

.....  
(Original Signature of Member)

117TH CONGRESS  
2D SESSION

# H. R. 6865

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

---

## IN THE HOUSE OF REPRESENTATIVES

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

---

## A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

### TITLE I—AUTHORIZATION

- Sec. 101. Authorization of appropriations.
- Sec. 102. Authorized levels of military strength and training.
- Sec. 103. Shoreside infrastructure and facilities.
- Sec. 104. Availability of amounts for acquisition of additional cutters.

## TITLE II—COAST GUARD

### Subtitle A—Military Personnel Matters

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

### Subtitle B—Operational Matters

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

### Subtitle C—Other Matters

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

## TITLE III—MARITIME

### Subtitle A—Shipping

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

### Subtitle B—Vessel Safety

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

### Subtitle C—Shipbuilding Program

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

## TITLE IV—MISCELLANEOUS

Subtitle A—Navigation

- Sec. 401. Restriction on changing salvors.
- Sec. 402. Towing vessel inspection fees.
- Sec. 403. Providing requirements for vessels anchored in established anchorage grounds.
- Sec. 404. Aquatic Nuisance Species Task Force.
- Sec. 405. Limitation on recovery for certain injuries incurred in aquaculture activities.

Subtitle B—Other Matters

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

TITLE V—SEXUAL ASSAULT AND SEXUAL HARASSMENT  
PREVENTION AND RESPONSE

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

TITLE VI—TECHNICAL, CONFORMING, AND CLARIFYING  
AMENDMENTS

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

1           **TITLE I—AUTHORIZATION**

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

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

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

4 (2) in paragraph (1)—

5 (A) in subparagraph (A)—

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

10 (ii) by striking “\$8,396,169,475 for  
11 fiscal year 2021” and inserting  
12 “\$10,210,596,000 for fiscal year 2023”;

13 (B) in subparagraph (B) by striking  
14 “\$17,035,000” and inserting “\$17,723,520”;  
15 and

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

18 (3) in paragraph (2)—

19 (A) in subparagraph (A)—

20 (i) by striking “\$2,794,745,000 for  
21 fiscal year 2020” and inserting  
22 “\$3,312,114,000 for fiscal year 2022”;  
23 and

24 (ii) by striking “\$3,312,114,000 for  
25 fiscal year 2021” and inserting

1 “\$3,477,600,000 for fiscal year 2023”;

2 and

3 (B) in subparagraph (B)—

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

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

10 (4) in paragraph (3)—

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

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

17 (5) in paragraph (4)—

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

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

1 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
2 **AND TRAINING.**

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

5 (1) in subsection (a) by striking “fiscal years  
6 2020 and 2021” and inserting “fiscal years 2022  
7 and 2023”; and

8 (2) in subsection (b) by striking “fiscal years  
9 2020 and 2021” and inserting “fiscal years 2022  
10 and 2023”.

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

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

21 (b) **BALTIMORE COAST GUARD YARD.**—Of the  
22 amounts set aside under subsection (a), up to  
23 \$175,000,000 shall be authorized to improve facilities at  
24 the Coast Guard Yard in Baltimore, Maryland, including  
25 improvements to piers and wharves, dry dock, capital

1 equipment utilities, or dredging necessary to facilitate ac-  
2 cess to such Yard.

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

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

15 **SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**  
16 **ADDITIONAL CUTTERS.**

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

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

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

1 (B) \$210,000,000 shall be authorized for  
2 the acquisition of 3 Fast Response Cutters; and  
3 (2) section 4902(2)(A)(ii) of title 14, United  
4 States Code, as amended by section 101 of this title,  
5 for fiscal year 2023;

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

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

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

17 (c) GREAT LAKES ICEBREAKER ACQUISITION.—Of  
18 the amounts authorized to be appropriated under section  
19 4902(2)(A)(ii) of title 14, United States Code—

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

24 (2) for fiscal year 2023, \$20,000,000 shall be  
25 authorized for the design and selection of

1 icebreaking cutters for operation in the Great Lakes,  
2 the Northeastern United States, and the Arctic, as  
3 appropriate, that are at least as capable as the  
4 Coast Guard 140-foot icebreaking tugs.

5 **TITLE II—COAST GUARD**  
6 **Subtitle A—Military Personnel**  
7 **Matters**

8 **SEC. 201. AUTHORIZED STRENGTH.**

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

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

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

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

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

6 **“§ 2166. Continuation on active duty; Coast Guard of-**  
7 **ficers with certain critical skills**

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

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

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

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

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

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

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

7 (a) MAXIMUM NUMBER OF OFFICERS.—Section  
8 2103(a) of title 14, United States Code, is amended to  
9 read as follows:

10 “(a) MAXIMUM TOTAL NUMBER.—

11 “(1) IN GENERAL.—The total number of Coast  
12 Guard commissioned officers on the active duty pro-  
13 motion list, excluding warrant officers, shall not ex-  
14 ceed—

15 “(A) 7,100 in fiscal year 2022;

16 “(B) 7,200 in fiscal year 2023;

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

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

20 “(2) TEMPORARY INCREASE.—Notwithstanding  
21 paragraph (1), the Commandant may temporarily  
22 increase the total number of commissioned officers  
23 permitted under such paragraph by up to 2 percent

1 for no more than 60 days following the date of the  
2 commissioning of a Coast Guard Academy class.

3 “(3) NOTIFICATION.—Not later than 30 days  
4 after exceeding the total number of commissioned of-  
5 ficers permitted under paragraph (1), and each 30  
6 days thereafter until the total number of commis-  
7 sioned officers no longer exceeds the number of such  
8 officers permitted under paragraph (1), the Com-  
9 mandant shall notify the Committee on Transpor-  
10 tation and Infrastructure of the House of Represent-  
11 atives and the Committee on Commerce, Science,  
12 and Transportation of the Senate of the number of  
13 officers on the active duty promotion list on the last  
14 day of the preceding 30-day period.”.

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

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

20 **“§ 5113. Officers not on active duty promotion list**

21 “Not later than 60 days after the date on which the  
22 President submits to Congress a budget pursuant to sec-  
23 tion 1105 of title 31, the Commandant shall submit to  
24 the Committee on Transportation and Infrastructure of  
25 the House of Representatives and the Committee on Com-

1 merce, Science, and Transportation of the Senate the  
2 number of Coast Guard officers serving at other Federal  
3 entities on a reimbursable basis but not on the active duty  
4 promotion list.”.

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

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

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

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

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

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

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

7 (1) determine which recommendations in the  
8 RAND representation report can practicably be im-  
9 plemented to promote improved representation in the  
10 Coast Guard of—

11 (A) women; and

12 (B) racial and ethnic minorities; and

13 (2) submit to the Committee on Transportation  
14 and Infrastructure of the House of Representatives  
15 and the Committee on Commerce, Science, and  
16 Transportation of the Senate a report on the actions  
17 the Commandant has taken, or plans to take, to im-  
18 plement such recommendations.

19 (b) CURRICULUM AND TRAINING.—The Com-  
20 mandant shall update, to reflect actions described under  
21 subsection (a)(2), the curriculum and training materials  
22 used at—

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

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

4 (3) the officer, enlisted member, and civilian  
5 leadership courses managed by the Leadership De-  
6 velopment Center.

