

## AMENDMENTS SUBMITTED AND PROPOSED

SA 6442. Mr. REED proposed an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SA 6443. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6444. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6445. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6446. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6447. Mr. REED (for Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6448. Mr. REED (for Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6449. Mr. REED (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6450. Mr. REED (for Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6451. Mr. REED (for Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6452. Mr. REED (for Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6453. Mr. REED (for Mr. GRAHAM (for himself and Mr. MENENDEZ)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6454. Mr. REED (for Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill

H.R. 7900, supra; which was ordered to lie on the table.

SA 6455. Mr. REED (for Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6456. Mr. REED (for Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6457. Mr. REED (for Mr. OSSOFF (for himself and Mr. SCOTT of South Carolina)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6458. Mr. REED (for Mr. VAN HOLLEN (for himself and Mr. TILLIS)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6459. Mr. REED (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6460. Mr. REED (for Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6461. Mr. REED (for Mrs. SHAHEEN (for herself, Mr. MORAN, and Ms. HASSAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6462. Mr. REED (for Mr. SCHUMER (for himself and Mr. CORNYN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6463. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6464. Mr. REED (for Mr. PETERS (for himself and Mr. PORTMAN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6465. Mr. REED (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6466. Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6467. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6468. Mr. REED (for Mr. CASSIDY) submitted an amendment intended to be pro-

posed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6469. Mr. REED (for Mr. CORNYN (for himself and Mr. KING)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6470. Mr. REED (for Mr. CORNYN (for himself and Mr. WHITEHOUSE)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6471. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6472. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6473. Mr. REED (for Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6474. Mr. REED (for Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. LEE, Mr. LEAHY, and Mr. DURBIN)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6475. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 6476. Mr. REED (for Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 6442.** Mr. REED proposed an amendment to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end add the following:

**SEC. EFFECTIVE DATE.**

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

**SA 6443.** Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—COAST GUARD  
AUTHORIZATION ACT OF 2022**

**SEC. 5001. SHORT TITLE; TABLE OF CONTENTS.**

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

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

**DIVISION E—COAST GUARD  
AUTHORIZATION ACT OF 2022**

Sec. 5001. Short title; table of contents.  
Sec. 5002. Definition of Commandant.

**TITLE LI—AUTHORIZATIONS**

Sec. 5101. Authorization of appropriations.  
Sec. 5102. Authorized levels of military strength and training.  
Sec. 5103. Authorization for shoreside infrastructure and facilities.  
Sec. 5104. Authorization for acquisition of vessels.  
Sec. 5105. Authorization for the child care subsidy program.

**TITLE LII—COAST GUARD**

**Subtitle A—Infrastructure and Assets**

Sec. 5201. Report on shoreside infrastructure and facilities needs.  
Sec. 5202. Fleet mix analysis and shore infrastructure investment plan.  
Sec. 5203. Acquisition life-cycle cost estimates.  
Sec. 5204. Report and briefing on resourcing strategy for Western Pacific region.  
Sec. 5205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba.  
Sec. 5206. Coast Guard Yard.  
Sec. 5207. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.  
Sec. 5208. Improvements to infrastructure and operations planning.  
Sec. 5209. Aqua alert notification system pilot program.

**Subtitle B—Great Lakes**

Sec. 5211. Great Lakes winter commerce.  
Sec. 5212. Database on icebreaking operations in the Great Lakes.  
Sec. 5213. Great Lakes snowmobile acquisition plan.  
Sec. 5214. Great Lakes barge inspection exemption.  
Sec. 5215. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

**Subtitle C—Arctic**

Sec. 5221. Establishment of the Arctic Security Cutter Program Office.  
Sec. 5222. Arctic activities.  
Sec. 5223. Study on Arctic operations and infrastructure.

**Subtitle D—Maritime Cyber and Artificial Intelligence**

Sec. 5231. Enhancing maritime cybersecurity.  
Sec. 5232. Establishment of unmanned system program and autonomous control and computer vision technology project.  
Sec. 5233. Artificial intelligence strategy.  
Sec. 5234. Review of artificial intelligence applications and establishment of performance metrics.

Sec. 5235. Cyber data management.  
Sec. 5236. Data management.  
Sec. 5237. Study on cyber threats to the United States marine transportation system.

**Subtitle E—Aviation**

Sec. 5241. Space-available travel on Coast Guard aircraft: program authorization and eligible recipients.  
Sec. 5242. Report on Coast Guard Air Station Barbers Point hangar.  
Sec. 5243. Study on the operational availability of Coast Guard aircraft and strategy for Coast Guard Aviation.

**Subtitle F—Workforce Readiness**

Sec. 5251. Authorized strength.  
Sec. 5252. Number and distribution of officers on active duty promotion list.  
Sec. 5253. Continuation on active duty of officers with critical skills.  
Sec. 5254. Career incentive pay for marine inspectors.  
Sec. 5255. Expansion of the ability for selection board to recommend officers of particular merit for promotion.  
Sec. 5256. Modification to education loan repayment program.  
Sec. 5257. Retirement of Vice Commandant.  
Sec. 5258. Report on resignation and retirement processing times and denial.  
Sec. 5259. Physical disability evaluation system procedure review.  
Sec. 5260. Expansion of authority for multirater assessments of certain personnel.  
Sec. 5261. Promotion parity.  
Sec. 5262. Partnership program to diversify the Coast Guard.  
Sec. 5263. Expansion of Coast Guard Junior Reserve Officers’ Training Corps.  
Sec. 5264. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.  
Sec. 5265. Strategy to enhance diversity through recruitment and accession.  
Sec. 5266. Support for Coast Guard Academy.  
Sec. 5267. Training for congressional affairs personnel.  
Sec. 5268. Strategy for retention of cuttermen.  
Sec. 5269. Study on performance of Coast Guard Force Readiness Command.  
Sec. 5270. Study on frequency of weapons training for Coast Guard personnel.

**Subtitle G—Miscellaneous Provisions**

Sec. 5281. Budgeting of Coast Guard relating to certain operations.  
Sec. 5282. Coast Guard assistance to United States Secret Service.  
Sec. 5283. Conveyance of Coast Guard vessels for public purposes.  
Sec. 5284. Authorization relating to certain intelligence and counter intelligence activities of the Coast Guard.  
Sec. 5285. Transfer and conveyance.  
Sec. 5286. Transparency and oversight.  
Sec. 5287. Study on safety inspection program for containers and facilities.  
Sec. 5288. Study on maritime law enforcement workload requirements.  
Sec. 5289. Feasibility study on construction of Coast Guard station at Port Mansfield.  
Sec. 5290. Modification of prohibition on operation or procurement of foreign-made unmanned aircraft systems.

Sec. 5291. Operational data sharing capability.  
Sec. 5292. Procurement of tethered aerostat radar system for Coast Guard Station South Padre Island.  
Sec. 5293. Assessment of Iran sanctions relief on Coast Guard operations under the Joint Comprehensive Plan of Action.  
Sec. 5294. Report on shipyards of Finland and Sweden.  
Sec. 5295. Prohibition on construction contracts with entities associated with the Chinese Communist Party.  
Sec. 5296. Review of drug interdiction equipment and standards; testing for fentanyl during interdiction operations.  
Sec. 5297. Public availability of information on monthly migrant interdictions.

**TITLE LIII—ENVIRONMENT**

Sec. 5301. Definition of Secretary.

**Subtitle A—Marine Mammals**

Sec. 5311. Definitions.  
Sec. 5312. Assistance to ports to reduce the impacts of vessel traffic and port operations on marine mammals.  
Sec. 5313. Near real-time monitoring and mitigation program for large cetaceans.  
Sec. 5314. Pilot program to establish a Cetacean Desk for Puget Sound region.  
Sec. 5315. Monitoring ocean soundscapes.

**Subtitle B—Oil Spills**

Sec. 5321. Improving oil spill preparedness.  
Sec. 5322. Western Alaska oil spill planning criteria.  
Sec. 5323. Accident and incident notification relating to pipelines.  
Sec. 5324. Coast Guard claims processing costs.  
Sec. 5325. Calculation of interest on debt owed to the national pollution fund.  
Sec. 5326. Per-incident limitation.  
Sec. 5327. Access to the Oil Spill Liability Trust Fund.  
Sec. 5328. Cost-reimbursable agreements.  
Sec. 5329. Oil spill response review.  
Sec. 5330. Review and report on limited indemnity provisions in standby oil spill response contracts.  
Sec. 5331. Additional exceptions to regulations for towing vessels.

**Subtitle C—Environmental Compliance**

Sec. 5341. Review of anchorage regulations.  
Sec. 5342. Study on impacts on shipping and commercial, Tribal, and recreational fisheries from the development of renewable energy on the West Coast.

**Subtitle D—Environmental Issues**

Sec. 5351. Modifications to the Sport Fish Restoration and Boating Trust Fund administration.  
Sec. 5352. Improvements to Coast Guard communication with North Pacific maritime and fishing industry.  
Sec. 5353. Fishing safety training grants program.  
Sec. 5354. Load lines.  
Sec. 5355. Actions by National Marine Fisheries Service to increase energy production.

**Subtitle E—Illegal Fishing and Forced Labor Prevention**

Sec. 5361. Definitions.

## CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

Sec. 5362. Enhancement of Seafood Import Monitoring Program Automated Commercial Environment Message Set.

Sec. 5363. Data sharing and aggregation.

Sec. 5364. Import audits.

Sec. 5365. Availability of fisheries information.

Sec. 5366. Report on Seafood Import Monitoring Program.

Sec. 5367. Authorization of appropriations.

## CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

Sec. 5370. Denial of port privileges.

Sec. 5371. Identification and certification criteria.

Sec. 5372. Equivalent conservation measures.

Sec. 5373. Capacity building in foreign fisheries.

Sec. 5374. Training of United States Observers.

Sec. 5375. Regulations.

Sec. 5376. Use of Devices Broadcasting on AIS for Purposes of Marking Fishing Gear.

## TITLE LIV—SUPPORT FOR COAST GUARD WORKFORCE

## Subtitle A—Support for Coast Guard Members and Families

Sec. 5401. Coast Guard child care improvements.

Sec. 5402. Armed Forces access to Coast Guard child care facilities.

Sec. 5403. Cadet pregnancy policy improvements.

Sec. 5404. Combat-related special compensation.

Sec. 5405. Study on food security.

## Subtitle B—Healthcare

Sec. 5421. Development of medical staffing standards for the Coast Guard.

Sec. 5422. Healthcare system review and strategic plan.

Sec. 5423. Data collection and access to care.

Sec. 5424. Behavioral health policy.

Sec. 5425. Members asserting post-traumatic stress disorder or traumatic brain injury.

Sec. 5426. Improvements to the Physical Disability Evaluation System and transition program.

Sec. 5427. Expansion of access to counseling.

Sec. 5428. Expansion of postgraduate opportunities for members of the Coast Guard in medical and related fields.

Sec. 5429. Study on Coast Guard telemedicine program.

Sec. 5430. Study on Coast Guard medical facilities needs.

## Subtitle C—Housing

Sec. 5441. Strategy to improve quality of life at remote units.

Sec. 5442. Study on Coast Guard housing access, cost, and challenges.

Sec. 5443. Audit of certain military housing conditions of enlisted members of the Coast Guard in Key West, Florida.

Sec. 5444. Study on Coast Guard housing authorities and privatized housing.

## Subtitle D—Other Matters

Sec. 5451. Report on availability of emergency supplies for Coast Guard personnel.

## TITLE LV—MARITIME

## Subtitle A—Vessel Safety

Sec. 5501. Abandoned Seafarers Fund amendments.

Sec. 5502. Receipts; international agreements for ice patrol services.

Sec. 5503. Passenger vessel security and safety requirements.

Sec. 5504. At-sea recovery operations pilot program.

Sec. 5505. Exoneration and limitation of liability for small passenger vessels.

Sec. 5506. Moratorium on towing vessel inspection user fees.

Sec. 5507. Certain historic passenger vessels.

Sec. 5508. Coast Guard digital registration.

Sec. 5509. Responses to safety recommendations.

Sec. 5510. Comptroller General of the United States study and report on the Coast Guard's oversight of third party organizations.

Sec. 5511. Articulated tug-barge manning.

Sec. 5512. Alternate safety compliance program exception for certain vessels.

## Subtitle B—Other Matters

Sec. 5521. Definition of a stateless vessel.

Sec. 5522. Report on enforcement of coastwise laws.

Sec. 5523. Study on multi-level supply chain security strategy of the department of homeland security.

Sec. 5524. Study to modernize the merchant mariner licensing and documentation system.

Sec. 5525. Study and report on development and maintenance of mariner records database.

Sec. 5526. Assessment regarding application process for merchant mariner credentials.

Sec. 5527. Military to Mariners Act of 2022.

Sec. 5528. Floating dry docks.

## TITLE LVI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

Sec. 5601. Definitions.

Sec. 5602. Convicted sex offender as grounds for denial.

Sec. 5603. Accommodation; notices.

Sec. 5604. Protection against discrimination.

Sec. 5605. Alcohol at sea.

Sec. 5606. Sexual harassment or sexual assault as grounds for suspension and revocation.

Sec. 5607. Surveillance requirements.

Sec. 5608. Master key control.

Sec. 5609. Safety management systems.

Sec. 5610. Requirement to report sexual assault and harassment.

Sec. 5611. Access to care and sexual assault forensic examinations.

Sec. 5612. Reports to Congress.

Sec. 5613. Policy on requests for permanent changes of station or unit transfers by persons who report being the victim of sexual assault.

Sec. 5614. Sex offenses and personnel records.

Sec. 5615. Study on Coast Guard oversight and investigations.

Sec. 5616. Study on Special Victims' Counsel program.

## TITLE LVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps

Sec. 5701. Definitions.

Sec. 5702. Requirement for appointments.

Sec. 5703. Repeal of requirement to promote ensigns after 3 years of service.

Sec. 5704. Authority to provide awards and decorations.

Sec. 5705. Retirement and separation.

Sec. 5706. Improving professional mariner staffing.

Sec. 5707. Legal assistance.

Sec. 5708. Acquisition of aircraft for extreme weather reconnaissance.

Sec. 5709. Report on professional mariner staffing models.

## Subtitle B—Other Matters

Sec. 5711. Conveyance of certain property of the National Oceanic and Atmospheric Administration in Juneau, Alaska.

## TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

Sec. 5801. Technical correction.

Sec. 5802. Reinstatement.

Sec. 5803. Terms and vacancies.

## TITLE LIX—RULE OF CONSTRUCTION

Sec. 5901. Rule of construction.

## SEC. 5002. DEFINITION OF COMMANDANT.

In this division, the term "Commandant" means the Commandant of the Coast Guard.

## TITLE LI—AUTHORIZATIONS

## SEC. 5101. AUTHORIZATION OF APPROPRIATIONS.

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

(1) in the matter preceding paragraph (1), by striking "fiscal years 2020 and 2021" and inserting "fiscal years 2022 and 2023";

(2) in paragraph (1)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

"(i) \$10,000,000,000 for fiscal year 2022; and

"(ii) \$10,750,000,000 for fiscal year 2023.";

(B) in subparagraph (B), by striking "\$17,035,000" and inserting "\$23,456,000"; and

(C) in subparagraph (C), by striking "(A)(ii) \$17,376,000" and inserting "(A)(ii), \$24,353,000";

(3) in paragraph (2)—

(A) in subparagraph (A), by striking clauses (i) and (ii) and inserting the following:

"(i) \$2,459,100,000 for fiscal year 2022; and

"(ii) \$3,477,600,000 for fiscal year 2023.";

(B) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

"(i) \$20,400,000 for fiscal year 2022; and

"(ii) \$20,808,000 for fiscal year 2023.";

(4) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

"(A) \$7,476,000 for fiscal year 2022; and

"(B) \$14,681,084 for fiscal year 2023.";

(5) in paragraph (4), by striking subparagraphs (A) and (B) and inserting the following:

"(A) \$240,577,000 for fiscal year 2022; and

"(B) \$252,887,000 for fiscal year 2023.".

## SEC. 5102. 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), in the matter preceding paragraph (1), by striking "fiscal years 2020 and 2021" and inserting "fiscal years 2022 and 2023".

## SEC. 5103. AUTHORIZATION FOR SHORESIDE INFRASTRUCTURE AND FACILITIES.

(a) IN GENERAL.—In addition to the amounts authorized to be appropriated under section 4902(2)(A) of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) \$3,000,000,000 is authorized to fund maintenance, new construction, and repairs needed for Coast Guard shoreside infrastructure;

(2) \$160,000,000 is authorized to fund phase two of the recapitalization project at Coast Guard Training Center Cape May in Cape May, New Jersey, to improve recruitment

and training of a diverse Coast Guard workforce; and

(3) \$80,000,000 is authorized for the construction of additional new child care development centers not constructed using funds authorized by the Infrastructure Investment and Jobs Act (Public Law 117–58; 135 Stat. 429).

(b) **COAST GUARD YARD RESILIENT INFRASTRUCTURE AND CONSTRUCTION IMPROVEMENT.**—In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division—

(1) \$400,000,000 is authorized for the period of fiscal years 2023 through 2028 for the Secretary of the department in which the Coast Guard is operating for the purposes of improvements to facilities of the Yard; and

(2) \$236,000,000 is authorized for the acquisition of a new floating drydock, to remain available until expended.

**SEC. 5104. AUTHORIZATION FOR ACQUISITION OF VESSELS.**

In addition to the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code, as amended by section 5101 of this division, for the period of fiscal years 2023 through 2028—

(1) \$350,000,000 is authorized for the acquisition of a Great Lakes icebreaker that is at least as capable as Coast Guard cutter *Mackinaw* (WLBB–30);

(2) \$172,500,000 is authorized for the program management, design, and acquisition of 12 Pacific Northwest heavy weather boats that are at least as capable as the Coast Guard 52-foot motor surfboat;

(3) \$841,000,000 is authorized for the third Polar Security Cutter;

(4) \$20,000,000 is authorized for initiation of activities to support acquisition of the Arctic Security Cutter class, including program planning and requirements development to include the establishment of an Arctic Security Cutter Program Office;

(5) \$650,000,000 is authorized for the continued acquisition of Offshore Patrol Cutters; and

(6) \$650,000,000 is authorized for a twelfth National Security Cutter.

**SEC. 5105. AUTHORIZATION FOR THE CHILD CARE SUBSIDY PROGRAM.**

In addition to the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, \$25,000,000 is authorized to the Commandant for each of fiscal years 2023 and 2024 for the child care subsidy program.

**TITLE LII—COAST GUARD**

**Subtitle A—Infrastructure and Assets**

**SEC. 5201. REPORT ON SHORESIDE INFRASTRUCTURE AND FACILITIES NEEDS.**

Not less frequently than annually, 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—

(1) a detailed list of shoreside infrastructure needs for all Coast Guard facilities located within each Coast Guard District in the order of priority, including recapitalization, maintenance needs in excess of \$25,000, dredging, and other shoreside infrastructure needs of the Coast Guard;

(2) the estimated cost of projects to fulfill such needs, to the extent available; and

(3) a general description of the state of planning for each such project.

**SEC. 5202. FLEET MIX ANALYSIS AND SHORE INFRASTRUCTURE INVESTMENT PLAN.**

(a) **FLEET MIX ANALYSIS.**—

(1) **IN GENERAL.**—The Commandant shall conduct an updated fleet mix analysis that provides for a fleet mix sufficient, as determined by the Commandant—

(A) to carry out—

(i) the missions of the Coast Guard; and  
(ii) emerging mission requirements; and

(B) to address—

(i) national security threats; and  
(ii) the global deployment of the Coast Guard to counter great power competitors.

(2) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to Congress a report on the results of the updated fleet mix analysis required by paragraph (1).

(b) **SHORE INFRASTRUCTURE INVESTMENT PLAN.**—

(1) **IN GENERAL.**—The Commandant shall develop an updated shore infrastructure investment plan that includes—

(A) the construction of additional facilities to accommodate the updated fleet mix described in subsection (a)(1);

(B) improvements necessary to ensure that existing facilities meet requirements and remain operational for the lifespan of such fleet mix, including necessary improvements to information technology infrastructure;

(C) a timeline for the construction and improvement of the facilities described in subparagraphs (A) and (B); and

(D) a cost estimate for construction and life-cycle support of such facilities, including for necessary personnel.

(2) **REPORT.**—Not later than 1 year after the date on which the report under subsection (a)(2) is submitted, the Commandant shall submit to Congress a report on the plan required by paragraph (1).

**SEC. 5203. 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—

“(A) such life-cycle cost estimates to 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, to be developed to validate such life-cycle cost estimates.”.

**SEC. 5204. REPORT AND BRIEFING ON RESOURCING STRATEGY FOR WESTERN PACIFIC REGION.**

(a) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Coast Guard Commander of the Pacific Area, the Commander of United States Indo-Pacific Command, and the Under Secretary of Commerce for Oceans and Atmosphere, 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 outlining the Coast Guard’s resourcing needs to achieve optimum operations in the Western Pacific region.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following:

(A) An assessment of the risks and associated needs—

(i) to United States strategic maritime interests, in particular such interests in areas west of the International Date Line, including risks to bilateral maritime partners of the United States, posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region;

(ii) to the Coast Guard mission and force posed by not fully staffing and equipping

Coast Guard operations in the Western Pacific region; and

(iii) to support the call of the President, as set forth in the Indo-Pacific Strategy, to expand Coast Guard presence and cooperation in Southeast Asia, South Asia, and the Pacific Islands, with a focus on advising, training, deployment, and capacity building.

(B) A description of the additional resources, including shoreside resources, required to fully implement the needs described in subparagraph (A), including the United States commitment to bilateral fisheries law enforcement in the Pacific Ocean.

(C) An assessment of the operational and personnel assets required and a dispersal plan for available and projected future Coast Guard cutters and aviation forces to conduct optimum operations in the Western Pacific region.

(D) An analysis with respect to whether a national security cutter or fast response cutter located at a United States military installation in a foreign country in the Western Pacific region would enhance United States national security, partner country capacity building, and prevention and effective response to illegal, unreported, and unregulated fishing.

(E) An assessment of the benefits and associated costs involved in—

(i) increasing staffing of Coast Guard personnel within the command elements of United States Indo-Pacific Command or subordinate commands; and

(ii) designating a Coast Guard patrol force under the direct authority of the Commander of the United States Indo-Pacific Command with associated forward-based assets and personnel.

(F) An identification of any additional authority necessary, including proposals for legislative change, to meet the needs identified in accordance with subparagraphs (A) through (E) and any other mission requirement in the Western Pacific region.

(3) **FORM.**—The report required under paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) **BRIEFING.**—Not later than 60 days after the date on which the Commandant submits the report under subsection (a), the Commandant, or a designated individual, shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings and conclusions of such report.

**SEC. 5205. STUDY AND REPORT ON NATIONAL SECURITY AND DRUG TRAFFICKING THREATS IN THE FLORIDA STRAITS AND CARIBBEAN REGION, INCLUDING CUBA.**

(a) **IN GENERAL.**—The Commandant shall conduct a study on national security, drug trafficking, and other relevant threats as the Commandant considers appropriate, in the Florida Straits and Caribbean region, including Cuba.

(b) **ELEMENTS.**—The study required by subsection (a) shall include the following:

(1) An assessment of—

(A) new technology and evasive maneuvers used by transnational criminal organizations to evade detection and interdiction by Coast Guard law enforcement units and inter-agency partners; and

(B) capability gaps of the Coast Guard with respect to—

(i) the detection and interdiction of illicit drugs in the Florida Straits and Caribbean region, including Cuba; and

(ii) the detection of national security threats in such region.

(2) An identification of—

(A) the critical technological advancements required for the Coast Guard to meet

current and anticipated threats in such region;

(B) the capabilities required to enhance information sharing and coordination between the Coast Guard and interagency partners, foreign governments, and related civilian entities; and

(C) any significant new or developing threat to the United States posed by illicit actors in such region.

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, 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 results of the study under subsection (a).

#### SEC. 5206. COAST GUARD YARD.

(a) IN GENERAL.—With respect to the Coast Guard Yard, the purposes of the authorization under section 5103(b) are—

- (1) to improve resilience and capacity;
- (2) to maintain and expand Coast Guard organic manufacturing capacity;
- (3) to expand training and recruitment;
- (4) to enhance safety;
- (5) to improve environmental compliance; and

(6) to ensure that the Coast Guard Yard is prepared to meet the growing needs of the modern Coast Guard fleet.

(b) INCLUSIONS.—The Secretary of the department in which the Coast Guard is operating shall ensure that the Coast Guard Yard receives improvements that include the following:

- (1) Facilities upgrades needed to improve resilience of the shipyard, its facilities, and associated infrastructure.
- (2) Acquisition of a large-capacity drydock.
- (3) Improvements to piers and wharves, drydocks, and capital equipment utilities.
- (4) Environmental remediation.
- (5) Construction of a new warehouse and paint facility.
- (6) Acquisition of a new travel lift.
- (7) Dredging necessary to facilitate access to the Coast Guard Yard.

(c) WORKFORCE DEVELOPMENT PLAN.—Not later than 180 days after the date of the enactment of this Act, 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 workforce development plan that—

- (1) outlines the workforce needs of the Coast Guard Yard with respect to civilian employees and active duty members of the Coast Guard, including engineers, individuals engaged in trades, cyber specialists, and other personnel necessary to meet the evolving mission set of the Coast Guard Yard; and
- (2) includes recommendations for Congress with respect to the authorities, training, funding, and civilian and active-duty recruitment, including the recruitment of women and underrepresented minorities, necessary to meet workforce needs of the Coast Guard Yard for the 10-year period beginning on the date of submission of the plan.

#### SEC. 5207. AUTHORITY TO ENTER INTO TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS TO PROCURE COST-EFFECTIVE TECHNOLOGY FOR MISSION NEEDS.

(a) IN GENERAL.—Subchapter III of chapter 11 of title 49, United States Code, is amended by adding at the end the following:

“§ 1158. Authority to enter into transactions other than contracts and grants to procure cost-effective, advanced technology for mission-critical needs

“(a) IN GENERAL.—Subject to subsections (b) and (c), the Commandant may enter into

transactions (other than contracts, cooperative agreements, and grants) to develop prototypes for, and to operate and procure, cost-effective technology for the purpose of meeting the mission needs of the Coast Guard.

“(b) PROCUREMENT AND ACQUISITION.—Procurement or acquisition of technologies under subsection (a) shall be—

“(1) carried out in accordance with this title and Coast Guard policies and guidance; and

“(2) consistent with the operational requirements of the Coast Guard.

“(c) LIMITATIONS.—

“(1) IN GENERAL.—The Commandant may not enter into a transaction under subsection (a) with respect to a technology that—

“(A) does not comply with the cybersecurity standards of the Coast Guard; or

“(B) is sourced from an entity domiciled in the People’s Republic of China, unless the Commandant determines that the prototype, operation, or procurement of such a technology is for the purpose of—

- “(i) counter-UAS operations, surrogate testing, or training; or
- “(ii) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

“(2) WAIVER.—The Commandant may waive the application under paragraph (1) on a case-by-case basis by certifying in writing to the Secretary of Homeland Security and the appropriate committees of Congress that the prototype, operation, or procurement of the applicable technology is in the national interests of the United States.

“(d) EDUCATION AND TRAINING.—The Commandant shall ensure that management, technical, and contracting personnel of the Coast Guard involved in the award or administration of transactions under this section, or other innovative forms of contracting, are provided opportunities for adequate education and training with respect to the authority under this section.

“(e) REPORT.—

“(1) IN GENERAL.—Not later than 5 years after the date of the enactment of this section, the Commandant shall submit to the appropriate committees of Congress a report that—

“(A) describes the use of the authority pursuant to this section; and

“(B) assesses the mission and operational benefits of such authority.

“(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate; and

“(B) the Committee on Transportation and Infrastructure of the House of Representatives.

“(f) REGULATIONS.—The Commandant shall prescribe regulations as necessary to carry out this section.

“(g) DEFINITIONS OF UNMANNED AIRCRAFT, UNMANNED AIRCRAFT SYSTEM, AND COUNTER-UAS.—In this section, the terms ‘unmanned aircraft’, ‘unmanned aircraft system’, and ‘counter-UAS’ have the meanings given such terms in section 44801 of title 49, United States Code.”.

(b) CLERICAL AMENDMENT.—The analysis for subchapter III of chapter 11 of title 49, United States Code, is amended by adding at the end the following:

“1158. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.”.

#### SEC. 5208. IMPROVEMENTS TO INFRASTRUCTURE AND OPERATIONS PLANNING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act,

the Commandant shall incorporate the most recent oceanic and atmospheric data relating to the increasing rates of extreme weather, including flooding, into planning scenarios for Coast Guard infrastructure and mission deployments with respect to all Coast Guard Missions.

(b) COORDINATION WITH NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—In carrying out subsection (a), the Commandant shall—

(1) coordinate with the Under Secretary of Commerce for Oceans and Atmosphere to ensure the incorporation of the most recent environmental and climatic data; and

(2) request technical assistance and advice from the Under Secretary in planning scenarios, as appropriate.

(c) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the manner in which the best-available science from the National Oceanic and Atmospheric Administration has been incorporated into at least 1 key mission area of the Coast Guard, and the lessons learned from so doing.

#### SEC. 5209. AQUA ALERT NOTIFICATION SYSTEM PILOT PROGRAM.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, establish a pilot program to improve the issuance of alerts to facilitate cooperation with the public to render aid to distressed individuals under section 521 of title 14, United States Code.

(b) PILOT PROGRAM CONTENTS.—The pilot program established under subsection (a) shall, to the maximum extent possible—

(1) include a voluntary opt-in program under which members of the public, as appropriate, and the entities described in subsection (c), may receive notifications on cellular devices regarding Coast Guard activities to render aid to distressed individuals under section 521 of title 14, United States Code;

(2) cover areas located within the area of responsibility of 3 different Coast Guard sectors in diverse geographic regions; and

(3) provide that the dissemination of an alert shall be limited to the geographic areas most likely to facilitate the rendering of aid to distressed individuals.

(c) CONSULTATION.—In developing the pilot program under subsection (a), the Commandant shall consult—

- (1) the head of any relevant Federal agency;
- (2) the government of any relevant State;
- (3) any Tribal Government;
- (4) the government of any relevant territory or possession of the United States; and
- (5) any relevant political subdivision of an entity described in paragraph (2), (3), or (4).

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, and annually thereafter through 2026, 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 implementation of this section.

(2) PUBLIC AVAILABILITY.—The Commandant shall make the report submitted under paragraph (1) available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commandant to carry out this section \$3,000,000 for each of fiscal years 2023 through 2026, to remain available until expended.

**Subtitle B—Great Lakes**

**SEC. 5211. GREAT LAKES WINTER COMMERCE.**

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

**“§ 564. Great Lakes icebreaking operations**

“(a) GAO REPORT.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, 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 the Coast Guard Great Lakes icebreaking program.

“(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

“(A) An evaluation of the economic impact of vessel delays or cancellations associated with ice coverage on the Great Lakes.

“(B) An evaluation of mission needs of the Coast Guard Great Lakes icebreaking program.

“(C) An evaluation of the impact that the proposed standards described in subsection (b) would have on—

“(i) Coast Guard operations in the Great Lakes;

“(ii) Northeast icebreaking missions; and

“(iii) inland waterway operations.

“(D) A fleet mix analysis for meeting such proposed standards.

“(E) A description of the resources necessary to support the fleet mix resulting from such fleet mix analysis, including for crew and operating costs.

“(F) Recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating commerce and meeting all Coast Guard mission needs.

“(b) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards described in this subsection are the following:

“(1) Except as provided in paragraph (2), the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 90 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

“(2) In a year in which the Great Lakes are not open to navigation because of ice of a thickness that occurs on average only once every 10 years, the Commandant shall keep ice-covered waterways in the Great Lakes open to navigation during not less than 70 percent of the hours that commercial vessels and ferries attempt to transit such ice-covered waterways.

“(c) REPORT BY COMMANDANT.—Not later than 90 days after the date on which the Comptroller General submits the report under subsection (a), 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:

“(1) A plan for Coast Guard implementation of any recommendation made by the Comptroller General under subparagraph (F) of subsection (a)(2) the Commandant considers appropriate.

“(2) With respect to any recommendation made under such subparagraph that the Commandant declines to implement, a justification for such decision.

“(3) A review of, and a proposed implementation plan for, the results of the fleet mix analysis under subparagraph (D) of that subsection.

“(4) Any proposed modifications to the standards for icebreaking operations in the Great Lakes.

“(d) DEFINITIONS.—In this section:

“(1) COMMERCIAL VESSEL.—The term ‘commercial vessel’ means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary under section 14104 of such title.

“(2) GREAT LAKES.—The term ‘Great Lakes’ means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

“(3) ICE-COVERED WATERWAY.—The term ‘ice-covered waterway’ means any portion of the Great Lakes in which commercial vessels 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, in no particular order of priority—

“(A) to extricate vessels and individuals from danger;

“(B) to prevent damage due to flooding;

“(C) to meet the reasonable demands of commerce;

“(D) to minimize delays to passenger ferries; and

“(E) to conduct other Coast Guard missions as required.

“(5) REASONABLE DEMANDS OF COMMERCE.—The term ‘reasonable demands of commerce’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.”

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

“564. Great Lakes icebreaking operations.”

**SEC. 5212. DATABASE ON ICEBREAKING OPERATIONS IN THE GREAT LAKES.**

(a) IN GENERAL.—The Commandant shall establish and maintain a database for collecting, archiving, and disseminating data on icebreaking operations and commercial vessel and ferry transit in the Great Lakes during ice season.

