Congressman Young brought a distinct candor and a character to Congress. This body and our country are better off thanks to his service, and he will be dearly missed. I am proud to note that this legislation authorizes \$120 million for the construction of new barracks at the United States Coast Guard Training Center Cape May in New Jersey.

The barracks project will expand opportunities for women to serve in the Coast Guard as well as expand the training center's recruitment capacity by 25 percent. The United States must project strength, and this legislation will ensure that the United States is ready to address the challenges presented by adversaries such as Russia and China.

Mr. DEFAZIO. Madam Speaker, I yield 30 seconds to the gentlewoman from New York (Ms. MALLIOTAKIS).

Ms. MALLIOTAKIS. Madam Speaker, my district is home to Coast Guard Station New York and is the largest Coast Guard station on the East Coast. This legislation authorizes \$1.2 million in needed repairs to ensure their mission and day-to-day operations continue. I thank everyone for this bipartisan effort.

Madam Speaker, to say that Don Young was an amazing man would be an understatement. He was one of the first Members I met as a freshman. He advocated to help me to get on the Committee on Transportation and Infrastructure. I know how much he loved the Coast Guard. I know how much he loved Alaska. And it is so fitting that we are naming this legislation after him.

Mr. GRAVES of Missouri. Madam Speaker, I yield 30 seconds to the gentleman from Mississippi (Mr. GUEST).

Mr. GUEST. Madam Speaker, I rise today in honor of the life and service of the late Congressman Don Young of Alaska, former dean of the United States House of Representatives. It is fitting that this Coast Guard reauthorization, which we are considering today, is named in his memory.

Congressman Young made a lasting impact on this institution and his leg-

acy of service will endure far into the future.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore. The gentleman from Missouri has 30 seconds remaining.

Mr. GRAVES of Missouri. Madam Speaker, this is obviously a fitting tribute, but we ran out of time. A lot of people wanted to say something about Don, and I apologize that we ran out of time.

Madam Speaker, I close by thanking the chairman of both the committee and the subcommittee and the ranking member, for putting this bill together. It is very much a bipartisan effort. But I particularly want to thank the staffs on both sides of the aisle for the work that they did, and in particular, John Rayfield, who had the opportunity to work with Chairman Young when he was chairman of the committee as well.

Madam Speaker, I urge my colleagues to support this very important piece of legislation, and I yield back the balance of my time.

Mr. DEFAZIO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it was very fitting the tributes that we heard. We all have stories about Don, and I wish we had more time to share, but his many decades of work will stand as a monument to his life, and this bill, in particular, will honor his extraordinary service on the Committee on Transportation and Infrastructure. I think it was called Public Works when Don first came to serve here.

Madam Speaker, I urge support for this bill. As I mentioned earlier, we are finally recognizing that the Coast Guard has been under resourced for decades. We are beginning to deal with that problem, their shoreside infrastructure, their assets at sea, and in particular, the extraordinary people who serve in the United States Coast Guard.

Madam Speaker, I am proud to have named the bill for Don. I would urge that this bill be unanimously approved by our colleagues, and I yield back the balance of my time.

Mr. CARSON. Madam Speaker, I rise to speak in support of H.R. 6865, the Don Young Coast Guard Reauthorization Act of 2022.

I'd like to first acknowledge the sudden passing of Don Young, the Dean of the House, and the former Chairman of the Committee on Transportation and Infrastructure. I extend my condolences to his wife and family, and also to his staff. I had the pleasure of working with him on the Carson/Young bill, to create the National Center for the Advancement of Aviation, which is a bipartisan and a bicameral bill to improve aviation, which is so important to both of our states, Alaska and Indiana. It's only fitting that today's Coast Guard bill is now named in Congressman Young's memory.

Chairman DEFAZIO, I commend your leadership, and your collaboration on this Coast Guard bill, with Ranking Member GRAVES, Coast Guard Subcommittee Chair CARBAJAL and Ranking Member GIBBS. I am pleased to join our committee colleagues in supporting the Coast Guard Reauthorization Act because it will increase maritime safety and efficiency.

Chairman DEFAZIO, I am especially grateful to you for working with me over several years to develop the language that will finally address the persistent problems with unsafe vessels, and including my Duck Boat Safety Improvement Act in today's Coast Guard Reauthorization.