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

## 13 **Subtitle B—Operational Matters**

### 14 **SEC. 206. PILOT PROJECT FOR ENHANCING COAST GUARD** 15 **CUTTER READINESS THROUGH CONDITION-** 16 **BASED MAINTENANCE.**

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

1 (b) CRITERIA FOR CONDITION-BASED MAINTENANCE

2 EVALUATION.—In conducting the pilot project under sub-  
3 section (a), the Commandant shall—

4 (1) select at least 1 legacy cutter asset and 1  
5 class of cutters under construction with respect to  
6 which the application of the pilot project would en-  
7 hance readiness;

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

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

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

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

23 (c) REPORT TO CONGRESS.—The Commandant shall  
24 submit to the Committee on Commerce, Science, and  
25 Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of Rep-  
2 resentatives—

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

7 (2) a final report not later than 2 years after  
8 the date of enactment of this Act on the results of  
9 the pilot project described in subsection (a) that in-  
10 cludes—

11 (A) options to integrate commercially de-  
12 veloped condition-based program standards for  
13 cutter maintenance to Coast Guard cutters; and

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

17 **SEC. 207. UNMANNED SYSTEMS STRATEGY.**

18 (a) SUBMISSION TO CONGRESS.—Not later than 180  
19 days after the date of enactment of this Act, the Com-  
20 mandant of the Coast Guard shall submit to the Com-  
21 mittee on Transportation and Infrastructure of the House  
22 of Representatives and the Committee on Commerce,  
23 Science, and Transportation of the Senate a detailed de-  
24 scription of the strategy of the Coast Guard to implement  
25 unmanned systems across mission areas, including—

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

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

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

14          (4) an estimate of the timeline, costs, staff re-  
15          sources, technology, or other resources necessary to  
16          accomplish the strategy.

17          (b) PILOT PROJECT.—

18               (1) AUTONOMOUS CONTROL AND COMPUTER VI-  
19               SION TECHNOLOGY.—The Commandant of the Coast  
20               Guard, acting through the Blue Technology Center  
21               of Expertise, shall conduct a pilot project to retrofit  
22               an existing Coast Guard small boat with—

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

1 (B) such sensors and methods of commu-  
2 nication as are necessary to demonstrate the  
3 ability of such control and technology to assist  
4 in conducting search and rescue, surveillance,  
5 and interdiction missions.

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

10 (3) BRIEFING.—Not later than 6 months after  
11 completing the pilot project required under para-  
12 graph (1), the Commandant shall brief the Com-  
13 mittee on Transportation and Infrastructure of the  
14 House of Representatives and the Committee on  
15 commerce, Science, and Transportation of the Sen-  
16 ate on the evaluation of the data derived from the  
17 project.

18 **SEC. 208. BUDGETING OF COAST GUARD RELATING TO CER-**  
19 **TAIN OPERATIONS.**

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

1 **“§ 5114. Expenses of performing and executing de-**  
2 **fense readiness mission activities**

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

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

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

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

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

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

1 **SEC. 209. REPORT ON SAN DIEGO MARITIME DOMAIN**  
2 **AWARENESS.**

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

9 (1) an overview of the maritime domain aware-  
10 ness in the area of responsibility of the Coast Guard  
11 sector responsible for San Diego, California, includ-  
12 ing—

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

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

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

22 (D) an estimate of the volume of traffic  
23 engaged in illicit activity at sea in such area  
24 and the type and description of any vessels used

1 to carry out illicit activities that such sector re-  
2 sponded to during fiscal years 2020 through  
3 2022; and

4 (E) the maritime domain awareness re-  
5 quirements to effectively meet the mission of  
6 such sector;

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

11 (3) a description of any gaps in maritime do-  
12 main awareness within the area of responsibility of  
13 such sector resulting from an inability to meet the  
14 enduring maritime domain awareness requirements  
15 of the sector or adequately respond to maritime dis-  
16 order;

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

20 (5) an identification of capabilities needed to  
21 mitigate such gaps, including any capabilities the  
22 Coast Guard currently possesses that can be de-  
23 ployed to the sector;

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

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

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

9           (a) GREAT LAKES ICEBREAKING OPERATIONS.—

10           (1) GOVERNMENT ACCOUNTABILITY OFFICE RE-  
11           PORT.—

12                   (A) IN GENERAL.—Not later than 1 year  
13                   after the date of enactment of this Act, the  
14                   Comptroller General of the United States shall  
15                   submit to the Committee on Commerce,  
16                   Science, and Transportation of the Senate and  
17                   the Committee on Transportation and Infra-  
18                   structure of the House of Representatives a re-  
19                   port on Coast Guard icebreaking in the Great  
20                   Lakes.

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

23                           (i) evaluate—

24                                   (I) the economic impact related  
25                                   to vessel delays or cancellations asso-

1                   ciated with ice coverage on the Great  
2                   Lakes;

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

8                   (III) the fleet mix of medium ice-  
9                   breakers and icebreaking tugs nec-  
10                  essary to meet the standards proposed  
11                  in paragraph (2); and

12                  (IV) the resources necessary to  
13                  support the fleet described in sub-  
14                  clause (III), including billets for crew  
15                  and operating costs; and

16                  (ii) make recommendations to the  
17                  Commandant for improvements to the  
18                  Great Lakes icebreaking program, includ-  
19                  ing with respect to facilitating shipping  
20                  and meeting all Coast Guard mission  
21                  needs.

22                  (2) PROPOSED STANDARDS FOR ICEBREAKING  
23                  OPERATIONS.—The proposed standards, the impact  
24                  of the adoption of which is evaluated in subclauses

1 (II) and (III) of paragraph (1)(B)(i), are the fol-  
2 lowing:

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

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

18 (3) REPORT BY COMMANDANT.—Not later than  
19 90 days after the date on which the Comptroller  
20 General submits the report under paragraph (1), the  
21 Commandant shall submit to the Committee on  
22 Commerce, Science, and Transportation of the Sen-  
23 ate and the Committee on Transportation and Infra-  
24 structure of the House of Representatives a report  
25 that includes the following:

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

5 (B) With respect to any recommendation  
6 made under paragraph (1)(B)(ii) with which  
7 the Commandant does not concur, an expla-  
8 nation of the reasons why the Commandant  
9 does not concur.

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

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

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

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

24 (1) IN GENERAL.—The Commandant shall col-  
25 lect, during ice season, archive, and disseminate data

1 on icebreaking operations and transits on ice-covered  
2 waterways in the Great Lakes of vessels engaged in  
3 commercial service and ferries.

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

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

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

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

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

1 vessel engaged in commercial service or ferry  
2 and the arrival of a suitable icebreaking vessel  
3 and whether such icebreaking vessel was a  
4 Coast Guard or commercial asset.

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

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

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

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

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

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

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

14           (A) vessels engaged in commercial service;

15           and

16           (B) ferries.

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

22           “(b) REPORT.—Not later than 90 days after the date  
23      of enactment of this subsection, the Commandant shall  
24      submit to the Committee on Commerce, Science, and  
25      Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of Rep-  
2 resentatives a report on the operational benefits and limi-  
3 tations of a common hull design for icebreaking cutters  
4 for operation in the Great Lakes, the Northeastern United  
5 States, and the Arctic, as appropriate, that are at least  
6 as capable as the Coast Guard 140-foot icebreaking  
7 tugs.”.

8 (d) DEFINITIONS.—In this section:

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

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

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

17 (B) includes harbors adjacent to such  
18 waters.

19 (3) ICE-COVERED WATERWAY.—The term “ice-  
20 covered waterway” means any portion of the Great  
21 Lakes in which vessels engaged in commercial serv-  
22 ice or ferries operate that is 70 percent or greater  
23 covered by ice, but does not include any waters adja-  
24 cent to piers or docks for which commercial

1 icebreaking services are available and adequate for  
2 the ice conditions.