(b) ELEMENTS.—The database required under subsection (a) shall include the following:

(1) Attempts by commercial vessels and ferries to transit ice-covered waterways in the Great Lakes that are unsuccessful because of inadequate icebreaking.

(2) The period of time that each commercial vessel or ferry was unsuccessful at so transiting due to inadequate icebreaking.

(3) The amount of time elapsed before each such commercial vessel or ferry was successfully broken out of the ice and whether it was accomplished by the Coast Guard or by commercial icebreaking assets.

(4) Relevant communications of each such commercial vessel or ferry with the Coast Guard and with commercial icebreaking services during such period.

(5) A description of any mitigating circumstance, such as Coast Guard icebreaker diversions to higher priority missions, that may have contributed to the amount of time described in paragraph (3).

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

(d) PUBLIC AVAILABILITY.—The Commandant shall make the database available to the public on a publicly accessible internet website of the Coast Guard.

(e) CONSULTATION WITH INDUSTRY.—With respect to the Great Lakes icebreaking operations of the Coast Guard and the development of the database required under subsection (a), the Commandant shall consult operators of commercial vessels and ferries.

(f) DEFINITIONS.—In this section:

(1) COMMERCIAL VESSEL.—The term ‘commercial vessel’ means any privately owned cargo vessel operating in the Great Lakes during the winter season of at least 500 tons, as measured under section 14502 of title 46, United States Code, or an alternate tonnage measured under section 14302 of such title, as prescribed by the Secretary of the department in which the Coast Guard is operating under section 14104 of such title.

(2) GREAT LAKES.—The term ‘Great Lakes’ means the United States waters of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario, their connecting waterways, and their adjacent harbors.

(3) ICE-COVERED WATERWAY.—The term ‘ice-covered waterway’ means any portion of the Great Lakes in which commercial vessels 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, in no particular order of priority—

(A) to extricate vessels and individuals from danger;

(B) to prevent damage due to flooding;

(C) to meet the reasonable demands of commerce;

(D) to minimize delays to passenger ferries; and

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

(5) REASONABLE DEMANDS OF COMMERCE.—The term ‘reasonable demands of commerce’ means the safe movement of commercial vessels and ferries transiting ice-covered waterways in the Great Lakes, regardless of type of cargo, at a speed consistent with the design capability of Coast Guard icebreakers operating in the Great Lakes and appropriate to the ice capability of the commercial vessel.

(g) PUBLIC REPORT.—Not later than July 1 after the first winter in which the Commandant is subject to the requirements of section 564 of title 14, United States Code, the Commandant shall publish on a publicly accessible internet website of the Coast Guard a report on the cost to the Coast Guard of meeting the requirements of that section.

**SEC. 5213. GREAT LAKES SNOWMOBILE ACQUISITION PLAN.**

(a) IN GENERAL.—The Commandant shall develop a plan to expand snowmobile procurement for Coast Guard units at which snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue. The plan must include consideration of input from Officers in Charge, Commanding Officers, and Commanders of impacted units.

(b) ELEMENTS.—The plan required by subsection (a) shall include—

(1) a consideration of input from officers in charge, commanding officers, and commanders of affected Coast Guard units;

(2) a detailed description of the estimated costs of procuring, maintaining, and training members of the Coast Guard at affected units to use snowmobiles; and

(3) an assessment of—

(A) the degree to which snowmobiles may improve ice rescue response times while



maintaining the safety of Coast Guard personnel engaged in search and rescue;

(B) the operational capabilities of a snowmobile, as compared to an airboat, and a force laydown assessment with respect to the assets needed for effective operations at Coast Guard units conducting ice rescue activities; and

(C) the potential risks to members of the Coast Guard and members of the public posed by the use of snowmobiles by members of the Coast Guard for ice rescue activities.

(C) PUBLIC AVAILABILITY.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall finalize the plan required by subsection (a) and make the plan available on a publicly accessible internet website of the Coast Guard.

**SEC. 5214. GREAT LAKES BARGE INSPECTION EXEMPTION.**

Section 3302(m) of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “or a Great Lakes barge” after “seagoing barge”; and

(2) by striking “section 3301(6) of this title” and inserting “paragraph (6) or (13) of section 3301 of this title”.

**SEC. 5215. STUDY ON SUFFICIENCY OF COAST GUARD AVIATION ASSETS TO MEET MISSION DEMANDS.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, 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—

(1) the force laydown of Coast Guard aviation assets; and

(2) any geographic gaps in coverage by Coast Guard assets in areas in which the Coast Guard has search and rescue responsibilities.

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

(1) The distance, time, and weather challenges that MH-65 and MH-60 units may face in reaching the outermost limits of the area of operation of Coast Guard District 9 and Coast Guard District 8 for which such units are responsible.

(2) An assessment of the advantages that Coast Guard fixed-wing assets, or an alternate rotary wing asset, would offer to the outermost limits of any area of operation for purposes of search and rescue, law enforcement, ice operations, and logistical missions.

(3) A comparison of advantages and disadvantages of the manner in which each of the Coast Guard fixed-wing aircraft would operate in the outermost limits of any area of operation.

(4) A specific assessment of the coverage gaps, including gaps in fixed-wing coverage, and potential solutions to address such gaps in the area of operation of Coast Guard District 9 and Coast Guard District 8, including the eastern region of such area of operation with regard to Coast Guard District 9 and the southern region of such area of operation with regard to Coast Guard District 8.

**Subtitle C—Arctic**

**SEC. 5221. ESTABLISHMENT OF THE ARCTIC SECURITY CUTTER PROGRAM OFFICE.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall establish a program office for the acquisition of the Arctic Security Cutter to expedite the evaluation of requirements and initiate design of a vessel class critical to the national security of the United States.

(b) DESIGN PHASE.—Not later than 270 days after the date of the enactment of this Act, the Commandant shall initiate the design phase of the Arctic Security Cutter vessel class.

(c) QUARTERLY BRIEFINGS.—Not less frequently than quarterly until the date on which the contract for acquisition of the Arctic Security Cutter is awarded, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of requirements evaluations, design of the vessel, and schedule of the program.

**SEC. 5222. ARCTIC ACTIVITIES.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) ARCTIC.—The term “Arctic” has the meaning given such term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) ARCTIC OPERATIONAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit a report to the appropriate committees of Congress that describes the ability and timeline to conduct a transit of the Northern Sea Route and periodic transits of the Northwest Passage.

**SEC. 5223. STUDY ON ARCTIC OPERATIONS AND INFRASTRUCTURE.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Arctic operations and infrastructure of the Coast Guard.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) The extent of the collaboration between the Coast Guard and the Department of Defense to assess, manage, and mitigate security risks in the Arctic region.

(2) Actions taken by the Coast Guard to manage risks to Coast Guard operations, infrastructure, and workforce planning in the Arctic.

(3) The plans the Coast Guard has in place for managing and mitigating the risks to commercial maritime operations and the environment in the Arctic region.

(c) REPORT.—Not later than 1 year after commencing the study required under subsection (a), the Comptroller General 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 findings of the study.

**Subtitle D—Maritime Cyber and Artificial Intelligence**

**SEC. 5231. ENHANCING MARITIME CYBERSECURITY.**

(a) DEFINITIONS.—In this section:

(1) CYBER INCIDENT.—The term “cyber incident” has the meaning given the term “incident” in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) MARITIME OPERATORS.—The term “maritime operators” means the owners or operators of vessels engaged in commercial service, the owners or operators of port facilities, and port authorities.

(3) PORT FACILITIES.—The term “port facilities” has the meaning given the term “facility” in section 70101 of title 46.

(b) PUBLIC AVAILABILITY OF CYBERSECURITY TOOLS AND RESOURCES.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Commandant, in coordination with the Administrator of the Maritime Administration, the Director of the Cybersecurity and

Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology, shall identify and make available to the public a list of tools and resources, including the resources of the Coast Guard and the Cybersecurity and Infrastructure Security Agency, designed to assist maritime operators in identifying, detecting, protecting against, mitigating, responding to, and recovering from cyber incidents.

(2) IDENTIFICATION.—In carrying out paragraph (1), the Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology shall identify tools and resources that—

(A) comply with the cybersecurity framework for improving critical infrastructure established by the National Institute of Standards and Technology; or

(B) use the guidelines on maritime cyber risk management issued by the International Maritime Organization on July 5, 2017 (or successor guidelines).

(3) CONSULTATION.—The Commandant, the Administrator of the Maritime Administration, the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology may consult with maritime operators, other Federal agencies, industry stakeholders, and cybersecurity experts to identify tools and resources for purposes of this section.

**SEC. 5232. ESTABLISHMENT OF UNMANNED SYSTEM PROGRAM AND AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.**

(a) IN GENERAL.—Section 319 of title 14, United States Code, is amended to read as follows:

**“§ 319. Unmanned system program and autonomous control and computer vision technology project**

“(a) UNMANNED SYSTEM PROGRAM.—The Secretary shall establish, under the control of the Commandant, an unmanned system program for the use by the Coast Guard of land-based, cutter-based, and aircraft-based unmanned systems for the purpose of increasing effectiveness and efficiency of mission execution.

“(b) AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY PROJECT.—

“(1) IN GENERAL.—The Commandant shall conduct a project to retrofit 2 or more existing Coast Guard small boats deployed at operational units with—

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

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

“(2) DATA COLLECTION.—As part of the project required by paragraph (1), the Commandant shall collect and evaluate field-collected operational data from the retrofit described in that paragraph so as to inform future requirements.

“(3) BRIEFING.—Not later than 180 days after the date on which the project required under paragraph (1) is completed, the Commandant shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the project that includes an evaluation of the data collected from the project.

“(c) UNMANNED SYSTEM DEFINED.—In this section, the term ‘unmanned system’ means—

“(1) an unmanned aircraft system (as defined in section 44801 of title 49, United States Code);

“(2) an unmanned marine surface system; and

“(3) an unmanned marine subsurface system.

“(d) **COST ASSESSMENT.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 319 and inserting the following:

“319. Unmanned system program and autonomous control and computer vision technology project.”.

**SEC. 5233. ARTIFICIAL INTELLIGENCE STRATEGY.**

(a) **ESTABLISHMENT OF ACTIVITIES.**—

(1) **IN GENERAL.**—The Commandant shall establish a set of activities to coordinate the efforts of the Coast Guard to develop and mature artificial intelligence technologies and transition such technologies into operational use where appropriate.

(2) **EMPHASIS.**—The set of activities established under paragraph (1) shall—

(A) apply artificial intelligence and machine-learning solutions to operational and mission-support problems; and

(B) coordinate activities involving artificial intelligence and artificial intelligence-enabled capabilities within the Coast Guard.

(b) **DESIGNATED OFFICIAL.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall designate a senior official of the Coast Guard (referred to in this section as the “designated official”) with the principal responsibility for the coordination of activities relating to the development and demonstration of artificial intelligence and machine learning for the Coast Guard.

(2) **DUTIES.**—

(A) **STRATEGIC PLAN.**—

(i) **IN GENERAL.**—The designated official shall develop a detailed strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate.

(ii) **ELEMENTS.**—The plan required by clause (i) shall include the following:

(I) A strategic roadmap for the identification and coordination of the development and fielding of artificial intelligence technologies and key enabling capabilities.

(II) The continuous evaluation and adaptation of relevant artificial intelligence capabilities developed by the Coast Guard and by other organizations for military missions and business operations.

(iii) **SUBMISSION TO COMMANDANT.**—Not later than 2 years after the date of the enactment of this Act, the designated official shall submit to the Commandant the plan developed under clause (i).

(B) **GOVERNANCE AND OVERSIGHT OF ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING POLICY.**—The designated official shall regularly convene appropriate officials of the Coast Guard—

(i) to integrate the functional activities of the Coast Guard with respect to artificial intelligence and machine learning;

(ii) to ensure that there are efficient and effective artificial intelligence and machine-learning capabilities throughout the Coast Guard; and

(iii) to develop and continuously improve research, innovation, policy, joint processes, and procedures to facilitate the development, acquisition, integration, advancement, oversight, and sustainment of artificial intelligence and machine learning throughout the Coast Guard.

(c) **ACCELERATION OF DEVELOPMENT AND FIELDING OF ARTIFICIAL INTELLIGENCE.**—To the extent practicable, the Commandant shall—

(1) use the flexibility of regulations, personnel, acquisition, partnerships with industry and academia, or other relevant policies of the Coast Guard to accelerate the development and fielding of artificial intelligence capabilities;

(2) ensure engagement with defense and private industries, research universities, and unaffiliated, nonprofit research institutions;

(3) provide technical advice and support to entities in the Coast Guard to optimize the use of artificial intelligence and machine-learning technologies to meet Coast Guard missions;

(4) support the development of requirements for artificial intelligence capabilities that address the highest priority capability gaps of the Coast Guard and technical feasibility;

(5) develop and support capabilities for technical analysis and assessment of threat capabilities based on artificial intelligence;

(6) identify the workforce and capabilities needed to support the artificial intelligence capabilities and requirements of the Coast Guard;

(7) develop classification guidance for all artificial intelligence-related activities of the Coast Guard;

(8) work with appropriate officials to develop appropriate ethical, legal, and other policies for the Coast Guard governing the development and use of artificial intelligence-enabled systems and technologies in operational situations; and

(9) ensure—

(A) that artificial intelligence programs of the Coast Guard are consistent with this section; and

(B) appropriate coordination of artificial intelligence activities of the Coast Guard with interagency, industry, and international efforts relating to artificial intelligence, including relevant participation in standards-setting bodies.

(d) **INTERIM STRATEGIC PLAN.**—

(1) **IN GENERAL.**—The Commandant shall develop a strategic plan to develop, mature, adopt, and transition artificial intelligence technologies into operational use where appropriate, that is informed by the plan developed by the designated official under subsection (b)(2)(A).

(2) **ELEMENTS.**—The plan required by paragraph (1) shall include the following:

(A) Each element described in clause (ii) of subsection (b)(2)(A).

(B) A consideration of the identification, adoption, and procurement of artificial intelligence technologies for use in operational and mission support activities.

(3) **COORDINATION.**—In developing the plan required by paragraph (1), the Commandant shall coordinate and engage with defense and private industries, research universities, and unaffiliated, nonprofit research institutions.

(4) **SUBMISSION TO CONGRESS.**—Not later than 1 year after the date of the enactment of this Act, 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 the plan developed under paragraph (1).

**SEC. 5234. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICATIONS AND ESTABLISHMENT OF PERFORMANCE METRICS.**

(a) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Commandant shall—

(1) review the potential applications of artificial intelligence and digital technology to the platforms, processes, and operations of the Coast Guard;

(2) identify the resources necessary to improve the use of artificial intelligence and digital technology in such platforms, processes, and operations; and

(3) establish performance objectives and accompanying metrics for the incorporation of artificial intelligence and digital readiness into such platforms, processes, and operations.

(b) **PERFORMANCE OBJECTIVES AND ACCOMPANYING METRICS.**—

(1) **SKILL GAPS.**—In carrying out subsection (a), the Commandant shall—

(A) conduct a comprehensive review and assessment of—

(i) skill gaps in the fields of software development, software engineering, data science, and artificial intelligence;

(ii) the qualifications of civilian personnel needed for both management and specialist tracks in such fields; and

(iii) the qualifications of military personnel (officer and enlisted) needed for both management and specialist tracks in such fields; and

(B) establish recruiting, training, and talent management performance objectives and accompanying metrics for achieving and maintaining staffing levels needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel.

(2) **AI MODERNIZATION ACTIVITIES.**—In carrying out subsection (a), the Commandant shall—

(A) assess investment by the Coast Guard in artificial intelligence innovation, science and technology, and research and development;

(B) assess investment by the Coast Guard in test and evaluation of artificial intelligence capabilities;

(C) assess the integration of, and the resources necessary to better use artificial intelligence in wargames, exercises, and experimentation;

(D) assess the application of, and the resources necessary to better use, artificial intelligence in logistics and sustainment systems;

(E) assess the integration of, and the resources necessary to better use, artificial intelligence for administrative functions;

(F) establish performance objectives and accompanying metrics for artificial intelligence modernization activities of the Coast Guard; and

(G) identify the resources necessary to effectively use artificial intelligence to carry out the missions of the Coast Guard.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after the completion of the review required by subsection (a)(1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report on—

(1) the findings of the Commandant with respect to such review and any action taken or proposed to be taken by the Commandant, and the resources necessary to address such findings;

(2) the performance objectives and accompanying metrics established under subsections (a)(3) and (b)(1)(B); and

(3) any recommendation with respect to proposals for legislative change necessary to successfully implement artificial intelligence applications within the Coast Guard.

**SEC. 5235. CYBER DATA MANAGEMENT.**

(a) **IN GENERAL.**—The Commandant and the Director of the Cybersecurity and Infrastructure Security Agency, shall—

(1) develop policies, processes, and operating procedures governing—



(A) access to and the ingestion, structure, storage, and analysis of information and data relevant to the Coast Guard Cyber Mission, including—

(i) intelligence data relevant to Coast Guard missions;

(ii) internet traffic, topology, and activity data relevant to such missions; and

(iii) cyber threat information relevant to such missions; and

(B) data management and analytic platforms relating to such missions; and

(2) evaluate data management platforms referred to in paragraph (1)(B) to ensure that such platforms operate consistently with the Coast Guard Data Strategy.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report that includes—

(1) an assessment of the progress on the activities required by subsection (a); and

(2) any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to improve Coast Guard cyber data management.

#### SEC. 5236. DATA MANAGEMENT.

The Commandant shall develop data workflows and processes for the leveraging of mission-relevant data by the Coast Guard to enhance operational effectiveness and efficiency.

#### SEC. 5237. STUDY ON CYBER THREATS TO THE UNITED STATES MARINE TRANSPORTATION SYSTEM.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on cyber threats to the United States marine transportation system.

(b) ELEMENTS.—The study required by paragraph (1) shall assess the following:

(1) The extent to which the Coast Guard, in collaboration with other Federal agencies, sets standards for the cybersecurity of facilities and vessels regulated under parts 104, 105, or 106 of title 33 of the Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(2) The manner in which the Coast Guard ensures cybersecurity standards are followed by port, vessel, and facility owners and operators.

(3) The extent to which maritime sector-specific planning addresses cybersecurity, particularly for vessels and offshore platforms.

(4) The manner in which the Coast Guard, other Federal agencies, and vessel and offshore platform operators exchange information regarding cyber risks.

(5) The extent to which the Coast Guard is developing and deploying cybersecurity specialists in port and vessel systems and collaborating with the private sector to increase the expertise of the Coast Guard with respect to cybersecurity.

(6) The cyber resource and workforce needs of the Coast Guard necessary to meet future mission demands.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General shall submit a report on the findings of the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITION OF FACILITY.—In this section the term “facility” has the meaning

given the term in section 70101 of title 46, United States Code.

#### Subtitle E—Aviation

#### SEC. 5241. SPACE-AVAILABLE TRAVEL ON COAST GUARD AIRCRAFT: PROGRAM AUTHORIZATION AND ELIGIBLE RECIPIENTS.

(a) IN GENERAL.—Subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

#### “§ 509. Space-available travel on Coast Guard aircraft

“(a)(1) The Coast Guard may establish a program to provide transportation on Coast Guard aircraft on a space-available basis to the categories of eligible individuals described in subsection (c) (in this section referred to as the ‘program’).

“(2) Not later than 1 year after the date on which the program is established, the Commandant shall develop a policy for its operation.

“(b)(1) The Commandant shall operate the program in a budget-neutral manner.

“(2)(A) Except as provided in subparagraph (B), no additional funds may be used, or flight hours performed, for the purpose of providing transportation under the program.

“(B) The Commandant may make de minimis expenditures of resources required for the administrative aspects of the program.

“(3) Eligible individuals described in subsection (c) shall not be required to reimburse the Coast Guard for travel provided under this section.

“(c) Subject to subsection (d), the categories of eligible individuals described in this subsection are the following:

“(1) Members of the armed forces on active duty.

“(2) Members of the Selected Reserve who hold a valid Uniformed Services Identification and Privilege Card.

“(3) Retired members of a regular or reserve component of the armed forces, including retired members of reserve components who, but for being under the eligibility age applicable under section 12731 of title 10, would be eligible for retired pay under chapter 1223 of title 10.

“(4) Subject to subsection (f), veterans with a permanent service-connected disability rated as total.

“(5) Such categories of dependents of individuals described in paragraphs (1) through (3) as the Commandant shall specify in the policy under subsection (a)(2), under such conditions and circumstances as the Commandant shall specify in such policy.

“(6) Such other categories of individuals as the Commandant, in the discretion of the Commandant, considers appropriate.

“(d) In operating the program, the Commandant shall—

“(1) in the sole discretion of the Commandant, establish an order of priority for transportation for categories of eligible individuals that is based on considerations of military necessity, humanitarian concerns, and enhancement of morale;

“(2) give priority in consideration of transportation to the demands of members of the armed forces in the regular components and in the reserve components on active duty and to the need to provide such members, and their dependents, a means of respite from such demands; and

“(3) implement policies aimed at ensuring cost control (as required by subsection (b)) and the safety, security, and efficient processing of travelers, including limiting the benefit under the program to 1 or more categories of otherwise eligible individuals, as the Commandant considers necessary.

“(e)(1) Notwithstanding subsection (d)(1), in establishing space-available transportation priorities under the program, the

Commandant shall provide transportation for an individual described in paragraph (2), and a single dependent of the individual if needed to accompany the individual, at a priority level in the same category as the priority level for an unaccompanied dependent over the age of 18 years traveling on environmental and morale leave.

“(2) Subject to paragraph (3), paragraph (1) applies with respect to an individual described in subsection (c)(3) who—

“(A) resides in or is located in a Commonwealth or possession of the United States; and

“(B) is referred by a military or civilian primary care provider located in that Commonwealth or possession to a specialty care provider for services to be provided outside of that Commonwealth or possession.

“(3) If an individual described in subsection (c)(3) is a retired member of a reserve component who is ineligible for retired pay under chapter 1223 of title 10 by reason of being under the eligibility age applicable under section 12731 of title 10, paragraph (1) applies to the individual only if the individual is also enrolled in the TRICARE program for certain members of the Retired Reserve authorized under section 1076e of title 10.

“(4) The priority for space-available transportation required by this subsection applies with respect to—

“(A) the travel from the Commonwealth or possession of the United States to receive the specialty care services; and

“(B) the return travel.

“(5) In this subsection, the terms ‘primary care provider’ and ‘specialty care provider’ refer to a medical or dental professional who provides health care services under chapter 55 of title 10.

“(f)(1) Travel may not be provided under this section to a veteran eligible for travel pursuant to paragraph (4) of subsection (c) in priority over any member eligible for travel under paragraph (1) of that subsection or any dependent of such a member eligible for travel under this section.

“(2) Subsection (c)(4) may not be construed as—

“(A) affecting or in any way imposing on the Coast Guard, any armed force, or any commercial entity with which the Coast Guard or an armed force contracts, an obligation or expectation that the Coast Guard or such armed force will retrofit or alter, in any way, military aircraft or commercial aircraft, or related equipment or facilities, used or leased by the Coast Guard or such armed force to accommodate passengers provided travel under such authority on account of disability; or

“(B) preempting the authority of an aircraft commander to determine who boards the aircraft and any other matters in connection with safe operation of the aircraft.

“(g) The authority to provide transportation under the program is in addition to any other authority under law to provide transportation on Coast Guard aircraft on a space-available basis.”

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

“509. Space-available travel on Coast Guard aircraft.”

#### SEC. 5242. REPORT ON COAST GUARD AIR STATION BARBERS POINT HANGAR.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of

Representatives a report on facilities requirements for constructing a hangar at Coast Guard Air Station Barbers Point at Oahu, Hawaii.

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

(1) A description of the \$45,000,000 phase one design for the hangar at Coast Guard Air Station Barbers Point funded by the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1132).

(2) An evaluation of the full facilities requirements for such hangar to house, maintain, and operate the MH-65 and HC-130J, including—

(A) storage and provision of fuel; and  
(B) maintenance and parts storage facilities.

(3) An evaluation of facilities growth requirements for possible future basing of the MH-60 with the C-130J at Coast Guard Air Station Barbers Point.

(4) A description of and cost estimate for each project phase for the construction of such hangar.

(5) A description of the plan for sheltering in the hangar during extreme weather events aircraft of the Coast Guard and partner agencies, such as the National Oceanic and Atmospheric Administration.

(6) A description of the risks posed to operations at Coast Guard Air Station Barbers Point if future project phases for the construction of such hangar are not funded.

**SEC. 5243. STUDY ON THE OPERATIONAL AVAILABILITY OF COAST GUARD AIRCRAFT AND STRATEGY FOR COAST GUARD AVIATION.**

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the operational availability of Coast Guard aircraft.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) An assessment of —

(i) the extent to which the fixed-wing and rotary-wing aircraft of the Coast Guard have met annual operational availability targets in recent years;

(ii) the challenges the Coast Guard may face with respect to such aircraft meeting operational availability targets, and the effects of such challenges on the Coast Guard's ability to meet mission requirements; and

(iii) the status of Coast Guard efforts to upgrade or recapitalize its fleet of such aircraft to meet growth in future mission demands globally, such as in the Western Hemisphere, the Arctic region, and the Western Pacific region.

(B) Any recommendation with respect to the operational availability of Coast Guard aircraft.

(C) The resource and workforce requirements necessary for Coast Guard Aviation to meet current and future mission demands specific to each rotary-wing and fixed-wing airframe type in the current inventory of the Coast Guard.

(3) REPORT.—On completion of the study required by paragraph (1), the Comptroller General shall submit to the Commandant a report on the findings of the study.

(b) COAST GUARD AVIATION STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date on which the study under subsection (a) is completed, the Commandant shall develop a comprehensive strategy for Coast Guard Aviation that is informed by the relevant recommendations and findings of the study.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) With respect to aircraft of the Coast Guard—

(i) an analysis of—

(I) the current and future operations and future resource needs; and

(II) the manner in which such future needs are integrated with the Future Vertical Lift initiatives of the Department of Defense; and

(i) an estimated timeline with respect to when such future needs will arise.

(B) The projected number of aviation assets, the locations at which such assets are to be stationed, the cost of operation and maintenance of such assets, and an assessment of the capabilities of such assets as compared to the missions they are expected to execute, at the completion of major procurement and modernization plans.

(C) A procurement plan, including an estimated timetable and the estimated appropriations necessary for all platforms, including unmanned aircraft.

(D) A training plan for pilots and aircrew that addresses—

(i) the use of simulators owned and operated by the Coast Guard, and simulators that are not owned or operated by the Coast Guard, including any such simulators based outside the United States; and

(ii) the costs associated with attending training courses.

(E) Current and future requirements for cutter and land-based deployment of aviation assets globally, including in the Arctic, the Eastern Pacific, the Western Pacific, the Caribbean, the Atlantic Basin, and any other area the Commandant considers appropriate.

(F) A description of the feasibility of deploying, and the resource requirements necessary to deploy, rotary-winged assets on-board all future Arctic cutter patrols.

(G) An evaluation of current and future facilities needs for Coast Guard aviation units.

(H) An evaluation of pilot and aircrew training and retention needs, including aviation career incentive pay, retention bonuses, and any other workforce tools the Commandant considers necessary.

(3) BRIEFING.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

**Subtitle F—Workforce Readiness**

**SEC. 5251. 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 Selected Reserve of the Coast Guard Reserve 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 such a variation is in the national interest.

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

**SEC. 5252. 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 7,400.

“(2) TEMPORARY INCREASE.—Notwithstanding paragraph (1), the Commandant

may temporarily increase the total number of commissioned officers permitted under that paragraph by up to 4 percent for not more than 60 days after the date of the commissioning of a Coast Guard Academy class.

“(3) NOTIFICATION.—If the Commandant increases pursuant to paragraph (2) the total number of commissioned officers permitted under paragraph (1), the Commandant shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the number of officers on the active duty promotion list on the last day of the preceding 30-day period—

“(A) not later than 30 days after such increase; and

“(B) every 30 days thereafter until the total number of commissioned officers no longer exceeds the total number of commissioned officers permitted under paragraph (1).”.

(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(a) of title 31, 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 the number of Coast Guard officers who are serving at other Federal agencies on a reimbursable basis, and the number of Coast Guard officers who are serving at other Federal agencies on a non-reimbursable basis but are 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. 5253. CONTINUATION ON ACTIVE DUTY OF OFFICERS WITH CRITICAL SKILLS.**

(a) IN GENERAL.—Subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

**“§ 2166. Continuation on active duty of officers with critical skills**

“(a) IN GENERAL.—The Commandant may authorize an officer in any grade above grade O-2 to remain on active duty after the date otherwise provided for the retirement of the 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 SKILL, SPECIALTY, OR CAREER FIELD.—The Commandant shall designate 1 or more critical skills, specialties, or career fields for purposes of 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 that specifies 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 subchapter II of chapter 21 of title 14, United States Code, is amended by adding at the end the following:

“2166. Continuation on active duty of officers with critical skills.”.

**SEC. 5254. CAREER INCENTIVE PAY FOR MARINE INSPECTORS.**

(a) **AUTHORITY TO PROVIDE ASSIGNMENT PAY OR SPECIAL DUTY PAY.**—The Secretary of the department in which the Coast Guard is operating may provide assignment pay or special duty pay under section 352 of title 37, United States Code, to a member of the Coast Guard serving in a prevention position and assigned as a marine inspector or marine investigator pursuant to section 312 of title 14, United States Code.

(b) **ANNUAL BRIEFING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on any uses of the authority under subsection (a) during the preceding year.

(2) **ELEMENTS.**—Each briefing required by paragraph (1) shall include the following:

(A) The number of members of the Coast Guard serving as marine inspectors or marine investigators pursuant to section 312 of title 14, United States Code, who are receiving assignment pay or special duty pay under section 352 of title 37, United States Code.

(B) An assessment of the impact of the use of the authority under this section on the effectiveness and efficiency of the Coast Guard in administering the laws and regulations for the promotion of safety of life and property on and under the high seas and waters subject to the jurisdiction of the United States.

(C) An assessment of the effects of assignment pay and special duty pay on retention of marine inspectors and investigators.

(D) If the authority provided in subsection (a) is not exercised, a detailed justification for not exercising such authority, including an explanation of the efforts the Secretary of the department in which the Coast Guard is operating is taking to ensure that the Coast Guard workforce contains an adequate number of qualified marine inspectors.

(c) **STUDY.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in coordination with the Director of the National Institute for Occupational Safety and Health, shall conduct a study on the health of marine inspectors and marine investigators who have served in such positions for a period of not less than 10 years.

(2) **ELEMENTS.**—The study required by paragraph (1) shall include the following:

(A) An evaluation of—

(i) the daily vessel inspection duties of marine inspectors and marine investigators, including the examination of internal cargo tanks and voids and new construction activities;

(ii) major incidents to which marine inspectors and marine investigators have had to respond, and any other significant incident, such as a vessel casualty, that has resulted in the exposure of marine inspectors and marine investigators to hazardous chemicals or substances; and

(iii) the types of hazardous chemicals or substances to which marine inspectors and marine investigators have been exposed relative to the effects such chemicals or substances have had on marine inspectors and marine investigators.

(B) A review and analysis of the current Coast Guard health and safety monitoring systems, and recommendations for improving such systems, specifically with respect to the exposure of members of the Coast Guard

to hazardous substances while carrying out inspections and investigation duties.

(C) Any other element the Secretary of the department in which the Coast Guard is operating considers appropriate.

(3) **REPORT.**—On completion of the study required by paragraph (1), the Secretary of the department in which the Coast Guard is operating 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 findings of the study and recommendations for actions the Commandant should take to improve the health and exposure of marine inspectors and marine investigators.

(d) **TERMINATION.**—The authority provided by subsection (a) shall terminate on December 31, 2027, unless the study required by subsection (c) is completed and submitted as required by that subsection.

**SEC. 5255. EXPANSION OF THE ABILITY FOR SELECTION BOARD TO RECOMMEND OFFICERS OF PARTICULAR MERIT FOR PROMOTION.**

Section 2116(c)(1) of title 14, United States Code, is amended, in the second sentence, by inserting “three times” after “may not exceed”.

**SEC. 5256. MODIFICATION TO EDUCATION LOAN REPAYMENT PROGRAM.**

(a) **IN GENERAL.**—Section 2772 of title 14, United States Code, is amended to read as follows:

**“§ 2772. Education loan repayment program: members on active duty in specified military specialties**

“(a)(1) Subject to the provisions of this section, the Secretary may repay—

“(A) any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

“(B) any loan made under part D of such title (the William D. Ford Federal Direct Loan Program, 20 U.S.C. 1087a et seq.);

“(C) any loan made under part E of such title (20 U.S.C. 1087aa et seq.); or

“(D) any loan incurred for educational purposes made by a lender that is—

“(i) an agency or instrumentality of a State;

“(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

“(iii) a pension fund approved by the Secretary for purposes of this section; or

“(iv) a nonprofit private entity designated by a State, regulated by such State, and approved by the Secretary for purposes of this section.

“(2) Repayment of any such loan shall be made on the basis of each complete year of service performed by the borrower.

“(3) The Secretary may repay loans described in paragraph (1) in the case of any person for service performed on active duty as a member in an officer program or military specialty specified by the Secretary.

“(b) The portion or amount of a loan that may be repaid under subsection (a) is 33½ percent or \$1,500, whichever is greater, for each year of service.

“(c) If a portion of a loan is repaid under this section for any year, interest on the remainder of such loan shall accrue and be paid in the same manner as is otherwise required.

“(d) Nothing in this section shall be construed to authorize refunding any repayment of a loan.

