

AMENDMENT TO RULES COMMITTEE PRINT 117–

54

OFFERED BY MR. DEFAZIO OF OREGON

At the end of the bill, add the following:

1 **DIVISION F—DON YOUNG COAST**
2 **GUARD AUTHORIZATION ACT**
3 **OF 2022**

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

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

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

DIVISION F—DON YOUNG COAST GUARD AUTHORIZATION ACT OF
2022

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION

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

TITLE II—COAST GUARD

Subtitle A—Military Personnel Matters

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

Subtitle B—Operational Matters

- Sec. 206. Pilot project for enhancing Coast Guard cutter readiness through condition-based maintenance.
- Sec. 207. Unmanned systems strategy.
- Sec. 208. Budgeting of Coast Guard relating to certain operations.
- Sec. 209. Report on San Diego maritime domain awareness.
- Sec. 210. Great Lakes winter shipping.
- Sec. 211. Center of expertise for Great Lakes oil spill search and response.
- Sec. 212. Study on laydown of Coast Guard cutters.

Subtitle C—Other Matters

- Sec. 213. Responses of Commandant of the Coast Guard to safety recommendations.
- Sec. 214. Conveyance of Coast Guard vessels for public purposes.
- Sec. 215. Acquisition life-cycle cost estimates.
- Sec. 216. National Coast Guard Museum funding plan.
- Sec. 217. Report on Coast Guard explosive ordnance disposal.
- Sec. 218. Pribilof Island transition completion actions.
- Sec. 219. Notification of communication outages.

TITLE III—MARITIME

Subtitle A—Shipping

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

Subtitle B—Vessel Safety

- Sec. 304. Fishing vessel safety.
- Sec. 305. Requirements for DUKW-type amphibious passenger vessels.
- Sec. 306. Exoneration and limitation of liability for small passenger vessels.
- Sec. 307. Automatic identification system requirements.

Subtitle C—Shipbuilding Program

- Sec. 308. Qualified vessel.
- Sec. 309. Establishing a capital construction fund.

TITLE IV—FEDERAL MARITIME COMMISSION

- Sec. 401. Terms and vacancies.

TITLE V—MISCELLANEOUS

Subtitle A—Navigation

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

Subtitle B—Other Matters

- Sec. 505. Information on type approval certificates.
- Sec. 506. Passenger vessel security and safety requirements.

- Sec. 507. Cargo waiting time reduction.
- Sec. 508. Limited indemnity provisions in standby oil spill response contracts.
- Sec. 509. Port Coordination Council for Point Spencer.
- Sec. 510. Western Alaska oil spill planning criteria.
- Sec. 511. Nonapplicability.
- Sec. 512. Report on enforcement of coastwise laws.
- Sec. 513. Land conveyance, Sharpe Army Depot, Lathrop, California.
- Sec. 514. Center of Expertise for Marine Environmental Response.
- Sec. 515. Prohibition on entry and operation.
- Sec. 516. St. Lucie River railroad bridge.
- Sec. 517. Assistance related to marine mammals.
- Sec. 518. Manning and crewing requirements for certain vessels, vehicles, and structures.

TITLE VI—SEXUAL ASSAULT AND SEXUAL HARASSMENT
PREVENTION AND RESPONSE

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

TITLE VII—TECHNICAL AND CONFORMING PROVISIONS

- Sec. 701. Technical corrections.
- Sec. 702. Transportation worker identification credential technical amendments.
- Sec. 703. Reinstatement.

1 **TITLE I—AUTHORIZATION**

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

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

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

8 (2) in paragraph (1)—

1 (A) in subparagraph (A)—

2 (i) by striking “\$8,151,620,850 for
3 fiscal year 2020” and inserting
4 “\$9,282,360,000 for fiscal year 2022”;
5 and

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

9 (B) in subparagraph (B) by striking
10 “\$17,035,000” and inserting “\$17,723,520”;
11 and

12 (C) in subparagraph (C) by striking
13 “\$17,376,000” and inserting “\$18,077,990”;

14 (3) in paragraph (2)—

15 (A) in subparagraph (A)—

16 (i) by striking “\$2,794,745,000 for
17 fiscal year 2020” and inserting
18 “\$3,312,114,000 for fiscal year 2022”;
19 and