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

6 (A) meet the reasonable demands of ship-  
7 ping;

8 (B) minimize delays to passenger ferries;

9 (C) extricate vessels and persons from dan-  
10 ger;

11 (D) prevent damage due to flooding; and

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

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

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

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

1           “(d) DEFINITION.—In this section, the term ‘Great  
2 Lakes’ means—  
3           “(1) Lake Ontario;  
4           “(2) Lake Erie;  
5           “(3) Lake Huron (including Lake St. Clair);  
6           “(4) Lake Michigan;  
7           “(5) Lake Superior; and  
8           “(6) the connecting channels (including the fol-  
9           lowing rivers and tributaries of such rivers: Saint  
10          Mary’s River, Saint Clair River, Detroit River, Niag-  
11          ara River, Illinois River, Chicago River, Fox River,  
12          Grand River, St. Joseph River, St. Louis River, Me-  
13          nominee River, Muskegon River, Kalamazoo River,  
14          and Saint Lawrence River to the Canadian bor-  
15          der).”.

## 16           **Subtitle C—Other Matters**

### 17   **SEC. 212. RESPONSES OF COMMANDANT OF THE COAST** 18           **GUARD TO SAFETY RECOMMENDATIONS.**

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

#### 22   **“§ 721. Responses to safety recommendations**

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

1 Board relating to transportation safety, the Commandant  
2 shall submit to the Board a written response to each rec-  
3 ommendation, which shall include whether the Com-  
4 mandant—

5           “(1) concurs with the recommendation;

6           “(2) partially concurs with the recommendation;

7           or

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

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

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

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

20           “(3) with respect to a recommendation to which  
21 the Commandant does not concur, the reasons why  
22 the Commandant does not concur with such rec-  
23 ommendation.

24           “(c) FAILURE TO RESPOND.—If the Board has not  
25 received the written response required under subsection

1 (a) by the end of the time period described in such sub-  
2 section, the Board shall notify the Committee on Trans-  
3 portation and Infrastructure of the House of Representa-  
4 tives and the Committee on Commerce, Science, and  
5 Transportation of the Senate that such response has not  
6 been received.”.

7 (b) CLERICAL AMENDMENT.—The analysis for chap-  
8 ter 7 of title 14, United States Code, is amended by insert-  
9 ing after the item relating to section 720 the following:  
“721. Responses to safety recommendations.”.

10 **SEC. 213. CONVEYANCE OF COAST GUARD VESSELS FOR**  
11 **PUBLIC PURPOSES.**

12 (a) REDESIGNATION AND TRANSFER.—Section 914  
13 of the Coast Guard Authorization Act of 2010 (Public  
14 Law 111–281) is transferred to chapter 5 of title 14,  
15 United States Code, inserted after section 508, and red-  
16 igned as section 509.

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

21 (1) by amending subsection (a) to read as fol-  
22 lows:

23 “(a) IN GENERAL.—At the request of the Com-  
24 mandant, the Administrator of the General Services Ad-  
25 ministration may transfer ownership of a Coast Guard

1 vessel or aircraft to an eligible entity for use for edu-  
2 cational, cultural, historical, charitable, recreational, or  
3 other public purposes if such transfer is authorized by  
4 law.”; and

5 (2) in subsection (b)—

6 (A) in paragraph (1)—

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

9 (ii) by inserting “, as in effect on the  
10 date of enactment of the Coast Guard Au-  
11 thorization Act of 2021” after “Code of  
12 Federal Regulations”; and

13 (B) in paragraph (2) by inserting “, as in  
14 effect on the date of enactment of the Coast  
15 Guard Authorization Act of 2021” after “such  
16 title”.

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

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

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

1           “(A) such life-cycle cost estimates be up-  
2           dated before—

3                   “(i) each milestone decision is con-  
4                   cluded; and

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

7           “(B) an independent cost estimate or inde-  
8           pendent cost assessment, as appropriate, be de-  
9           veloped to validate such life-cycle cost estimates  
10          developed under paragraph (1).”.

11 **SEC. 215. NATIONAL COAST GUARD MUSEUM FUNDING**  
12                   **PLAN.**

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

18 **SEC. 216. REPORT ON COAST GUARD EXPLOSIVE ORD-**  
19                   **NANCE DISPOSAL.**

20          (a) **IN GENERAL.**—Not later than 1 year after the  
21          date of enactment of this Act, the Commandant of the  
22          Coast Guard shall submit to the Committee on Transpor-  
23          tation and Infrastructure of the House of Representatives  
24          and the Committee on Commerce, Science, and Transpor-  
25          tation of the Senate a report on the viability of estab-

1 lishing an explosive ordnance disposal program (herein-  
2 after referred to as the “Program”) in the Coast Guard.

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

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

10 (A) Maritime Safety and Security Teams;

11 (B) Maritime Security Response Teams;

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

14 (D) elsewhere within the Coast Guard.

15 (3) The vehicles and dive craft that are Coast  
16 Guard airframe and vessel transportable that would  
17 be required for the transportation of explosive ord-  
18 nance disposal elements.

19 (4) The Coast Guard stations at which—

20 (A) portable explosives storage magazines  
21 would be available for explosive ordnance dis-  
22 posal elements; and

23 (B) explosive ordnance disposal elements  
24 equipment would be pre-positioned.

1           (5) How the Program would support other ele-  
2           ments within the Department of Homeland Security,  
3           the Department of Justice, and in wartime, the De-  
4           partment of Defense to—

5                   (A) counter improvised explosive devices;

6                   (B) counter unexploded ordnance;

7                   (C) combat weapons of destruction;

8                   (D) provide service in support of the Presi-  
9           dent; and

10                  (E) support national security special  
11           events.

12           (6) The career progression of Coast Guardsman  
13           participating in the Program from—

14                   (A) Seaman Recruit to Command Master  
15           Chief Petty Officer;

16                   (B) Chief Warrant Officer 2 to that of  
17           Chief Warrant Officer 4; and

18                   (C) Ensign to that of Rear Admiral.

19           (7) Initial and annual budget justification esti-  
20           mates on a single program element of the Program  
21           for—

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

25                           (i) officer responsibility pay;

- 1 (ii) officer SCUBA diving duty pay;
- 2 (iii) officer demolition hazardous duty
- 3 pay;
- 4 (iv) enlisted SCUBA diving duty pay;
- 5 (v) enlisted demolition hazardous duty
- 6 pay;
- 7 (vi) enlisted special duty assignment
- 8 pay at level special duty-5;
- 9 (vii) enlisted assignment incentive
- 10 pays;
- 11 (viii) enlistment and reenlistment bo-
- 12 nuses;
- 13 (ix) officer and enlisted full civilian
- 14 clothing allowances;
- 15 (x) an exception to the policy allowing
- 16 a third hazardous duty pay for explosive
- 17 ordnance disposal-qualified officers and en-
- 18 listed; and
- 19 (xi) parachutist hazardous duty pay;
- 20 (B) research, development, test, and eval-
- 21 uation;
- 22 (C) procurement;
- 23 (D) other transaction agreements;
- 24 (E) operations and support; and
- 25 (F) overseas contingency operations.

1 **SEC. 217. PRIBILOF ISLAND TRANSITION COMPLETION AC-**  
2 **TIONS.**

3 (a) EXTENSIONS.—Section 524 of the Pribilof Island  
4 Transition Completion Act of 2016 (Public Law 114–  
5 120)—

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

8 (2) in subsection (c)(3) by striking “60 days”  
9 and inserting “120 days”.