“(e) A person who transfers from service making the person eligible for repayment of loans under this section (as described in subsection (a)(3)) to service making the person eligible for repayment of loans under section

16301 of title 10 (as described in subsection (a)(2) or (g) of that section) during a year shall be eligible to have repaid a portion of such loan determined by giving appropriate fractional credit for each portion of the year so served, in accordance with regulations of the Secretary concerned.

“(f) The Secretary shall prescribe a schedule for the allocation of funds made available to carry out the provisions of this section and section 16301 of title 10 during any year for which funds are not sufficient to pay the sum of the amounts eligible for repayment under subsection (a) and section 16301(a) of title 10.

“(g) Except a person described in subsection (e) who transfers to service making the person eligible for repayment of loans under section 16301 of title 10, a member of the Coast Guard who fails to complete the period of service required to qualify for loan repayment under this section shall be subject to the repayment provisions of section 303a(e) or 373 of title 37.

“(h) The Secretary may prescribe procedures for implementing this section, including standards for qualified loans and authorized payees and other terms and conditions for making loan repayments. Such regulations may include exceptions that would allow for the payment as a lump sum of any loan repayment due to a member under a written agreement that existed at the time of a member’s death or disability.”

(b) **CLERICAL AMENDMENT.**—The analysis for subchapter III of chapter 27 of title 14, United States Code, is amended by striking the item relating to section 2772 and inserting the following:

“2772. Education loan repayment program: members on active duty in specified military specialties.”

**SEC. 5257. RETIREMENT OF VICE COMMANDANT.**

Section 303 of title 14, United States Code, is amended—

(1) by amending subsection (a)(2) to read as follows:

“(2) A Vice Commandant who is retired while serving as Vice Commandant, after serving not less than 2 years as Vice Commandant, shall be retired with the grade of admiral, except as provided in section 306(d).”; and

(2) in subsection (c), by striking “or Vice Commandant” and inserting “or as an officer serving as Vice Commandant who has served less than 2 years as Vice Commandant”.

**SEC. 5258. REPORT ON RESIGNATION AND RETIREMENT PROCESSING TIMES AND DENIAL.**

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act, and annually thereafter, 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 evaluates resignation and retirement processing timelines.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following for the preceding calendar year—

(1) statistics on the number of resignations, retirements, and other separations that occurred;

(2) the processing time for each action described in paragraph (1);

(3) the percentage of requests for such actions that had a command endorsement;

(4) the percentage of requests for such actions that did not have a command endorsement; and

(5) for each denial of a request for a command endorsement and each failure to take action on such a request, a detailed description of the rationale for such denial or failure to take such action.

**SEC. 5259. PHYSICAL DISABILITY EVALUATION SYSTEM PROCEDURE REVIEW.**

## (a) STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study on the Coast Guard Physical Disability Evaluation System and medical retirement procedures.

(2) ELEMENTS.—The study required by paragraph (1) shall review, and provide recommendations to address, the following:

(A) Coast Guard compliance with all applicable laws, regulations, and policies relating to the Physical Disability Evaluation System and the Medical Evaluation Board.

(B) Coast Guard compliance with timelines set forth in—

(i) the instruction of the Commandant entitled “Physical Disability Evaluation System” issued on May 19, 2006 (COMDTNST M1850.2D); and

(ii) the Physical Disability Evaluation System Transparency Initiative (ALCGPSC 030/20).

(C) An evaluation of Coast Guard processes in place to ensure the availability, consistency, and effectiveness of counsel appointed by the Coast Guard Office of the Judge Advocate General to represent members of the Coast Guard undergoing an evaluation under the Physical Disability Evaluation System.

(D) The extent to which the Coast Guard has and uses processes to ensure that such counsel may perform their functions in a manner that is impartial, including being able to perform their functions without undue pressure or interference by the command of the affected member of the Coast Guard, the Personnel Service Center, and the United States Coast Guard Office of the Judge Advocate General.

(E) The frequency with which members of the Coast Guard seek private counsel in lieu of counsel appointed by the Coast Guard Office of the Judge Advocate General, and the frequency of so doing at each member pay grade.

(F) The timeliness of determinations, guidance, and access to medical evaluations necessary for retirement or rating determinations and overall well-being of the affected member of the Coast Guard.

(G) The guidance, formal or otherwise, provided by the Personnel Service Center and the Coast Guard Office of the Judge Advocate General, other than the counsel directly representing affected members of the Coast Guard, in communication with medical personnel examining members.

(H) The guidance, formal or otherwise, provided by the medical professionals reviewing cases within the Physical Disability Evaluation System to affected members of the Coast Guard, and the extent to which such guidance is disclosed to the commanders, commanding officers, or other members of the Coast Guard in the chain of command of such affected members.

(I) The feasibility of establishing a program to allow members of the Coast Guard to select an expedited review to ensure completion of the Medical Evaluation Board report not later than 180 days after the date on which such review was initiated.

(b) REPORT.—The Comptroller General 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 findings of the study conducted under subsection (a) and recommendations for improving the physical disability evaluation system process.

## (c) UPDATED POLICY GUIDANCE.—

(1) IN GENERAL.—Not later than 180 days after the date on which the report under subsection (b) is submitted, the Commandant

shall issue updated policy guidance in response to the findings and recommendations contained in the report.

(2) ELEMENTS.—The updated policy guidance required by paragraph (1) shall include the following:

(A) A requirement that a member of the Coast Guard, or the counsel of such a member, shall be informed of the contents of, and afforded the option to be present for, any communication between the member’s command and the Personnel Service Center, or other Coast Guard entity, with respect to the duty status of the member.

(B) An exception to the requirement described in subparagraph (A) that such a member or the counsel of the member is not required to be informed of the contents of such a communication if it is demonstrated that there is a legitimate health and safety need for the member to be excluded from such communications, supported by a medical opinion that such exclusion is necessary for the health or safety of the member, command, or any other individual.

(C) An option to allow a member of the Coast Guard to initiate an evaluation by a Medical Evaluation Board if a Coast Guard healthcare provider, or other military healthcare provider, has raised a concern about the ability of the member to continue serving in the Coast Guard, in accordance with existing medical and physical disability policy.

(D) An updated policy to remove the command endorsement requirement for retirement or separation unless absolutely necessary for the benefit of the United States.

**SEC. 5260. EXPANSION OF AUTHORITY FOR MULTIRATER ASSESSMENTS OF CERTAIN PERSONNEL.**

(a) IN GENERAL.—Section 2182(a) of title 14, United States Code, is amended by striking paragraph (2) and inserting the following:

“(2) OFFICERS.—Each officer of the Coast Guard shall undergo a multirater assessment before promotion to—

“(A) the grade of O-4;

“(B) the grade of O-5; and

“(C) the grade of O-6.

“(3) ENLISTED MEMBERS.—Each enlisted member of the Coast Guard shall undergo a multirater assessment before advancement to—

“(A) the grade of E-7;

“(B) the grade of E-8;

“(C) the grade of E-9; and

“(D) the grade of E-10.

“(4) SELECTION.—A reviewee shall not be permitted to select the peers and subordinates who provide opinions for his or her multirater assessment.

## “(5) POST-ASSESSMENT ELEMENTS.—

“(A) IN GENERAL.—Following an assessment of an individual pursuant to paragraphs (1) through (3), the individual shall be provided appropriate post-assessment counseling and leadership coaching.

“(B) AVAILABILITY OF RESULTS.—The supervisor of the individual assessed shall be provided with the results of the multirater assessment.”

## (b) COST ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the appropriate committees of Congress an estimate of the costs associated with implementing the amendment made by this section.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

**SEC. 5261. PROMOTION PARITY.**

(a) INFORMATION TO BE FURNISHED.—Section 2115(a) of title 14, United States Code, is amended—

(1) in paragraph (1), by striking “; and” and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(3) in the case of an eligible officer considered for promotion to a rank above lieutenant, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry and any information placed in the personnel service record of the officer under section 1745(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1561 note), shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary.”

## (b) SPECIAL SELECTION REVIEW BOARDS.—

(1) IN GENERAL.—Subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after section 2120 the following:

**“§ 2120a. Special selection review boards**

“(a) IN GENERAL.—(1) If the Secretary determines that a person recommended by a promotion board for promotion to a grade at or below the grade of rear admiral is the subject of credible information of an adverse nature, including any substantiated adverse finding or conclusion described in section 2115(a)(3) of this title that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and recommend whether the recommendation for promotion of the person should be sustained.

“(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person—

“(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

“(B) shall not be forwarded to the President or the Senate, as applicable, or included on a promotion list under section 2121 of this title.

“(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 2120(c) of this title.

“(2) Any special selection review board convened under this section may review such number of persons, and recommendations for promotion of such persons, as the Secretary shall specify in convening such special selection review board.

“(c) INFORMATION CONSIDERED.—(1) In reviewing a person and recommending whether the recommendation for promotion of the person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

“(A) The record and information concerning the person furnished in accordance with section 2115 of this title to the promotion board that recommended the person for promotion.

“(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry described in section 2115(a)(3) of this title.

“(2) The furnishing of information to a special selection review board under paragraph

(1)(B) shall be governed by the standards and procedures referred to in section 2115 of this title.

“(3)(A) Before information on a person described in paragraph (1)(B) is furnished to a special selection review board for purposes of this section, the Secretary shall ensure that—

“(i) such information is made available to the person; and

“(ii) subject to subparagraphs (C) and (D), the person is afforded a reasonable opportunity to submit comments on such information to the special selection review board before its review of the person and the recommendation for promotion of the person under this section.

“(B) If information on a person described in paragraph (1)(B) is not made available to the person as otherwise required by subparagraph (A)(i) due to the classification status of such information, the person shall, to the maximum extent practicable, be furnished a summary of such information appropriate to the person’s authorization for access to classified information.

“(C)(i) An opportunity to submit comments on information is not required for a person under subparagraph (A)(ii) if—

“(I) such information was made available to the person in connection with the furnishing of such information under section 2115(a) of this title to the promotion board that recommended the promotion of the person subject to review under this section; and

“(II) the person submitted comments on such information to that promotion board.

“(ii) The comments on information of a person described in clause (i)(II) shall be furnished to the special selection review board.

“(D) A person may waive either or both of the following:

“(i) The right to submit comments to a special selection review board under subparagraph (A)(ii).

“(ii) The furnishing of comments to a special selection review board under subparagraph (C)(ii).

“(d) CONSIDERATION.—(1) In considering the record and information on a person under this section, the special selection review board shall compare such record and information with an appropriate sampling of the records of those officers who were recommended for promotion by the promotion board that recommended the person for promotion, and an appropriate sampling of the records of those officers who were considered by and not recommended for promotion by that promotion board.

“(2) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

“(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, apply standards used by the promotion board that recommended the person for promotion.

“(4) The recommendation for promotion of a person may be sustained under this section only if the special selection review board determines that the person—

“(A) ranks on an order of merit created by the special selection review board as better qualified for promotion than the sample officer highest on the order of merit list who was considered by and not recommended for promotion by the promotion board concerned; and

“(B) is comparable in qualification for promotion to those sample officers who were recommended for promotion by that promotion board.

“(5) A recommendation for promotion of a person may be sustained under this section only by a vote of a majority of the members of the special selection review board.

“(6) If a special selection review board does not sustain a recommendation for promotion of a person under this section, the person shall be considered to have failed of selection for promotion.

“(e) REPORTS.—(1) Each special selection review board convened under this section shall submit to the Secretary a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

“(2) The provisions of section 2117(a) of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 2106 of this title.

“(f) APPOINTMENT OF PERSONS.—(1) If the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with section 2121 of this title.

“(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the active-duty list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

“(g) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section.

“(h) PROMOTION BOARD DEFINED.—In this section, the term ‘promotion board’ means a selection board convened by the Secretary under section 2106 of this title.”

(2) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 21 of title 14, United States Code, is amended by inserting after the item relating to section 2120 the following:

“2120a. Special selection review boards.”

(c) AVAILABILITY OF INFORMATION.—Section 2118 of title 14, United States Code, is amended by adding at the end the following:

“(e) If the Secretary makes a recommendation under this section that the name of an officer be removed from a report of a selection board and the recommendation is accompanied by information that was not presented to that selection board, that information shall be made available to that officer. The officer shall then be afforded a reasonable opportunity to submit comments on that information to the officials making the recommendation and the officials reviewing the recommendation. If an eligible officer cannot be given access to such information because of its classification status, the officer shall, to the maximum extent practicable, be provided with an appropriate summary of the information.”

(d) DELAY OF PROMOTION.—Section 2121(f) of title 14, United States Code, is amended to read as follows:

“(f)(1) The promotion of an officer may be delayed without prejudice if any of the following applies:

“(A) The officer is under investigation or proceedings of a court-martial or a board of officers are pending against the officer.

“(B) A criminal proceeding in a Federal or State court is pending against the officer.

“(C) The Secretary determines that credible information of an adverse nature, including a substantiated adverse finding or conclusion described in section 2115(a)(3), with respect to the officer will result in the convening of a special selection review board under section 2120a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.

“(2)(A) Subject to subparagraph (B), a promotion may be delayed under this subsection until, as applicable—

“(i) the completion of the investigation or proceedings described in subparagraph (A);

“(ii) a final decision in the proceeding described in subparagraph (B) is issued; or

“(iii) the special selection review board convened under section 2120a of this title issues recommendations with respect to the officer.

“(B) Unless the Secretary determines that a further delay is necessary in the public interest, a promotion may not be delayed under this subsection for more than one year after the date the officer would otherwise have been promoted.

“(3) An officer whose promotion is delayed under this subsection and who is subsequently promoted shall be given the date of rank and position on the active duty promotion list in the grade to which promoted that he would have held had his promotion not been so delayed.”

#### SEC. 5262. PARTNERSHIP PROGRAM TO DIVERSIFY THE COAST GUARD.

(a) ESTABLISHMENT.—The Commandant shall establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks of the Coast Guard.

(b) PARTNERSHIPS.—In carrying out the program established under subsection (a), the Commandant shall—

(1) seek to enter into 1 or more partnerships with eligible entities—

(A) to increase the visibility of Coast Guard careers;

(B) to promote curriculum development—

(i) to enable acceptance into the Coast Guard; and

(ii) to improve success on relevant exams, such as the Armed Services Vocational Aptitude Battery; and

(C) to provide mentoring for students entering and beginning Coast Guard careers; and

(2) enter into a partnership with an existing Junior Reserve Officers’ Training Corps for the purpose of promoting Coast Guard careers.

(c) ELIGIBLE INSTITUTION DEFINED.—In this section, the term “eligible institution” means—

(1) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(2) an institution that provides a level of educational attainment that is less than a bachelor’s degree;

(3) a part B institution (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061));

(4) a Tribal College or University (as defined in section 316(b) of that Act (20 U.S.C. 1059c(b)));

(5) a Hispanic-serving institution (as defined in section 502 of that Act (20 U.S.C. 1101a));

(6) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as defined in section 317(b) of that Act (20 U.S.C. 1059d(b)));

(7) a Predominantly Black institution (as defined in section 371(c) of that Act (20 U.S.C. 1071q(c)));

(8) an Asian American and Native American Pacific Islander-serving institution (as defined in such section); and

(9) a Native American-serving nontribal institution (as defined in such section).

**SEC. 5263. EXPANSION OF COAST GUARD JUNIOR RESERVE OFFICERS' TRAINING CORPS.**

(a) IN GENERAL.—Section 320 of title 14, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) in subsection (b), by striking “subsection (c)” and inserting “subsection (d)”;

(3) by inserting after subsection (b) the following:

“(c) SCOPE.—Beginning on December 31, 2025, the Secretary of the department in which the Coast Guard is operating shall maintain at all times a Junior Reserve Officers' Training Corps program with not fewer than 1 such program established in each Coast Guard district.”

(b) COST ASSESSMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to Congress an estimate of the costs associated with implementing the amendments made by this section.

**SEC. 5264. IMPROVING REPRESENTATION OF WOMEN AND RACIAL AND ETHNIC MINORITIES AMONG COAST GUARD ACTIVE-DUTY MEMBERS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, in consultation with the Advisory Board on Women at the Coast Guard Academy established under section 1904 of title 14, United States Code, and the minority outreach team program established by section 1905 of such title, the Commandant shall—

(1) determine which recommendations in the RAND representation report may practically 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 Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions the Commandant has taken, or plans to take, to implement such recommendations.

(b) CURRICULUM AND TRAINING.—In the case of any action the Commandant plans to take to implement recommendations described in subsection (a)(1) that relate to modification or development of curriculum and training, such modified curriculum and training shall be provided at officer and accession points and at leadership courses managed by the Coast Guard Leadership Development Center.

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

**SEC. 5265. STRATEGY TO ENHANCE DIVERSITY THROUGH RECRUITMENT AND ACCESSION.**

(a) IN GENERAL.—The Commandant shall develop a 10-year strategy to enhance Coast Guard diversity through recruitment and accession—

(1) at educational institutions at the high school and higher education levels; and

(2) for the officer and enlisted ranks.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

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 strategy developed under subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of existing Coast Guard recruitment and accession programs at educational institutions at the high school and higher education levels.

(B) An explanation of the manner in which the strategy supports the Coast Guard's overall diversity and inclusion action plan.

(C) A description of the manner in which existing programs and partnerships will be modified or expanded to enhance diversity in recruiting and accession at the high school and higher education levels.

**SEC. 5266. SUPPORT FOR COAST GUARD ACADEMY.**

(a) IN GENERAL.—Subchapter II of chapter 9 of title 14, United States Code, is amended by adding at the end the following:

**“§ 953. Support for Coast Guard Academy**

“(a) AUTHORITY.—

“(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—(A) The Commandant may enter contract and cooperative agreements with 1 or more qualified organizations for the purpose of supporting the athletic programs of the Coast Guard Academy.

“(B) Notwithstanding section 3201(e) of title 10, the Commandant may enter into such contracts and cooperative agreements on a sole source basis pursuant to section 3204(a) of title 10.

“(C) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Coast Guard Academy.

“(2) FINANCIAL CONTROLS.—(A) Before entering into a contract or cooperative agreement under paragraph (1), the Commandant shall ensure that the contract or agreement includes appropriate financial controls to account for the resources of the Coast Guard Academy and the qualified organization concerned in accordance with accepted accounting principles.

“(B) Any such contract or cooperative agreement shall contain a provision that allows the Commandant to review, as the Commandant considers necessary, the financial accounts of the qualified organization to determine whether the operations of the qualified organization—

“(i) are consistent with the terms of the contract or cooperative agreement; and

“(ii) would compromise the integrity or appearance of integrity of any program of the Department of Homeland Security.

“(3) LEASES.—For the purpose of supporting the athletic programs of the Coast Guard Academy, the Commandant may, consistent with section 504(a)(13), rent or lease real property located at the Coast Guard Academy to a qualified organization, except that proceeds from such a lease shall be retained and expended in accordance with subsection (f).

“(b) SUPPORT SERVICES.—

“(1) AUTHORITY.—To the extent required by a contract or cooperative agreement under subsection (a), the Commandant may provide support services to a qualified organization while the qualified organization conducts its support activities at the Coast Guard Academy only if the Commandant determines that the provision of such services is essential for the support of the athletic programs of the Coast Guard Academy.

“(2) NO LIABILITY OF THE UNITED STATES.—Support services may only be provided without any liability of the United States to a qualified organization.

“(3) SUPPORT SERVICES DEFINED.—In this subsection, the term ‘support services’ includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems, in conjunction with the leasing or licensing of property.

“(c) TRANSFERS FROM NONAPPROPRIATED FUND OPERATION.—(1) Except as provided in paragraph (2), the Commandant may, subject to the acceptance of the qualified organization concerned, transfer to the qualified organization all title to and ownership of the assets and liabilities of the Coast Guard non-appropriated fund instrumentality, the function of which includes providing support for the athletic programs of the Coast Guard Academy, including bank accounts and financial reserves in the accounts of such fund instrumentality, equipment, supplies, and other personal property.

“(2) The Commandant may not transfer under paragraph (1) any interest in real property.

“(d) ACCEPTANCE OF SUPPORT FROM QUALIFIED ORGANIZATION.—

“(1) IN GENERAL.—Notwithstanding section 1342 of title 31, the Commandant may accept from a qualified organization funds, supplies, and services for the support of the athletic programs of the Coast Guard Academy.

“(2) EMPLOYEES OF QUALIFIED ORGANIZATION.—For purposes of this section, employees or personnel of the qualified organization may not be considered to be employees of the United States.

“(3) FUNDS RECEIVED FROM NCAA.—The Commandant may accept funds from the National Collegiate Athletic Association to support the athletic programs of the Coast Guard Academy.

“(4) LIMITATION.—The Commandant shall ensure that contributions under this subsection and expenditure of funds pursuant to subsection (f)—

“(A) do not reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces (as defined in section 101(a) of title 10) to carry out any responsibility or duty in a fair and objective manner; or

“(B) compromise the integrity or appearance of integrity of any program of the Coast Guard, or any individual involved in such a program.

“(e) TRADEMARKS AND SERVICE MARKS.—

“(1) LICENSING, MARKETING, AND SPONSORSHIP AGREEMENTS.—An agreement under subsection (a) may, consistent with section 2260 of title 10 (other than subsection (d) of such section), authorize a qualified organization to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Coast Guard Academy, subject to the approval of the Commandant.

“(2) LIMITATIONS.—A licensing, marketing, or sponsorship agreement may not be entered into under paragraph (1) if—

“(A) such agreement would reflect unfavorably on the ability of the Coast Guard, any employee of the Coast Guard, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner; or

“(B) the Commandant determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Coast Guard or any individual involved in such a program.

“(f) RETENTION AND USE OF FUNDS.—Funds received by the Commandant under this section may be retained for use to support the athletic programs of the Coast Guard Academy and shall remain available until expended.



“(g) SERVICE ON QUALIFIED ORGANIZATION BOARD OF DIRECTORS.—A qualified organization is a designated entity for which authorization under sections 1033(a) and 1589(a) of title 10, may be provided.

“(h) CONDITIONS.—The authority provided in this section with respect to a qualified organization is available only so long as the qualified organization continues—

“(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of Connecticut, and the constitution and by-laws of the qualified organization; and

“(2) to operate exclusively to support the athletic programs of the Coast Guard Academy.

“(i) QUALIFIED ORGANIZATION DEFINED.—In this section, the term ‘qualified organization’ means an organization—

“(1) described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and exempt from taxation under subsection (a) of that section; and

“(2) established by the Coast Guard Academy Alumni Association solely for the purpose of supporting Coast Guard athletics.

**“§ 954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds**

“(a) AUTHORITY.—In the case of a Coast Guard Academy mixed-funded athletic or recreational extracurricular program, the Commandant may designate funds appropriated to the Coast Guard and available for that program to be treated as nonappropriated funds and expended for that program in accordance with laws applicable to the expenditure of nonappropriated funds. Appropriated funds so designated shall be considered to be nonappropriated funds for all purposes and shall remain available until expended.

“(b) COVERED PROGRAMS.—In this section, the term ‘Coast Guard Academy mixed-funded athletic or recreational extracurricular program’ means an athletic or recreational extracurricular program of the Coast Guard Academy to which each of the following applies:

“(1) The program is not considered a morale, welfare, or recreation program.

“(2) The program is supported through appropriated funds.

“(3) The program is supported by a nonappropriated fund instrumentality.

“(4) The program is not a private organization and is not operated by a private organization.”.

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

“953. Support for Coast Guard Academy.

“954. Mixed-funded athletic and recreational extracurricular programs: authority to manage appropriated funds in same manner as nonappropriated funds.”.

**SEC. 5267. TRAINING FOR CONGRESSIONAL AFFAIRS PERSONNEL.**

(a) IN GENERAL.—Section 315 of title 14, United States Code, is amended to read as follows:

**“§ 315. Training for congressional affairs personnel**

“(a) IN GENERAL.—The Commandant shall develop a training course, which shall be administered in person, on the workings of Congress for any member of the Coast Guard selected for a position as a fellow, liaison, counsel, administrative staff for the Coast Guard Office of Congressional and Governmental Affairs, or any Coast Guard district or area governmental affairs officer.

“(b) COURSE SUBJECT MATTER.—

“(1) IN GENERAL.—The training course required by this section shall provide an overview and introduction to Congress and the Federal legislative process, including—

“(A) the congressional budget process;

“(B) the congressional appropriations process;

“(C) the congressional authorization process;

“(D) the Senate advice and consent process for Presidential nominees;

“(E) the Senate advice and consent process for treaty ratification;

“(F) the roles of Members of Congress and congressional staff in the legislative process;

“(G) the concept and underlying purposes of congressional oversight within the governance framework of separation of powers;

“(H) the roles of Coast Guard fellows, liaisons, counsels, governmental affairs officers, the Coast Guard Office of Program Review, the Coast Guard Headquarters program offices, and any other entity the Commandant considers relevant; and

“(I) the roles and responsibilities of Coast Guard public affairs and external communications personnel with respect to Members of Congress and their staff necessary to enhance communication between Coast Guard units, sectors, and districts and Member offices and committees of jurisdiction so as to ensure visibility of Coast Guard activities.

“(2) DETAIL WITHIN COAST GUARD OFFICE OF BUDGET AND PROGRAMS.—

“(A) IN GENERAL.—At the written request of the receiving congressional office, the training course required by this section shall include a multi-day detail within the Coast Guard Office of Budget and Programs to ensure adequate exposure to Coast Guard policy, oversight, and requests from Congress.

“(B) NONCONSECUTIVE DETAIL PERMITTED.—A detail under this paragraph is not required to be consecutive with the balance of the training.

“(C) COMPLETION OF REQUIRED TRAINING.—A member of the Coast Guard selected for a position described in subsection (a) shall complete the training required by this section before the date on which such member reports for duty for such position.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by striking the item relating to section 315 and inserting the following:

“315. Training for congressional affairs personnel.”.

**SEC. 5268. STRATEGY FOR RETENTION OF CUTTERMEN.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commandant shall publish a strategy to improve incentives to attract and retain a diverse workforce serving on Coast Guard cutters.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) Policies to improve flexibility in the afloat career path, including a policy that enables members of the Coast Guard serving on Coast Guard cutters to transition between operations afloat and operations ashore assignments without detriment to their career progression.

(2) A review of current officer requirements for afloat positions at each pay grade, and an assessment as to whether such requirements are appropriate or present undue limitations.

(3) Strategies to improve crew comfort afloat, such as berthing modifications to accommodate all crewmembers.

(4) Actionable steps to improve access to high-speed internet capable of video conference for the purposes of medical, educational, and personal use by members of the Coast Guard serving on Coast Guard cutters.

(5) An assessment of the effectiveness of bonuses to attract members to serve at sea and retain talented members of the Coast Guard serving on Coast Guard cutters to serve as leaders in senior enlisted positions, department head positions, and command positions.

(6) Policies to ensure that high-performing members of the Coast Guard serving on Coast Guard cutters are competitive for special assignments, postgraduate education, senior service schools, and other career-enhancing positions.

**SEC. 5269. STUDY ON PERFORMANCE OF COAST GUARD FORCE READINESS COMMAND.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the performance of the Coast Guard Force Readiness Command.

(b) ELEMENTS.—The study required by subsection (a) shall include an assessment of the following:

(1) The actions the Force Readiness Command has taken to develop and implement training for the Coast Guard workforce.

(2) The extent to which the Force Readiness Command—

(A) has assessed performance, policy, and training compliance across Force Readiness Command headquarters and field units, and the results of any such assessment; and

(B) is modifying and expanding Coast Guard training to match the future demands of the Coast Guard with respect to growth in workforce numbers, modernization of assets and infrastructure, and increased global mission demands relating to the Arctic and Western Pacific regions and cyberspace.

(c) REPORT.—Not later than 1 year after the study required by subsection (a) commences, the Comptroller General 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 findings of the study.

**SEC. 5270. STUDY ON FREQUENCY OF WEAPONS TRAINING FOR COAST GUARD PERSONNEL.**

(a) IN GENERAL.—The Commandant shall conduct a study to assess whether current weapons training required for Coast Guard law enforcement and other relevant personnel is sufficient.

(b) ELEMENTS.—The study required by subsection (a) shall—

(1) assess whether there is a need to improve weapons training for Coast Guard law enforcement and other relevant personnel; and

(2) identify—

(A) the frequency of such training most likely to ensure adequate weapons training, proficiency, and safety among such personnel;

(B) Coast Guard law enforcement and other applicable personnel who should be prioritized to receive such improved training; and

(C) any challenge posed by a transition to improving such training and offering such training more frequently, and the resources necessary to address such a challenge.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, 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 findings of the study conducted under subsection (a).

**Subtitle G—Miscellaneous Provisions**

**SEC. 5281. BUDGETING OF COAST GUARD RELATING TO CERTAIN OPERATIONS.**

(a) IN GENERAL.—Chapter 51 of title 14, United States Code, as amended by section

5252(b), is further amended by adding at the end the following:

**“§5114. Expenses of performing and executing defense readiness missions and other activities unrelated to Coast Guard missions**

“Not later than 1 year after the date of the enactment of this section, and every February 1 thereafter, 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 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 related expenses, costs, or matters the Commandant considers appropriate or otherwise of interest to Congress.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, as amended by section 5252(b), is further amended by adding at the end the following:

“5114. Expenses of performing and executing defense readiness missions or other activities unrelated to Coast Guard missions.”.

**SEC. 5282. COAST GUARD ASSISTANCE TO UNITED STATES SECRET SERVICE.**

Section 6 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended—

(1) by striking “Executive departments” and inserting the following:

“(a) Except as provided in subsection (b), Executive departments”;

(2) by striking “Director; except that the Department of Defense and the Coast Guard shall provide such assistance” and inserting the following: “Director.

“(b)(1) Subject to paragraph (2), the Department of Defense and the Coast Guard shall provide assistance described in subsection (a)”;

(3) by adding at the end the following:

“(2)(A) For fiscal year 2022, and each fiscal year thereafter, the total cost of assistance described in subsection (a) provided by the Coast Guard on a nonreimbursable basis shall not exceed \$15,000,000.

“(B) The Coast Guard may provide assistance described in subsection (a) during a fiscal year in addition to the amount specified in subparagraph (A) on a reimbursable basis.”.

**SEC. 5283. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.**

(a) TRANSFER.—Section 914 of the Coast Guard Authorization Act of 2010 (14 U.S.C. 501 note; Public Law 111–281) is—

(1) transferred to subchapter I of chapter 5 of title 14, United States Code;

(2) added at the end so as to follow section 509 of such title, as added by section 5241 of this Act;

(3) redesignated as section 510 of such title; and

(4) amended so that the enumerator, the section heading, typeface, and typestyle conform to those appearing in other sections of title 14, United States Code.

(b) CLERICAL AMENDMENTS.—

(1) 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.

(2) TITLE 14.—The analysis for subchapter I of chapter 5 of title 14, United States Code, as amended by section 5241 of this Act, is amended by adding at the end the following:

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

(c) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 510 of title 14, United States Code, as transferred and redesignated by subsection (a), is amended—

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

“(a) IN GENERAL.—On request by the Commandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard vessel or aircraft to an eligible entity 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 the request were being processed” after “vessels”; and

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

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

(C) in paragraph (3), by striking “of the Coast Guard”.

**SEC. 5284. AUTHORIZATION RELATING TO CERTAIN INTELLIGENCE AND COUNTER INTELLIGENCE ACTIVITIES OF THE COAST GUARD.**

(a) AUTHORIZATION.—Consistent with the policies, procedures, and coordination required pursuant to section 811 of the Counterintelligence and Security Enhancements Act of 1994 (50 U.S.C. 3381) and section 902 of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 3382), the Commandant may expend amounts made available for the intelligence and counterintelligence activities of the Coast Guard to conduct such an activity without regard to any other provision of law or regulation relating to the expenditure of Government funds, if the object of the activity is of a confidential, extraordinary, or emergency nature.

(b) QUARTERLY REPORT.—At the beginning of each fiscal quarter, the Commandant shall submit to the appropriate committees of Congress a report that includes, for each individual expenditure during the preceding fiscal quarter under subsection (a), the following:

(1) A detailed description of the purpose of such expenditure.

(2) The amount of such expenditure.

(3) An identification of the approving authority for such expenditure.

(4) A justification as to why other authorities available to the Coast Guard could not be used for such expenditure.

(5) Any other matter the Commandant considers appropriate.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) SUNSET.—This section shall cease to have effect on the date that is 3 years after the date of the enactment of this Act.

**SEC. 5285. TRANSFER AND CONVEYANCE.**

(a) IN GENERAL.—

(1) REQUIREMENT.—The Commandant shall, without consideration, transfer in accordance with subsection (b) and convey in accordance with subsection (c) a parcel of the real property described in paragraph (2), including any improvements thereon, to free the Coast Guard of liability for any unforeseen environmental or remediation of substances unknown that may exist on, or emanate from, such parcel.

(2) PROPERTY.—The property described in this paragraph is real property at Dauphin Island, Alabama, located at 100 Agassiz Street, and consisting of a total of approximately 35.63 acres. The exact acreage and legal description of the parcel of such property to be transferred or conveyed in accordance with subsection (b) or (c), respectively, shall be determined by a survey satisfactory to the Commandant.

(b) TO THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Commandant shall transfer, as described in subsection (a), to the Secretary of Health and Human Services (in this section referred to as the “Secretary”), for use by the Food and Drug Administration, custody and control of a portion, consisting of approximately 4 acres, of the parcel of real property described in such subsection, to be identified by agreement between the Commandant and the Secretary.