20 (ii) by striking “\$3,312,114,000 for
21 fiscal year 2021” and inserting
22 “\$3,477,600,000 for fiscal year 2023”;
23 and

24 (B) in subparagraph (B)—

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

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

7 (4) in paragraph (3)—

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

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

14 (5) in paragraph (4)—

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

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

21 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
22 **AND TRAINING.**

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

1 (1) in subsection (a) by striking “fiscal years
2 2020 and 2021” and inserting “fiscal years 2022
3 and 2023”; and

4 (2) in subsection (b) by striking “fiscal years
5 2020 and 2021” and inserting “fiscal years 2022
6 and 2023”.

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

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

17 (b) **BALTIMORE COAST GUARD YARD.**—Of the
18 amounts set aside under subsection (a), up to
19 \$175,000,000 shall be authorized to improve facilities at
20 the Coast Guard Yard in Baltimore, Maryland, including
21 improvements to piers and wharves, dry dock, capital
22 equipment utilities, or dredging necessary to facilitate ac-
23 cess to such Yard.

24 (c) **TRAINING CENTER CAPE MAY.**—Of the amounts
25 set aside under subsection (a), up to \$60,000,000 shall

1 be authorized to fund Phase I, in fiscal year 2022, and
2 Phase II, in fiscal year 2023, for the recapitalization of
3 the barracks at the United States Coast Guard Training
4 Center Cape May in Cape May, New Jersey.

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

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

14 (1) complete repairs to the United States Coast
15 Guard Station, New York, waterfront, including re-
16 pairs to the concrete pier; and

17 (2) replace floating piers Alpha and Bravo, the
18 South Breakwater and Ice Screen, the North Break-
19 water and Ice Screen, and the seawall.

20 **SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**
21 **ADDITIONAL CUTTERS.**

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

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

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

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

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

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

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

17 (b) TREATMENT OF ACQUIRED CUTTER.—Any cutter
18 acquired using amounts authorized under subsection (a)
19 shall be in addition to the National Security Cutters and
20 Fast Response Cutters approved under the existing acqui-
21 sition baseline in the program of record for the National
22 Security Cutter and Fast Response Cutter.

23 (c) GREAT LAKES ICEBREAKER ACQUISITION.—Of
24 the amounts authorized to be appropriated under section
25 4902(2)(A)(ii) of title 14, United States Code—

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

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

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

16 **TITLE II—COAST GUARD**
17 **Subtitle A—Military Personnel**
18 **Matters**

19 **SEC. 201. AUTHORIZED STRENGTH.**

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

22 “(c) The Secretary may vary the authorized end
23 strength of the Coast Guard Selected Reserves for a fiscal
24 year by a number equal to not more than 3 percent of
25 such end strength upon a determination by the Secretary

1 that varying such authorized end strength is in the na-
2 tional interest.

3 “(d) The Commandant may increase the authorized
4 end strength of the Coast Guard Selected Reserves by a
5 number equal to not more than 2 percent of such author-
6 ized end strength upon a determination by the Com-
7 mandant that such increase would enhance manning and
8 readiness in essential units or in critical specialties or rat-
9 ings.”.

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

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

15 **“§ 2166. Continuation on active duty; Coast Guard of-**
16 **ficers with certain critical skills**

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

23 “(b) CRITICAL SKILLS, SPECIALTY, OR CAREER
24 FIELD.—The Commandant shall designate any critical

1 skill, specialty, or career field eligible for continuation on
2 active duty as provided in subsection (a).

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

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

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

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

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

18 (a) MAXIMUM NUMBER OF OFFICERS.—Section
19 2103(a) of title 14, United States Code, is amended to
20 read as follows:

21 “(a) MAXIMUM TOTAL NUMBER.—

22 “(1) IN GENERAL.—The total number of Coast
23 Guard commissioned officers on the active duty pro-

1 motion list, excluding warrant officers, shall not ex-
2 ceed—

3 “(A) 7,100 in fiscal year 2022;

4 “(B) 7,200 in fiscal year 2023;

5 “(C) 7,300 in fiscal year 2024; and

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

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

14 “(3) NOTIFICATION.—Not later than 30 days
15 after exceeding the total number of commissioned of-
16 ficers permitted under paragraph (1), and each 30
17 days thereafter until the total number of commis-
18 sioned officers no longer exceeds the number of such
19 officers permitted under paragraph (1), the Com-
20 mandant shall notify the Committee on Transpor-
21 tation and Infrastructure of the House of Represent-
22 atives and the Committee on Commerce, Science,
23 and Transportation of the Senate of the number of
24 officers on the active duty promotion list on the last
25 day of the preceding 30-day period.”.