10 (b) ACTUAL USE AND OCCUPANCY REPORTS.—Not  
11 later than 90 days after enactment of this Act, and quar-  
12 terly thereafter, the Secretary of the department in which  
13 the Coast Guard is operating shall submit to the Com-  
14 mittee on Transportation and Infrastructure of the House  
15 of Representatives and the Committee on Commerce,  
16 Science, and Transportation of the Senate a report de-  
17 scribing—

18 (1) the degree to which Coast Guard personnel  
19 and equipment are deployed to St. Paul Island,  
20 Alaska, in actual occupancy of the facilities, as re-  
21 quired under section 524 of the Pribilof Island  
22 Transition Completion Act of 2016 (Public Law  
23 114–120); and

24 (2) the status of the activities described in sub-  
25 sections (c) and (d) until such activities have been  
26 completed.

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

2 (1) enter into a lease for a hangar to house de-  
3 ployed Coast Guard aircraft if such hangar was pre-  
4 viously under lease by the Coast Guard for purposes  
5 of housing such aircraft; and

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

11 (d) FUEL TANK.—

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

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

23 (3) FAIR MARKET VALUE EXCEPTION.—The  
24 Secretary may only carry out a transfer under para-  
25 graph (2) if the fair market value of such tank is

1 less than the aggregate value of any lease payments  
2 for the property on which the tank is located that  
3 the Coast Guard would have paid to the Alaska Na-  
4 tive Village Corporation for St. Paul Island, Alaska,  
5 had such lease been extended at the same rate.

6 (e) SAVINGS CLAUSE.—Nothing in this section shall  
7 be construed to limit any rights of the Alaska Native Vil-  
8 lage Corporation for St. Paul to receive conveyance of all  
9 or part of the lands and improvements related to Tract  
10 43 under the same terms and conditions as prescribed in  
11 section 524 of the Pribilof Island Transition Completion  
12 Act of 2016 (Public Law 114–120).

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

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

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

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

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

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

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

7 (D) generate receipt confirmation and ac-  
8 knowledgment of outages from mariners; and

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

12 (3) identifies technology gaps necessary to im-  
13 plement the plan and provide a budgetary assess-  
14 ment necessary to implement the plan.

## 15 **TITLE III—MARITIME**

### 16 **Subtitle A—Shipping**

#### 17 **SEC. 301. NONOPERATING INDIVIDUAL.**

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

#### 23 **SEC. 302. OCEANOGRAPHIC RESEARCH VESSELS.**

24 (a) REPORT REQUIRED.—Not later than 180 days  
25 after the date of enactment of this Act, the Secretary of

1 Transportation, in consultation with the Secretary of the  
2 department in which the Coast Guard is operating, shall  
3 submit to the Committee on Transportation and Infra-  
4 structure of the House of Representatives and the Com-  
5 mittee on Commerce, Science, and Transportation of the  
6 Senate a report detailing the total number of vessels  
7 known or estimated to operate or to have operated under  
8 section 50503 of title 46, United States Code, during each  
9 of the past 10 fiscal years.

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

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

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

22 **SEC. 303. ATLANTIC COAST PORT ACCESS ROUTES BRIEF-**  
23 **ING.**

24 Not later than 30 days after the date of enactment  
25 of this Act, and every 30 days thereafter until the require-

1 ments of section 70003 of title 46, United States Code,  
2 are fully executed with respect to the Atlantic Coast Port  
3 Access Route, the Secretary of the department in which  
4 the Coast Guard is operating shall brief the Committee  
5 on Transportation and Infrastructure of the House of  
6 Representatives and the Committee on Commerce,  
7 Science, and Transportation of the Senate on any progress  
8 made to execute such requirements.

## 9 **Subtitle B—Vessel Safety**

### 10 **SEC. 304. FISHING VESSEL SAFETY.**

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

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

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

18 “(B) the vessel is—

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

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

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

22 (2) in section 4503(b) by striking “Except as  
23 provided in section 4503a, subsection (a)” and in-  
24 serting “Subsection (a)”; and

25 (3) by repealing section 4503a.

1 (b) ALTERNATIVE SAFETY COMPLIANCE AGREE-  
2 MENTS.—Nothing in this section or the amendments made  
3 by this section shall be construed to affect or apply to any  
4 alternative compliance and safety agreement entered into  
5 by the Coast Guard that is in effect on the date of enact-  
6 ment of this Act.

7 (c) CONFORMING AMENDMENTS.—The table of sec-  
8 tions in chapter 45 of title 46, United States Code, is  
9 amended by striking the item relating to section 4503a.  
10 **SEC. 305. REQUIREMENTS FOR DUKW-TYPE AMPHIBIOUS**  
11 **PASSENGER VESSELS.**

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

19 (b) DEADLINE FOR COMPLIANCE.—The regulations  
20 issued under subsection (a) shall take effect not later than  
21 24 months after the date of enactment of this Act.

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

24 (1) A requirement that operators of DUKW-  
25 type amphibious passenger vessels provide reserve

1 buoyancy for such vessels through passive means, in-  
2 cluding watertight compartmentalization, built-in flo-  
3 tation, or such other means as determined appro-  
4 priate by the Commandant, in order to ensure that  
5 such vessels remain afloat and upright in the event  
6 of flooding, including when carrying a full com-  
7 plement of passengers and crew.

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

10 (A) review and notate the forecast of the  
11 National Weather Service of the National Oce-  
12 anic and Atmospheric Administration in the  
13 logbook of the vessel before getting underway  
14 and periodically while underway;

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

21 (C) maintain and monitor a weather mon-  
22 itor radio receiver at the operator station of the  
23 vessel that is automatically activated by the  
24 warning alarm device of the National Weather  
25 Service.

1 (3) A requirement that—

2 (A) operators of DUKW-type amphibious  
3 passenger vessels inform passengers that seat  
4 belts may not be worn during waterborne oper-  
5 ations;

6 (B) before the commencement of water-  
7 borne operations, a crew member shall visually  
8 check that the seatbelt of each passenger is un-  
9 buckled; and

10 (C) operators or crew maintain a log re-  
11 cording the actions described in subparagraphs  
12 (A) and (B).

13 (4) A requirement for annual training for oper-  
14 ators and crew of DUKW-type amphibious pas-  
15 sengers vessels, including—

16 (A) training for personal flotation and seat  
17 belt requirements, verifying the integrity of the  
18 vessel at the onset of each waterborne depar-  
19 ture, identification of weather hazards, and use  
20 of National Weather Service resources prior to  
21 operation; and

22 (B) training for crew to respond to emer-  
23 gency situations, including flooding, engine  
24 compartment fires, man-overboard situations,  
25 and in water emergency egress procedures.

1 (d) CONSIDERATION.—In issuing the regulations re-  
2 quired under subsection (a), the Commandant shall con-  
3 sider whether personal flotation devices should be required  
4 for the duration of the waterborne transit of a DUKW-  
5 type amphibious passenger vessel.

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

12 (1) Remove the canopies and any window cov-  
13 erings of such vessels for waterborne operations, or  
14 install in such vessels a canopy that does not restrict  
15 horizontal or vertical escape by passengers in the  
16 event of flooding or sinking.

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

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

1           (4) Install in such vessels independently pow-  
2           ered electric bilge pumps that are capable of  
3           dewatering such vessels at the volume of the largest  
4           remaining penetration in order to supplement an op-  
5           erable Higgins pump or a dewatering pump of equiv-  
6           alent or greater capacity.