(c) TO THE STATE OF ALABAMA.—The Commandant shall convey, as described in subsection (a), to the Marine Environmental Sciences Consortium, a unit of the government of the State of Alabama, located at Dauphin Island, Alabama, all rights, title, and interest of the United States in and to such portion of the parcel described in such subsection that is not transferred to the Secretary under subsection (b).

(d) PAYMENTS AND COSTS OF TRANSFER AND CONVEYANCE.—

(1) PAYMENTS.—

(A) IN GENERAL.—The Secretary shall pay costs to be incurred by the Coast Guard, or reimburse the Coast Guard for such costs incurred by the Coast Guard, to carry out the transfer and conveyance required by this section, including survey costs, appraisal costs, costs for environmental documentation related to the transfer and conveyance, and any other necessary administrative costs related to the transfer and conveyance.

(B) FUNDS.—Notwithstanding section 780 of division B of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), any amounts that are made available to the Secretary under such section and not obligated on the date of enactment of this Act shall be available to the Secretary for the purpose described in subparagraph (A).

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received by the Commandant as reimbursement under paragraph (1) shall be credited to the Coast Guard Housing Fund established under section 2946 of title 14, United States Code, or the account that was used to pay the costs incurred by the Coast Guard in carrying out the transfer or conveyance under this section, as determined by the Commandant, and shall be made available until expended. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

**SEC. 5286. TRANSPARENCY AND OVERSIGHT.**

(a) NOTIFICATION.—

(1) IN GENERAL.—Subject to subsection (b), the Secretary of the department in which the Coast Guard is operating, or the designee of the Secretary, shall notify the appropriate committees of Congress and the Coast Guard Office of Congressional and Governmental Affairs not later than 3 full business days before—

(A) making or awarding a grant allocation or grant in excess of \$1,000,000;

(B) making or awarding a contract, other transaction agreement, or task or delivery order on a Coast Guard multiple award contract, or issuing a letter of intent totaling more than \$4,000,000;

(C) awarding a task or delivery order requiring an obligation of funds in an amount greater than \$10,000,000 from multi-year Coast Guard funds;

(D) making a sole-source grant award; or

(E) announcing publicly the intention to make or award an item described in subparagraph (A), (B), (C), or (D), including a contract covered by the Federal Acquisition Regulation.

(2) ELEMENT.—A notification under this subsection shall include—

(A) the amount of the award;

(B) the fiscal year for which the funds for the award were appropriated;

(C) the type of contract;

(D) an identification of the entity awarded the contract, such as the name and location of the entity; and

(E) the account from which the funds are to be drawn.

(b) EXCEPTION.—If the Secretary of the department in which the Coast Guard is operating determines that compliance with subsection (a) would pose a substantial risk to human life, health, or safety, the Secretary—

(1) may make an award or issue a letter described in that subsection without the notification required under that subsection; and

(2) shall notify the appropriate committees of Congress not later than 5 full business days after such an award is made or letter issued.

(c) APPLICABILITY.—Subsection (a) shall not apply to funds that are not available for obligation.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

**SEC. 5287. STUDY ON SAFETY INSPECTION PROGRAM FOR CONTAINERS AND FACILITIES.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Commissioner of U.S. Customs and Border Protection, shall complete a study on the safety inspection program for containers (as defined in section 80501 of title 46, United States Code) and designated waterfront facilities receiving containers.

(b) ELEMENTS.—The study required by subsection (a) shall include the following:

(1) An evaluation and review of such safety inspection program.

(2) A determination of—

(A) the number of container inspections conducted annually by the Coast Guard during the preceding 10-year period, as compared to the number of containers moved through United States ports annually during such period; and

(B) the number of qualified Coast Guard container and facility inspectors, and an assessment as to whether, during the preceding 10-year period, there have been a sufficient number of such inspectors to carry out the mission of the Coast Guard.

(3) An evaluation of the training programs available to such inspectors and the adequacy of such training programs during the preceding 10-year period.

(4) An assessment as to whether such training programs adequately prepare future lead-

ers for leadership positions in the Coast Guard.

(5) An identification of areas of improvement for such program in the interest of commerce and national security, and the costs associated with such improvements.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the findings of the study required by subsection (a), including the personnel and resource requirements necessary for such program.

**SEC. 5288. STUDY ON MARITIME LAW ENFORCEMENT WORKLOAD REQUIREMENTS.**

(a) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall commence a study that assesses the maritime law enforcement workload requirements of the Coast Guard.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) For each of the 10 years immediately preceding the date of the enactment of this Act, an analysis of—

(i) the total number of migrant interdictions, and Coast Guard sectors in which such interdictions occurred;

(ii) the total number of drug interdictions, the amount and type of drugs interdicted, and the Coast Guard sectors in which such interdictions occurred;

(iii) the physical assets used for drug interdictions, migrant interdictions, and other law enforcement purposes; and

(iv) the total number of Coast Guard personnel who carried out drug interdictions, migrant interdictions, and other law enforcement activities.

(B) An assessment of—

(i) migrant and drug interdictions and other law enforcement activities along the maritime boundaries of the United States, including the maritime boundaries of the northern and southern continental United States and Alaska;

(ii) Federal policies and procedures related to immigration and asylum, and the associated impact of such policies and procedures on the activities described in clause (i), including—

(I) public health exclusion policies, such as expulsion pursuant to sections 362 and 365 of the Public Health Service Act (42 U.S.C. 265 and 268); and

(II) administrative asylum processing policies, such as the remain in Mexico policy and the migrant protection protocols;

(iii) increases or decreases in physical terrestrial infrastructure in and around the international borders of the United States, and the associated impact of such increases or decreases on the activities described in clause (i); and

(iv) increases or decreases in physical Coast Guard assets in the areas described in clause (i), the proximity of such assets to such areas, and the associated impact of such increases or decreases on the activities described in clause (i).

(b) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives a report on the findings of the study.

(c) BRIEFING.—Not later than 90 days after the date on which the report required by subsection (b) is submitted, the Commandant shall provide a briefing on the report to the Committee on Commerce, Science, and Transportation and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives.

**SEC. 5289. FEASIBILITY STUDY ON CONSTRUCTION OF COAST GUARD STATION AT PORT MANSFIELD.**

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall commence a feasibility study on construction of a Coast Guard station at Port Mansfield, Texas.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) An assessment of the resources and workforce requirements necessary for a new Coast Guard station at Port Mansfield.

(B) An identification of the enhancements to the missions and capabilities of the Coast Guard that a new Coast Guard station at Port Mansfield would provide.

(C) An estimate of the life-cycle costs of such a facility, including the construction, maintenance costs, and staffing costs.

(D) A cost-benefit analysis of the enhancements and capabilities provided, as compared to the costs of construction, maintenance, and staffing.

(b) REPORT.—Not later than 180 days after commencing the study required by subsection (a), 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 findings of the study.

**SEC. 5290. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.**

Section 8414 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 14 U.S.C. 1156 note) is amended—

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

“(b) EXEMPTION.—The Commandant is exempt from the restriction under subsection (a) if the operation or procurement is for the purposes of—

“(1) counter-UAS system surrogate testing and training; or

“(2) intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.”;

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

“(c) WAIVER.—The Commandant may waive the restriction under subsection (a) on a case-by-case basis by certifying in writing not later than 15 days after exercising such waiver to the Department of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that the operation or procurement of a covered unmanned aircraft system is required in the national interest of the United States.”;

(3) in subsection (d)—

(A) by amending paragraph (1) to read as follows:

“(1) COVERED FOREIGN COUNTRY.—The term ‘covered foreign country’ means any of the following:

“(A) The People’s Republic of China.

“(B) The Russian Federation.

“(C) The Islamic Republic of Iran.

“(D) The Democratic People’s Republic of Korea.”; and

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(C) by inserting after paragraph (1) the following:

“(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ‘covered unmanned aircraft system’ means—

“(A) an unmanned aircraft system described in paragraph (1) of subsection (a); and  
“(B) a system described in paragraph (2) of that subsection.”; and

(D) in paragraph (4), as redesignated, by inserting “, and any related services and equipment” after “United States Code”; and

(4) by adding at the end the following:

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Commandant \$2,700,000 to replace covered unmanned aircraft systems.

“(2) REPLACEMENT.—Not later than 90 days after the date of the enactment of this Act, the Commandant shall replace covered unmanned aircraft systems of the Coast Guard with unmanned aircraft systems manufactured in the United States or an allied country (as that term is defined in section 2350f(d)(1) of title 10, United States Code).”.

**SEC. 5291. OPERATIONAL DATA SHARING CAPABILITY.**

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating (referred to in this section as the “Secretary”) shall, consistent with the ongoing Integrated Multi-Domain Enterprise joint effort by the Department of Homeland Security and the Department of Defense, establish a secure, centralized capability to allow real-time, or near real-time, data and information sharing between U.S. Customs and Border Protection and the Coast Guard for purposes of maritime boundary domain awareness and enforcement activities along the maritime boundaries of the United States, including the maritime boundaries in the northern and southern continental United States and Alaska.

(b) PRIORITY.—In establishing the capability under subsection (a), the Secretary shall prioritize enforcement areas experiencing the highest levels of enforcement activity.

(c) REQUIREMENTS.—The capability established under subsection (a) shall be sufficient for the secure sharing of data, information, and surveillance necessary for operational missions, including data from governmental assets, irrespective of whether an asset belongs to the Coast Guard, U.S. Customs and Border Protection, or any other partner agency, located in and around mission operation areas.

(d) ELEMENTS.—The Commissioner of U.S. Customs and Border Protection and the Commandant shall jointly—

(1) assess and delineate the types and quality of data sharing needed to meet the respective operational missions of U.S. Customs and Border Protection and the Coast Guard, including video surveillance, seismic sensors, infrared detection, space-based remote sensing, and any other data or information necessary;

(2) develop appropriate requirements and processes for the credentialing of personnel of U.S. Customs and Border Protection and personnel of the Coast Guard to access and use the capability established under subsection (a); and

(3) establish a cost-sharing agreement for the long-term operation and maintenance of the capability and the assets that provide data to the capability.

(e) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and

Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the establishment of the capability under this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize the Coast Guard, U.S. Customs and Border Protection, or any other partner agency to acquire, share, or transfer personal information relating to an individual in violation of any Federal or State law or regulation.

**SEC. 5292. PROCUREMENT OF TETHERED AEROSTAT RADAR SYSTEM FOR COAST GUARD STATION SOUTH PADRE ISLAND.**

Subject to the availability of appropriations, the Secretary of the department in which the Coast Guard is operating shall procure not fewer than 1 tethered aerostat radar system, or similar technology, for use by the Coast Guard and other partner agencies, including U.S. Customs and Border Protection, at and around Coast Guard Station South Padre Island.

**SEC. 5293. ASSESSMENT OF IRAN SANCTIONS RELIEF ON COAST GUARD OPERATIONS UNDER THE JOINT COMPREHENSIVE PLAN OF ACTION.**

Not later than 1 year after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Defense Intelligence Agency and the Commander of United States Central Command, shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, in an unclassified setting with a classified component if necessary, on—

(1) the extent to which the Commandant assesses Iran would use sanctions relief received by Iran under the Joint Comprehensive Plan of Action to bolster Iran’s support for Iranian forces or Iranian-linked groups across the Middle East in a manner that may impact Coast Guard personnel and operations in the Middle East; and

(2) the Coast Guard requirements for deterring and countering increased malign behavior from such groups with respect to activities under the jurisdiction of the Coast Guard.

**SEC. 5294. REPORT ON SHIPYARDS OF FINLAND AND SWEDEN.**

Not later than 2 years after the date of the enactment of this Act, the Commandant, in consultation with the Comptroller General of the United States, shall submit to Congress a report that analyzes the shipyards of Finland and Sweden to assess future opportunities for technical assistance related to engineering to aid the Coast Guard in fulfilling its future mission needs.

**SEC. 5295. PROHIBITION ON CONSTRUCTION CONTRACTS WITH ENTITIES ASSOCIATED WITH THE CHINESE COMMUNIST PARTY.**

(a) IN GENERAL.—The Commandant may not award any contract for new construction until the date on which the Commandant provides to Congress a certification that the other party has not, during the 10-year period preceding the planned date of award, directly or indirectly held an economic interest in an entity that is—

(1) owned or controlled by the People’s Republic of China; and

(2) part of the defense industry of the Chinese Communist Party.

(b) INAPPLICABILITY TO TAIWAN.—Subsection (a) shall not apply with respect to an economic interest in an entity owned or controlled by Taiwan.

**SEC. 5296. REVIEW OF DRUG INTERDICTION EQUIPMENT AND STANDARDS; TESTING FOR FENTANYL DURING INTERDICTION OPERATIONS.**

(a) REVIEW.—

(1) IN GENERAL.—The Commandant, in consultation with the Administrator of the Drug Enforcement Administration and the Secretary of Health and Human Services, shall—

(A) conduct a review of—

(i) the equipment, testing kits, and rescue medications used to conduct Coast Guard drug interdiction operations; and

(ii) the safety and training standards, policies, and procedures with respect to such operations; and

(B) determine whether the Coast Guard is using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during such operations.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall submit to the appropriate committees of Congress a report on the results of the review conducted under paragraph (1).

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives.

(b) REQUIREMENT.—If, as a result of the review required by subsection (a), the Commandant determines that the Coast Guard is not using the latest equipment and technology and up-to-date training and standards for recognizing, handling, testing, and securing illegal drugs, fentanyl and other synthetic opioids, and precursor chemicals during drug interdiction operations, the Commandant shall ensure that the Coast Guard acquires and uses such equipment and technology, carries out such training, and implements such standards.

(c) TESTING FOR FENTANYL.—The Commandant shall ensure that Coast Guard drug interdiction operations include the testing of substances encountered during such operations for fentanyl, as appropriate.

**SEC. 5297. PUBLIC AVAILABILITY OF INFORMATION ON MONTHLY MIGRANT INTERDICTIONS.**

Not later than the 15th day of each month, the Commandant shall make available to the public on an internet website of the Coast Guard the number of migrant interdictions carried out by the Coast Guard during the preceding month.

**TITLE LIII—ENVIRONMENT**

**SEC. 5301. DEFINITION OF SECRETARY.**

Except as otherwise specifically provided, in this title, the term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

**Subtitle A—Marine Mammals**

**SEC. 5311. DEFINITIONS.**

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(2) CORE FORAGING HABITATS.—The term “core foraging habitats” means areas—

(A) with biological and physical oceanographic features that aggregate *Calanus finmarchicus*; and

(B) where North Atlantic right whales foraging aggregations have been well documented.

(3) **EXCLUSIVE ECONOMIC ZONE.**—The term “exclusive economic zone” has the meaning given that term in section 107 of title 46, United States Code.

(4) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) **LARGE CETACEAN.**—The term “large cetacean” means all endangered or threatened species within—

- (A) the suborder Mysticeti;
- (B) the genera *Physeter*; or
- (C) the genera *Orcinus*.

(6) **NEAR REAL-TIME.**—The term “near real-time”, with respect to monitoring of whales, means that visual, acoustic, or other detections of whales are processed, transmitted, and reported as close to the time of detection as is technically feasible.

(7) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(8) **PUGET SOUND REGION.**—The term “Puget Sound region” means the Vessel Traffic Service Puget Sound area described in section 161.55 of title 33, Code of Federal Regulations (as of the date of the enactment of this Act).

(9) **TRIBAL GOVERNMENT.**—The term “Tribal government” means the recognized governing body of any Indian or Alaska Native Tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of the enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(10) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

**SEC. 5312. ASSISTANCE TO PORTS TO REDUCE THE IMPACTS OF VESSEL TRAFFIC AND PORT OPERATIONS ON MARINE MAMMALS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Under Secretary, in consultation with the Director of the United States Fish and Wildlife Service, the Secretary, the Secretary of Defense, and the Administrator of the Maritime Administration, shall establish a grant program to provide assistance to eligible entities to develop and implement mitigation measures that will lead to a quantifiable reduction in threats to marine mammals from vessel traffic, including shipping activities and port operations.

(b) **ELIGIBLE ENTITIES.**—An entity is an eligible entity for purposes of assistance awarded under subsection (a) if the entity is—

- (1) a port authority for a port;
- (2) a State, regional, local, or Tribal government, or an Alaska Native or Native Hawaiian entity that has jurisdiction over a maritime port authority or a port;
- (3) an academic institution, research institution, or nonprofit organization working in partnership with a port; or
- (4) a consortium of entities described in paragraphs (1), (2), and (3).

(c) **ELIGIBLE USES.**—Assistance awarded under subsection (a) may be used to develop, assess, and carry out activities that reduce threats to marine mammals by—

- (1) reducing underwater stressors related to marine traffic;
- (2) reducing mortality and serious injury from vessel strikes and other physical disturbances;

(3) monitoring sound;

(4) reducing vessel interactions with marine mammals;

(5) conducting other types of monitoring that are consistent with reducing the threats to, and enhancing the habitats of, marine mammals; or

(6) supporting State agencies and Tribal governments in developing the capacity to receive assistance under this section through education, training, information sharing, and collaboration to participate in the grant program under this section.

(d) **PRIORITY.**—The Under Secretary shall prioritize assistance under subsection (a) for projects that—

(1) are based on the best available science with respect to methods to reduce threats to marine mammals;

(2) collect data on the reduction of such threats and the effects of such methods;

(3) assist ports that pose a higher relative threat to marine mammals listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(4) are in close proximity to areas in which threatened or endangered cetaceans are known to experience other stressors; or

(5) allow eligible entities to conduct risk assessments and to track progress toward threat reduction.

(e) **OUTREACH.**—The Under Secretary, in coordination with the Secretary, the Administrator of the Maritime Administration, and the Director of the United States Fish and Wildlife Service, as appropriate, shall conduct coordinated outreach to ports to provide information with respect to—

- (1) how to apply for assistance under subsection (a);
- (2) the benefits of such assistance; and
- (3) facilitation of best practices and lessons, including the best practices and lessons learned from activities carried out using such assistance.

(f) **REPORT REQUIRED.**—Not less frequently than annually, the Under Secretary shall make available to the public on a publicly accessible internet website of the National Oceanic and Atmospheric Administration a report that includes the following information:

- (1) The name and location of each entity to which assistance was awarded under subsection (a) during the year preceding submission of the report.
- (2) The amount of each such award.
- (3) A description of the activities carried out with each such award.
- (4) An estimate of the likely impact of such activities on the reduction of threats to marine mammals.
- (5) An estimate of the likely impact of such activities, including the cost of such activities, on port operations.

(g) **FUNDING.**—From funds otherwise appropriated to the Under Secretary, \$10,000,000 is authorized to carry out this section for each of fiscal years 2023 through 2028.

(h) **SAVINGS CLAUSE.**—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

**SEC. 5313. NEAR REAL-TIME MONITORING AND MITIGATION PROGRAM FOR LARGE CETACEANS.**

(a) **ESTABLISHMENT.**—The Under Secretary, in coordination with the heads of other relevant Federal agencies, shall design and deploy a cost-effective, efficient, and results-oriented near real-time monitoring and mitigation program for endangered or threatened cetaceans (referred to in this section as the “Program”).

(b) **PURPOSE.**—The purpose of the Program shall be to reduce the risk to large cetaceans

posed by vessel collisions, and to minimize other impacts on large cetaceans, through the use of near real-time location monitoring and location information.

(c) **REQUIREMENTS.**—The Program shall—

(1) prioritize species of large cetaceans for which impacts from vessel collisions are of particular concern;

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

(3) be capable of detecting and alerting ocean users and enforcement agencies of the probable location of large cetaceans on an actionable real-time basis, including through real-time data whenever possible;

(4) inform sector-specific mitigation protocols to effectively reduce takes (as defined in section 216.3 of title 50, Code of Federal Regulations, or successor regulations) of large cetaceans;

(5) integrate technology improvements; and

(6) be informed by technologies, monitoring methods, and mitigation protocols developed under the pilot project required by subsection (d).

(d) **PILOT PROJECT.**—

(1) **ESTABLISHMENT.**—In carrying out the Program, the Under Secretary shall first establish a pilot monitoring and mitigation project for North Atlantic right whales (referred to in this section as the “pilot project”) for the purposes of informing the Program.

(2) **REQUIREMENTS.**—In designing and deploying the pilot project, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall, using the best available scientific information, identify and ensure coverage of—

- (A) core foraging habitats; and
- (B) important feeding, breeding, calving, rearing, or migratory habitats of North Atlantic right whales that co-occur with areas of high risk of mortality or serious injury of such whales from vessels, vessel strikes, or disturbance.

(3) **COMPONENTS.**—Not later than 3 years after the date of the enactment of this Act, the Under Secretary, in consultation with relevant Federal agencies and 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 power, spatial coverage, and survey effort to detect and localize North Atlantic right whales within habitats described in paragraph (2);

(B) is capable of detecting North Atlantic right whales, including visually and acoustically;

(C) uses dynamic habitat suitability models to inform the likelihood of North Atlantic right whale occurrence in habitats described in paragraph (2) at any given time;

(D) coordinates with the Integrated Ocean Observing System of the National Oceanic and Atmospheric Administration and Regional Ocean Partnerships to leverage monitoring assets;

(E) integrates historical data;

(F) integrates new near real-time monitoring methods and technologies as such methods and technologies become available;

(G) accurately verifies and rapidly communicates detection data to appropriate ocean users;

(H) creates standards for contributing, and allows ocean users to contribute, data to the monitoring system using comparable near real-time monitoring methods and technologies;

(I) communicates the risks of injury to large cetaceans to ocean users in a manner

that is most likely to result in informed decision making regarding the mitigation of those risks; and

(J) minimizes additional stressors to large cetaceans as a result of the information available to ocean users.

(4) REPORTS.—

(A) PRELIMINARY REPORT.—

(i) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Under Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a preliminary report on the pilot project.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A description of the monitoring methods and technology in use or planned for deployment under the pilot project.

(II) An analysis of the efficacy of the methods and technology in use or planned for deployment for detecting North Atlantic right whales.

(III) An assessment of the manner in which the monitoring system designed and deployed under paragraph (3) is directly informing and improving the management, health, and survival of North Atlantic right whales.

(IV) A prioritized identification of technology or research gaps.

(V) A plan to communicate the risks of injury to large cetaceans to ocean users in a manner that is most likely to result in informed decision making regarding the mitigation of such risks.

(VI) Any other information on the potential benefits and efficacy of the pilot project the Under Secretary considers appropriate.

(B) FINAL REPORT.—

(i) IN GENERAL.—Not later than 6 years after the date of the enactment of this Act, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a final report on the pilot project.

(ii) ELEMENTS.—The report required by clause (i) shall—

(I) address the elements under subparagraph (A)(ii); and

(II) include—

(aa) an assessment of the benefits and efficacy of the pilot project;

(bb) a strategic plan to expand the pilot project to provide near real-time monitoring and mitigation measures—

(AA) to additional large cetaceans of concern for which such measures would reduce risk of serious injury or death; and

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

(cc) a budget and description of funds necessary to carry out such strategic plan;

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

(ee) the locations or species to which such plan would apply.

(e) MITIGATION PROTOCOLS.—The Under Secretary, in consultation with the Secretary, the Secretary of Defense, the Secretary of Transportation, and the Secretary of the Interior, and with input from affected stakeholders, shall develop and deploy mitigation protocols that make use of the monitoring system designed and deployed under subsection (d)(3) to direct sector-specific mitigation measures that avoid and signifi-

cantly reduce risk of serious injury and mortality to North Atlantic right whales.

(f) ACCESS TO DATA.—The Under Secretary shall provide access to data generated by the monitoring system designed and deployed under subsection (d)(3) for purposes of scientific research and evaluation and public awareness and education, including through the Right Whale Sighting Advisory System of the National Oceanic and Atmospheric Administration and WhaleMap or other successor public internet website portals, subject to review for national security considerations.

(g) ADDITIONAL AUTHORITY.—The Under Secretary may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry out the purposes of this section on such terms as the Under Secretary considers appropriate, consistent with the Federal Acquisition Regulation.

(h) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(i) FUNDING.—From funds otherwise appropriated to the Under Secretary, \$5,000,000 for each of fiscal years 2023 through 2027 is authorized to support the development, deployment, application, and ongoing maintenance of the Program.

**SEC. 5314. PILOT PROGRAM TO ESTABLISH A CETACEAN DESK FOR PUGET SOUND REGION.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, with the concurrence of the Under Secretary, shall establish a pilot program to establish a Cetacean Desk, which shall be—

(A) located and manned within the Puget Sound Vessel Traffic Service; and

(B) designed—

(i) to improve coordination with the maritime industry to reduce the risk of vessel impacts to large cetaceans, including impacts from vessel strikes, disturbances, and other sources; and

(ii) to monitor the presence and location of large cetaceans during the months during which such large cetaceans are present in Puget Sound, the Strait of Juan de Fuca, and the United States portion of the Salish Sea.

(2) DURATION AND STAFFING.—The pilot program required by paragraph (1)—

(A) shall—

(i) be for a duration of 4 years; and

(ii) require not more than 1 full-time equivalent position, who shall also contribute to other necessary Puget Sound Vessel Traffic Service duties and responsibilities as needed; and

(B) may be supported by other existing Federal employees, as appropriate.

(b) ENGAGEMENT WITH VESSEL OPERATORS.—

(1) IN GENERAL.—Under the pilot program required by subsection (a), the Secretary shall require personnel of the Cetacean Desk to engage with vessel operators in areas where large cetaceans have been seen or could reasonably be present to ensure compliance with applicable laws, regulations, and voluntary guidance, to reduce the impact of vessel traffic on large cetaceans.

(2) CONTENTS.—In engaging with vessel operators as required by paragraph (1), personnel of the Cetacean Desk shall communicate where and when sightings of large cetaceans have occurred.

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Under Secretary may enter into a memorandum of understanding to facilitate real-time sharing of data relat-

ing to large cetaceans between the Quiet Sound program of the State of Washington, the National Oceanic and Atmospheric Administration, and the Puget Sound Vessel Traffic Service, and other relevant entities, as appropriate.

(d) DATA.—The Under Secretary shall leverage existing data collection methods, the Program required by section 313, and public data to ensure accurate and timely information on the sighting of large cetaceans.

(e) CONSULTATIONS.—

(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Secretary shall consult with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and non-governmental organizations.

(2) COORDINATION WITH CANADA.—When appropriate, the Secretary shall coordinate with the Government of Canada, consistent with policies and agreements relating to management of vessel traffic in Puget Sound.

(f) PUGET SOUND VESSEL TRAFFIC SERVICE LOCAL VARIANCE AND POLICY.—The Secretary, with the concurrence of the Under Secretary and in consultation with the Captain of the Port for the Puget Sound region—

(1) shall implement local variances, as authorized by subsection (c) of section 70001 of title 46, United States Code, to reduce the impact of vessel traffic on large cetaceans; and

(2) may enter into cooperative agreements, in accordance with subsection (d) of that section, with Federal, State, and local officials to reduce the likelihood of vessel interactions with protected large cetaceans, which may include—

(A) communicating marine mammal protection guidance to vessels;

(B) training on requirements imposed by local, State, Tribal, and Federal laws and regulations and guidelines concerning—

(i) vessel buffer zones;

(ii) vessel speed;

(iii) seasonal no-go zones for vessels;

(iv) protected areas, including areas designated as critical habitat, as applicable to marine operations; and

(v) any other activities to reduce the direct and indirect impact of vessel traffic on large cetaceans;

(C) training to understand, utilize, and communicate large cetacean location data; and

(D) training to understand and communicate basic large cetacean detection, identification, and behavior, including—

(i) cues of the presence of large cetaceans such as spouts, water disturbances, breaches, or presence of prey;

(ii) important feeding, breeding, calving, and rearing habitats that co-occur with areas of high risk of vessel strikes;

(iii) seasonal large cetacean migration routes that co-occur with areas of high risk of vessel strikes; and

(iv) areas designated as critical habitat for large cetaceans.

(g) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the duration of the pilot program under this section, the Commandant, in coordination with the Under Secretary and the Administrator of the Maritime Administration, shall submit to the appropriate congressional committees a report that—

(1) evaluates the functionality, utility, reliability, responsiveness, and operational status of the Cetacean Desk established under the pilot program required by subsection (a), including a quantification of reductions in vessel strikes to large cetaceans as a result of the pilot program;



(2) assesses the efficacy of communication between the Cetacean Desk and the maritime industry and provides recommendations for improvements;

(3) evaluates the integration and interoperability of existing data collection methods, as well as public data, into the Cetacean Desk operations;

(4) assesses the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations; and

(5) evaluates the progress, performance, and implementation of guidance and training procedures for Puget Sound Vessel Traffic Service personnel.

#### SEC. 5315. MONITORING OCEAN SOUNDSCAPES.

(a) IN GENERAL.—The Under Secretary shall maintain and expand an ocean soundscape development program—

(1) to award grants to expand the deployment of Federal and non-Federal observing and data management systems capable of collecting measurements of underwater sound for purposes of monitoring and analyzing baselines and trends in the underwater soundscape to protect and manage marine life;

(2) to continue to develop and apply standardized forms of measurements to assess sounds produced by marine animals, physical processes, and anthropogenic activities; and

(3) after coordinating with the Secretary of Defense, to coordinate and make accessible to the public the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).

(b) COORDINATION.—The program described in subsection (a) shall—

(1) include the Ocean Noise Reference Station Network of the National Oceanic and Atmospheric Administration and the National Park Service;

(2) use and coordinate with the Integrated Ocean Observing System; and

(3) coordinate with the Regional Ocean Partnerships and the Director of the United States Fish and Wildlife Service, as appropriate.

(c) PRIORITY.—In awarding grants under subsection (a), the Under Secretary shall consider the geographic diversity of the recipients of such grants.

(d) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.

(e) FUNDING.—From funds otherwise appropriated to the Under Secretary, \$1,500,000 is authorized for each of fiscal years 2023 through 2028 to carry out this section.

#### Subtitle B—Oil Spills

#### SEC. 5321. IMPROVING OIL SPILL PREPAREDNESS.

The Under Secretary of Commerce for Oceans and Atmosphere shall include in the Automated Data Inquiry for Oil Spills database (or a successor database) used by National Oceanic and Atmospheric Administration oil weathering models new data, including peer-reviewed data, on properties of crude and refined oils, including data on diluted bitumen, as such data becomes publicly available.

#### SEC. 5322. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) ALASKA OIL SPILL PLANNING CRITERIA PROGRAM.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

#### “§ 323. Western Alaska Oil Spill Planning Criteria Program

“(a) ESTABLISHMENT.—There is established within the Coast Guard a Western Alaska Oil Spill Planning Criteria Program (referred to in this section as the ‘Program’) to develop and administer the Western Alaska oil spill planning criteria.

“(b) PROGRAM MANAGER.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Commandant shall select a permanent civilian career employee through a competitive search process for a term of not less than 5 years to serve as the Western Alaska Oil Spill Criteria Program Manager (referred to in this section as the ‘Program Manager’)—

“(A) the primary duty of whom shall be to administer the Program; and

“(B) who shall not be subject to frequent or routine reassignment.

“(2) CONFLICTS OF INTEREST.—The individual selected to serve as the Program Manager shall not have conflicts of interest relating to entities regulated by the Coast Guard.

“(3) DUTIES.—

“(A) DEVELOPMENT OF GUIDANCE.—The Program Manager shall develop guidance for—

“(i) approval, drills, and testing relating to the Western Alaska oil spill planning criteria; and

“(ii) gathering input concerning such planning criteria from Federal agencies, State, local, and Tribal governments, and relevant industry and nongovernmental entities.

“(B) ASSESSMENTS.—Not less frequently than once every 5 years, the Program Manager shall—

“(i) assess whether such existing planning criteria adequately meet the needs of vessels operating in the geographic area; and

“(ii) identify methods for advancing response capability so as to achieve, with respect to a vessel, compliance with national planning criteria.

“(C) ONSITE VERIFICATIONS.—The Program Manager shall address the relatively small number and limited nature of verifications of response capabilities for vessel response plans by increasing, within the Seventeenth Coast Guard District, the quantity and frequency of onsite verifications of the providers identified in vessel response plans.

“(c) TRAINING.—The Commandant shall enhance the knowledge and proficiency of Coast Guard personnel with respect to the Program by—

“(1) developing formalized training on the Program that, at a minimum—

“(A) provides in-depth analysis of—

“(i) the national planning criteria described in part 155 of title 33, Code of Federal Regulations (or successor regulations);

“(ii) alternative planning criteria;

“(iii) Western Alaska oil spill planning criteria;

“(iv) Captain of the Port and Federal On-Scene Coordinator authorities related to activation of a vessel response plan;

“(v) the responsibilities of vessel owners and operators in preparing a vessel response plan for submission; and

“(vi) responsibilities of the Area Committee, including risk analysis, response capability, and development of alternative planning criteria;

“(B) explains the approval processes of vessel response plans that involve alternative planning criteria or Western Alaska oil spill planning criteria; and

“(C) provides instruction on the processes involved in carrying out the actions described in paragraphs (9)(D) and (9)(F) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)), including instruction on carrying out such actions—

“(i) in any geographic area in the United States; and

“(ii) specifically in the Seventeenth Coast Guard District; and

“(2) providing such training to all Coast Guard personnel involved in the Program.

“(d) DEFINITIONS.—In this section:

“(1) ALTERNATIVE PLANNING CRITERIA.—The term ‘alternative planning criteria’ means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

“(2) TRIBAL.—The term ‘Tribal’ means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

“(3) VESSEL RESPONSE PLAN.—The term ‘vessel response plan’ means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

“(4) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term ‘Western Alaska oil spill planning criteria’ means the criteria required under paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).”