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

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

6 **“§ 5113. Officers not on active duty promotion list**

7 “Not later than 60 days after the date on which the
8 President submits to Congress a budget pursuant to sec-
9 tion 1105 of title 31, the Commandant shall submit to
10 the Committee on Transportation and Infrastructure of
11 the House of Representatives and the Committee on Com-
12 merce, Science, and Transportation of the Senate the
13 number of Coast Guard officers serving at other Federal
14 entities on a reimbursable basis but not on the active duty
15 promotion list.”.

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

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

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

20 (a) INTERIM BEHAVIORAL HEALTH POLICY.—Not
21 later than 60 days after the date of enactment of this Act,
22 the Commandant of the Coast Guard shall establish an
23 interim behavioral health policy for members of the Coast
24 Guard equivalent to the policy described in section 5.28
25 (relating to behavioral health) of Department of Defense

1 Instruction 6130.03, volume 2, “Medical Standards for
2 Military Service: Retention”.

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

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

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

14 (1) determine which recommendations in the
15 RAND representation report can practicably be im-
16 plemented to promote improved representation in the
17 Coast Guard of—

18 (A) women; and

19 (B) racial and ethnic minorities; and

20 (2) submit to the Committee on Transportation
21 and Infrastructure of the House of Representatives
22 and the Committee on Commerce, Science, and
23 Transportation of the Senate a report on the actions
24 the Commandant has taken, or plans to take, to im-
25 plement such recommendations.

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

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

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

11 (3) the officer, enlisted member, and civilian
12 leadership courses managed by the Leadership De-
13 velopment Center.

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

20 **Subtitle B—Operational Matters**

21 **SEC. 206. PILOT PROJECT FOR ENHANCING COAST GUARD** 22 **CUTTER READINESS THROUGH CONDITION-** 23 **BASED MAINTENANCE.**

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

1 Coast Guard shall conduct a pilot project to enhance cut-
2 ter readiness and reduce lost patrol days through the de-
3 ployment of commercially developed condition-based pro-
4 gram standards for cutter maintenance, in accordance
5 with the criteria set forth in subsection (b).

6 (b) CRITERIA FOR CONDITION-BASED MAINTENANCE
7 EVALUATION.—In conducting the pilot project under sub-
8 section (a), the Commandant shall—

9 (1) select at least 1 legacy cutter asset and 1
10 class of cutters under construction with respect to
11 which the application of the pilot project would en-
12 hance readiness;

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

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

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

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

4 (c) REPORT TO CONGRESS.—The Commandant shall
5 submit to the Committee on Commerce, Science, and
6 Transportation of the Senate and the Committee on
7 Transportation and Infrastructure of the House of Rep-
8 resentatives—

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

13 (2) a final report not later than 2 years after
14 the date of enactment of this Act on the results of
15 the pilot project described in subsection (a) that in-
16 cludes—

17 (A) options to integrate commercially de-
18 veloped condition-based program standards for
19 cutter maintenance to Coast Guard cutters; and

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

23 **SEC. 207. UNMANNED SYSTEMS STRATEGY.**

24 (a) SUBMISSION TO CONGRESS.—Not later than 180
25 days after the date of enactment of this Act, the Com-

1 mandant of the Coast Guard shall submit to the Com-
2 mittee on Transportation and Infrastructure of the House
3 of Representatives and the Committee on Commerce,
4 Science, and Transportation of the Senate a detailed de-
5 scription of the strategy of the Coast Guard to implement
6 unmanned systems across mission areas, including—

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

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

16 (3) a strategy to sustain competition and inno-
17 vation for procurement of unmanned systems and
18 services for the Coast Guard, including defining op-
19 portunities for new and existing technologies; and

20 (4) an estimate of the timeline, costs, staff re-
21 sources, technology, or other resources necessary to
22 accomplish the strategy.