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

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

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

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

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

21 **SEC. 306. EXONERATION AND LIMITATION OF LIABILITY**  
22 **FOR SMALL PASSENGERS VESSELS.**

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

1 (1) by inserting the following before section  
2 30501 the following:

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

4 (2) by inserting the following before section  
5 30503:

6 **“Subchapter II—Exoneration and Limitation  
7 of Liability Generally”;**

8 and

9 (3) by redesignating sections 30503 through  
10 30512 as sections 30521 through 30530, respec-  
11 tively.

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

14 **“§ 30501. Definitions**

15 “In this chapter:

16 “(1) COVERED SMALL PASSENGER VESSEL.—

17 The term ‘covered small passenger vessel’—

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

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

21 “(ii) carrying—

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

1                   “(II) not more than 150 pas-  
2                   sengers on any voyage that is not an  
3                   overnight domestic voyage; and

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

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

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

                  “30501. Definitions.”.

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

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

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

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

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

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

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

“SUBCHAPTER I—GENERAL PROVISIONS”;

8           (2) by inserting after section 30502 the fol-  
9           lowing:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

10          and

11          (3) by redesignating the items relating to sec-  
12          tions 30503 through 30512 as items relating to sec-  
13          tions 30521 through 30530, respectively.

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

16          (1) in section 14305(a)(5), by striking “section  
17          30506” and inserting “section 30524”;

18          (2) in section 30523(a), as redesignated by sub-  
19          section (a), by striking “section 30506” and insert-  
20          ing “section 30524”;

21          (3) in section 30524(b), as redesignated by sub-  
22          section (a), by striking “section 30505” and insert-  
23          ing “section 30523”; and

24          (4) in section 30525—

1 (A) by striking “section 30505” and “sec-  
2 tion 30523”;

3 (B) by striking “section 30506” and in-  
4 sserting “section 30524”; and

5 (C) by striking “section 30506(b)” and in-  
6 sserting “section 30524(b)”.

## 7 **Subtitle C—Shipbuilding Program**

### 8 **SEC. 307. LOANS FOR RETROFITTING TO QUALIFY AS A VES-** 9 **SEL OF THE UNITED STATES.**

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

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

17 “(A) required for the vessel to be a vessel  
18 of the United States;

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

21 “(C) to convert a civilian vessel of the  
22 United States to a more useful military configu-  
23 ration;

24 “(D) for any vessel under contract to the  
25 Federal Government; or

1                   “(E) for any vessel participating in—  
2                    “(i) the Maritime Security Program  
3                    under chapter 531;  
4                    “(ii) the Cable Security Fleet under  
5                    chapter 532; or  
6                    “(iii) the Tanker Security Fleet under  
7                    chapter 534.”.

8 **SEC. 308. QUALIFIED VESSEL.**

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

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

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

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

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

18                   “(D) a passenger vessel or small passenger  
19                   vessel, as such terms are defined in section  
20                   2101, that has a passenger capacity of 50 pas-  
21                   sengers or greater.”.

22           (b) **QUALIFIED VESSEL.**—Section 53501(5) of title  
23 46, United States Code, is amended—

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

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

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

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

6 “(D) a passenger vessel or small passenger  
7 vessel, as such terms are defined in section  
8 2101, that has a passenger capacity of 50 pas-  
9 sengers or greater.”.

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

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

17 **TITLE IV—MISCELLANEOUS**

18 **Subtitle A—Navigation**

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

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

23 “(C) An owner or operator may not change  
24 salvors as part of a deviation under subparagraph  
25 (B) in cases in which the original salvor satisfies the

1 Coast Guard requirements in accordance with the  
2 National Contingency Plan and the applicable re-  
3 sponse plan required under subsection (j).

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

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

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

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

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

3 **SEC. 403. PROVIDING REQUIREMENTS FOR VESSELS AN-**  
4 **CHORED IN ESTABLISHED ANCHORAGE**  
5 **GROUNDS.**

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

8 **“§ 70006. Anchorage grounds**

9 “(a) ANCHORAGE GROUNDS.—

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

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

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

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

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

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

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

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

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

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

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

23           (b) REGULATORY REVIEW.—

24           (1) REVIEW REQUIRED.—Not later than 1 year  
25 after the date of enactment of this Act, the Sec-

1       retary of the department in which the Coast Guard  
2       is operating shall complete a review of existing an-  
3       chorage regulations and identify regulations that  
4       may need modification—

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

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

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

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

“70006. Anchorage grounds.”.

24       (d) APPLICABILITY OF REGULATIONS.—The amend-  
25       ments made by subsection (a) may not be construed to

1 alter any existing rules, regulations, or final agency ac-  
2 tions issued under section 70006 of title 46, United States  
3 Code, as in effect on the day before the date of enactment  
4 of this Act until all regulations required under subsection  
5 (b) take effect.

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

7 (a) RECREATIONAL VESSEL DEFINED.—Section  
8 1003 of the Nonindigenous Aquatic Nuisance Prevention  
9 and Control Act of 1990 (16 U.S.C. 4702) is amended—

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

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

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

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

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

1           “(g) OBSERVERS.—The chairpersons designated  
2 under subsection (d) may invite representatives of non-  
3 governmental entities to participate as observers of the  
4 Task Force.”.

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

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

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

13           (3) by inserting after paragraph (6) the fol-  
14 lowing:

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

16           “(8) the Director of the Bureau of Land Man-  
17 agement;

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

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

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

1           “(4) TECHNICAL ASSISTANCE AND REC-  
2           COMMENDATIONS.—The Task Force may provide  
3           technical assistance and recommendations for best  
4           practices to an agency or entity engaged in vessel in-  
5           spections or decontaminations for the purpose of—

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

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

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

17                   “(A) State fish and wildlife management  
18                   agencies;

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

22                   “(C) relevant nongovernmental entities.”;  
23                   and

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

1           “(3) Not later than 90 days after the date of  
2           enactment of the Coast Guard Authorization Act of  
3           2022, the Task Force shall submit a report to Con-  
4           gress recommending legislative, programmatic, or  
5           regulatory changes to eliminate remaining gaps in  
6           authorities between members of the Task Force to  
7           effectively manage and control the movement of  
8           aquatic nuisance species.”.

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

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

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

17                 (3) in section 1203(a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(A) is employed by a commercial enter-  
2 prise that is involved in the controlled cultiva-  
3 tion and harvest of aquatic plants and animals,  
4 including—

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

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

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

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

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

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

## 18 **Subtitle B—Other Matters**

### 19 **SEC. 406. INFORMATION ON TYPE APPROVAL CERTIFI-** 20 **CATES.**

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

1 **“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFI-**  
2 **CATES.**

3 “The Commandant of the Coast Guard shall, upon  
4 request by any State, the District of Columbia, or territory  
5 of the United States, provide all data possessed by the  
6 Coast Guard pertaining to challenge water quality charac-  
7 teristics, challenge water biological organism concentra-  
8 tions, post-treatment water quality characteristics, and  
9 post-treatment biological organism concentrations data for  
10 a ballast water management system with a type approval  
11 certificate approved by the Coast Guard pursuant to sub-  
12 part 162.060 of title 46, Code of Federal Regulations.”.

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

“904. Information on type approval certificates.”.

17 **SEC. 407. PASSENGER VESSEL SECURITY AND SAFETY RE-**  
18 **QUIREMENTS.**

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

21 (1) in subparagraph (A) by striking “at least  
22 250” and inserting “250 or more”; and

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

1                   “(B) has overnight accommodations for  
2                   250 or more passengers; and”.