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

“323. Western Alaska Oil Spill Planning Criteria Program.”

(b) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—

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

“(9) ALTERNATIVE PLANNING CRITERIA PROGRAM.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ALTERNATIVE PLANNING CRITERIA.—The term ‘alternative planning criteria’ means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

“(ii) PRINCE WILLIAM SOUND CAPTAIN OF THE PORT ZONE.—The term ‘Prince William Sound Captain of the Port Zone’ means the area described in section 3.85-15(b) of title 33, Code of Federal Regulations (or successor regulations).

“(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.

“(iv) TRIBAL.—The term ‘Tribal’ means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

“(v) VESSEL RESPONSE PLAN.—The term ‘vessel response plan’ means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under paragraph (5).

“(vi) WESTERN ALASKA CAPTAIN OF THE PORT ZONE.—The term ‘Western Alaska Captain of the Port Zone’ means the area described in section 3.85-15(a) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

“(B) REQUIREMENT.—Except as provided in subparagraph (I), for any part of the area of responsibility of the Western Alaska Captain of the Port Zone or the Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel

operating in that area, a response plan required under paragraph (5) with respect to a discharge of oil from a vessel shall comply with the planning criteria established under subparagraph (D)(1).

“(C) RELATION TO NATIONAL PLANNING CRITERIA.—The planning criteria established under subparagraph (D)(i) shall, with respect to a discharge of oil from a vessel described in subparagraph (B), apply in lieu of any alternative planning criteria accepted for vessels operating in that area prior to the date on which the planning criteria under subparagraph (D)(i) are established.

“(D) ESTABLISHMENT OF PLANNING CRITERIA.—The President, acting through the Commandant in consultation with the Western Alaska Oil Spill Criteria Program Manager established under section 323 of title 14, United States Code—

“(i) shall establish—

“(I) Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area; and

“(II) standardized submission, review, approval, and compliance verification processes for the planning criteria established under clause (i), including the quantity and frequency of drills and on-site verifications of vessel response plans accepted pursuant to those planning criteria; and

“(ii) may, as required to develop standards that adequately reflect the needs and capabilities of various locations within the Western Alaska Captain of the Port Zone, develop subregions in which the Alaska oil spill planning criteria referred to in clause (i)(I) may differ from such criteria for other subregions in the Western Alaska Captain of the Port Zone, provided that any such criteria for a subregion is not less stringent than the criteria required for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the applicable subregion.

“(E) INCLUSIONS.—

“(i) IN GENERAL.—The Western Alaska oil spill planning criteria established under subparagraph (D)(i) shall include planning criteria for the following:

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

“(III) Pre-identified vessels for oil spill response that are capable of operating in the ocean environment.

“(IV) Ensuring the availability of at least 1 oil spill removal organization that is classified by the Coast Guard and that—

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

“(bb) controls oil spill response resources of dedicated and nondedicated resources within that area, through ownership, contracts, agreements, or other means approved by the President, sufficient—

“(AA) to mobilize and sustain a response to a worst case discharge of oil; and

“(BB) to contain, recover, and temporarily store discharged oil;

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

“(dd) has temporary storage capability using both dedicated and non-dedicated assets located within that area;

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

“(ff) considers availability of wildlife response resources for primary, secondary, and tertiary responses to support carcass collection, sampling, deterrence, rescue, and rehabilitation of birds, sea turtles, marine mammals, fishery resources, and other wildlife.

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

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

“(VII) Managing wildlife protection and rehabilitation, including identified wildlife protection and rehabilitation resources in that area.

“(ii) ADDITIONAL CONSIDERATIONS.—The Commandant may consider criteria regarding—

“(I) vessel routing measures consistent with international routing measure deviation protocols; and

“(II) maintenance of real-time continuous vessel tracking, monitoring, and engagement protocols with the ability to detect and address vessel operation anomalies.

“(F) REQUIREMENT FOR APPROVAL.—The President may approve a response plan for a vessel under this paragraph 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 subparagraph (D)(i).

“(G) PERIODIC AUDITS.—The Secretary shall conduct periodic audits to ensure compliance of vessel response plans and oil spill removal organizations within the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone with the planning criteria under subparagraph (D)(i).

“(H) REVIEW OF DETERMINATION.—Not less frequently than once every 5 years, the Secretary shall review each determination of the Secretary under subparagraph (B) that the national planning criteria are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone.

“(I) VESSELS IN COOK INLET.—Unless otherwise authorized by the Secretary, 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 paragraph (5).

“(J) SAVINGS PROVISIONS.—Nothing in this paragraph affects—

“(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska;

“(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone under 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.”

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

(A) DEADLINE.—Not later than 2 years after the date of the enactment of this Act, the President shall establish the planning criteria required to be established under paragraph (9)(D)(i) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(B) CONSULTATION.—In establishing the planning criteria described in subparagraph (B), the President shall consult with the Federal, State, local, and Tribal agencies and the owners and operators that would be subject to those planning criteria, and with oil spill removal organizations, Alaska Native organizations, and environmental nongovernmental organizations located within the State of Alaska.

(C) CONGRESSIONAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the status of implementation of paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

**SEC. 5323. ACCIDENT AND INCIDENT NOTIFICATION RELATING TO PIPELINES.**

(a) REPEAL.—Subsection (c) of section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112-90) is repealed.

(b) APPLICATION.—Section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112-90) shall be applied and administered as if the subsection repealed by subsection (a) had never been enacted.

**SEC. 5324. COAST GUARD CLAIMS PROCESSING COSTS.**

Section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)) is amended by striking “damages;” and inserting “damages, including, in the case of a spill of national significance that results in extraordinary Coast Guard claims processing activities, the administrative and personnel costs of the Coast Guard to process those claims (including the costs of commercial claims processing, expert services, training, and technical services), subject to the condition that the Coast Guard shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims;”.

**SEC. 5325. CALCULATION OF INTEREST ON DEBT OWED TO THE NATIONAL POLLUTION FUND.**

Section 1005(b)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2705(b)(4)) is amended—

(1) by striking “The interest paid” and inserting the following:

“(A) IN GENERAL.—The interest paid for claims, other than Federal Government cost recovery claims;” and

(2) by adding at the end the following:

“(B) FEDERAL COST RECOVERY CLAIMS.—The interest paid for Federal Government cost recovery claims under this section shall be calculated in accordance with section 3717 of title 31, United States Code.”

**SEC. 5326. PER-INCIDENT LIMITATION.**

Subparagraph (A) of section 9509(c)(2) of the Internal Revenue Code of 1986 is amended—

(1) in clause (i), by striking “\$1,000,000,000” and inserting “\$1,500,000,000”;

(2) in clause (ii), by striking “\$500,000,000” and inserting “\$750,000,000”; and

(3) in the heading, by striking “\$1,000,000,000” and inserting “\$1,500,000,000”.

**SEC. 5327. ACCESS TO THE OIL SPILL LIABILITY TRUST FUND.**

Section 6002 of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended by striking subsection (b) and inserting the following:

“(b) EXCEPTIONS.—

“(1) IN GENERAL.—Subsection (a) shall not apply to—

“(A) section 1006(f), 1012(a)(4), or 5006; or

“(B) an amount, which may not exceed \$50,000,000 in any fiscal year, made available by the President from the Fund—

“(i) to carry out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)); and

“(ii) to initiate the assessment of natural resources damages required under section 1006.

“(2) FUND ADVANCES.—

“(A) IN GENERAL.—To the extent that the amount described in subparagraph (B) of paragraph (1) is not adequate to carry out the activities described in that subparagraph, the Coast Guard may obtain 1 or more advances from the Fund as may be necessary, up to a maximum of \$100,000,000 for each advance, with the total amount of advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986.

“(B) NOTIFICATION TO CONGRESS.—Not later than 30 days after the date on which the Coast Guard obtains an advance under subparagraph (A), the Coast Guard shall notify Congress of—

“(i) the amount advanced; and

“(ii) the facts and circumstances that necessitated the advance.

“(C) REPAYMENT.—Amounts advanced under this paragraph shall be repaid to the Fund when, and to the extent that, removal costs are recovered by the Coast Guard from responsible parties for the discharge or substantial threat of discharge.

“(3) AVAILABILITY.—Amounts to which this subsection apply shall remain available until expended.”

**SEC. 5328. COST-REIMBURSABLE AGREEMENTS.**

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—

(1) in subsection (a)(1)(B), by striking “by a Governor or designated State official” and inserting “by a State, a political subdivision of a State, or an Indian tribe, pursuant to a cost-reimbursable agreement”;

(2) by striking subsections (d) and (e) and inserting the following:

“(d) COST-REIMBURSABLE AGREEMENT.—

“(1) IN GENERAL.—In carrying out section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)), the President may enter into cost-reimbursable agreements with a State, a political subdivision of a State, or an Indian tribe to obligate the Fund for the payment of removal costs consistent with the National Contingency Plan.

“(2) INAPPLICABILITY.—Neither section 1535 of title 31, United States Code, nor chapter 63 of that title shall apply to a cost-reimbursable agreement entered into under this subsection.”; and

(3) by redesignating subsections (f), (h), (i), (j), (k), and (l) as subsections (e), (f), (g), (h), (i), and (j), respectively.

**SEC. 5329. OIL SPILL RESPONSE REVIEW.**

(a) IN GENERAL.—Subject to the availability of appropriations, the Commandant shall develop and carry out a program—

(1) to increase collection and improve the quality of incident data on oil spill location and response capability by periodically evaluating the data, documentation, and analysis of—

(A) Coast Guard-approved vessel response plans, including vessel response plan audits and assessments;

(B) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7)) that occur within the Marine Transportation System; and

(C) responses to oil spill incidents that require mobilization of contracted response resources;

(2) to update, not less frequently than annually, information contained in the Coast

Guard Response Resource Inventory and other Coast Guard tools used to document the availability and status of oil spill response equipment, so as to ensure that such information remains current; and

(3) subject to section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”), to make data collected under paragraph (1) available to the public.

(b) POLICY.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall issue a policy—

(1) to establish processes to maintain the program under subsection (a) and support Coast Guard oil spill prevention and response activities, including by incorporating oil spill incident data from after-action oil spill reports and data ascertained from vessel response plan exercises and audits into—

(A) review and approval process standards and metrics;

(B) Alternative Planning Criteria (APC) review processes;

(C) Area Contingency Plan (ACP) development;

(D) risk assessments developed under section 70001 of title 46, United States Code, including lessons learned from reportable marine casualties;

(E) mitigating the impact of military personnel rotations in Coast Guard field units on knowledge and awareness of vessel response plan requirements, including knowledge relating to the evaluation of proposed alternatives to national planning requirements; and

(F) evaluating the consequences of reporting inaccurate data in vessel response plans submitted to the Commandant pursuant to part 300 of title 40, Code of Federal Regulations, and submitted for storage in the Marine Information for Safety and Law Enforcement database pursuant to section 300.300 of that title (or any successor regulation);

(2) to standardize and develop tools, training, and other relevant guidance that may be shared with vessel owners and operators to assist with accurately calculating and measuring the performance and viability of proposed alternatives to national planning criteria requirements and Area Contingency Plans under the jurisdiction of the Coast Guard;

(3) to improve training of Coast Guard personnel to ensure continuity of planning activities under this section, including by identifying ways in which civilian staffing may improve the continuity of operations; and

(4) to increase Federal Government engagement with State, local, and Tribal governments and stakeholders so as to strengthen coordination and efficiency of oil spill responses.

(c) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall update the processes established under subsection (b)(1) to incorporate relevant analyses of—

(1) incident data on oil spill location and response quality;

(2) oil spill risk assessments;

(3) oil spill response effectiveness and the effects of such response on the environment;

(4) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7));

(5) marine casualties reported to the Coast Guard; and

(6) near miss incidents documented by a Vessel Traffic Service Center (as such terms are defined in section 70001(m) of title 46, United States Code).

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Com-

mandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of ongoing and planned efforts to improve the effectiveness and oversight of the vessel response program.

(2) PUBLIC AVAILABILITY.—The Commandant shall publish the report required by subparagraph (A) on a publicly accessible internet website of the Coast Guard.

**SEC. 5330. REVIEW AND REPORT ON LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.**

(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 the effects of removing limited indemnity provisions from Coast Guard oil spill response contracts entered into by the President (or a delegate) under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)).

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

(1) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as defined in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a))) during the period beginning in 2009 and ending in 2014 with respect to those contracts that included limited indemnity provisions for oil spill response organizations.

(2) A review of the costs incurred by the Coast Guard, the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, and the Federal Government to cover the indemnity provisions provided to oil spill response organizations during the period described in paragraph (1).

(3) An assessment of the adequacy of contracts described in that subsection in meeting the needs of the United States to carry out oil spill cleanups under the National Contingency Plan (as so defined) after limited indemnity provisions for oil spill response organizations were removed from those contracts in 2014.

(4) An assessment of the impact that the removal of limited indemnity provisions described in paragraph (3) has had on the ability of oil spill response organizations to enter into contracts described in that subsection.

(5) An assessment of the ability of the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986, to cover limited indemnity provided to a contractor for liabilities and expenses incidental to the containment or removal of oil arising out of the performance of a contract that is substantially identical to the terms contained in subsections (d)(2) through (h) of section H.4 of the contract offered by the Coast Guard in the solicitation numbered DTCG89-98-A-68F953 and dated November 17, 1998.

**SEC. 5331. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR TOWING VESSELS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review existing Coast Guard policies with respect to exceptions to the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations), for—

(1) an oil spill response vessel, or a vessel of opportunity, while such vessel is—

(A) towing boom for oil spill response; or

(B) participating in an oil response exercise; and

(2) a fishing vessel while that vessel is operating as a vessel of opportunity.

(b) **POLICY.**—Not later than 180 days after the conclusion of the review required by subsection (a), the Secretary shall revise or issue any necessary policy to clarify the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations) to the vessels described in subsection (a). Such a policy shall ensure safe and effective operation of such vessels.

(c) **DEFINITIONS.**—In this section:

(1) **FISHING VESSEL; OIL SPILL RESPONSE VESSEL.**—The terms “fishing vessel” and “oil spill response vessel” have the meanings given such terms in section 2101 of title 46, United States Code.

(2) **VESSEL OF OPPORTUNITY.**—The term “vessel of opportunity” means a vessel engaged in spill response activities that is normally and substantially involved in activities other than spill response and not a vessel carrying oil as a primary cargo.

#### Subtitle C—Environmental Compliance

#### SEC. 5341. REVIEW OF ANCHORAGE REGULATIONS.

(a) **REGULATORY REVIEW.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete a review of existing anchorage regulations or other rules, which review shall include—

(1) identifying any such regulations or rules that may need modification or repeal in the interest of marine safety, security, environmental, and economic concerns, taking into account undersea pipelines, cables, or other infrastructure; and

(2) completing a cost-benefit analysis for any modification or repeal identified under paragraph (1).

(b) **BRIEFING.**—Upon completion of the review under subsection (a), 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 Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

#### SEC. 5342. STUDY ON IMPACTS ON SHIPPING AND COMMERCIAL, TRIBAL, AND RECREATIONAL FISHERIES FROM THE DEVELOPMENT OF RENEWABLE ENERGY ON THE WEST COAST.

(a) **DEFINITIONS.**—In this section:

(1) **COVERED WATERS.**—The term “covered waters” means Federal or State waters off of the Canadian border and out to the furthest extent of the exclusive economic zone along the west coast of the United States.

(2) **EXCLUSIVE ECONOMIC ZONE.**—The term “exclusive economic zone” has the meaning given that term in section 107 of title 46, United States Code.

(b) **STUDY.**—Not later than 180 days after the date of enactment of this Act, the Secretary, the Secretary of the Interior, and the Under Secretary of Commerce for Oceans and Atmosphere, shall enter into an agreement with the National Academies of Science, Engineering, and Medicine under which the National Academy of Sciences shall carry out a study to—

(1) identify, document, and analyze—

(A) historic and current, as of the date of the study, Tribal, commercial, and recreational fishing grounds, as well as areas where fish stocks are likely to shift in the future, in all covered waters;

(B) usual and accustomed fishing areas in all covered waters;

(C) historic, current, and potential future shipping lanes, based on projected growth in shipping traffic in all covered waters; and

(D) key types of data needed to properly site renewable energy sites on the West

Coast with regard to assessing and mitigating conflicts;

(2) analyze—

(A) methods used to manage fishing, shipping, and other maritime activities; and

(B) how those activities could be impacted by the placement of renewable energy infrastructure and the associated construction, maintenance, and operation of such infrastructure; and

(3) review the current decision-making process for offshore wind in covered waters and outline a comprehensive approach to include all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process for offshore wind in covered waters.

(c) **SUBMISSION.**—Not later than 1 year after commencing the study under subsection (b), the Secretary shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate and the Committee on Transportation and Infrastructure, the Committee on Natural Resources, and the Committee on Energy and Commerce of the House of Representatives, including the review and outline provided under subsection (b)(3); and

(2) make the study publicly available.

#### Subtitle D—Environmental Issues

#### SEC. 5351. MODIFICATIONS TO THE SPORT FISH RESTORATION AND BOATING TRUST FUND ADMINISTRATION.

(a) **DINGELL-JOHNSON SPORT FISH RESTORATION ACT AMENDMENTS.**—

(1) **AVAILABLE AMOUNTS.**—Clause (i) of section 4(b)(1)(B) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)(1)(B)) is amended to read as follows:

“(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

“(I) \$12,786,434; and

“(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and”.

(2) **AUTHORIZED EXPENSES.**—Section 9(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(a)) is amended—

(A) in paragraph (7), by striking “full-time”; and

(B) in paragraph (9), by striking “on a full-time basis”.

(b) **PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT AMENDMENTS.**—

(1) **AVAILABLE AMOUNTS.**—Clause (i) of section 4(a)(1)(B) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)(B)) is amended to read as follows:

“(i) for the fiscal year that includes November 15, 2021, the product obtained by multiplying—

“(I) \$12,786,434; and

“(II) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor; and”.

(2) **AUTHORIZED EXPENSES.**—Section 9(a) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(a)) is amended—

(A) in paragraph (7), by striking “full-time”; and

(B) in paragraph (9), by striking “on a full-time basis”.

#### SEC. 5352. IMPROVEMENTS TO COAST GUARD COMMUNICATION WITH NORTH PACIFIC MARITIME AND FISHING INDUSTRY.

(a) **RESCUE 21 SYSTEM IN ALASKA.**—

(1) **UPGRADES.**—The Commandant shall ensure the timely upgrade of the Rescue 21 system in Alaska so as to achieve, not later than August 30, 2023, 98 percent operational availability of remote fixed facility sites.

(2) **PLAN TO REDUCE OUTAGES.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commandant shall develop an operations and maintenance plan for the Rescue 21 system in Alaska that anticipates maintenance needs so as to reduce Rescue 21 system outages to the maximum extent practicable.

(B) **PUBLIC AVAILABILITY.**—The plan required by subparagraph (A) shall be made available to the public on a publicly accessible internet website.

(3) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, 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—

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

(B) addresses in such plan how the Seventeenth Coast Guard will—

(i) disseminate updates regarding outages on social media not less frequently than every 48 hours;

(ii) provide updates on a publicly accessible website not less frequently than every 48 hours;

(iii) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and

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

(C) identifies technology gaps necessary to implement the plan and provides a budgetary assessment necessary to implement the plan.

(4) **CONTINGENCY PLAN.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commandant, in collaboration with relevant Federal and State entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration Weather Service, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local radio stations, and stakeholders), shall establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such outage.

(B) **ELEMENTS.**—The plan required by subparagraph (A) shall require the Coast Guard—

(i) to disseminate updates regarding outages on social media not less frequently than every 48 hours during an outage;

(ii) to provide updates on a publicly accessible website not less frequently than every 48 hours during an outage;

(iii) to notify mariners in areas in which cellular connectivity does not exist;

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

(v) to identify technology gaps that need to be addressed in order to implement the plan, and to provide a budgetary assessment necessary to implement the plan.

(b) **IMPROVEMENTS TO COMMUNICATION WITH THE FISHING INDUSTRY AND RELATED STAKEHOLDERS.**—

(1) **IN GENERAL.**—The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall develop a publicly accessible internet website that contains all Coast Guard-related information relating to the

fishing industry, including safety information, inspection and enforcement requirements, hazards, training, regulations (including proposed regulations), Rescue 21 system outages and similar outages, and any information regarding fishing-related activities under the jurisdiction of the Coast Guard.

(2) **AUTOMATIC COMMUNICATIONS.**—The Commandant shall provide methods for regular and automatic email communications with stakeholders who elect, through the internet website developed under paragraph (1), to receive such communications.

(c) **ADVANCE NOTIFICATION OF MILITARY OR OTHER EXERCISES.**—In consultation with the Secretary of Defense, the Secretary of State, and commercial fishing industry participants, the Commandant shall develop and publish on a publicly available internet website a plan for notifying United States mariners and the operators of United States fishing vessels in advance of—

(1) military exercises in the exclusive economic zone of the United States (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)); or

(2) other military activities that will impact recreational or commercial activities.

**SEC. 5353. FISHING SAFETY TRAINING GRANTS PROGRAM.**

Section 4502(i)(4) of title 46, United States Code, is amended by striking “2018 through 2021” and inserting “2023 through 2025”.

**SEC. 5354. LOAD LINES.**

(a) **DEFINITION OF COVERED FISHING VESSEL.**—In this section, the term “covered fishing vessel” means a vessel that operates exclusively in one, or both, of the Thirteenth and Seventeenth Coast Guard Districts and that—

(1) was constructed, under construction, or under contract to be constructed as a fish tender vessel before January 1, 1980;

(2) was converted for use as a fish tender vessel before January 1, 2022, and—

(A) the vessel has a current stability letter issued in accordance with regulations prescribed under chapter 51 of title 46, United States Code; and

(B) the hull and internal structure of the vessel has been verified as suitable for intended service as examined by a marine surveyor of an organization accepted by the Secretary 2 times in the 5 years preceding the date of the determination under this subsection, with no interval of more than 3 years between such examinations; or

(3) operates part-time as a fish tender vessel for a period of less than 180 days.

(b) **APPLICATION TO CERTAIN VESSELS.**—During the period beginning on the date of enactment of this Act and ending on the date that is 3 years after the date on which the report required under subsection (c) is submitted, the load line requirements of chapter 51 of title 46, United States Code, shall not apply to covered fishing vessels.

(c) **GAO REPORT.**—

(1) **IN GENERAL.**—Not later than 12 months 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) a report on the safety and seaworthiness of vessels referenced in section 5102(b)(5) of title 46, United States Code; and

(B) recommendations for exempting certain vessels from the load line requirements under chapter 51 of title 46 of such Code.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following:

(A) An assessment of stability requirements of vessels referenced in section 5102(b)(5) of title 46, United States Code.

(B) An analysis of vessel casualties, mishaps, or other safety information relevant to load line requirements when a vessel is operating part-time as a fish tender vessel.

(C) An assessment of any other safety information as the Comptroller General determines appropriate.

(D) A list of all vessels that, as of the date of the report—

(i) are covered under section 5102(b)(5) of title 46, United States Code;

(ii) are acting as part-time fish tender vessels; and

(iii) are subject to any captain of the port zone subject to the oversight of the Commandant.

(3) **CONSULTATION.**—In preparing the report required under paragraph (1), the Comptroller General shall consider consultation with, at a minimum, the maritime industry, including—

(A) relevant Federal, State, and Tribal maritime associations and groups; and

(B) relevant federally funded research institutions, nongovernmental organizations, and academia.

(d) **APPLICABILITY.**—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered fishing vessels.

**SEC. 5355. ACTIONS BY NATIONAL MARINE FISHERIES SERVICE TO INCREASE ENERGY PRODUCTION.**

(a) **IN GENERAL.**—The National Marine Fisheries Service shall, immediately upon the enactment of this Act, take action to address the outstanding backlog of letters of authorization for the Gulf of Mexico.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the National Marine Fisheries Service should—

(1) take immediate action to issue a rule that allows the Service to approve outstanding and future applications for letters of authorization consistent with the Service’s permitting activities; and

(2) on or after the effective date of the rule, prioritize the consideration of applications in a manner that is consistent with applicable Federal law.

**Subtitle E—Illegal Fishing and Forced Labor Prevention**

**SEC. 5361. DEFINITIONS.**

In this subtitle:

(1) **FORCED LABOR.**—The term “forced labor” means any labor or service provided for or obtained by any means described in section 1589(a) of title 18, United States Code.

(2) **HUMAN TRAFFICKING.**—The term “human trafficking” has the meaning given the term “severe forms of trafficking in persons” in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(3) **ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.**—The term “illegal, unreported, or unregulated fishing” has the meaning given such term in the implementing regulations or any subsequent regulations issued pursuant to section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)).

(4) **OPPRESSIVE CHILD LABOR.**—The term “oppressive child labor” has the meaning given such term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(5) **SEAFOOD.**—The term “seafood” means all marine animal and plant life meant for consumption as food other than marine mammals and birds, including fish, shellfish, shellfish products, and processed fish.

(6) **SEAFOOD IMPORT MONITORING PROGRAM.**—The term “Seafood Import Monitoring Pro-

gram” means the Seafood Traceability Program established in subpart Q of part 300 of title 50, Code of Federal Regulations (or any successor regulation).

(7) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

**CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING**

**SEC. 5362. ENHANCEMENT OF SEAFOOD IMPORT MONITORING PROGRAM AUTOMATED COMMERCIAL ENVIRONMENT MESSAGE SET.**

The Secretary, in coordination with the Commissioner of U.S. Customs and Border Protection, shall, not later than 6 months after the date of enactment of this Act, develop a strategy to improve the quality and verifiability of already collected Seafood Import Monitoring Program Message Set data elements in the Automated Commercial Environment system. Such strategy shall prioritize the use of enumerated data types, such as checkboxes, dropdown menus, or radio buttons, and any additional elements the Administrator of the National Oceanic and Atmospheric Administration finds appropriate.

**SEC. 5363. DATA SHARING AND AGGREGATION.**

(a) **INTERAGENCY WORKING GROUP ON ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.**—Section 3551(c) of the Maritime SAFE Act (16 U.S.C. 8031(c)) is amended—

(1) by redesignating paragraphs (4) through (13) as paragraphs (5) through (14), respectively; and

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

“(4) maximizing the utility of the import data collected by the members of the Working Group by harmonizing data standards and entry fields;”.

(b) **PROHIBITION ON AGGREGATED CATCH DATA FOR CERTAIN SPECIES.**—Beginning not later than 1 year after the date of enactment of this Act, for the purposes of compliance with respect to Northern red snapper under the Seafood Import Monitoring Program, the Secretary may not allow an aggregated harvest report of such species, regardless of vessel size.

**SEC. 5364. IMPORT AUDITS.**

(a) **AUDIT PROCEDURES.**—The Secretary shall, not later than 1 year after the date of enactment of this Act, implement procedures to audit information and supporting records of sufficient numbers of imports of seafood and seafood products subject to the Seafood Import Monitoring Program to support statistically robust conclusions that the samples audited are representative of all seafood imports covered by the Seafood Import Monitoring Program with respect to a given year.

(b) **EXPANSION OF MARINE FORENSICS LABORATORY.**—The Secretary shall, not later than 1 year after the date of enactment of this Act, begin the process of expanding the National Oceanic and Atmospheric Administration’s Marine Forensics Laboratory, including by establishing sufficient capacity for the development and deployment of rapid, and follow-up, analysis of field-based tests focused on identifying Seafood Import Monitoring Program species, and prioritizing such species at high risk of illegal, unreported, or unregulated fishing and seafood fraud.

(c) **ANNUAL REVISION.**—In developing the procedures required in subsection (a), the Secretary shall use predictive analytics to inform whether to revise such procedures to prioritize for audit those imports originating from nations—

(1) identified pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or

1826k(a)) that have not yet received a subsequent positive certification pursuant to section 609(d) or 610(c) of such Act, respectively;

(2) identified by an appropriate regional fishery management organization as being the flag state or landing location of vessels identified by other nations or regional fisheries management organizations as engaging in illegal, unreported, or unregulated fishing;

(3) identified as having human trafficking or forced labor in any part of the seafood supply chain, including on vessels flagged in such nation, and including feed for cultured production, in the most recent Trafficking in Persons Report issued by the Department of State in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);

(4) identified as producing goods that contain seafood using forced labor or oppressive child labor in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.); and

(5) identified as at risk for human trafficking, including forced labor, in their seafood catching and processing industries by the report required under section 3563 of the Maritime SAFE Act (Public Law 116-92).

**SEC. 5365. AVAILABILITY OF FISHERIES INFORMATION.**

Section 402(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b)(1)) is amended—

(1) in subparagraph (G), by striking “or” after the semicolon;

(2) in subparagraph (H), by striking the period and inserting “; or”;

(3) by adding at the end the following:

“(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in section 5361 of the Coast Guard Authorization Act of 2022) or forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022), which shall not include an authorization for such agencies to release data to the public unless such release is related to enforcement.”.

**SEC. 5366. REPORT ON SEAFOOD IMPORT MONITORING PROGRAM.**

(a) **REPORT TO CONGRESS AND PUBLIC AVAILABILITY OF REPORTS.**—The Secretary shall, not later than 120 days after the end of each fiscal year, submit to the Committee on Commerce, Science, and Transportation and the Committee on Finance of the Senate and the Committee on Natural Resources and the Committee on Financial Services of the House of Representatives a report that summarizes the National Marine Fisheries Service’s efforts to prevent the importation of seafood harvested through illegal, unreported, or unregulated fishing, particularly with respect to seafood harvested, produced, processed, or manufactured by forced labor. Each such report shall be made publicly available on the website of the National Oceanic and Atmospheric Administration.

(b) **CONTENTS.**—Each report submitted under subsection (a) shall include—

(1) the volume and value of seafood species subject to the Seafood Import Monitoring Program, reported by 10-digit Harmonized Tariff Schedule of the United States codes, imported during the previous fiscal year;

(2) the enforcement activities and priorities of the National Marine Fisheries Service with respect to implementing the requirements under the Seafood Import Monitoring Program;

(3) the percentage of import shipments subject to the Seafood Import Monitoring Program selected for inspection or the information or records supporting entry selected for

audit, as described in section 300.324(d) of title 50, Code of Federal Regulations;

(4) the number and types of instances of noncompliance with the requirements of the Seafood Import Monitoring Program;

(5) the number and types of instances of violations of State or Federal law discovered through the Seafood Import Monitoring Program;

(6) the seafood species with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(7) the location of catch or harvest with respect to which violations described in paragraphs (4) and (5) were most prevalent;

(8) the additional tools, such as high performance computing and associated costs, that the Secretary needs to improve the efficacy of the Seafood Import Monitoring Program; and

(9) such other information as the Secretary considers appropriate with respect to monitoring and enforcing compliance with the Seafood Import Monitoring Program.

**SEC. 5367. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection to carry out enforcement actions pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) \$20,000,000 for each of fiscal years 2023 through 2027.

**CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING**

**SEC. 5370. DENIAL OF PORT PRIVILEGES.**

Section 101(a)(2) of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amended to read as follows:

“(2) **DENIAL OF PORT PRIVILEGES.**—The Secretary of Homeland Security shall—

“(A) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for any large-scale driftnet fishing vessel of a nation that receives a negative certification under section 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d) or 1826k(c)), or fishing vessels of a nation that has been listed pursuant to section 609(b) or section 610(a) of such Act (16 U.S.C. 1826j(b) or 1826k(a)) in 2 or more consecutive reports for the same type of fisheries activity, as described under section 607 of such Act (16 U.S.C. 1826h), until a positive certification has been received;

“(B) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for fishing vessels of a nation that has been listed pursuant to section 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or 1826k(a)) in 2 or more consecutive reports as described under section 607 of such Act (16 U.S.C. 1826h); and

“(C) deny entry of that vessel to any place in the United States and to the navigable waters of the United States, except for the purposes of inspecting such vessel, conducting an investigation, or taking other appropriate enforcement action.”.

**SEC. 5371. IDENTIFICATION AND CERTIFICATION CRITERIA.**

(a) **DENIAL OF PORT PRIVILEGES.**—Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)) is amended—

(1) by striking paragraph (2) and inserting the following:

“(2) **FOR ACTIONS OF A NATION.**—The Secretary shall identify, and list in such report, a nation engaging in or endorsing illegal, unreported, or unregulated fishing. In determining which nations to list in such report, the Secretary shall consider the following:

“(A) Any nation that is violating, or has violated at any point during the 3 years preceding the date of the determination, con-

servation and management measures, including catch and other data reporting obligations and requirements, required under an international fishery management agreement to which the United States is a party.

“(B) Any nation that is failing, or has failed in the 3-year period preceding the date of the determination, to effectively address or regulate illegal, unreported, or unregulated fishing within its fleets in any areas where its vessels are fishing.

“(C) Any nation that fails to discharge duties incumbent upon it to which legally obligated as a flag, port, or coastal state to take action to prevent, deter, and eliminate illegal, unreported, or unregulated fishing.

“(D) Any nation that has been identified as producing for export to the United States seafood-related goods through forced labor or oppressive child labor (as those terms are defined in section 5361 of the Coast Guard Authorization Act of 2022) in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.);” and

(2) by adding at the end the following:

“(4) **TIMING.**—The Secretary shall make an identification under paragraph (1) or (2) at any time that the Secretary has sufficient information to make such identification.”.

