

AMENDMENT TO H.R. 6865
OFFERED BY MR. DEFAZIO OF OREGON

Page 7, after line 14, insert the following:

- 1 (e) FORT WADSWORTH, NEW YORK.—Of the
2 amounts set aside under subsection (a), up to \$1,200,000
3 shall be authorized to fund a construction project to—
- 4 (1) complete repairs to the Station, New York,
5 waterfront, including repairs to the concrete pier;
6 and
- 7 (2) replace floating piers Alpha and Bravo, the
8 South Breakwater and Ice Screen, the North Break-
9 water and Ice Screen, and the seawall.

Page 9, after line 4, insert the following:

- 10 (d) DRUG AND MIGRANT INTERDICTION.—Of the
11 Fast Response Cutters authorized for acquisition under
12 subsection (a), at least 1 shall be used for drug and mi-
13 grant interdiction in the Caribbean Basin (including the
14 Gulf of Mexico).

At the end of subtitle B of title II, add the following:

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

2 Not later than 120 days after the date of enactment
3 of this Act, the Secretary of Homeland Security, in con-
4 sultation with the Secretary of Transportation, shall con-
5 duct a study on the laydown of Coast Guard Fast Re-
6 sponse Cutters to assess Coast Guard mission readiness
7 and to identify areas of need for asset coverage.

At the end of subtitle B of title III, add the fol-
lowing (and redesignate subsequent subsections accord-
ingly):

8 **SEC. 307. AUTOMATIC IDENTIFICATION SYSTEM REQUIRE-**
9 **MENTS.**

10 (a) **REQUIREMENT FOR FISHING VESSELS TO HAVE**
11 **AUTOMATIC IDENTIFICATION SYSTEMS.**—Section
12 70114(a)(1) of title 46, United States Code, is amended—

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

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

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

19 “(A) While operating on the navigable
20 waters of the United States.”; and

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

1 “(B) A vessel of the United States that is
2 more than 65 feet overall in length, while en-
3 gaged in fishing, fish processing, or fish ten-
4 dering operations on the navigable waters of the
5 United States or in the United States exclusive
6 economic zone.”.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to the Secretary of Com-
9 merce for fiscal year 2022, \$5,000,000, to remain avail-
10 able until expended, to purchase automatic identification
11 systems for fishing vessels, fish processing vessels, fish
12 tender vessels more than 50 feet in length, as described
13 under this section and the amendments made by this sec-
14 tion.

Page 55, line 3, insert “or the Emergency Prepared-
ness Program” before “under chapter 531”.

Page 55, line 5, strike “or” at the end.

Page 55, line 7, strike both periods and the closing
quotation mark and insert “; or”.

Page 55, after line 7, insert the following:

15 “(iv) the National Defense Reserve
16 Fleet under section 57100.”.

At the end of title IV, add the following:

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

2 The Commandant of the Coast Guard shall submit
3 to Congress a report describing any changes to the en-
4 forcement of chapters 121 and 551 of title 46, United
5 States Code, as a result of the amendments to section
6 4(a)(1) of the Outer Continental Shelf Lands Act (43
7 U.S.C. 1333(a)(1)) made by section 9503 of the William
8 M. (Mac) Thornberry National Defense Authorization Act
9 for Fiscal Year 2021 (Public Law 116–283).

10 **SEC. 414. LAND CONVEYANCE, SHARPE ARMY DEPOT,**
11 **LATHROP, CALIFORNIA.**

12 Not later than 1 year after the date of enactment
13 of this Act, the Administrator of the Maritime Administra-
14 tion shall complete the land conveyance required under
15 section 2833 of the William M. (Mac) Thornberry Na-
16 tional Defense Authorization Act for Fiscal Year 2021
17 (Public Law 116–283).

18 **SEC. 415. CENTER OF EXPERTISE FOR MARINE ENVIRON-**
19 **MENTAL RESPONSE.**

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, in consultation with the Administrator of
23 the National Oceanic and Atmospheric Administration,
24 shall establish a Center of Expertise for Marine Environ-
25 mental Response (referred to in this section as the “Cen-

1 ter of Expertise”) in accordance with section 313 of title
2 14, United States Code.