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

4           (a) INTERAGENCY TASK FORCE.—The President  
5 shall, acting through the Supply Chain Disruptions Task  
6 Force established under Executive Order 14017 (relating  
7 to supply chains) of February 24, 2021 (86 Fed. Reg.  
8 11849) (hereinafter referred to as the “Task Force”),  
9 carry out the duties described in subsection (c).

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

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

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

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

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

22                           (A) develop a plan to—

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

1 (ii) reduce nationwide cargo proc-  
2 essing delays, including the Port of Los  
3 Angeles and the Port of Long Beach; and

4 (B) submit to the Committee on Transpor-  
5 tation and Infrastructure of the House of Rep-  
6 resentatives and the Committee on Commerce,  
7 Science, and Transportation of the Senate a re-  
8 port containing the plan developed under sub-  
9 paragraph (A).

10 (c) REPORT OF THE COMMANDANT.—No later than  
11 90 days after the date of enactment of this Act, the Com-  
12 mandant of the Coast Guard shall submit to the Com-  
13 mittee on Transportation and Infrastructure of the House  
14 of Representatives and the Committee on Commerce,  
15 Science, and Transportation of the Senate a report on  
16 cargo backlogs that includes—

17 (1) an explanation of the extent to which ves-  
18 sels carrying cargo are complying with the require-  
19 ments of chapter 700 of title 46, United States  
20 Code;

21 (2) the status of the investigation on the cause  
22 of the oil spill that occurred in October 2021 on the  
23 waters over the San Pedro Shelf related to an an-  
24 chor strike, including the expected date on which the

1 Marine Casualty Investigation Report with respect  
2 to such spill will be released; and

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

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

8 (B) address other safety concerns and en-  
9 vironmental impacts.

10 **SEC. 409. LIMITED INDEMNITY PROVISIONS IN STANDBY**  
11 **OIL SPILL RESPONSE CONTRACTS.**

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

24 (b) REQUIREMENTS.—

1           (1) SOURCE OF FUNDS.—The provision re-  
2           quired under subsection (a) shall include a provision  
3           that the obligation to indemnify is limited to funds  
4           available in the Oil Spill Liability Trust Fund estab-  
5           lished by section 9509(a) of the Internal Revenue  
6           Code of 1986 at the time the claim for indemnity is  
7           made.

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

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

16          (c) APPLICABILITY OF EXEMPTIONS.—Notwith-  
17          standing subsection (a), the United States shall not be ob-  
18          ligated to indemnify a contractor for any act or omission  
19          of the contractor carried out pursuant to a contract en-  
20          tered into under this section where such act or omission  
21          is grossly negligent or which constitutes willful mis-  
22          conduct.

1 **SEC. 410. PORT COORDINATION COUNCIL FOR POINT SPEN-**  
2 **CER.**

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

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

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

8 “(2) The Secretary of Homeland Security.

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

11 (2) in subsection (c)(1)—

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

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

16 “(C) land use planning and development  
17 on the Bering Sea, the Chukchi Sea, and the  
18 Arctic Ocean, in support of—

19 “(i) search and rescue;

20 “(ii) shipping safety;

21 “(iii) economic development;

22 “(iv) oil spill prevention and response;

23 “(v) national security;

24 “(vi) major marine casualties;

25 “(vii) protection of Alaska Native ar-  
26 chaeological and cultural resources; and

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

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

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

10 (4) in subsection (e)—

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

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

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

16 “(2) FUNDING.—To facilitate the mooring buoy  
17 system in Port Clarence and to assist the Council in  
18 the development of other oil spill prevention and re-  
19 sponse infrastructure, including reactivating the air-  
20 strip at Point Spencer with appropriate technology  
21 and safety equipment in support of response oper-  
22 ations, there is authorized to be made available  
23 \$5,000,000 for each of fiscal years 2023 through  
24 2025 from the interest generated from the Oil Spill  
25 Liability Trust Fund.”.

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

2 (a) ALASKA OIL SPILL PLANNING CRITERIA.—Sec-  
3 tion 311(j)(5) of the Federal Water Pollution Control Act  
4 (33 U.S.C. 1321(j)(5)) is amended by adding at the end  
5 the following:

6 “(J)(i) Except as provided in clause (iv), in any  
7 case in which the Secretary has determined that the  
8 national planning criteria established pursuant to  
9 this subsection are inappropriate for a vessel oper-  
10 ating in the area of responsibility of Coast Guard  
11 Sector Anchorage, a response plan required under  
12 this paragraph with respect to a discharge of oil for  
13 the vessel shall comply with the planning criteria es-  
14 tablished under clause (ii), which planning criteria  
15 shall, with respect to a discharge of oil from the ves-  
16 sel, supercede the national planning criteria and  
17 apply in lieu of any alternative planning criteria ap-  
18 proved for vessels operating in such area.

19 “(ii) The President shall establish planning cri-  
20 teria for a worst case discharge of oil, and a sub-  
21 stantial threat of such a discharge, within the area  
22 of responsibility of Coast Guard Sector Anchorage,  
23 including planning criteria for the following:

24 “(I) Mechanical oil spill response resources  
25 that are required to be located within such  
26 area.

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

6           “(III) Dedicated vessels for oil spill re-  
7 sponse that are capable of operating in the  
8 ocean environment and required to be located  
9 within such area.

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

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

15           “(bb) provides vessel routing meas-  
16 ures consistent with international routing  
17 measure deviation protocols;

18           “(cc) maintains real-time continuous  
19 vessel tracking, monitoring, and engage-  
20 ment protocols with the ability to detect  
21 and address vessel operation anomalies;

22           “(dd) has the capability to manage  
23 wildlife protection and rehabilitation;

24           “(ee) controls oil spill response re-  
25 sources of dedicated and nondedicated re-

1 source providers within such area, through  
2 ownership, contracts, agreements, or other  
3 means approved by the President, suffi-  
4 cient to mobilize and sustain a response to  
5 a worst case discharge of oil and to con-  
6 tain, recover, and temporarily store dis-  
7 charged oil; and

8 “(ff) has pre-positioned all of its oil  
9 spill response resources in strategic loca-  
10 tions throughout such area in a manner  
11 that ensures the ability to support re-  
12 sponse personnel, marine operations, air  
13 cargo, or other related logistics infrastruc-  
14 ture.

15 “(V) Temporary storage capability using  
16 both dedicated and non-dedicated assets located  
17 within such area.

18 “(VI) Non-mechanical oil spill response re-  
19 sources, to be available under contracts, agree-  
20 ments, or other means approved by the Presi-  
21 dent, capable of responding to both a discharge  
22 of persistent oil and a discharge of non-per-  
23 sistent oil, whether the discharged oil was car-  
24 ried by a vessel as fuel or cargo.

1           “(VII) With respect to tank barges car-  
2           rying non-persistent oil in bulk as cargo to be  
3           delivered to communities within such area, oil  
4           spill response resources that is required to be  
5           carried on board.

6           “(VIII) Ensuring that oil spill response re-  
7           sources otherwise required to be included in a  
8           response plan for purposes of compliance with  
9           salvage and marine firefighting requirements  
10          are not used to meet the requirements of this  
11          subparagraph.

12          “(IX) Specifying a minimum length of  
13          time that approval of a response plan under  
14          this subparagraph is valid.

15          “(iii) The President may approve a response  
16          plan for a vessel under this subparagraph only if the  
17          owner or operator of the vessel demonstrates the  
18          availability of the oil spill response resources re-  
19          quired to be included in the response plan under the  
20          planning criteria established under clause (ii).