(b) **ILLEGAL, UNREPORTED, OR UNREGULATED CERTIFICATION DETERMINATION.**—Section 609 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) is amended in subsection (d), by striking paragraph (3) and inserting the following:

“(3) **EFFECT OF CERTIFICATION DETERMINATION.**—

“(A) **EFFECT OF NEGATIVE CERTIFICATION.**—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall apply to any nation that, after being identified and notified under subsection (b), has failed to take the appropriate corrective actions for which the Secretary has issued a negative certification under this subsection.

“(B) **EFFECT OF POSITIVE CERTIFICATION.**—The provisions of subsection (a), and paragraphs (3) and (4) of subsection (b), of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall not apply to any nation identified under subsection (a) for which the Secretary has issued a positive certification under this subsection.”.

**SEC. 5372. EQUIVALENT CONSERVATION MEASURES.**

(a) **IDENTIFICATION.**—Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(a)) is amended to read as follows:

“(a) **IDENTIFICATION.**—

“(1) **IN GENERAL.**—The Secretary shall identify and list in the report under section 607—

“(A) a nation if—

“(i) any fishing vessel of that nation is engaged, or has been engaged during the 3 years preceding the date of the determination, in fishing activities or practices on the high seas or within the exclusive economic zone of any nation, that have resulted in bycatch of a protected living marine resource; and

“(ii) the vessel’s flag state has not adopted, implemented, and enforced a regulatory program governing such fishing designed to end or reduce such bycatch that is comparable in effectiveness to the regulatory program of the United States, taking into account differing conditions; and

“(B) a nation if—



“(i) any fishing vessel of that nation is engaged, or has engaged during the 3 years preceding the date of the determination, in fishing activities on the high seas or within the exclusive economic zone of another nation that target or incidentally catch sharks; and

“(ii) the vessel’s flag state has not adopted, implemented, and enforced a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark, including the tail, before landing the shark in port, that is comparable to that of the United States.

“(2) TIMING.—The Secretary shall make an identification under paragraph (1) at any time that the Secretary has sufficient information to make such identification.”.

(b) CONSULTATION AND NEGOTIATION.—Section 610(b) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(b)) is amended to read as follows:

“(b) CONSULTATION AND NEGOTIATION.—The Secretary of State, acting in consultation with the Secretary, shall—

“(1) notify, as soon as practicable, the President and nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), about the provisions of this Act;

“(2) initiate discussions as soon as practicable with all foreign nations that are engaged in, or a fishing vessel of which has engaged in, fishing activities described in subsection (a), for the purpose of entering into bilateral and multilateral treaties with such nations to protect such species and to address any underlying failings or gaps that may have contributed to identification under this Act; and

“(3) initiate the amendment of any existing international treaty for the protection and conservation of such species to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section.”.

(c) CONSERVATION CERTIFICATION PROCEDURE.—Section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(c)) is amended—

(1) in paragraph (2), by inserting “the public and” after “comment by”; and

(2) in paragraph (5), by striking “(except to the extent that such provisions apply to sport fishing equipment or fish or fish products not caught by the vessels engaged in illegal, unreported, or unregulated fishing)”.

(d) DEFINITION OF PROTECTED LIVING MARINE RESOURCE.—Section 610(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(e)) is amended by striking paragraph (1) and inserting the following:

“(1) except as provided in paragraph (2), means nontarget fish, sea turtles, or marine mammals that are protected under United States law or international agreement, including—

“(A) the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.);

“(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(C) the Shark Finning Prohibition Act (16 U.S.C. 1822 note); and

“(D) the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249); but”.

**SEC. 5373. CAPACITY BUILDING IN FOREIGN FISHERIES.**

(a) IN GENERAL.—The Secretary of Commerce, in consultation with the heads of other Federal agencies, as appropriate, shall develop and carry out with partner governments and civil society—

(1) multi-year coastal and marine resource related international cooperation agreements and projects; and

(2) multi-year capacity-building projects for implementing measures to address illegal, unreported, or unregulated fishing, fraud, forced labor, bycatch, and other conservation measures.

(b) CAPACITY BUILDING.—Section 3543(d) of the Maritime SAFE Act (16 U.S.C. 8013(d)) is amended—

(1) in the matter preceding paragraph (1), by striking “as appropriate,”; and

(2) in paragraph (3), by striking “as appropriate” and inserting “for all priority regions identified by the Working Group”.

(c) REPORTS.—Section 3553 of the Maritime SAFE Act (16 U.S.C. 8033) is amended—

(1) in paragraph (7), by striking “and” after the semicolon;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(9) the status of work with global enforcement partners.”.

**SEC. 5374. TRAINING OF UNITED STATES OBSERVERS.**

Section 403(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881b(b)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon;

(2) by redesignating paragraph (4) as paragraph (5); and

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

“(4) ensure that each observer has received training to identify indicators of forced labor (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and human trafficking (as defined in section 5361 of the Coast Guard Authorization Act of 2022) and refer this information to appropriate authorities; and”.

**SEC. 5375. REGULATIONS.**

Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate such regulations as may be necessary to carry out this title.

**SEC. 5376. USE OF DEVICES BROADCASTING ON AIS FOR PURPOSES OF MARKING FISHING GEAR.**

The Secretary of the department in which the Coast Guard is operating shall, within the Eleventh Coast Guard District, Thirteenth Coast Guard District, Fourteenth Coast Guard District, and Seventeenth Coast Guard District, suspend enforcement of individuals using automatic identification systems devices to mark fishing equipment during the period beginning on the date of enactment of this Act and ending on the earlier of—

(1) the date that is 2 years after such date of enactment; and

(2) the date the Federal Communications Commission promulgates a final rule to authorize a device used to mark fishing equipment to operate in radio frequencies assigned for Automatic Identification System stations.

**TITLE LIV—SUPPORT FOR COAST GUARD WORKFORCE**

**Subtitle A—Support for Coast Guard Members and Families**

**SEC. 5401. COAST GUARD CHILD CARE IMPROVEMENTS.**

(a) FAMILY DISCOUNT FOR CHILD DEVELOPMENT SERVICES.—Section 2922(b)(2) of title 14, United States Code, is amended by adding at the end the following:

“(D) In the case of an active duty member with two or more children attending a Coast Guard child development center, the Commandant may modify the fees to be charged for attendance for the second and any subsequent child of such member by an amount

that is 15 percent less than the amount of the fee otherwise chargeable for the attendance of the first such child enrolled at the center, or another fee as the Commandant determines appropriate, consistent with multiple children.”.

(b) CHILD DEVELOPMENT CENTER STANDARDS AND INSPECTIONS.—Section 2923(a) of title 14, United States Code, is amended to read as follows:

“(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards of operation—

“(1) that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center; and

“(2) necessary for accreditation by an appropriate national early childhood programs accrediting entity.”.

(c) CHILD CARE SUBSIDY PROGRAM.—

(1) AUTHORIZATION.—

(A) IN GENERAL.—Subchapter II of chapter 29 of title 14, United States Code, is amended by adding at the end the following:

**“§ 2927. Child care subsidy program**

“(a) AUTHORITY.—The Commandant may operate a child care subsidy program to provide financial assistance to eligible providers that provide child care services or youth program services to members of the Coast Guard, members of the Coast Guard with dependents who are participating in the child care subsidy program, and any other individual the Commandant considers appropriate, if—

“(1) providing such financial assistance—

“(A) is in the best interests of the Coast Guard; and

“(B) enables supplementation or expansion of the provision of Coast Guard child care services, while not supplanting or replacing Coast Guard child care services; and

“(2) the Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

“(b) ELIGIBLE PROVIDERS.—A provider of child care services or youth program services is eligible for financial assistance under this section if the provider—

“(1) is licensed to provide such services under applicable State and local law;

“(2) is registered in an au pair program of the Department of State;

“(3) is a family home daycare; or

“(4) is a provider of family child care services that—

“(A) otherwise provides federally funded or federally sponsored child development services;

“(B) provides such services in a child development center owned and operated by a private, not-for-profit organization;

“(C) provides a before-school or after-school child care program in a public school facility;

“(D) conducts an otherwise federally funded or federally sponsored school-age child care or youth services program;

“(E) conducts a school-age child care or youth services program operated by a not-for-profit organization;

“(F) provides in-home child care, such as a nanny or an au pair; or

“(G) is a provider of another category of child care services or youth program services the Commandant considers appropriate for meeting the needs of members or civilian employees of the Coast Guard.

“(c) AUTHORIZATION.—There are authorized to carry out this section.

“(d) DIRECT PAYMENT.—

“(1) IN GENERAL.—In carrying out a child care subsidy program under subsection (a),

subject to paragraph (3), the Commandant shall provide financial assistance under the program to an eligible member or individual the Commandant considers appropriate by direct payment to such eligible member or individual through monthly pay, direct deposit, or other direct form of payment.

“(2) **POLICY.**—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a policy to provide direct payment as described in paragraph (1).

“(3) **ELIGIBLE PROVIDER FUNDING CONTINUATION.**—With the approval of an eligible member or an individual the Commandant considers appropriate, which shall include the written consent of such member or individual, the Commandant may continue to provide financial assistance under the child care subsidy program directly to an eligible provider on behalf of such member or individual.

“(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to affect any preexisting reimbursement arrangement between the Coast Guard and a qualified provider.”

(B) **CLERICAL AMENDMENT.**—The analysis for chapter 29 of title 14, United States Code, is amended by inserting after the item relating to section 2926 the following:

“2927. Child care subsidy program.”

(2) **EXPANSION OF CHILD CARE SUBSIDY PROGRAM.**—

(A) **IN GENERAL.**—The Commandant shall—

(i) evaluate potential eligible uses for the child care subsidy program established under section 2927 of title 14, United States Code (referred to in this paragraph as the “program”); and

(ii) expand the eligible uses of funds for the program to accommodate the child care needs of members of the Coast Guard (including such members with nonstandard work hours or surge or other deployment cycles), including by providing funds directly to such members instead of care providers.

(B) **CONSIDERATIONS.**—In evaluating potential eligible uses under subparagraph (A), the Commandant shall consider au pairs, nanny services, nanny shares, in-home child care services, care services such as supplemental care for children with disabilities, and any other child care delivery method the Commandant considers appropriate.

(C) **REQUIREMENTS.**—In establishing expanded eligible uses of funds for the program, the Commandant shall ensure that such uses—

(i) are in the best interests of the Coast Guard;

(ii) provide flexibility for eligible members and individuals the Commandant considers appropriate, including such members and individuals with nonstandard work hours; and

(iii) ensure a safe environment for dependents of such members and individuals.

(D) **PUBLICATION.**—Not later than 18 months after the date of the enactment of this Act, the Commandant shall publish an updated Commandant Instruction Manual (referred to in this paragraph as the “manual”) that describes the expanded eligible uses of the program.

(E) **REPORT.**—

(i) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, 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 outlining the expansion of the program.

(ii) **ELEMENTS.**—The report required by clause (i) shall include the following:

(I) An analysis of the considerations described in subparagraph (B).

(II) A description of the analysis used to identify eligible uses that were evaluated and incorporated into the manual under subparagraph (D).

(III) A full analysis and justification with respect to the forms of care that were ultimately not included in the manual.

(IV) Any recommendation with respect to funding or additional authorities necessary, including proposals for legislative change, to meet the current and anticipated future child care subsidy demands of the Coast Guard.

**SEC. 5402. ARMED FORCES ACCESS TO COAST GUARD CHILD CARE FACILITIES.**

Section 2922(a) of title 14, United States Code, is amended to read as follows:

“(a)(1) The Commandant may make child development services available, in such priority as the Commandant considers to be appropriate and consistent with readiness and resources and in the best interests of dependents of members and civilian employees of the Coast Guard, for—

“(A) members and civilian employees of the Coast Guard;

“(B) surviving dependents of members of the Coast Guard who have died on active duty, if such dependents were beneficiaries of a Coast Guard child development service at the time of the death of such members;

“(C) members of the armed forces (as defined in section 101 of title 10, United States Code); and

“(D) Federal civilian employees.

“(2) Child development service benefits provided under the authority of this section shall be in addition to benefits provided under other laws.”

**SEC. 5403. CADET PREGNANCY POLICY IMPROVEMENTS.**

(a) **REGULATIONS REQUIRED.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Defense, shall prescribe regulations that—

(1) preserve parental guardianship rights of cadets who become pregnant or father a child while attending the Coast Guard Academy; and

(2) maintain military and academic requirements for graduation and commissioning.

(b) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the development of the regulations required by subsection (a).

**SEC. 5404. COMBAT-RELATED SPECIAL COMPENSATION.**

(a) **REPORT AND BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after the date on which the initial report is submitted under this subsection, the Commandant shall submit a report and provide an in-person briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the implementation of section 221 of the Coast Guard Authorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note).

(b) **ELEMENTS.**—Each report and briefing required by subsection (a) shall include the following:

(1) A description of methods to educate members and retirees on the combat-related special compensation program.

(2) Statistics regarding enrollment in such program for members of the Coast Guard and Coast Guard retirees.

(3) A summary of each of the following:

(A) Activities carried out relating to the education of members of the Coast Guard participating in the Transition Assistance Program with respect to the combat-related special compensation program.

(B) Activities carried out relating to the education of members of the Coast Guard who are engaged in missions in which they are susceptible to injuries that may result in qualification for combat-related special compensation, including flight school, the National Motor Lifeboat School, deployable specialized forces, and other training programs as the Commandant considers appropriate.

(C) Activities carried out relating to training physicians and physician assistants employed by the Coast Guard, or otherwise stationed in Coast Guard clinics, sickbays, or other locations at which medical care is provided to members of the Coast Guard, for the purpose of ensuring, during medical examinations, appropriate counseling and documentation of symptoms, injuries, and the associated incident that resulted in such injuries.

(D) Activities relating to the notification of health service officers with respect to the combat-related special compensation program.

(4) The written guidance provided to members of the Coast Guard regarding necessary recordkeeping to ensure eligibility for benefits under such program.

(5) Any other matter relating to combat-related special compensation the Commandant considers appropriate.

(c) **DISABILITY DUE TO CHEMICAL OR HAZARDOUS MATERIAL EXPOSURE.**—Section 221(a)(2) of the Coast Guard Reauthorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note) is amended, in the matter preceding subparagraph (A)—

(1) by striking “and hazardous” and inserting “hazardous”; and

(2) by inserting “, or a duty in which chemical or other hazardous material exposure has occurred (such as during marine inspections or pollution response activities)” after “surfman”.

**SEC. 5405. STUDY ON FOOD SECURITY.**

(a) **STUDY.**—

(1) **IN GENERAL.**—The Commandant shall conduct a study on food insecurity among members of the Coast Guard.

(2) **ELEMENTS.**—The study required by paragraph (1) shall include the following:

(A) An analysis of the impact of food deserts on members of the Coast Guard and their dependents who live in areas with high costs of living, including areas with high-density populations and rural areas.

(B) A comparison of—

(i) the current method used by the Commandant to determine which areas are considered to be high cost-of-living areas;

(ii) local-level indicators used by the Bureau of Labor Statistics to determine cost of living that indicate buying power and consumer spending in specific geographic areas; and

(iii) indicators of cost of living used by the Department of Agriculture in market basket analyses, and other measures of the local or regional cost of food.

(C) An assessment of the accuracy of the method and indicators described in subparagraph (B) in quantifying high cost of living in low-data and remote areas.

(D) An assessment of the manner in which data accuracy and availability affect the accuracy of cost-of-living allowance calculations and other benefits, as the Commandant considers appropriate.

(E) **Recommendations.**—

(i) to improve access to high-quality, affordable food within a reasonable distance of

Coast Guard units located in areas identified as food deserts;

(ii) to reduce transit costs for members of the Coast Guard and their dependents who are required to travel to access high-quality, affordable food; and

(iii) for improving the accuracy of the calculations referred to in subparagraph (D).

(F) The estimated costs of implementing each recommendation made under subparagraph (E).

(b) PLAN.—

(1) IN GENERAL.—The Commandant shall develop a detailed plan to implement the recommendations of the study conducted under subsection (a).

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the plan required by paragraph (1), including the cost of implementation, proposals for legislative change, and any other result of the study the Commandant considers appropriate.

(c) FOOD DESERT DEFINED.—In this section, the term “food desert” means an area, as determined by the Commandant, in which it is difficult, even with a vehicle or an otherwise-available mode of transportation, to obtain affordable, high-quality fresh food in the immediate area in which members of the Coast Guard serve and reside.

#### Subtitle B—Healthcare

#### SEC. 5421. DEVELOPMENT OF MEDICAL STAFFING STANDARDS FOR THE COAST GUARD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop medical staffing standards for the Coast Guard consistent with the recommendations of the Comptroller General of the United States set forth in the report entitled “Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care” published in February 2022.

(b) INCLUSIONS.—The standards required by subsection (a) shall address and take into consideration the following:

(1) Current and future operations of healthcare personnel in support of Department of Homeland Security missions, including surge deployments for incident response.

(2) Staffing standards for specialized providers, such as flight surgeons, dentists, behavioral health specialists, and physical therapists.

(3) Staffing levels of medical, dental, and behavioral health providers for the Coast Guard who are—

(A) members of the Coast Guard;

(B) assigned to the Coast Guard from the Public Health Service;

(C) Federal civilian employees; or

(D) contractors hired by the Coast Guard to fill vacancies.

(4) Staffing levels at medical facilities for Coast Guard units in remote locations.

(5) Any discrepancy between medical staffing standards of the Department of Defense and medical staffing standards of the Coast Guard.

(c) REVIEW.—Not later than 90 days after the staffing standards required by subsection (a) are completed, the Commandant shall submit the standards to the Comptroller General, who shall review the standards and provide recommendations to the Commandant.

(d) REPORT TO CONGRESS.—Not later than 180 days after developing such standards, 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 standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(e) MODIFICATION, IMPLEMENTATION, AND PERIODIC UPDATES.—The Commandant shall—

(1) modify such standards as necessary based on the recommendations provided under subsection (c);

(2) implement the standards;

(3) review and update the standards not less frequently than every 4 years.

#### SEC. 5422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC PLAN.

(a) IN GENERAL.—Not later than 270 days after the completion of the studies conducted by the Comptroller General of the United States under sections 8259 and 8260 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4679), the Commandant shall—

(1) conduct a comprehensive review of the Coast Guard healthcare system; and

(2) develop a strategic plan for improvements to, and modernization of, such system to ensure access to high-quality, timely healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(b) PLAN.—

(1) IN GENERAL.—The strategic plan developed under subsection (a) shall seek—

(A) to maximize the medical readiness of members of the Coast Guard;

(B) to optimize delivery of healthcare benefits;

(C) to ensure high-quality training of Coast Guard medical personnel; and

(D) to prepare for the future needs of the Coast Guard.

(2) ELEMENTS.—The plan shall address, at a minimum, the following:

(A) Improving access to healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(B) Quality of care.

(C) The experience and satisfaction of members of the Coast Guard and their dependents with the Coast Guard healthcare system.

(D) The readiness of members of the Coast Guard and Coast Guard medical personnel.

(c) REVIEW COMMITTEE.—

(1) ESTABLISHMENT.—The Commandant shall establish a review committee to conduct a comprehensive analysis of the Coast Guard healthcare system (referred to in this section as the “Review Committee”).

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Review Committee shall be composed of members selected by the Commandant, including—

(i) 1 or more members of the uniformed services (as defined in section 101 of title 10, United States Code) or Federal employees with expertise in—

(I) the medical, dental, pharmacy, or behavioral health fields; or

(II) any other field the Commandant considers appropriate;

(ii) a representative of the Defense Health Agency; and

(iii) a medical representative from each Coast Guard district.

(3) CHAIRPERSON.—The chairperson of the Review Committee shall be the Director of the Health, Safety, and Work Life Directorate of the Coast Guard.

(4) STAFF.—The Review Committee shall be staffed by employees of the Coast Guard.

(5) REPORT TO COMMANDANT.—Not later than 1 year after the Review Committee is established, the Review Committee shall submit to the Commandant a report that—

(A) takes into consideration the medical staffing standards developed under section 5421, assesses the recommended medical staffing standards set forth in the Comptroller General study required by section 8260 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4679), and compares such standards to the medical staffing standards of the Department of Defense and the private sector;

(B) addresses improvements needed to ensure continuity of care for members of the Coast Guard, including by evaluating the feasibility of having a dedicated primary care manager for each such member while the member is stationed at a duty station;

(C) evaluates the effects of increased surge deployments of medical personnel on staffing needs at Coast Guard clinics;

(D) identifies ways to improve access to care for members of the Coast Guard and their dependents who are stationed in remote areas, including methods to expand access to providers in the available network;

(E) identifies ways the Coast Guard may better use Department of Defense Military Health System resources for members of the Coast Guard, their dependents, and applicable Coast Guard retirees;

(F) identifies barriers to participation in the Coast Guard healthcare system and ways the Coast Guard may better use patient feedback to improve quality of care at Coast Guard-owned facilities, military treatment facilities, and specialist referrals;

(G) includes recommendations to improve the Coast Guard healthcare system; and

(H) any other matter the Commandant or the Review Committee considers appropriate.

(6) TERMINATION.—The Review Committee shall terminate on the date that is 30 days after the date on which the Review Committee submits the report required by paragraph (5).

(7) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Review Committee.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, 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) the strategic plan for the Coast Guard medical system required by subsection (a);

(2) the report of the Review Committee submitted to the Commandant under subsection (c)(5); and

(3) a description of the manner in which the Commandant plans to implement the recommendations of the Review Committee.

#### SEC. 5423. DATA COLLECTION AND ACCESS TO CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop a policy to require the collection of data regarding access by members of the Coast Guard and their dependents to medical, dental, and behavioral health care as recommended by the Comptroller General of the United States in the report entitled “Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care” published in February 2022.

(b) ELEMENTS.—The policy required by subsection (a) shall address the following:

(1) Methods to collect data on access to care for—

(A) routine annual physical health assessments;

(B) flight physicals for aviators and prospective aviators;

(C) sick call;

(D) injuries;

(E) dental health; and

(F) behavioral health conditions.

(2) Collection of data on access to care for referrals.

(3) Collection of data on access to care for members of the Coast Guard stationed at remote units, aboard Coast Guard cutters, and on deployments.

(4) Use of the electronic health record system to improve data collection on access to care.

(5) Use of data for addressing the standards of care, including time between requests for appointments and actual appointments, including appointments made with referral services.

(c) REVIEW BY COMPTROLLER GENERAL.—

(1) SUBMISSION.—Not later than 15 days after the policy is developed under subsection (a), the Commandant shall submit the policy to the Comptroller General of the United States.

(2) REVIEW.—Not later than 180 days after receiving the policy, the Comptroller General shall review the policy and provide recommendations to the Commandant.

(3) MODIFICATION.—Not later than 60 days after receiving the recommendations of the Comptroller General, the Commandant shall modify the policy as necessary based on such recommendations.

(d) PUBLICATION AND REPORT TO CONGRESS.—Not later than 90 days after the policy is modified under subsection (c)(3), the Commandant shall—

(1) publish the policy on a publicly accessible internet website of the Coast Guard; and

(2) 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 policy and the manner in which the Commandant plans to address access-to-care deficiencies.

(e) PERIODIC UPDATES.—Not less frequently than every 5 years, the Commandant shall review and update the policy.

#### SEC. 5424. BEHAVIORAL HEALTH POLICY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) members of the Coast Guard—

(A) are exposed to high-risk and often stressful duties; and

(B) should be encouraged to seek appropriate medical treatment and professional guidance; and

(2) after treatment for behavioral health conditions, many members of the Coast Guard should be allowed to resume service in the Coast Guard if they—

(A) are able to do so without persistent duty modifications; and

(B) do not pose a risk to themselves or other members of the Coast Guard.

(b) INTERIM BEHAVIORAL HEALTH POLICY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish an interim behavioral health policy for members of the Coast Guard that is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, “Medical Standards for Military Service: Retention”.

(2) TERMINATION.—The interim policy established under paragraph (1) shall remain in effect until the date on which the Commandant issues a permanent behavioral

health policy for members of the Coast Guard.

(c) PERMANENT POLICY.—In developing a permanent policy with respect to retention and behavioral health, the Commandant shall ensure that, to the extent practicable, the policy of the Coast Guard is in parity with section 5.28 (relating to behavioral health) of Department of Defense Instruction 6130.03, volume 2, “Medical Standards for Military Service: Retention”.

#### SEC. 5425. MEMBERS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

##### “§ 2515. Members asserting post-traumatic stress disorder or traumatic brain injury

“(a) MEDICAL EXAMINATION REQUIRED.—(1) The Secretary shall ensure that a member of the Coast Guard who has performed Coast Guard operations or has been sexually assaulted during the preceding 2-year period, and who is diagnosed by an appropriate licensed or certified healthcare professional as experiencing post-traumatic stress disorder or traumatic brain injury or who otherwise alleges, based on the service of the member or based on such sexual assault, the influence of such a condition, receives a medical examination to evaluate a diagnosis of post-traumatic stress disorder or traumatic brain injury.

“(2) A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including an administrative separation in lieu of court-martial, until the results of the medical examination have been reviewed by appropriate authorities responsible for evaluating, reviewing, and approving the separation case, as determined by the Secretary.

“(3)(A) In a case involving post-traumatic stress disorder, the medical examination shall be—

“(i) performed by—

“(I) a board-certified or board-eligible psychiatrist; or

“(II) a licensed doctorate-level psychologist; or

“(ii) performed under the close supervision of—

“(I) a board-certified or board-eligible psychiatrist; or

“(II) a licensed doctorate-level psychologist, a doctorate-level mental health provider, a psychiatry resident, or a clinical or counseling psychologist who has completed a 1-year internship or residency.

“(B) In a case involving traumatic brain injury, the medical examination shall be performed by a psychiatrist, psychologist, neurosurgeon, or neurologist.

“(b) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extenuation that relate to the basis for administrative separation under conditions other than honorable or the overall characterization of the service of the member as other than honorable.

“(c) INAPPLICABILITY TO PROCEEDINGS UNDER UNIFORM CODE OF MILITARY JUSTICE.—The medical examination and procedures required by this section do not apply to courts-martial or other proceedings conducted pursuant to the Uniform Code of Military Justice.

“(d) COAST GUARD OPERATIONS DEFINED.—In this section, the term ‘Coast Guard operations’ has the meaning given that term in section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)).”

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

“2515. Members asserting post-traumatic stress disorder or traumatic brain injury.”.

#### SEC. 5426. IMPROVEMENTS TO THE PHYSICAL DISABILITY EVALUATION SYSTEM AND TRANSITION PROGRAM.

(a) TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall develop a temporary policy that—

(1) improves timeliness, communication, and outcomes for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process;

(2) affords maximum career transition benefits to members of the Coast Guard determined by a Medical Evaluation Board to be unfit for retention in the Coast Guard; and

(3) maximizes the potential separation and career transition benefits for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process.

(b) ELEMENTS.—The policy required by subsection (a) shall include the following:

(1) A requirement that any member of the Coast Guard who is undergoing the Physical Disability Evaluation System, or a related formal or informal process, shall be placed in a duty status that allows the member the opportunity to attend necessary medical appointments and other activities relating to the Physical Disability Evaluation System, including completion of any application of the Department of Veterans Affairs and career transition planning.

(2) In the case of a Medical Evaluation Board report that is not completed within 120 days after the date on which an evaluation by the Medical Evaluation Board was initiated, the option for such a member to enter permissive duty status.

(3) A requirement that the date of initiation of an evaluation by a Medical Evaluation Board shall include the date on which any verbal or written affirmation is made to the member, command, or medical staff that the evaluation by the Medical Evaluation Board has been initiated.

(4) An option for such member to seek an internship under the SkillBridge program established under section 1143(e) of title 10, United States Code, and outside employment aimed at improving the transition of the member to civilian life, only if such an internship or employment does not interfere with necessary medical appointments required for the member’s physical disability evaluation.

(5) A requirement that not less than 21 days notice shall be provided to such a member for any such medical appointment, to the maximum extent practicable, to ensure that the appointment timeline is in the best interests of the immediate health of the member.

(6) A requirement that the Coast Guard shall provide such a member with a written separation date upon the completion of a Medical Evaluation Board report that finds the member unfit to continue active duty.

(7) To provide certainty to such a member with respect to a separation date, a policy that ensures—

(A) that accountability measures are in place with respect to Coast Guard delays throughout the Physical Disability Evaluation System, including—

(i) placement of the member in an excess leave status after 270 days have elapsed since the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority; and

(ii) a calculation of the costs to retain the member on active duty, including the pay, allowances, and other associated benefits of the member, for the period beginning on the date that is 90 days after the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority and ending on the date on which the member is separated from the Coast Guard; and

(B) the availability of administrative solutions to any such delay.

(8) With respect to a member of the Coast Guard on temporary limited duty status, an option to remain in the member's current billet, to the maximum extent practicable, or to be transferred to a different active-duty billet, so as to minimize any negative impact on the member's career trajectory.

(9) A requirement that each respective command shall report to the Coast Guard Personnel Service Center any delay of more than 21 days between each stage of the Physical Disability Evaluation System for any such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

(10) A requirement that, not later than 7 days after receipt of a report of a delay described in paragraph (9), the Personnel Service Center shall take corrective action, which shall ensure that the Coast Guard exercises maximum discretion to continue the Physical Disability Evaluation System of such a member in a timely manner, unless such delay is caused by the member.

(11) A requirement that—

(A) a member of the Coast Guard shall be allowed to make a request for a reasonable delay in the Physical Disability Evaluation System to obtain additional input and consultation from a medical or legal professional; and

(B) any such request for delay shall be approved by the Commandant based on a showing of good cause by the member.

(c) **REPORT ON TEMPORARY POLICY.**—Not later than 60 days after the date of the enactment of this Act, 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 copy of the policy developed under subsection (a).

(d) **PERMANENT POLICY.**—Not later than 180 days after the date of the enactment of this Act, the Commandant shall publish a Commandant Instruction making the policy developed under subsection (a) a permanent policy of the Coast Guard.

(e) **BRIEFING.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on, and a copy of, the permanent policy.

(f) **ANNUAL REPORT ON COSTS.**—

(1) **IN GENERAL.**—Not less frequently than annually, 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, for the preceding fiscal year—

(A) details the total aggregate service-wide costs described in subsection (b)(7)(A)(ii) for members of the Coast Guard whose Physical Disability Evaluation System process has exceeded 90 days; and

(B) includes for each such member—

(i) an accounting of such costs; and

(ii) the number of days that elapsed between the initiation and completion of the Physical Disability Evaluation System process.

(2) **PERSONALLY IDENTIFIABLE INFORMATION.**—A report under paragraph (1) shall not include the personally identifiable information of any member of the Coast Guard.

**SEC. 5427. EXPANSION OF ACCESS TO COUNSELING.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Commandant shall hire, train, and deploy not fewer than an additional 5 behavioral health specialists.

(b) **REQUIREMENT.**—Through the hiring process required by subsection (a), the Commandant shall ensure that at least 35 percent of behavioral health specialists employed by the Coast Guard have experience in behavioral healthcare for the purpose of supporting members of the Coast Guard with needs for perinatal mental health care and counseling services for miscarriage, child loss, and postpartum depression.

(c) **ACCESSIBILITY.**—The support provided by the behavioral health specialists described in subsection (a)—

(1) may include care delivered via telemedicine; and

(2) shall be made widely available to members of the Coast Guard.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts authorized to be appropriated under section 4902(1)(A) of title 14, United States Code, as amended by section 5101 of this Act, \$2,000,000 shall be made available to the Commandant for each of fiscal years 2023 and 2024 to carry out this section.

**SEC. 5428. EXPANSION OF POSTGRADUATE OPPORTUNITIES FOR MEMBERS OF THE COAST GUARD IN MEDICAL AND RELATED FIELDS.**

(a) **IN GENERAL.**—The Commandant shall expand opportunities for members of the Coast Guard to secure postgraduate degrees in medical and related professional disciplines for the purpose of supporting Coast Guard clinics and operations.

(b) **MILITARY TRAINING STUDENT LOADS.**—Section 4904(b)(3) of title 14, United States Code, is amended by striking “350” and inserting “385”.

**SEC. 5429. STUDY ON COAST GUARD TELEMEDICINE PROGRAM.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on the Coast Guard telemedicine program.

(b) **ELEMENTS.**—The study required by subsection (a) shall include the following:

(1) An assessment of—

(A) the current capabilities and limitations of the Coast Guard telemedicine program;

(B) the degree of integration of such program with existing electronic health records;

(C) the capability and accessibility of such program, as compared to the capability and accessibility of the telemedicine programs of the Department of Defense and commercial medical providers;

(D) the manner in which the Coast Guard telemedicine program may be expanded to provide better clinical and behavioral medical services to members of the Coast Guard, including such members stationed at remote units or onboard Coast Guard cutters at sea; and

(E) the costs savings associated with the provision of—

(i) care through telemedicine; and

(ii) preventative care.

(2) An identification of barriers to full use or expansion of such program.

(3) A description of the resources necessary to expand such program to its full capability.

(c) **REPORT.**—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General 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 findings of the study.

**SEC. 5430. STUDY ON COAST GUARD MEDICAL FACILITIES NEEDS.**

(a) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on Coast Guard medical facilities needs.

(b) **ELEMENTS.**—The study required by subsection (a) shall include the following:

(1) A current list of Coast Guard medical facilities, including clinics, sickbays, and shipboard facilities.

(2) A summary of capital needs for Coast Guard medical facilities, including construction and repair.

(3) A summary of equipment upgrade backlogs of Coast Guard medical facilities.

(4) An assessment of improvements to Coast Guard medical facilities, including improvements to IT infrastructure, required to enable the Coast Guard to fully use telemedicine and implement other modernization initiatives.

(5) An evaluation of the process used by the Coast Guard to identify, monitor, and construct Coast Guard medical facilities.