3 (b) LOCATION.—The Center of Expertise shall be lo-
4 cated in close proximity to—

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

9 (2) multiple Coast Guard sea and air stations;

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

12 (4) one or more designated national estuaries;

13 (5) State coastal and wildlife management
14 agencies; and

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

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

22 (1) monitor and assess, on an ongoing basis,
23 the state of knowledge regarding training, education,
24 and technology development for marine environ-
25 mental response protocols in State, Federal, and

1 international waters, port and marine environments,
2 coastal and estuary environments, and the inter-
3 coastal waterway;

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

10 (3) conduct research, development, testing, and
11 evaluation for marine environmental response equip-
12 ment, technologies, and techniques to mitigate and
13 respond to environmental incidents in these water-
14 ways;

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

17 (A) the incident command system struc-
18 ture;

19 (B) marine environmental response tech-
20 niques and strategies; and

21 (C) public affairs; and

22 (5) work with academic and private sector re-
23 sponse training centers to develop and standardize
24 marine environmental response training and tech-
25 niques.

1 (d) MARINE ENVIRONMENTAL RESPONSE DE-
2 FINED.—In this section, the term “marine environmental
3 response” means any response to incidents that—

4 (1) impacts—

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

7 (B) port and marine environments;

8 (C) coastal and estuary environments; or

9 (D) the intercoastal waterway; and

10 (2) promotes—

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

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

15 (C) the resilience of coastal ecosystems and
16 infrastructure.

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

18 (a) PROHIBITION.—

19 (1) IN GENERAL.—Except as otherwise pro-
20 vided in this section, during the period in which Ex-
21 ecutive Order 14065 (87 Fed. Reg. 10293, relating
22 to blocking certain Russian property or trans-
23 actions), or any successor Executive Order is in ef-
24 fect, no vessel described in subsection (b) may enter
25 or operate in the navigable waters of the United

1 States or transfer cargo in any port or place under
2 the jurisdiction of the United States.

3 (2) LIMITATIONS ON APPLICATION.—

4 (A) IN GENERAL.—The prohibition under
5 paragraph (1) shall not apply with respect to
6 vessel described in subsection (b) if the Sec-
7 retary of State determines that—

8 (i) the vessel is owned or operated by
9 a Russian national or operated by the gov-
10 ernment of the Russian Federation; and

11 (ii) it is in the national security inter-
12 est not to apply the prohibition to such
13 vessel.

14 (B) NOTICE.—Not later than 15 days
15 after making a determination under subpara-
16 graph (A), the Secretary of State shall submit
17 to the Committee on Foreign Affairs and the
18 Committee on Transportation and Infrastruc-
19 ture of the House of Representatives and the
20 Committee on Foreign Relations and the Com-
21 mittee on Commerce, Science, and Transpor-
22 tation of the Senate written notice of the deter-
23 mination and the basis upon which the deter-
24 mination was made.

1 (C) PUBLICATION.—The Secretary of
2 State shall publish a notice in the Federal Reg-
3 ister of each determination made under sub-
4 paragraph (A).

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

9 (c) INFORMATION AND PUBLICATION.—The Sec-
10 retary of the department in which the Coast Guard is op-
11 erating, with the concurrence of the Secretary of State,
12 shall—

13 (1) maintain timely information on the registra-
14 tions of all foreign vessels owned or operated by or
15 on behalf of the Government of the Russian Federa-
16 tion, a Russian national, or a entity organized under
17 the laws of the Russian Federation or any jurisdic-
18 tion within the Russian Federation; and

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

21 (d) NOTIFICATION OF GOVERNMENTS.—

22 (1) IN GENERAL.—The Secretary of State shall
23 notify each government, the agents or instrumental-
24 ities of which are maintaining a registration of a for-
25 eign vessel that is included on a list published under

1 subsection (c)(2), not later than 30 days after such
2 publication, that all vessels registered under such
3 government's authority are subject to subsection (a).

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

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

20 (1) the Secretary of State has made a deter-
21 mination under subsection (a)(2); or

22 (2) the Secretary of the department in which
23 the Coast Guard is operating allows provisional
24 entry of the vessel, or transfer of cargo from the ves-
25 sel, under subsection (f).

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

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

8 The Commandant of the Coast Guard shall take such
9 actions as are necessary to implement any recommenda-
10 tions for the St. Lucie River railroad bridge made by the
11 Coast Guard in the document titled “Waterways Analysis
12 and Management System for Intracoastal Waterway Miles
13 925-1005 (WAMS #07301)” published by Coast Guard
14 Sector Miami in 2018.

Page 101, line 1, strike “not less than 5 years
after” and insert “not more than 5 years after”.