21          “(iv) Nothing in this subparagraph affects —

22                 “(I) vessels operating within the area of  
23                 responsibility of the Coast Guard sector respon-  
24                 sible for Anchorage, Alaska, with primary oper-  
25                 ations occurring within Cook Inlet, Alaska; or

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

4           (b) ESTABLISHMENT OF ALASKA OIL SPILL PLAN-  
5           NING CRITERIA.—

6           (1) DEADLINE.—Not later than 180 days after  
7           the date of enactment of this Act, the President  
8           shall establish the planning criteria required to be  
9           established under subparagraph (J) of section  
10          311(j)(5) of the Federal Water Pollution Control  
11          Act of (33 U.S.C. 1321(j)(5)), as added by this sec-  
12          tion.

13          (2) CONSULTATION.—In establishing such plan-  
14          ning criteria, the President shall consult with the  
15          State of Alaska, owners and operators of vessels  
16          subject to such planning criteria, oil spill removal or-  
17          ganizations, Alaska Native organizations, and envi-  
18          ronmental non-governmental organizations located  
19          within the State of Alaska.

20          (c) CONGRESSIONAL REPORT.—Not later than one  
21          year after the date of enactment of this Act, the Secretary  
22          of the department in which the Coast Guard is operating  
23          shall submit to Congress a report regarding the status of  
24          implementing the requirements of subparagraph (J) of

1 section 311(j)(5) of the Federal Water Pollution Control  
2 Act (33 U.S.C. 1321(j)(5)), as added by this section.

3 **SEC. 412. NONAPPLICABILITY.**

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

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

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

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

18 **SEC. 501. DEFINITIONS.**

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

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

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

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

4           “(46) ‘sexual harassment’ means—

5                   “(A) conduct that—

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

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

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

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

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

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

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

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

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

1 **SEC. 502. CONVICTED SEX OFFENDER AS GROUNDS FOR**  
2 **DENIAL.**

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

6 **“§ 7511. Convicted sex offender as grounds for denial**

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

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

22 (b) CLERICAL AMENDMENT.—The analysis for chap-  
23 ter 75 of title 46, United States Code, is amended by add-  
24 ing at the end the following:

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



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

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

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

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

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

23                   “(B) Any investigative materials, docu-  
24                   ments, records, or files in the possession of an  
25                   employer or former employer of the individual

1 that are related to the claim of sexual harass-  
2 ment or sexual assault by the individual.

3 “(3) ADMINISTRATIVE LAW JUDGE REVIEW.—

4 “(A) COAST GUARD INVESTIGATION.—A  
5 determination under paragraph (1)(B) shall be  
6 reviewed and affirmed by an administrative law  
7 judge within the same proceeding as any sus-  
8 pension or revocation of a license, certificate of  
9 registry, or merchant mariner’s document under  
10 subsection (a) or (b).

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

16 (b) CLERICAL AMENDMENT.—The chapter analysis  
17 of chapter 77 of title 46, United States Code, is amended  
18 by inserting after the item relating to section 7704 the  
19 following:

“7704a. Sexual harassment or sexual assault as grounds for suspension or rev-  
ocation.”.

20 **SEC. 504. ACCOMMODATION; NOTICES.**

21 Section 11101 of title 46, United States Code, is  
22 amended—

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

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

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

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

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

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

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

18                           “(ii) on vessel owner or company pro-  
19                           cedures to report violations of company  
20                           policy and access resources;

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

24                           “(iv) on the retention period for sur-  
25                           veillance video recording after an incident

1 of sexual harassment or sexual assault is  
2 reported; and

3 “(v) additional items specified in reg-  
4 ulations issued by, and at the discretion of,  
5 the Secretary of the department in which  
6 the Coast Guard is operating.”; and

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

15 **SEC. 505. PROTECTION AGAINST DISCRIMINATION.**

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

18 (1) by redesignating subparagraphs (B)  
19 through (G) as subsections (C) through (H), respec-  
20 tively; and

21 (2) by inserting after subparagraph (A) the fol-  
22 lowing:

23 “(B) the seaman in good faith has reported or  
24 is about to report to the vessel owner, Coast Guard  
25 or other appropriate Federal agency or department

1 sexual harassment or sexual assault against the sea-  
2 man or knowledge of sexual harassment or sexual  
3 assault against another seaman;”.

4 **SEC. 506. ALCOHOL PROHIBITION.**

5 (a) REGULATIONS.—

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

14 (A) The Secretary shall determine safe lev-  
15 els of alcohol consumption by crewmembers  
16 aboard documented vessels engaged in commer-  
17 cial service.

18 (B) If the Secretary determines there is no  
19 alcohol policy that can be implemented to en-  
20 sure a safe environment for crew and pas-  
21 sengers, the Secretary shall implement a prohi-  
22 bition on possession and consumption of alcohol  
23 by crewmembers while aboard a vessel, except  
24 when possession is associated with the commer-

1           cial sale or gift to non-crew members aboard  
2           the vessel.

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

9   **SEC. 507. SURVEILLANCE REQUIREMENTS.**

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

13                   **“CHAPTER 49—OCEANGOING NON-**  
14                   **PASSENGER COMMERCIAL VESSELS**

“Sec.

“4901. Surveillance requirements.

15   **“§ 4901. Surveillance requirements**

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

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

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

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

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

4           “(2) documented vessels of at least 500 gross  
5           tons as measured under section 14502, or an alter-  
6           nate tonnage measured under section 14302 as pre-  
7           scribed by the Secretary under section 14104 on an  
8           international voyage; and

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

13          “(c) PLACEMENT OF VIDEO AND AUDIO SURVEIL-  
14          LANCE EQUIPMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

1       “(h) EXEMPTION.—Fishing vessels, fish processing  
2 vessels, and fish tender vessels are exempt from this sec-  
3 tion.”.

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

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

8       **SEC. 508. MASTER KEY CONTROL.**

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

12       **“§ 3106. Master key control system**

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

15               “(1) ensure that such vessel is equipped with a  
16 vessel master key control system, manual or elec-  
17 tronic, which provides controlled access to all copies  
18 of the vessel’s master key of which access shall only  
19 be available to the individuals described in para-  
20 graph (2);

21               “(2) establish a list of all crew, identified by po-  
22 sition, allowed to access and use the master key and  
23 maintain such list upon the vessel, within owner  
24 records and included in the vessel safety manage-  
25 ment system.

1           “(3) record in a log book, located in a central-  
2           ized location that is readily accessible to law enforce-  
3           ment personnel, information on all access and use of  
4           the vessel’s master key; and

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

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

16          “(c) REQUIREMENTS FOR LOG BOOK.—The log book  
17          described in subsection (a)(3)—

18                 “(1) may be—

19                         “(A) electronic;

20                         “(B) included in the vessel safety manage-  
21                         ment system; and

22                 “(2) shall include—

23                         “(A) dates and times of access;

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

1                   “(C) the name and rank of the crew mem-  
2                   ber that used the master key.

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

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

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

          “3106. Master key control system.”.

14 **SEC. 509. SAFETY MANAGEMENT SYSTEMS.**

15           Section 3203 of title 46, United States Code, is  
16 amended—

17           (1) in subsection (a)—

18                   (A) by redesignating paragraphs (5) and  
19                   (6) as paragraphs (7) and (8); and

20                   (B) by inserting after paragraph (4) the  
21 following:

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

25                   “(A) prevention;

1 “(B) bystander intervention;

2 “(C) reporting;

3 “(D) response; and

4 “(E) investigation;

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

7 (2) by redesignating subsections (b) and (c) as  
8 subsections (c) and (d), respectively; and

9 (3) by inserting after subsection (a) the fol-  
10 lowing:

11 “(b) PROCEDURES AND TRAINING REQUIRE-  
12 MENTS.—In prescribing regulations for the procedures  
13 and training requirements described in subsection (a)(5),  
14 such procedures and requirements shall be consistent with  
15 the requirements to report sexual harassment or sexual  
16 assault under section 10104.”.