(6) A description of the resources necessary to fully address all Coast Guard medical facilities needs.

(c) **REPORT.**—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General 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 findings of the study.

#### Subtitle C—Housing

**SEC. 5441. STRATEGY TO IMPROVE QUALITY OF LIFE AT REMOTE UNITS.**

(a) **IN GENERAL.**—Not more than 180 days after the date of the enactment of this Act, the Commandant shall develop a strategy to improve the quality of life for members of the Coast Guard and their dependents who are stationed in remote units.

(b) **ELEMENTS.**—The strategy required by subsection (a) shall address the following:

(1) Methods to improve the availability or affordability of housing options for members of the Coast Guard and their dependents through—

(A) Coast Guard-owned housing;

(B) Coast Guard-facilitated housing; or

(C) basic allowance for housing adjustments to rates that are more competitive for members of the Coast Guard seeking privately owned or privately rented housing.

(2) Methods to improve access by members of the Coast Guard and their dependents to—

(A) medical, dental, and pediatric care; and

(B) behavioral health care that is covered under the TRICARE program (as defined in section 1072 of title 10, United States Code).

(3) Methods to increase access to child care services, including recommendations for increasing child care capacity and opportunities for care within the Coast Guard and in the private sector.

(4) Methods to improve non-Coast Guard network internet access at remote units—

(A) to improve communications between families and members of the Coast Guard on active duty; and

(B) for other purposes such as education and training.

(5) Methods to support spouses and dependents who face challenges specific to remote locations.

(6) Any other matter the Commandant considers appropriate.

(c) **BRIEFING.**—Not later than 180 days after the strategy required by subsection (a) is

completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

(d) REMOTE UNIT DEFINED.—In this section, the term “remote unit” means a unit located in an area in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote.

**SEC. 5442. STUDY ON COAST GUARD HOUSING ACCESS, COST, AND CHALLENGES.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on housing access, cost, and associated challenges facing members of the Coast Guard.

(b) ELEMENTS.—The study required by subsection (a) shall include the following:

- (1) An assessment of—
  - (A) the extent to which—
    - (i) the Commandant has evaluated the sufficiency, availability, and affordability of housing options for members of the Coast Guard and their dependents; and
    - (ii) the Coast Guard owns and leases housing for members of the Coast Guard and their dependents;
  - (B) the methods used by the Commandant to manage housing data, and the manner in which the Commandant uses such data—
    - (i) to inform Coast Guard housing policy; and
    - (ii) to guide investments in Coast Guard-owned housing capacity and other investments in housing, such as long-term leases and other options; and

(c) THE PROCESS USED BY THE COMMANDANT TO GATHER AND PROVIDE INFORMATION USED TO CALCULATE HOUSING ALLOWANCES FOR MEMBERS OF THE COAST GUARD AND THEIR DEPENDENTS, INCLUDING WHETHER THE COMMANDANT HAS ESTABLISHED BEST PRACTICES TO MANAGE LOW-DATA AREAS.

(2) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing system.

(3) Recommendations for actions the Commandant should take to improve the availability and affordability of housing for members of the Coast Guard and their dependents who are stationed in—

(A) remote units located in areas in which members of the Coast Guard and their dependents are eligible for TRICARE Prime Remote; or

(B) units located in areas with a high number of vacation rental properties.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General 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 findings of the study.

(d) STRATEGY.—Not later than 180 days after the submission of the report required by subsection (c), the Commandant shall publish a Coast Guard housing strategy that addresses the findings set forth in the report, which shall, at a minimum—

(1) address housing inventory shortages and affordability; and

(2) include a Coast Guard-owned housing infrastructure investment prioritization plan.

**SEC. 5443. AUDIT OF CERTAIN MILITARY HOUSING CONDITIONS OF ENLISTED MEMBERS OF THE COAST GUARD IN KEY WEST, FLORIDA.**

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Commandant, in coordination with the Secretary of the Navy, shall commence the conduct of an audit to assess—

(1) the conditions of housing units of enlisted members of the Coast Guard located at Naval Air Station Key West Sigsbee Park Annex;

(2) the percentage of those units that are considered unsafe or unhealthy housing units for enlisted members of the Coast Guard and their families;

(3) the process used by enlisted members of the Coast Guard and their families to report housing concerns;

(4) the extent to which enlisted members of the Coast Guard and their families who experience unsafe or unhealthy housing units incur relocation, per diem, or similar expenses as a direct result of displacement that are not covered by a landlord, insurance, or claims process and the feasibility of providing reimbursement for uncovered expenses; and

(5) what is needed to provide appropriate and safe living quarters for enlisted members of the Coast Guard and their families in Key West, Florida.

(b) REPORT.—Not later than 90 days after the commencement of the audit under subsection (a), the Commandant shall submit to the appropriate committees of Congress a report on the results of the audit.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

(2) PRIVATIZED MILITARY HOUSING.—The term “privatized military housing” means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) UNSAFE OR UNHEALTHY HOUSING UNIT.—The term “unsafe or unhealthy housing unit” means a unit of privatized military housing in which is present, at levels exceeding national standards or guidelines, at least one of the following hazards:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biocides.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including the following:

(i) Ease of access by unlawful intruders.

(ii) Lighting issues.

(iii) Poor ventilation.

(iv) Safety hazards.

(v) Other hazards similar to the hazards specified in clauses (i) through (iv).

**SEC. 5444. STUDY ON COAST GUARD HOUSING AUTHORITIES AND PRIVATIZED HOUSING.**

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study—

(A) to evaluate the authorities of the Coast Guard relating to construction, operation, and maintenance of housing provided to members of the Coast Guard and their dependents; and

(B) to assess other options to meet Coast Guard housing needs in rural and urban housing markets, including public-private partnerships, long-term lease agreements,

privately owned housing, and any other housing option the Comptroller General identifies.

(2) ELEMENTS.—The study required by paragraph (1) shall include the following:

(A) A review of authorities, regulations, and policies available to the Secretary of the department in which the Coast Guard is operating (referred to in this section as the “Secretary”) with respect to construction, maintenance, and operation of housing for members of the Coast Guard and their dependents, including unaccompanied member housing, that considers—

(i) housing that is owned and operated by the Coast Guard;

(ii) long-term leasing or extended-rental housing;

(iii) public-private partnerships or other privatized housing options for which the Secretary may enter into 1 or more contracts with a private entity to build, maintain, and operate privatized housing for members of the Coast Guard and their dependents;

(iv) on-installation and off-installation housing options, and the availability of, and authorities relating to, such options; and

(v) housing availability near Coast Guard units, readiness needs, and safety.

(B) A review of the housing-related authorities, regulations, and policies available to the Secretary of Defense, and an identification of the differences between such authorities afforded to the Secretary of Defense and the housing-related authorities, regulations, and policies afforded to the Secretary.

(C) A description of lessons learned or recommendations for the Coast Guard based on the use by the Department of Defense of privatized housing, including the recommendations set forth in the report of the Government Accountability Office entitled “Privatized Military Housing: Update on DOD’s Efforts to Address Oversight Challenges” (GAO-22-105866), issued in March 2022.

(D) An assessment of the extent to which the Secretary has used the authorities provided in subchapter IV of chapter 169 of title 10, United States Code.

(E) An analysis of immediate and long-term costs associated with housing owned and operated by the Coast Guard, as compared to opportunities for long-term leases, private housing, and other public-private partnerships in urban and remote locations.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(c) BRIEFING.—Not later than 180 days after the date on which the report required by subsection (b) is submitted, the Commandant or the Secretary shall provide a briefing to the appropriate committees of Congress on—

(1) the actions the Commandant has, or has not, taken with respect to the results of the study;

(2) a plan for addressing areas identified in the report that present opportunities for improving the housing options available to members of the Coast Guard and their dependents; and

(3) the need for, or potential manner of use of, any authorities the Coast Guard does not have with respect to housing, as compared to the Department of Defense.

(d) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.



**Subtitle D—Other Matters****SEC. 5451. REPORT ON AVAILABILITY OF EMERGENCY SUPPLIES FOR COAST GUARD PERSONNEL.**

(a) IN GENERAL.—Not later than 180 days after the date of the 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 the availability of appropriate emergency supplies at Coast Guard units.

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

(1) An assessment of the extent to which—  
(A) the Commandant ensures that Coast Guard units assess risks and plan accordingly to obtain and maintain appropriate emergency supplies; and

(B) Coast Guard units have emergency food and water supplies available according to local emergency preparedness needs.

(2) A description of any challenge the Commandant faces in planning for and maintaining adequate emergency supplies for Coast Guard personnel.

(c) PUBLICATION.—Not later than 90 days after the date of submission of the report required by subsection (a), the Commandant shall publish a strategy and recommendations in response to the report that includes—

(1) a plan for improving emergency preparedness and emergency supplies for Coast Guard units; and

(2) a process for periodic review and engagement with Coast Guard units to ensure emerging emergency response supply needs are achieved and maintained.

**TITLE LV—MARITIME****Subtitle A—Vessel Safety****SEC. 5501. ABANDONED SEAFARERS FUND AMENDMENTS.**

Section 11113(c) of title 46, United States Code, is amended—

(1) in the matter preceding subparagraph (A) of paragraph (1), by inserting “plus a surcharge of 25 percent of such total amount” after “seafarer”; and

(2) by striking paragraph (4).

**SEC. 5502. RECEIPTS; INTERNATIONAL AGREEMENTS FOR ICE PATROL SERVICES.**

Section 80301(c) of title 46, United States Code, is amended by striking the period at the end and inserting “and shall be available until expended for the purpose of the Coast Guard international ice patrol program.”.

**SEC. 5503. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS.**

Notwithstanding any other provision of law, requirements authorized under sections 3509 of title 46, United States Code, shall not apply to any passenger vessel, as defined in section 2101 of such title, that—

(1) carries in excess of 250 passengers; and

(2) is, or was, in operation in the internal waters of the United States on voyages inside the Boundary Line, as defined in section 103 of such title, on or before July 27, 2030.

**SEC. 5504. AT-SEA RECOVERY OPERATIONS PILOT PROGRAM.**

(a) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the potential use of remotely controlled or autonomous operation and monitoring of certain vessels for the purposes of—

(1) better understanding the complexities of such at-sea operations and potential risks to navigation safety, vessel security, maritime workers, the public, and the environment;

(2) gathering observational and performance data from monitoring the use of remotely-controlled or autonomous vessels; and

(3) assessing and evaluating regulatory requirements necessary to guide the development of future occurrences of such operations and monitoring activities.

(b) DURATION AND EFFECTIVE DATE.—The duration of the pilot program established under this section shall be not more than 5 years beginning on the date on which the pilot program is established, which shall be not later than 180 days after the date of enactment of this Act.

(c) AUTHORIZED ACTIVITIES.—The activities authorized under this section include—

(1) remote over-the-horizon monitoring operations related to the active at-sea recovery of spaceflight components on an unmanned vessel or platform;

(2) procedures for the unaccompanied operation and monitoring of an unmanned spaceflight recovery vessel or platform; and

(3) unmanned vessel transits and testing operations without a physical tow line related to space launch and recovery operations, except within 12 nautical miles of a port.

(d) INTERIM AUTHORITY.—In recognition of potential risks to navigation safety, vessel security, maritime workers, the public, and the environment, and the unique circumstances requiring the use of remotely operated or autonomous vessels, the Secretary, in the pilot program established under subsection (a), may—

(1) allow remotely controlled or autonomous vessel operations to proceed consistent to the extent practicable under titles 33 and 46 of the United States Code, including navigation and manning laws and regulations;

(2) modify or waive applicable regulations and guidance as the Secretary considers appropriate to—

(A) allow remote and autonomous vessel at-sea operations and activities to occur while ensuring navigation safety; and

(B) ensure the reliable, safe, and secure operation of remotely-controlled or autonomous vessels; and

(3) require each remotely operated or autonomous vessel to be at all times under the supervision of 1 or more individuals—

(A) holding a merchant mariner credential which is suitable to the satisfaction of the Coast Guard; and

(B) who shall practice due regard for the safety of navigation of the autonomous vessel, to include collision avoidance.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the Secretary to—

(1) permit foreign vessels to participate in the pilot program established under subsection (a);

(2) waive or modify applicable laws and regulations under titles 33 and 46 of the United States Code, except to the extent authorized under subsection (d)(2); or

(3) waive or modify any regulations arising under international conventions.

(f) SAVINGS PROVISION.—Nothing in this section may be construed to authorize the employment in the coastwise trade of a vessel or platform that does not meet the requirements of sections 12112, 55102, 55103, and 55111 of title 46, United States Code.

(g) BRIEFINGS.—The Secretary or the designee of the Secretary shall brief the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the program established under subsection (a) on a quarterly basis.

(h) REPORT.—Not later than 180 days after the expiration of the pilot program established under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transpor-

tation and Infrastructure of the House of Representatives a final report regarding an assessment of the execution of the pilot program and implications for maintaining navigation safety, the safety of maritime workers, and the preservation of the environment.

(i) GAO REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this section, 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 the state of autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels in Federal waters of the United States.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of commercially available autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels during the 10 years immediately preceding the date of the report.

(B) An analysis of the safety, physical security, cybersecurity, and collision avoidance risks and benefits associated with autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels, including environmental considerations.

(C) An assessment of the impact of such autonomous and remote technologies, and all associated technologies, on labor, including—

(i) roles for credentialed and noncredentialed workers regarding such autonomous, remote, and associated technologies; and

(ii) training and workforce development needs associated with such technologies.

(D) An assessment and evaluation of regulatory requirements necessary to guide the development of future autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels.

(E) An assessment of the extent to which such technologies are being used in other countries and how such countries have regulated such technologies.

(F) Recommendations regarding authorization, infrastructure, and other requirements necessary for the implementation of such technologies in the United States.

(3) CONSULTATION.—The report required under paragraph (1) shall include, at a minimum, consultation with the maritime industry including—

(A) vessel operators, including commercial carriers, entities engaged in exploring for, developing, or producing resources, including non-mineral energy resources in its offshore areas, and supporting entities in the maritime industry;

(B) shipboard personnel impacted by any change to autonomous vessel operations, in order to assess the various benefits and risks associated with the implementation of autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels and the impact such technologies would have on maritime jobs and maritime manpower; and

(C) relevant federally funded research institutions, non-governmental organizations, and academia.

(j) DEFINITIONS.—In this section:

(1) MERCHANT MARINER CREDENTIAL.—The term “merchant mariner credential” means a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

**SEC. 5505. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.**

(a) RESTRUCTURING.—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 before section 30503 the following:

**“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) APPLICABILITY.—Section 30502 of title 46, United States Code, is amended—

(1) by striking “Except as otherwise provided” and inserting the following: “(a) IN GENERAL.—Except as to covered small passenger vessels and as otherwise provided”;

(2) by striking “section 30503” and inserting “section 30521”;

(3) by adding at the end the following:

“(b) APPLICATION.—Notwithstanding subsection (a), the requirements of section 30526 of this title shall apply to covered small passenger vessels.”.

(d) 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 “sea-going vessels”; and

(2) in subsection (b)—

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

(B) in paragraph (2), by striking “one year” and inserting “2 years”.

(e) CHAPTER ANALYSIS.—The analysis for chapter 305 of title 46, United States Code, is amended—

(1) by inserting before the item relating to section 30501 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

(2) by inserting after the item relating to section 30502 the following:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

(3) by striking the item relating to section 30501 and inserting the following:

“30501. Definitions.”;

and

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

(f) 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”; and

(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”; and

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

**SEC. 5506. MORATORIUM ON TOWING VESSEL INSPECTION USER FEES.**

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46 of such Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for a towing vessel that has a certificate of inspection issued under subchapter M of chapter I of title 46, Code of Federal Regulations (or any successor regulation), and that uses the Towing Safety Management System option for compliance with such subchapter, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (14 U.S.C. 946 note; Public Law 115-282); and

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

**SEC. 5507. CERTAIN HISTORIC PASSENGER VESSELS.**

(a) REPORT ON COVERED HISTORIC VESSELS.—

(1) 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 evaluating the practicability of the application of section 3306(n)(3)(A)(v) of title 46, United States Code, to covered historic vessels.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) An assessment of the compliance, as of the date on which the report is submitted in accordance with paragraph (1), of covered historic vessels with section 3306(n)(3)(A)(v) of title 46, United States Code.

(B) An assessment of the safety record of covered historic vessels.

(C) An assessment of the risk, if any, that modifying the requirements under section 3306(n)(3)(A)(v) of title 46, United States Code, would have on the safety of passengers and crew of covered historic vessels.

(D) An evaluation of the economic practicability of the compliance of covered historic vessels with such section 3306(n)(3)(A)(v) and whether that compliance would meaningfully improve safety of passengers and crew in a manner that is both feasible and economically practicable.

(E) Any recommendations to improve safety in addition to, or in lieu of, such section 3306(n)(3)(A)(v).

(F) Any other recommendations as the Comptroller General determines are appropriate with respect to the applicability of such section 3306(n)(3)(A)(v) to covered historic vessels.

(G) An assessment to determine if covered historic vessels could be provided an exemption to such section 3306(n)(3)(A)(v) and what changes to legislative or rulemaking require-

ments, including modifications to section 177.500(q) of title 46, Code of Federal Regulations (as in effect on the date of enactment of this Act), are necessary to provide the Commandant the authority to make such exemption or to otherwise provide for such exemption.

(b) CONSULTATION.—In completing the report required under subsection (a)(1), the Comptroller General may consult with—

(1) the National Transportation Safety Board;

(2) the Coast Guard; and

(3) the maritime industry, including relevant federally funded research institutions, nongovernmental organizations, and academia.

(c) EXTENSION FOR COVERED HISTORIC VESSELS.—The captain of a port may waive the requirements of section 3306(n)(3)(A)(v) of title 46, United States Code, with respect to covered historic vessels for not more than 2 years after the date of submission of the report required by subsection (a) to Congress in accordance with such subsection.

(d) SAVINGS CLAUSE.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered historic vessels.

(e) NOTICE TO PASSENGERS.—A covered historic vessel that receives a waiver under subsection (c) shall, beginning on the date on which the requirements under section 3306(n)(3)(A)(v) of title 46, United States Code, take effect, provide a prominently displayed notice on its website, ticket counter, and each ticket for passengers that the vessel is exempt from meeting the Coast Guard safety compliance standards concerning egress as provided for under such section 3306(n)(3)(A)(v).

(f) DEFINITION OF COVERED HISTORIC VESSELS.—In this section, the term “covered historic vessels” means the following:

(1) American Eagle (Official Number 229913).

(2) Angeliq (Official Number 623562).

(3) Heritage (Official Number 649561).

(4) J & E Riggan (Official Number 226422).

(5) Ladona (Official Number 222228).

(6) Lewis R. French (Official Number 015801).

(7) Mary Day (Official Number 288714).

(8) Stephen Taber (Official Number 115409).

(9) Victory Chimes (Official Number 136784).

(10) Grace Bailey (Official Number 085754).

(11) Mercantile (Official Number 214388).

(12) Mistress (Official Number 509004).

**SEC. 5508. COAST GUARD DIGITAL REGISTRATION.**

Section 12304(a) of title 46, United States Code, is amended—

(1) by striking “shall be pocketsized.”; and

(2) by striking “, and may be valid” and inserting “and may be in hard copy or digital form. The certificate shall be valid”.

**SEC. 5509. RESPONSES 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 a recommendation and supporting justification by the National Transportation Safety Board relating to transportation safety, the Commandant shall submit to the National Transportation Safety Board a written response to the 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 with which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;

“(2) with respect to a recommendation with 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 with which the Commandant does not concur, the reasons the Commandant does not concur.

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

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

“721. Responses to safety recommendations.”.

**SEC. 5510. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON THE COAST GUARD'S OVERSIGHT OF THIRD PARTY ORGANIZATIONS.**

(a) IN GENERAL.—The Comptroller General of the United States shall initiate a review, not later than 1 year after the date of enactment of this Act, that assesses the Coast Guard's oversight of third party organizations.

(b) ELEMENTS.—The study required under subsection (a) shall analyze the following:

(1) Coast Guard utilization of third party organizations in its prevention mission, and the extent the Coast Guard plans to increase such use to enhance prevention mission performance, including resource utilization and specialized expertise.

(2) The extent the Coast Guard has assessed the potential risks and benefits of using third party organizations to support prevention mission activities.

(3) The extent the Coast Guard provides oversight of third party organizations authorized to support prevention mission activities.

(c) REPORT.—The Comptroller General shall submit the results from this study not later than 1 year after initiating the review to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

**SEC. 5511. ARTICULATED TUG-BARGE MANNING.**

(a) IN GENERAL.—Notwithstanding the watch setting requirements set forth in section 8104 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating shall authorize an Officer in Charge, Marine Inspection to issue an amended certificate of inspection that does not require engine room watch setting to inspected towing vessels certificated prior to July 19, 2022, forming part of an articulated tug-barge unit, provided that such vessels are equipped with engineering control and monitoring systems of a type accepted for no engine room watch setting under a previously approved Minimum Safe Manning Document or certificate of inspection for articulated tug-barge units.

(b) DEFINITIONS.—In this section:

(1) CERTIFICATE OF INSPECTION.—The term “certificate of inspection” means a certificate of inspection under subchapter M of chapter I of title 46, Code of Federal Regulations.

(2) INSPECTED TOWING VESSEL.—The term “inspected towing vessel” means a vessel issued a Certificate of Inspection.

**SEC. 5512. ALTERNATE SAFETY COMPLIANCE PROGRAM EXCEPTION FOR CERTAIN VESSELS.**

Section 4503a of title 46, United States Code, is amended—

(1) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively; and

(2) by inserting after subsection (c) the following:

“(d) Subsection (a) shall not apply to a vessel that—

“(1) is 79 feet or less in length as listed on the vessel's certificate of documentation or certificate of number; and

“(2)(A) successfully completes a dockside examination by the Secretary every 2 years in accordance with section 4502(f)(2) of this title; and

“(B) visibly displays a current decal demonstrating examination compliance in the pilothouse or equivalent space.”.

**Subtitle B—Other Matters**

**SEC. 5521. DEFINITION OF A STATELESS VESSEL.**

Section 70502(d)(1) of title 46, United States Code, is amended—

(1) in subparagraph (B), by striking “and” after the semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) a vessel aboard which no individual, on request of an officer of the United States authorized to enforce applicable provisions of United States law, claims to be the master or is identified as the individual in charge and that has no other claim of nationality or registry under paragraph (1) or (2) of subsection (e).”.

**SEC. 5522. REPORT ON ENFORCEMENT OF COASTWISE LAWS.**

Not later than 1 year after the date of enactment of this Act, the Commandant 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. 5523. STUDY ON MULTI-LEVEL SUPPLY CHAIN SECURITY STRATEGY OF THE DEPARTMENT OF HOMELAND SECURITY.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study that assesses the efforts of the Department of Homeland Security with respect to securing vessels and maritime cargo bound for the United States from national security related risks and threats.

(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) Programs that comprise the maritime strategy of the Department of Homeland Security for securing vessels and maritime cargo bound for the United States, and the extent that such programs cover the critical components of the global supply chain.

(2) The extent to which the components of the Department of Homeland Security responsible for maritime security issues have implemented leading practices in collaboration.

(3) The extent to which the Department of Homeland Security has assessed the effectiveness of its maritime security strategy.

(4) The effectiveness of the maritime security strategy of the Department of Homeland Security.

(c) REPORT.—Not later than 1 year after initiating the study under subsection (a), the Comptroller General of the United States shall submit the results from the study to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

**SEC. 5524. STUDY TO MODERNIZE THE MERCHANT MARINER LICENSING AND DOCUMENTATION SYSTEM.**

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the financial, human, and information technology infrastructure resources needed to establish an electronic merchant mariner licensing and documentation system.

(b) LEGISLATIVE AND REGULATORY SUGGESTIONS.—The report described in subsection (a) shall include recommendations for such legislative or administrative actions as the Commandant determines necessary to establish the electronic merchant mariner licensing and documentation system described in subsection (a) as soon as possible.

(c) GAO REPORT.—

(1) IN GENERAL.—By not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Commandant, shall prepare and submit a report to Congress that evaluates the current processes, as of the date of enactment of this Act, of the National Maritime Center for processing and approving merchant mariner credentials.

(2) CONTENTS OF EVALUATION.—The evaluation conducted under paragraph (1) shall include—

(A) an analysis of the effectiveness of the current merchant mariner credentialing process, as of the date of enactment of this Act;

(B) an analysis of the backlogs relating to the merchant mariner credentialing process and the reasons for such backlogs; and

(C) recommendations for improving and expediting the merchant mariner credentialing process.

(3) DEFINITION OF MERCHANT MARINER CREDENTIAL.—In this subsection, the term “merchant mariner credential” means a merchant mariner license, certificate, or document that the Secretary of the department in which the Coast Guard is operating is authorized to issue pursuant to title 46, United States Code.

**SEC. 5525. STUDY AND REPORT ON DEVELOPMENT AND MAINTENANCE OF MARINER RECORDS DATABASE.**

(a) STUDY.—

(1) IN GENERAL.—The Secretary, in coordination with the Commandant and the Administrator of the Maritime Administration and the Commander of the United States Transportation Command, shall conduct a study on the potential benefits and feasibility of developing and maintaining a Coast Guard database that—

(A) contains records with respect to each credentialed mariner, including credential validity, drug and alcohol testing results, and information on any final adjudicated

agency action involving a credentialed mariner or regarding any involvement in a marine casualty; and

(B) maintains such records in a manner such that data can be readily accessed by the Federal Government for the purpose of assessing workforce needs and for the purpose of the economic and national security of the United States.

(2) ELEMENTS.—The study required under paragraph (1) shall—

(A) include an assessment of the resources, including information technology, and authorities necessary to develop and maintain the database described in such paragraph; and

(B) specifically address the protection of the privacy interests of any individuals whose information may be contained within the database, which shall include limiting access to the database or having access to the database be monitored by, or accessed through, a member of the Coast Guard.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary 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 results of the study under subsection (a), including findings, conclusions, and recommendations.

(c) DEFINITIONS.—In this section:

(1) CREDENTIALLED MARINER.—The term “credentialed mariner” means an individual with a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Department in which the Coast Guard is operating.

**SEC. 5526. ASSESSMENT REGARDING APPLICATION PROCESS FOR MERCHANT MARINER CREDENTIALS.**

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall conduct an assessment to determine the resources, including personnel and computing resources, required to—

(1) reduce the amount of time necessary to process merchant mariner credentialing applications to not more than 2 weeks after the date of receipt; and

(2) develop and maintain an electronic merchant mariner credentialing application.

(b) BRIEFING REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives with the results of the assessment required under subsection (a).

(c) DEFINITION.—In this section, the term “merchant mariner credentialing application” means a credentialing application for a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

**SEC. 5527. MILITARY TO MARINERS ACT OF 2022.**

(a) SHORT TITLE.—This section may be cited as the “Military to Mariners Act of 2022”.

(b) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress makes the following findings:

(A) The United States Uniformed Services are composed of the world’s most highly trained and professional servicemembers.

(B) A robust Merchant Marine and ensuring United States mariners can compete in the global workforce are vital to economic and national security.

(C) Attracting additional trained and credentialed mariners, particularly from active duty servicemembers and military veterans, will support United States national security requirements and provide meaningful, well-paying jobs to United States veterans.

(D) There is a need to ensure that the Federal Government has a robust, state of the art, and efficient merchant mariner credentialing system to support economic and national security.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) veterans and members of the Uniformed Services who pursue credentialing to join the United States Merchant Marine should receive vigorous support; and

(B) it is incumbent upon the regulatory bodies of the United States to streamline regulations to facilitate transition of veterans and members of the Uniformed Services into the United States Merchant Marine to maintain a strong maritime presence in the United States and worldwide.

(c) MODIFICATION OF SEA SERVICE REQUIREMENTS FOR MERCHANT MARINER CREDENTIALS FOR VETERANS AND MEMBERS OF THE UNIFORMED SERVICES.—

(1) DEFINITIONS.—In this subsection:

(A) MERCHANT MARINER CREDENTIAL.—The term “merchant mariner credential” has the meaning given the term in section 7510 of title 46, United States Code.

(B) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(C) UNIFORMED SERVICES.—The term “Uniformed Services” has the meaning given the term “uniformed services” in section 2101 of title 5, United States Code.

(2) REVIEW AND REGULATIONS.—Notwithstanding any other provision of law, not later than 2 years after the date of enactment of this Act, the Secretary shall—

(A) review and examine—

(i) the requirements and procedures for veterans and members of the Uniformed Services to receive a merchant mariner credential;

(ii) the classifications of sea service acquired through training and service as a member of the Uniformed Services and level of equivalence to sea service on merchant vessels;

(iii) the amount of sea service, including percent of the total time onboard for purposes of equivalent underway service, that will be accepted as required experience for all endorsements for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services;

(B) provide the availability for a fully internet-based application process for a merchant mariner credential, to the maximum extent practicable; and

(C) issue new regulations to—

(i) reduce paperwork, delay, and other burdens for applicants for a merchant mariner credential who are veterans and members of the Uniformed Services, and, if determined to be appropriate, increase the acceptable percentages of time equivalent to sea service for such applicants; and

(ii) reduce burdens and create a means of alternative compliance to demonstrate instructor competency for Standards of Training, Certification and Watchkeeping for Seafarers courses.

(3) CONSULTATION.—In carrying out paragraph (2), the Secretary shall consult with the National Merchant Marine Personnel Advisory Committee taking into account the present and future needs of the United States Merchant Marine labor workforce.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Committee on the Marine Transportation System

shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Armed Services of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Armed Services of the House of Representatives, a report that contains an update on the activities carried out to implement—

(A) the July 2020 report by the Committee on the Marine Transportation System to the White House Office of Trade and Manufacturing Policy on the implementation of Executive Order 13860 (84 Fed. Reg. 8407; relating to supporting the transition of active duty servicemembers and military veterans into the Merchant Marine); and

(B) section 3511 of the National Defense Authorization Act of 2020 (Public Law 116-92; 133 Stat. 1978).

(d) ASSESSMENT OF SKILLBRIDGE FOR EMPLOYMENT AS A MERCHANT MARINER.—The Secretary of the department in which the Coast Guard is operating, in collaboration with the Secretary of Defense, shall assess the use of the SkillBridge program of the Department of Defense as a means for transitioning active duty sea service personnel toward employment as a merchant mariner.

**SEC. 5528. FLOATING DRY DOCKS.**

Section 55122(a) of title 46, United States Code, is amended—

(1) in paragraph (1)(C)—

(A) by striking “(C)” and inserting “(C)(i)”;

(B) by striking “2015; and” and inserting “2015; or”;

(C) by adding at the end the following:

“(ii) had a letter of intent for purchase by such shipyard or affiliate signed prior to such date of enactment; and”;

(2) in paragraph (2), by inserting “or occurs between Honolulu, Hawaii, and Pearl Harbor, Hawaii” before the period at the end.

**TITLE LVI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE**

**SEC. 5601. 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 offense under a State, local, or Tribal law.

“(46) ‘sexual harassment’ means any of the following:

“(A) Conduct towards an individual (which may have been by the individual’s supervisor, a supervisor in another area, a coworker, or another credentialed mariner) that—

“(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature, when—

“(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) any submission to, or rejection of, such conduct by the individual is used as a basis for decisions affecting the individual’s job, pay, career, benefits, or entitlements; or

“(III) such conduct has the purpose or effect of unreasonably interfering with the individual’s work performance or creates an intimidating, hostile, or offensive working environment; and

“(ii) is so severe or pervasive that a reasonable person would perceive, and the individual does perceive, the environment as hostile or offensive.

“(B) Any use or condonation by any person in a supervisory or command position of any form of sexual behavior to control, influence, or affect the career, pay, or job of an individual who is a subordinate to the person.

“(C) Any intentional or repeated unwelcome verbal comment or gesture of a sexual nature towards or about an individual by the individual’s supervisor, a supervisor in another area, a coworker, or another credentialed mariner.”.

(b) REPORT.—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 any changes the Commandant may propose to the definitions added by the amendments in subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) Section 2113(3) of title 46, United States Code, is amended by striking “section 2101(51)(A)” and inserting “section 2101(53)(A)”.

(2) Section 4105 of title 46, United States Code, is amended—

(A) in subsections (b)(1) and (c), by striking “section 2101(51)” each place it appears and inserting “section 2101(53)”;

(B) in subsection (d), by striking “section 2101(51)(A)” and inserting “section 2101(53)(A)”.

(3) Section 1131(a)(1)(E) of title 49, United States Code, is amended by striking “section 2101(46)” and inserting “116”.

**SEC. 5602. 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—

“(1) chapter 109A of title 18, except for subsection (b) of section 2244 of title 18; or

“(2) a substantially similar offense under a State, local, or Tribal law.

“(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 offense under a State, local, or Tribal law.”.

(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. 5603. ACCOMMODATION; NOTICES.**

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

(1) in subsection (a)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting “; and”;

(C) 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, sexual harassment, retaliation, and drug and alcohol use; and

“(B) procedures and resources to report allegations of sexual assault and sexual harassment, including information—

“(i) on the contact information, website address, and mobile application of the Coast Guard Investigative Services and the Coast

Guard National Command Center, in order to report allegations of sexual assault or sexual harassment;

“(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) on additional items specified in regulations issued by, and at the discretion of, the Secretary.”; and

(2) in subsection (d), by adding at the end the following: “In each washing place in a visible location, there shall be information regarding procedures and resources to report alleged sexual assault and sexual harassment upon the vessel, and vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol use.”.