My Duck Boat Safety requirements, in Title III, Section 305, will finally implement safety regulations for amphibious passenger vessels, particularly those known as Duck Boats. These safety recommendations were made by federal agencies to address repeated problems associated with Duck Boats that have resulted in many injuries and fatalities that may have been prevented.

I became much more aware of these problems when my constituents in Indianapolis, the Coleman family, were involved in a horrible Duck Boat accident on July 19, 2018 in Branson, Missouri. Tia Coleman was one of only two survivors from her family of 11, losing her husband Glenn and her children Reece (nine years old), Evan (seven years old), and Arya (one year old). Tia's 13-year-old nephew, Donovan, was the other surviving family member, losing his mother Angela, his younger brother Maxwell (two years old), his uncles Ervin (76 years old) and Butch (70 years old), and his aunt Belinda (69 years old). Boarding a Duck Boat on Table Rock Lake started out as a fun outing for family members, but it turned into an unspeakable tragedy when the boat capsized and sank. Seventeen of the 31 passengers on board were killed.

The National Transportation Safety Board (NTSB) and U.S. Coast Guard have separately investigated the incident and the last few aspects of the investigation should be completed soon.

But Congress should not wait to act. We know from past incidents that more can and should be done to make these vessels safer. Since 1999, more than 40 people have died in Duck Boats accidents, the vast majority of them from drowning when the vessel sinks. The NTSB in 2002 issued recommendations to improve the safety of these vessels in flooding or sinking situations but little has been done to implement those measures.

Duck Boats are hybrid vehicles that can travel on roadways and waterways, so the safety measures must be updated for both land and waterborne operations.

The Duck Boat Safety Improvement Act will require vessel operators to implement common-sense boating safety measures, including:

- Improving reserve buoyancy and watertight compartmentalization to prevent sinking,

- Requiring more monitoring and adherence to severe weather alerts and warnings,

- Requiring release of road safety seatbelts when Duck Boats become waterborne,

- Requiring stronger crew safety training and certification,

- Removing or reconfigure canopies and window coverings for waterborne operations,

- Requiring personal flotation devices for waterborne operations,

Requiring installation of better bilge pumps and alarms,

Installing underwater LED lights that activate automatically in emergencies, and

Complying with other Coast Guard boating safety requirements.

These basic safety requirements will help save lives and prevent future tragedies.

I hope my colleagues will join me in supporting today's bill to make commonsense corrections to the persistent safety problems facing duck boats. If we act today, we can help ensure that no other family has to suffer the kind of tragedy faced by my constituents on Table Rock Lake. I urge the House to support this bill.

Mrs. LURIA. Madam Speaker, I come from a coastal district in Virginia, and the responsibilities and duties of the Coast Guard are integral to our everyday activities.

While I will vote to support the Don Young Coast Guard Authorization Act for all these reasons, I must express my concerns with language that was added to the bill in committee that makes significant modifications to crewing aboard the important and unique vessels that do the work lifting turbines on our growing and important offshore wind farms including a new project in development off the coast of Virginia.

This provision assumes that the United States presently has a sufficient number of vessels and mariners to perform this work. But as a recent report from DoE just states, we need 3–5 of these vessels and hundreds of skilled workers but unfortunately we currently lack them.

The proposed crewing changes—which go into effect immediately—would block the progress Virginia and other states along the Atlantic coast are making to produce clean energy and reduce the negative impacts of climate change.

I'm willing to continue working with the Members of the Transportation and Infrastructure Committee on a reliable crewing scheme that protects our national interests while ensuring that vital energy work can be done. This is not the right time to make this immediate and drastic change in the law.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. DEFAZIO) that the House suspend the rules and pass the bill, H.R. 6865, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

PERMISSION TO EXTEND DEBATE TIME ON H.R. 2954, SECURING A STRONG RETIREMENT ACT OF 2022

Mr. NEAL. Madam Speaker, I ask unanimous consent at the outset that debate under clause 1(c) of rule XV on a motion to suspend the rules relating to H.R. 2954 be extended to 80 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SECURING A STRONG RETIREMENT ACT OF 2022

Mr. NEAL. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2954) to increase retirement savings, simplify and clarify retirement plan rules, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2954

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Securing a Strong Retirement Act of 2022”.

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

Sec. 1. Short title; table of contents.

TITLE I—EXPANDING COVERAGE AND INCREASING RETIREMENT SAVINGS

Sec. 101. Expanding automatic enrollment in retirement plans.