17 **SEC. 510. REQUIREMENT TO REPORT SEXUAL ASSAULT**  
18 **AND HARASSMENT.**

19 Section 10104 of title 46, United States Code, is  
20 amended by striking subsections (a) and (b) and inserting  
21 the following:

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

23 “(1) IN GENERAL.—A crew member of a docu-  
24 mented vessel shall report to the Secretary any com-  
25 plaint or incident of sexual harassment or sexual as-

1       sault of which the crewmember has first-hand or  
2       personal knowledge.

3           “(2) PENALTY.—A crew member with first-  
4       hand or personal knowledge of a sexual assault or  
5       sexual harassment incident on a documented vessel  
6       who knowingly fails to report in compliance with  
7       paragraph (a)(1) is liable to the United States Gov-  
8       ernment for a civil penalty of not more than \$5,000.

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

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

19           “(1) IN GENERAL.—A vessel owner or man-  
20      aging operator of a documented vessel or the em-  
21      ployer of a seafarer on that vessel shall report to the  
22      Secretary any complaint or incident of harassment,  
23      sexual harassment, or sexual assault in violation of  
24      employer policy or law, of which such vessel owner  
25      or managing operator of a vessel engaged in com-

1       mercial service, or the employer of the seafarer is  
2       made aware. Such reporting shall include results of  
3       any investigation into the incident, if applicable, and  
4       any action taken against the offending crewmember.

5           “(2) PENALTY.—A vessel owner or managing  
6       operator of a vessel engaged in commercial service,  
7       or the employer of a seafarer on that vessel who  
8       knowingly fails to report in compliance with para-  
9       graph (1) is liable to the United States Government  
10      for a civil penalty of not more than \$25,000.

11      “(c) REPORTING PROCEDURES.—

12           “(1) A report required under subsection (a)  
13      shall be made as soon as practicable, but no later  
14      than 10 days after the individual develops first-hand  
15      or personal knowledge of the sexual assault or sexual  
16      harassment incident to the Coast Guard National  
17      Command Center by the fastest telecommunication  
18      channel available.

19           “(2) A report required under subsection (b)  
20      shall be made immediately after the vessel owner,  
21      managing operator, or employer of the seafarer  
22      gains knowledge of a sexual assault or sexual har-  
23      assment incident by the fastest telecommunication  
24      channel available, and such report shall be made to  
25      the Coast Guard National Command Center—

1           “(A) the nearest Coast Guard Captain of  
2           the Port; or

3           “(B) the appropriate officer or agency of  
4           the government of the country in whose waters  
5           the incident occurs.

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

9           “(A) the name, official position or role in  
10           relation to the vessel, and contact information  
11           of the individual making the report;

12           “(B) the name and official number of the  
13           documented vessel;

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

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

17           “(E) a brief description of the alleged sex-  
18           ual harassment or sexual assault being re-  
19           ported.

20           “(4) After receipt of the report made under this  
21           subsection, the Coast Guard will collect information  
22           related to the identity of each alleged victim, alleged  
23           perpetrator, and witness through means designed to  
24           protect, to the extent practicable, the personal iden-  
25           tifiable information of such individuals.

1       “(d) REGULATIONS.—The requirements of this sec-  
2 tion are effective as of the date of enactment of Coast  
3 Guard Authorization Act of 2022. The Secretary may  
4 issue additional regulations to implement the requirements  
5 of this section.”.

6 **SEC. 511. CIVIL ACTIONS FOR PERSONAL INJURY OR**  
7 **DEATH OF SEAMEN.**

8       (a) PERSONAL INJURY TO OR DEATH OF SEAMEN.—  
9 Section 30104 of title 46, United States Code, is amended  
10 by inserting “, including an injury resulting from sexual  
11 assault or sexual harassment,” after “in the course of em-  
12 ployment”.

13       (b) TIME LIMIT ON BRINGING MARITIME ACTION.—  
14 Section 30106 of title 46, United States Code, is amend-  
15 ed—

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

18           (2) by striking “Except as otherwise” and in-  
19 sserting the following:

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

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

22       “(b) EXTENSION FOR SEXUAL OFFENSE.—A civil ac-  
23 tion under subsection (a) arising out of a maritime tort  
24 for a claim of sexual harassment or sexual assault shall

1 be brought not less than 5 years after the cause of action  
2 for a claim of sexual harassment or sexual assault arose.”.

3 (c) CLERICAL AMENDMENT.—The analysis for chap-  
4 ter 301 of title 46, United States Code, is amended by  
5 striking the item related to section 30106 and inserting  
6 the following:

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

7 **SEC. 512. ADMINISTRATION OF SEXUAL ASSAULT FORENSIC**  
8 **EXAMINATION KITS.**

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

12 **“§ 564. Administration of sexual assault forensic ex-**  
13 **amination kits**

14 “(a) REQUIREMENT .—A Coast Guard vessel that  
15 embarks on a covered voyage shall be—

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

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

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

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

4           “(2) aeromedical evacuation will be unavailable  
5           during the travel period referenced in paragraph  
6           (1).”.

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

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

10       **TITLE VI—TECHNICAL, CON-**  
11       **FORMING, AND CLARIFYING**  
12       **AMENDMENTS**

13       **SEC. 601. TECHNICAL CORRECTIONS.**

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

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

22       **SEC. 602. TRANSPORTATION WORKER IDENTIFICATION**  
23       **CREDENTIAL TECHNICAL AMENDMENTS.**

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

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

4 (2) by striking “transportation security card”  
5 each place it appears and inserting “transportation  
6 worker identification credential”;

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

10 (4) by striking “card” each place it appears  
11 and inserting “credential”

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

14 (6) by striking subsection (i) and redesignating  
15 subsections (j) and (k) as subsections (i) and (j), re-  
16 spectively;

17 (7) by striking subsection (l) and redesignating  
18 subsections (m) through (q) as subsections (k)  
19 through (o), respectively;

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

21 (A) in the subsection heading by striking  
22 “SECURITY CARD” and inserting “WORKER  
23 IDENTIFICATION CREDENTIAL”; and

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

4 (9) in subsection (k)(1), as so redesignated, by  
5 striking “subsection (k)(3)” and inserting “sub-  
6 section (j)(3)”;

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

8 (A) in the subsection heading by striking  
9 “SECURITY CARD” and inserting “WORKER  
10 IDENTIFICATION CREDENTIAL”;

11 (B) in paragraph (1)—

12 (i) by striking “subsection (k)(3)” and  
13 inserting “subsection (j)(3)”;

14 (ii) by striking “This plan shall” and  
15 inserting “Such receipt and activation  
16 shall”;

17 (C) in paragraph (2) by striking “on-site  
18 activation capability” and inserting “on-site re-  
19 ceipt and activation of transportation worker  
20 identification credentials”.

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

“70105. Transportation worker identification credentials.”.

1 **SEC. 603. REINSTATEMENT.**

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

5 (1) reinstated as it appeared on the day before  
6 the date of enactment of section 8507(b) of the Wil-  
7 liam M. (Mac) Thornberry National Defense Author-  
8 ization Act for Fiscal Year 2021 (Public Law 116–  
9 283); and

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

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

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