**SEC. 5604. PROTECTION AGAINST DISCRIMINATION.**

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

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively; and

(B) 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;”;

(2) in paragraphs (2) and (3), by striking “paragraph (1)(B)” each place it appears and inserting “paragraph (1)(C)”.

**SEC. 5605. ALCOHOL AT SEA.**

(a) IN GENERAL.—The Commandant shall seek to enter into an agreement with the National Academy of Sciences not later than 1 year after the date of the enactment of this Act under which the National Academy of Sciences shall prepare an assessment to determine safe levels of alcohol consumption and possession by crew members aboard vessels of the United States engaged in commercial service, except when such possession is associated with the commercial sale to individuals aboard the vessel who are not crew members.

(b) ASSESSMENT.—The assessment under this section shall—

(1) take into account the safety and security of every individual on the vessel;

(2) take into account reported incidences of sexual harassment or sexual assault, as defined in section 2101 of title 46, United States Code; and

(3) provide any appropriate recommendations for any changes to laws, including regulations, or employer policies.

(c) SUBMISSION.—Upon completion of the assessment under this section, the National Academy of Sciences shall submit the assessment to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Commandant, and the Secretary of the department in which the Coast Guard is operating.

(d) REGULATIONS.—The Commandant—

(1) shall review the findings and recommendations of the assessment under this section by not later than 180 days after receiving the assessment under subsection (c); and

(2) taking into account the safety and security of every individual on vessels of the

United States engaged in commercial service, may issue regulations relating to alcohol consumption on such vessels.

(e) REPORT REQUIRED.—If, by the date that is 2 years after the receipt of the assessment under subsection (c), the Commandant does not issue regulations under subsection (d), the Commandant shall provide a report by such date to the appropriate committees of Congress—

(1) regarding the rationale for not issuing such regulations; and

(2) providing other recommendations as necessary to ensure safety at sea.

**SEC. 5606. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION AND 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 and 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 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner’s document shall 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 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner’s document shall be revoked.

“(c) SUBSTANTIATED CLAIM.—

“(1) IN GENERAL.—In this section, the term ‘substantiated claim’ means—

“(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for which all appeals have been exhausted, as applicable; or

“(B) a determination after an investigation by the Coast Guard that it is more likely than not that the individual committed sexual harassment or sexual assault as defined in section 2101, if the determination affords appropriate due process rights to the subject of the investigation.

“(2) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner’s document shall not be suspended or revoked under subsection (a) or (b), unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in section 2101, by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.”.

(b) CLERICAL AMENDMENT.—The analysis for 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. 5607. 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 NONPASSENGER COMMERCIAL VESSELS**  
**“§ 4901. Surveillance requirements**

“(a) APPLICABILITY.—

“(1) IN GENERAL.—The requirements in this section shall apply to vessels engaged in

commercial service that do not carry passengers and are any of the following:

“(A) A documented vessel with overnight accommodations for at least 10 persons on board that—

“(i) is on a voyage of at least 600 miles and crosses seaward of the boundary line; or

“(ii) is at least 24 meters (79 feet) in overall length and required to have a load line under chapter 51.

“(B) A documented vessel on an international voyage that is of—

“(i) at least 500 gross tons as measured under section 14502; or

“(ii) an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104.

“(C) A vessel 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 (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)).

“(2) EXCEPTION.—Notwithstanding paragraph (1), the requirements in this section shall not apply to any fishing vessel, fish processing vessel, or fish tender vessel.

“(b) REQUIREMENT FOR MAINTENANCE OF VIDEO SURVEILLANCE SYSTEM.—Each vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

“(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 the date of enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled dry-dock, whichever is later.

“(2) LOCATIONS.—Video and audio surveillance equipment shall be placed in passageways onto 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) LIMITED ACCESS TO VIDEO AND AUDIO RECORDS.—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 section 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 4 years after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident of sexual harassment or sexual assault shall be retained by such owner for not less than 10 years from the date of the alleged incident.

“(g) PERSONNEL TRAINING.—A vessel owner, managing operator, or employer of a seafarer (in this subsection referred to as the ‘company’) shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual assault or sexual harassment, including—

“(1) such training to ensure the individuals—

“(A) retain audio and visual records and other evidence objectively; and

“(B) act impartially without influence from the company or others; and

“(2) training on applicable Federal, State, Tribal, and local laws and regulations regarding sexual assault and sexual harassment investigations and reporting requirements.

“(h) DEFINITION OF OWNER.—In this section, the term ‘owner’ means the owner, charterer, managing operator, master, or other individual in charge of a vessel.”.

(b) CLERICAL AMENDMENT.—The analysis of subtitle II at the beginning of title 46, United States Code, is amended by adding after the item relating to chapter 47 the following:

“CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS”.

#### SEC. 5608. 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)(A) establish a list of all crew members, identified by position, allowed to access and use the master key; and

“(B) maintain such list upon the vessel within owner records and include such list in the vessel safety management system under section 3203(a)(6);

“(3) record in a log book, which may be electronic and shall be included in the safety management system under section 3203(a)(6), 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.—A crew member 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 access to or use of such key.

“(c) PENALTY.—Any crew member who violates subsection (b) 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.”.

(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. 5609. 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), respectively; and

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

“(5) with respect to sexual harassment and sexual assault, procedures and annual training requirements for all responsible persons and vessels to which this chapter applies on—

“(A) prevention;

“(B) bystander intervention;

“(C) reporting;

“(D) response; and

“(E) investigation;

“(6) the list required under section 3106(a)(2) and the log book required under section 3106(a)(3);”;

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), 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.

“(c) AUDITS.—

“(1) IN GENERAL.—Upon discovery of a failure of a responsible person or vessel to comply with a requirement under section 10104 during an audit of a safety management system or from other sources of information acquired by the Coast Guard (including an audit or systematic review under section 10104(g)), the Secretary shall audit the safety management system of a vessel under this section to determine if there is a failure to comply with any other requirement under section 10104.

“(2) CERTIFICATES.—

“(A) SUSPENSION.—During an audit of a safety management system of a vessel required under paragraph (1), the Secretary may suspend the Safety Management Certificate issued for the vessel under section 3205 and issue a separate Safety Management Certificate for the vessel to be in effect for a 3-month period beginning on the date of the issuance of such separate certificate.

“(B) REVOCATION.—At the conclusion of an audit of a safety management system required under paragraph (1), the Secretary shall revoke the Safety Management Certificate issued for the vessel under section 3205 if the Secretary determines—

“(i) that the holder of the Safety Management Certificate knowingly, or repeatedly, failed to comply with section 10104; or

“(ii) other failure of the safety management system resulted in the failure to comply with such section.

“(3) DOCUMENTS OF COMPLIANCE.—

“(A) IN GENERAL.—Following an audit of the safety management system of a vessel required under paragraph (1), the Secretary may audit the safety management system of the responsible person for the vessel.

“(B) SUSPENSION.—During an audit under subparagraph (A), the Secretary may suspend the Document of Compliance issued to the responsible person under section 3205 and issue a separate Document of Compliance to such person to be in effect for a 3-month period beginning on the date of the issuance of such separate document.

“(C) REVOCATION.—At the conclusion of an assessment or an audit of a safety management system under subparagraph (A), the Secretary shall revoke the Document of Compliance issued to the responsible person if the Secretary determines—

“(i) that the holder of the Document of Compliance knowingly, or repeatedly, failed to comply with section 10104; or

“(ii) that other failure of the safety management system resulted in the failure to comply with such section.”.

#### SEC. 5610. 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 VESSEL OWNER, MASTER, MANAGING OPERATOR, OR EMPLOYER.—

“(1) IN GENERAL.—A vessel owner, master, or managing operator of a documented vessel or the employer of a seafarer on that vessel shall report to the Commandant in accordance with subsection (b) any complaint or incident of sexual harassment or sexual assault involving a crew member in violation



of employer policy or law of which such vessel owner, master, managing operator, or 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 crew member.

“(2) PENALTY.—A vessel owner, master, or managing operator of a documented vessel 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 \$50,000.

“(b) REPORTING PROCEDURES.—

“(1) TIMING OF REPORTS BY VESSEL OWNERS, MASTERS, MANAGING OPERATORS, OR EMPLOYERS.—A report required under subsection (a) shall be made immediately after the vessel owner, master, managing operator, or employer of the seafarer gains knowledge of a sexual assault or sexual harassment incident by the fastest telecommunications channel available. Such report shall be made to the Commandant and the appropriate officer or agency of the government of the country in whose waters the incident occurs.

“(2) CONTENTS.—A report required under subsection (a) shall include, to the best of the knowledge of the individual making the report—

“(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.

“(3) RECEIVING REPORTS AND COLLECTION OF INFORMATION.—

“(A) RECEIVING REPORTS.—With respect to reports submitted under this subsection to the Coast Guard, the Commandant—

“(i) may establish additional reporting procedures, including procedures for receiving reports through—

“(I) a telephone number that is continuously manned at all times; and

“(II) an email address that is continuously monitored; and

“(ii) shall use procedures that include preserving evidence in such reports and providing emergency service referrals.

“(B) COLLECTION OF INFORMATION.—After receiving a report under this subsection, the Commandant shall collect information related to the identity of each alleged victim, alleged perpetrator, and witness identified in the report through a means designed to protect, to the extent practicable, the personal identifiable information of such individuals.

“(C) SUBPOENA AUTHORITY.—

“(1) IN GENERAL.—The Commandant may compel the testimony of witnesses and the production of any evidence by subpoena to determine compliance with this section.

“(2) JURISDICTIONAL LIMITS.—The jurisdictional limits of a subpoena issued under this section are the same as, and are enforceable in the same manner as, subpoenas issued under chapter 63 of this title.

“(d) COMPANY AFTER-ACTION SUMMARY.—A vessel owner, master, managing operator, or employer of a seafarer that makes a report under subsection (a) shall—

“(1) submit to the Commandant a document with detailed information to describe the actions taken by the vessel owner, master, managing operator, or employer of a seafarer after it became aware of the sexual assault or sexual harassment incident; and

“(2) make such submission not later than 10 days after the vessel owner, master, man-

aging operator, or employer of a seafarer made the report under subsection (a).

“(e) INVESTIGATORY AUDIT.—The Commandant shall periodically perform an audit or other systematic review of the submissions made under this section to determine if there were any failures to comply with the requirements of this section.

“(f) CIVIL PENALTY.—A vessel owner, master, managing operator, or employer of a seafarer that fails to comply with subsection (e) is liable to the United States Government for a civil penalty of \$50,000 for each day a failure continues.

“(g) APPLICABILITY; REGULATIONS.—

“(1) EFFECTIVE DATE.—The requirements of this section take effect on the date of enactment of the Coast Guard Authorization Act of 2022.

“(2) REGULATIONS.—The Commandant may issue regulations to implement the requirements of this section.

“(3) REPORTS.—Any report required to be made to the Commandant under this section shall be made to the Coast Guard National Command Center, until regulations establishing other reporting procedures are issued.”

**SEC. 5611. ACCESS TO CARE AND SEXUAL ASSAULT FORENSIC EXAMINATIONS.**

(a) IN GENERAL.—Subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

**“§ 565. Access to care and sexual assault forensic examinations**

“(a) IN GENERAL.—Before embarking on any prescheduled voyage, a Coast Guard vessel shall have in place a written operating procedure that ensures that an embarked victim of sexual assault shall have access to a sexual assault forensic examination—

“(1) as soon as possible after the victim requests an examination; and

“(2) that is treated with the same level of urgency as emergency medical care.

“(b) REQUIREMENTS.—The written operating procedure required by subsection (a), shall, at a minimum, account for—

“(1) the health, safety, and privacy of a victim of sexual assault;

“(2) the proximity of ashore or afloat medical facilities, including coordination as necessary with the Department of Defense, including other military departments (as defined in section 101 of title 10, United States Code);

“(3) the availability of aeromedical evacuation;

“(4) the operational capabilities of the vessel concerned;

“(5) the qualifications of medical personnel onboard;

“(6) coordination with law enforcement and the preservation of evidence;

“(7) the means of accessing a sexual assault forensic examination and medical care with a restricted report of sexual assault;

“(8) the availability of nonprescription pregnancy prophylactics; and

“(9) other unique military considerations.”

(b) STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study to assess the feasibility of the development of a self-administered sexual assault forensic examination for use by victims of sexual assault onboard a vessel at sea.

(2) ELEMENTS.—The study under paragraph (1) shall—

(A) take into account—

(i) the safety and security of the alleged victim of sexual assault;

(ii) the ability to properly identify, document, and preserve any evidence relevant to the allegation of sexual assault; and

(iii) the applicable criminal procedural laws relating to authenticity, relevance, preservation of evidence, chain of custody, and any other matter relating to evidentiary admissibility; and

(B) provide any appropriate recommendation for changes to existing laws, regulations, or employer policies.

(3) REPORT.—Upon completion of the study under paragraph (1), the National Academy of Sciences shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Secretary of the department in which the Coast Guard is operating a report on the findings of the study.

(c) CLERICAL AMENDMENT.—The analysis for subchapter IV of chapter 5 of title 14, United States Code, as amended by section 5211, is further amended by adding at the end the following:

“565. Access to care and sexual assault forensic examinations.”

**SEC. 5612. REPORTS TO CONGRESS.**

(a) IN GENERAL.—Chapter 101 of title 46, United States Code, is amended by adding at the end the following:

**“§ 10105. Reports to Congress**

“Not later than 1 year after the date of enactment of the Coast Guard Authorization Act of 2022, and on an annual basis thereafter, 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 to include—

“(1) the number of reports received under section 10104;

“(2) the number of penalties issued under such section;

“(3) the number of open investigations under such section, completed investigations under such section, and the outcomes of such open or completed investigations;

“(4) the number of assessments or audits conducted under section 3203 and the outcome of those assessments or audits;

“(5) a statistical analysis of compliance with the safety management system criteria under section 3203;

“(6) the number of credentials denied or revoked due to sexual harassment, sexual assault, or related offenses; and

“(7) recommendations to support efforts of the Coast Guard to improve investigations and oversight of sexual harassment and sexual assault in the maritime sector, including funding requirements and legislative change proposals necessary to ensure compliance with title LVI of the Coast Guard Authorization Act of 2022 and the amendments made by such title.”

(b) CLERICAL AMENDMENT.—The analysis for chapter 101 of title 46, United States Code, is amended by adding at the end the following:

“10105. Reports to Congress.”

**SEC. 5613. POLICY ON REQUESTS FOR PERMANENT CHANGES OF STATION OR UNIT TRANSFERS BY PERSONS WHO REPORT BEING THE VICTIM OF SEXUAL ASSAULT.**

Not later than 30 days after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Health, Safety, and Work Life Directorate, shall issue an interim update to Coast Guard policy guidance to allow a member of the Coast Guard who has reported being the victim of a sexual assault or any other offense covered

by section 920, 920c, or 930 of title 10, United States Code (article 120, 120c, or 130 of the Uniform Code of Military Justice) to request an immediate change of station or a unit transfer. The final policy shall be updated not later than 1 year after the date of the enactment of this Act.

**SEC. 5614. SEX OFFENSES AND PERSONNEL RECORDS.**

Not later than 180 days after the date of the enactment of this Act, the Commandant shall issue final regulations or policy guidance required to fully implement section 1745 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1561 note).

**SEC. 5615. STUDY ON COAST GUARD OVERSIGHT AND INVESTIGATIONS.**

(a) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to assess the oversight over Coast Guard activities, including investigations, personnel management, whistleblower protection, and other activities carried out by the Department of Homeland Security Office of Inspector General.

(b) **ELEMENTS.**—The study required by subsection (a) shall include the following:

(1) An analysis of the ability of the Department of Homeland Security Office of Inspector General to ensure timely, thorough, complete, and appropriate oversight over the Coast Guard, including oversight over both civilian and military activities.

(2) An assessment of—

(A) the best practices with respect to such oversight; and

(B) the ability of the Department of Homeland Security Office of Inspector General and the Commandant to identify and achieve such best practices.

(3) An analysis of the methods, standards, and processes employed by the Department of Defense Office of Inspector General and the inspectors generals of the armed forces (as defined in section 101 of title 10, United States Code), other than the Coast Guard, to conduct oversight and investigation activities.

(4) An analysis of the methods, standards, and processes of the Department of Homeland Security Office of Inspector General with respect to oversight over the civilian and military activities of the Coast Guard, as compared to the methods, standards, and processes described in paragraph (3).

(5) An assessment of the extent to which the Coast Guard Investigative Service completes investigations or other disciplinary measures after referral of complaints from the Department of Homeland Security Office of Inspector General.

(6) A description of the staffing, expertise, training, and other resources of the Department of Homeland Security Office of Inspector General, and an assessment as to whether such staffing, expertise, training, and other resources meet the requirements necessary for meaningful, timely, and effective oversight over the activities of the Coast Guard.

(c) **REPORT.**—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General 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 findings of the study, including recommendations with respect to oversight over Coast Guard activities.

(d) **OTHER REVIEWS.**—The study required by subsection (a) may rely upon recently completed or ongoing reviews by the Comptroller General or other entities, as applicable.

**SEC. 5616. STUDY ON SPECIAL VICTIMS' COUNSEL PROGRAM.**

(a) **IN GENERAL.**—Not later than 30 days after the date of the enactment of this Act,

the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a federally funded research and development center for the conduct of a study on—

(1) the Special Victims' Counsel program of the Coast Guard;

(2) Coast Guard investigations of sexual assault offenses for cases in which the subject of the investigation is no longer under jeopardy for the alleged misconduct for reasons including the death of the accused, a lapse in the statute of limitations for the alleged offense, and a fully adjudicated criminal trial of the alleged offense in which all appeals have been exhausted; and

(3) legal support and representation provided to members of the Coast Guard who are victims of sexual assault, including in instances in which the accused is a member of the Army, Navy, Air Force, Marine Corps, or Space Force.

(b) **ELEMENTS.**—The study required by subsection (a) shall assess the following:

(1) The Special Victims' Counsel program of the Coast Guard, including training, effectiveness, capacity to handle the number of cases referred, and experience with cases involving members of the Coast Guard and members of another armed force (as defined in section 101 of title 10, United States Code).

(2) The experience of Special Victims' Counsels in representing members of the Coast Guard during a court-martial.

(3) Policies concerning the availability and detailing of Special Victims' Counsels for sexual assault allegations, in particular such allegations in which the accused is a member of another armed force (as defined in section 101 of title 10, United States Code), and the impact that the cross-service relationship had on—

(A) the competence and sufficiency of services provided to the alleged victim; and

(B) the interaction between—

(i) the investigating agency and the Special Victims' Counsels; and

(ii) the prosecuting entity and the Special Victims' Counsels.

(4) Training provided to, or made available for, Special Victims' Counsels and paralegals with respect to Department of Defense processes for conducting sexual assault investigations and Special Victims' Counsel representation of sexual assault victims.

(5) The ability of Special Victims' Counsels to operate independently without undue influence from third parties, including the command of the accused, the command of the victim, the Judge Advocate General of the Coast Guard, and the Deputy Judge Advocate General of the Coast Guard.

(6) The skill level and experience of Special Victims' Counsels, as compared to special victims' counsels available to members of the Army, Navy, Air Force, Marine Corps, and Space Force.

(7) Policies regarding access to an alternate Special Victims' Counsel, if requested by the member of the Coast Guard concerned, and potential improvements for such policies.

(c) **REPORT.**—Not later than 180 days after entering into an agreement under subsection (a), the federally funded research and development center 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—

(1) the findings of the study required by that subsection;

(2) recommendations to improve the coordination, training, and experience of Special Victims' Counsels of the Coast Guard so as to improve outcomes for members of the

Coast Guard who have reported sexual assault; and

(3) any other recommendation the federally funded research and development center considers appropriate.

**TITLE LVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION**

**Subtitle A—National Oceanic and Atmospheric Administration Commissioned Officer Corps**

**SEC. 5701. DEFINITIONS.**

Section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002(b)) is amended by adding at the end the following:

“(8) **UNDER SECRETARY.**—The term ‘Under Secretary’ means the Under Secretary of Commerce for Oceans and Atmosphere.”.

**SEC. 5702. REQUIREMENT FOR APPOINTMENTS.**

Section 221(c) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3021(c)) is amended by striking “may not be given” and inserting the following: “may—

“(1) be given only to an individual who is a citizen of the United States; and

“(2) not be given”.

**SEC. 5703. REPEAL OF REQUIREMENT TO PROMOTE ENSIGNS AFTER 3 YEARS OF SERVICE.**

(a) **IN GENERAL.**—Section 223 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3023) is amended to read as follows:

**“SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY QUALIFIED.**

“If an officer in the permanent grade of ensign is at any time found not fully qualified, the officer's commission shall be revoked and the officer shall be separated from the commissioned service.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by striking the item relating to section 223 and inserting the following:

“Sec. 223. Separation of ensigns found not fully qualified.”.

**SEC. 5704. AUTHORITY TO PROVIDE AWARDS AND DECORATIONS.**

(a) **IN GENERAL.**—Subtitle A of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

**“SEC. 220. AWARDS AND DECORATIONS.**

“The Under Secretary may provide ribbons, medals, badges, trophies, and similar devices to members of the commissioned officer corps of the Administration and to members of other uniformed services for service and achievement in support of the missions of the Administration.”.

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107-372) is amended by inserting after the item relating to section 219 the following:

“Sec. 220. Awards and decorations.”.

**SEC. 5705. RETIREMENT AND SEPARATION.**

(a) **INVOLUNTARY RETIREMENT OR SEPARATION.**—Section 241(a)(1) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3041(a)(1)) is amended to read as follows:

“(1) an officer in the permanent grade of captain or commander may—

“(A) except as provided by subparagraph (B), be transferred to the retired list; or

“(B) if the officer is not qualified for retirement, be separated from service; and”.

(b) RETIREMENT FOR AGE.—Section 243(a) of that Act (33 U.S.C. 3043(a)) is amended by striking “be retired” and inserting “be retired or separated (as specified in section 1251(e) of title 10, United States Code)”.

(c) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—Section 261(a) of that Act (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (17) through (26) as paragraphs (18) through (27), respectively; and

(2) by inserting after paragraph (16) the following:

“(17) Section 1251(e), relating to retirement or separation based on years of creditable service.”.

**SEC. 5706. IMPROVING PROFESSIONAL MARINER STAFFING.**

(a) IN GENERAL.—Subtitle E of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

**“SEC. 269B. SHORE LEAVE FOR PROFESSIONAL MARINERS.**

“(a) IN GENERAL.—The Under Secretary may prescribe regulations relating to shore leave for professional mariners without regard to the requirements of section 6305 of title 5, United States Code.

“(b) REQUIREMENTS.—The regulations prescribed under subsection (a) shall—

“(1) require that a professional mariner serving aboard an ocean-going vessel be granted a leave of absence of four days per pay period; and

“(2) provide that a professional mariner serving in a temporary promotion position aboard a vessel may be paid the difference between the mariner’s temporary and permanent rates of pay for leave accrued while serving in the temporary promotion position.

“(c) PROFESSIONAL MARINER DEFINED.—In this section, the term ‘professional mariner’ means an individual employed on a vessel of the Administration who has the necessary expertise to serve in the engineering, deck, steward, electronic technician, or survey department.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 269A the following:

“Sec. 269B. Shore leave for professional mariners.”.

**SEC. 5707. LEGAL ASSISTANCE.**

Section 1044(a)(3) of title 10, United States Code, is amended by inserting “or the commissioned officer corps of the National Oceanic and Atmospheric Administration” after “Public Health Service”.

**SEC. 5708. ACQUISITION OF AIRCRAFT FOR EXTREME WEATHER RECONNAISSANCE.**

(a) INCREASED FLEET CAPACITY.—

(1) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere shall acquire adequate aircraft platforms with the necessary observation and modification requirements—

(A) to meet agency-wide air reconnaissance and research mission requirements, particularly with respect to hurricanes and tropical cyclones, and also for atmospheric chemistry, climate, air quality for public health, full-season fire weather research and operations, full-season atmospheric river air reconnaissance observations, and other mission areas; and

(B) to ensure data and information collected by the aircraft are made available to all users for research and operations purposes.

(2) CONTRACTS.—In carrying out paragraph (1), the Under Secretary shall negotiate and enter into 1 or more contracts or other agreements, to the extent practicable and necessary, with 1 or more governmental, commercial, or nongovernmental entities.

(3) DERIVATION OF FUNDS.—For each of fiscal years 2023 through 2026, amounts to support the implementation of paragraphs (1) and (2) shall be derived—

(A) from amounts appropriated to the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration and available for the purpose of atmospheric river reconnaissance; and

(B) if amounts described in subparagraph (A) are insufficient to support the implementation of paragraphs (1) and (2), from amounts appropriated to that Office and available for purposes other than atmospheric river reconnaissance.

(b) ACQUISITION OF AIRCRAFT TO REPLACE THE WP-3D AIRCRAFT.—

(1) IN GENERAL.—Not later than September 30, 2023, the Under Secretary shall enter into a contract for the acquisition of 6 aircraft to replace the WP-3D aircraft that provides for—

(A) the first newly acquired aircraft to be fully operational before the retirement of the last WP-3D aircraft operated by the National Oceanic and Atmospheric Administration; and

(B) the second newly acquired aircraft to be fully operational not later than 1 year after the first such aircraft is required to be fully operational under subparagraph (A).

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Under Secretary \$1,800,000,000, without fiscal year limitation, for the acquisition of the aircraft under paragraph (1).

**SEC. 5709. REPORT ON PROFESSIONAL MARINER STAFFING MODELS.**

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees specified in subsection (c) a report on staffing issues relating to professional mariners within the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration.

(b) ELEMENTS.—The report required by subsection (a) shall include consideration of—

(1) the challenges the Office of Marine and Aviation Operations faces in recruiting and retaining qualified professional mariners;

(2) workforce planning efforts to address those challenges; and

(3) other models or approaches that exist, or are under consideration, to provide incentives for the retention of qualified professional mariners.

(c) COMMITTEES SPECIFIED.—The committees specified in this subsection are—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure and the Committee on Natural Resources of the House of Representatives.

(d) PROFESSIONAL MARINER DEFINED.—In this section, the term “professional mariner” means an individual employed on a vessel of the National Oceanic and Atmospheric Administration who has the necessary expertise to serve in the engineering, deck, steward, or survey department.

**Subtitle B—Other Matters**

**SEC. 5711. CONVEYANCE OF CERTAIN PROPERTY OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION IN JUNEAU, ALASKA.**

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means the City and Borough of Juneau, Alaska.

(2) MASTER PLAN.—The term “Master Plan” means the Juneau Small Cruise Ship Infrastructure Master Plan released by the Docks and Harbors Board and Port of Juneau for the City and dated March 2021.

(3) PROPERTY.—The term “Property” means the parcel of real property consisting of approximately 2.4 acres, including tide-lands, owned by the United States and under administrative custody and control of the National Oceanic and Atmospheric Administration and located at 250 Egan Drive, Juneau, Alaska, including any improvements thereon that are not authorized or required by another provision of law to be conveyed to a specific individual or entity.

(4) SECRETARY.—The term “Secretary” means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

(b) CONVEYANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary may convey, at fair market value, all right, title, and interest of the United States in and to the Property, subject to subsection (c) and the requirements of this section.

(2) TERMINATION OF AUTHORITY.—The authority provided by paragraph (1) shall terminate on the date that is 3 years after the date of the enactment of this Act.

(c) RIGHT OF FIRST REFUSAL.—The City shall have the right of first refusal with respect to the purchase, at fair market value, of the Property.

(d) SURVEY.—The exact acreage and legal description of the Property shall be determined by a survey satisfactory to the Secretary.

(e) CONDITION; QUITCLAIM DEED.—If the Property is conveyed under this section, the Property shall be conveyed—

(1) in an “as is, where is” condition; and

(2) via a quitclaim deed.

(f) FAIR MARKET VALUE.—

(1) IN GENERAL.—The fair market value of the Property shall be—

(A) determined by an appraisal that—

(i) is conducted by an independent appraiser selected by the Secretary; and

(ii) meets the requirements of paragraph (2); and

(B) adjusted, at the Secretary’s discretion, based on the factors described in paragraph (3).

(2) APPRAISAL REQUIREMENTS.—An appraisal conducted under paragraph (1)(A) shall be conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(3) FACTORS.—The factors described in this paragraph are—

(A) matters of equity and fairness;

(B) actions taken by the City regarding the Property, if the City exercises its right of first refusal under subsection (c), including—

(i) comprehensive waterfront planning, site development, and other redevelopment activities supported by the City in proximity to the Property in furtherance of the Master Plan;

(ii) in-kind contributions made to facilitate and support use of the Property by governmental agencies; and

(iii) any maintenance expenses, capital improvement, or emergency expenditures made necessary to ensure public safety and access to and from the Property; and

(C) such other factors as the Secretary considers appropriate.

(g) COSTS OF CONVEYANCE.—If the City exercises its right of first refusal under subsection (c), all reasonable and necessary

costs, including real estate transaction and environmental documentation costs, associated with the conveyance of the Property to the City under this section may be shared equitably by the Secretary and the City, as determined by the Secretary, including with the City providing in-kind contributions for any or all of such costs.

(h) **PROCEEDS.**—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law, any proceeds from a conveyance of the Property under this section shall—

(1) be deposited in an account or accounts of the National Oceanic and Atmospheric Administration that exists as of the date of the enactment of this Act;

(2) used to cover costs associated with the conveyance, related relocation efforts, and other facility and infrastructure projects in Alaska; and

(3) remain available until expended, without further appropriation.

(i) **MEMORANDUM OF AGREEMENT.**—If the City exercises its right of first refusal under subsection (c), before finalizing a conveyance to the City under this section, the Secretary and the City shall enter into a memorandum of agreement to establish the terms under which the Secretary shall have future access to, and use of, the Property to accommodate the reasonable expectations of the Secretary for future operational and logistical needs in southeast Alaska.

(j) **RESERVATION OR EASEMENT FOR ACCESS AND USE.**—The conveyance authorized under this section shall be subject to a reservation providing, or an easement granting, the Secretary, at no cost to the United States, a right to access and use the Property that—

(1) is compatible with the Master Plan; and

(2) authorizes future operational access and use by other Federal, State, and local government agencies that have customarily used the Property.

(k) **LIABILITY.**—

(1) **AFTER CONVEYANCE.**—An individual or entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out on or after the date and time of the conveyance of the Property.

(2) **BEFORE CONVEYANCE.**—The United States shall remain responsible for any liability the United States incurred with respect to activities the United States carried out on the Property before the date and time of the conveyance of the Property.

(1) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate and reasonable to protect the interests of the United States.

(m) **ENVIRONMENTAL COMPLIANCE.**—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(n) **CONVEYANCE NOT A MAJOR FEDERAL ACTION.**—A conveyance under this section shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

#### **TITLE LVIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS**

##### **SEC. 5801. TECHNICAL CORRECTION.**

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”.

##### **SEC. 5802. 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 the enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4754); 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. 5803. TERMS AND VACANCIES.**

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

(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 LIX—RULE OF CONSTRUCTION**

##### **SEC. 5901. RULE OF CONSTRUCTION.**

Nothing in this divisions may be construed—

(1) to satisfy any requirement for government-to-government consultation with Tribal governments; or

(2) to affect or modify any treaty or other right of any Tribal government.

**SA 6444.** Mr. REED (for Ms. CANTWELL (for herself and Mr. WICKER)) submitted an amendment intended to be proposed to amendment SA 5499 proposed by Mr. REED (for himself and Mr. INHOFE) to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

#### **TITLE XXXV—MARITIME MATTERS**

##### **Subtitle A—Short Title; Authorization of Appropriations for the Maritime Administration**

###### **SEC. 3501. SHORT TITLE.**

This title may be cited as the “Maritime Administration Authorization Act for Fiscal Year 2023”.

###### **SEC. 3502. AUTHORIZATION OF APPROPRIATIONS FOR THE MARITIME ADMINISTRATION.**

(a) **MARITIME ADMINISTRATION.**—There are authorized to be appropriated to the Department of Transportation for fiscal year 2023, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, \$112,848,000, of which—

(A) \$87,848,000 shall be for Academy operations;

(B) \$22,000,000 shall be for facilities maintenance and repair and equipment; and

(C) \$3,000,000 shall be for training, staffing, retention, recruiting, and contract management for United States Merchant Marine Academy capital improvement projects.

(2) For expenses necessary to support the State maritime academies, \$80,700,000, of which—

(A) \$2,400,000 shall be for the Student Incentive Program;

(B) \$6,000,000 shall be for direct payments for State maritime academies;

(C) \$6,800,000 shall be for training ship fuel assistance;

(D) \$8,080,000 shall be for offsetting the costs of training ship sharing; and

(E) \$30,500,000 shall be for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, including funds for construction and necessary expenses to construct shoreside infrastructure to support such vessels, \$75,000,000.

(4) For expenses necessary to support Maritime Administration operations and programs, \$101,250,000, of which—

(A) \$15,000,000 shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

(B) \$14,819,000 shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) \$67,433,000 shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$6,000,000.

(6) For expenses necessary to maintain and preserve a fleet of merchant vessels documented under chapter 121 of title 46, United States Code, to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, \$318,000,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, \$33,000,000, of which—

(A) \$30,000,000 may be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) \$3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, \$40,000,000.

(9) For expenses necessary to implement the Port Infrastructure Development Program, as authorized under section 54301 of title 46, United States Code, \$750,000,000, to remain available until expended, except that no such funds authorized under this title for this program may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal. If such a determination is made, the data and analysis for such determination shall be reported to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not later than 3 days after the date of the determination.