Sec. 102. Modification of credit for small employer pension plan startup costs.

Sec. 103. Promotion of Saver's Credit.

Sec. 104. Enhancement of Saver's Credit.

Sec. 105. Enhancement of 403(b) plans.

Sec. 106. Increase in age for required beginning date for mandatory distributions.

Sec. 107. Indexing IRA catch-up limit.

Sec. 108. Higher catch-up limit to apply at age 62, 63, and 64.

Sec. 109. Pooled employer plans modification.

Sec. 110. Multiple employer 403(b) plans.

Sec. 111. Treatment of student loan payments as elective deferrals for purposes of matching contributions.

Sec. 112. Application of credit for small employer pension plan startup costs to employers which join an existing plan.

Sec. 113. Military spouse retirement plan eligibility credit for small employers.

Sec. 114. Small immediate financial incentives for contributing to a plan.

Sec. 115. Safe harbor for corrections of employee elective deferral failures.

Sec. 116. Improving coverage for part-time workers.

Sec. 117. Deferral of tax for certain sales of employer stock to employee stock ownership plan sponsored by S corporation.

Sec. 118. Certain securities treated as publicly traded in case of employee stock ownership plans.

TITLE II—PRESERVATION OF INCOME

Sec. 201. Remove required minimum distribution barriers for life annuities.

Sec. 202. Qualifying longevity annuity contracts.

Sec. 203. Insurance-dedicated exchange-traded funds.

TITLE III—SIMPLIFICATION AND CLARIFICATION OF RETIREMENT PLAN RULES

Sec. 301. Recovery of retirement plan overpayments.

Sec. 302. Reduction in excise tax on certain accumulations in qualified retirement plans.

Sec. 303. Performance benchmarks for asset allocation funds.

Sec. 304. Review and report to Congress relating to reporting and disclosure requirements.

Sec. 305. Eliminating unnecessary plan requirements related to unenrolled participants.

Sec. 306. Retirement savings lost and found.

Sec. 307. Updating dollar limit for mandatory distributions.

Sec. 308. Expansion of Employee Plans Compliance Resolution System.

Sec. 309. Eliminate the “first day of the month” requirement for governmental section 457(b) plans.

Sec. 310. One-time election for qualified charitable distribution to split-interest entity; increase in qualified charitable distribution limitation.

Sec. 311. Distributions to firefighters.

Sec. 312. Exclusion of certain disability-related first responder retirement payments.

Sec. 313. Individual retirement plan statute of limitations for excise tax on excess contributions and certain accumulations.

Sec. 314. Requirement to provide paper statements in certain cases.

Sec. 315. Separate application of top heavy rules to defined contribution plans covering excludible employees.

Sec. 316. Repayment of qualified birth or adoption distribution limited to 3 years.

Sec. 317. Employer may rely on employee certifying that deemed hardship distribution conditions are met.

Sec. 318. Penalty-free withdrawals from retirement plans for individuals in case of domestic abuse.

Sec. 319. Reform of family attribution rules.

Sec. 320. Amendments to increase benefit accruals under plan for previous plan year allowed until employer tax return due date.

Sec. 321. Retroactive first year elective deferrals for sole proprietors.

Sec. 322. Limiting cessation of IRA treatment to portion of account involved in a prohibited transaction.

Sec. 323. Review of pension risk transfer interpretive bulletin.

TITLE IV—TECHNICAL AMENDMENTS

Sec. 401. Amendments relating to Setting Every Community Up for Retirement Enhancement Act of 2019.

TITLE V—ADMINISTRATIVE PROVISIONS
Sec. 501. Provisions relating to plan amendments.

TITLE VI—REVENUE PROVISIONS

Sec. 601. Simple and SEP Roth IRAs.

Sec. 602. Hardship withdrawal rules for 403(b) plans.

Sec. 603. Elective deferrals generally limited to regular contribution limit.

Sec. 604. Optional treatment of employer matching contributions as Roth contributions.

TITLE VII—BUDGETARY EFFECTS

Sec. 701. Determination of budgetary effects.

TITLE I—EXPANDING COVERAGE AND INCREASING RETIREMENT SAVINGS

SEC. 101. EXPANDING AUTOMATIC ENROLLMENT IN RETIREMENT PLANS.

(a) IN GENERAL.—Subpart B of part I of subchapter D of chapter 1 of the Internal