23 (b) PILOT PROJECT.—

24 (1) AUTONOMOUS CONTROL AND COMPUTER VI-
25 SION TECHNOLOGY.—The Commandant of the Coast

1 Guard, acting through the Blue Technology Center
2 of Expertise, shall conduct a pilot project to retrofit
3 an existing Coast Guard small boat with—

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

6 (B) such sensors and methods of commu-
7 nication as are necessary to demonstrate the
8 ability of such control and technology to assist
9 in conducting search and rescue, surveillance,
10 and interdiction missions.

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

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

1 **SEC. 208. BUDGETING OF COAST GUARD RELATING TO CER-**
2 **TAIN OPERATIONS.**

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

6 **“§ 5114. Expenses of performing and executing de-**
7 **fense readiness mission activities**

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

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

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

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

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

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

7 **SEC. 209. REPORT ON SAN DIEGO MARITIME DOMAIN**
8 **AWARENESS.**

9 Not later than 180 days after the date of enactment
10 of this Act, the Commandant of the Coast Guard shall
11 submit to the Committee on Transportation and Infra-
12 structure of the House of Representatives and the Com-
13 mittee on Commerce, Science, and Transportation of the
14 Senate a report containing—

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

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

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

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

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

10 (E) the maritime domain awareness re-
11 quirements to effectively meet the mission of
12 such sector;

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

17 (3) a description of any gaps in maritime do-
18 main awareness within the area of responsibility of
19 such sector resulting from an inability to meet the
20 enduring maritime domain awareness requirements
21 of the sector or adequately respond to maritime dis-
22 order;

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

1 (5) an identification of capabilities needed to
2 mitigate such gaps, including any capabilities the
3 Coast Guard currently possesses that can be de-
4 ployed to the sector;

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

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

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

13 (a) GREAT LAKES ICEBREAKING OPERATIONS.—

14 (1) GOVERNMENT ACCOUNTABILITY OFFICE RE-
15 PORT.—

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

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

3 (i) evaluate—

4 (I) the economic impact related
5 to vessel delays or cancellations asso-
6 ciated with ice coverage on the Great
7 Lakes;

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

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

17 (IV) the resources necessary to
18 support the fleet described in sub-
19 clause (III), including billets for crew
20 and operating costs; and

21 (ii) make recommendations to the
22 Commandant for improvements to the
23 Great Lakes icebreaking program, includ-
24 ing with respect to facilitating shipping

1 and meeting all Coast Guard mission
2 needs.

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

8 (A) Except as provided in subparagraph
9 (B), the ice-covered waterways in the Great
10 Lakes shall be open to navigation not less than
11 90 percent of the hours that vessels engaged in
12 commercial service and ferries attempt to tran-
13 sit such ice-covered waterways.

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

23 (3) REPORT BY COMMANDANT.—Not later than
24 90 days after the date on which the Comptroller
25 General submits the report under paragraph (1), the

1 Commandant shall submit to the Committee on
2 Commerce, Science, and Transportation of the Sen-
3 ate and the Committee on Transportation and Infra-
4 structure of the House of Representatives a report
5 that includes the following:

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

10 (B) With respect to any recommendation
11 made under paragraph (1)(B)(ii) with which
12 the Commandant does not concur, an expla-
13 nation of the reasons why the Commandant
14 does not concur.

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

18 (D) Any proposed modifications to current
19 Coast Guard standards for icebreaking oper-
20 ations in the Great Lakes.

21 (4) PILOT PROGRAM.—During the 5 ice seasons
22 following the date of enactment of this Act, the
23 Coast Guard shall conduct a pilot program to deter-
24 mine the extent to which the current Coast Guard

1 Great Lakes icebreaking cutter fleet can meet the
2 proposed standards described in paragraph (2).

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

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

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

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

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

24 (C) The period of time that each vessel en-
25 gaged in commercial service or ferry was de-

1 laid in getting underway or during a transit of
2 ice-covered waterways in the Great Lakes due
3 to the nonavailability of a suitable icebreaking
4 vessel.

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

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

17 (F) Relevant communications of each ves-
18 sel engaged in commercial service or ferry with
19 the Coast Guard or commercial icebreaking
20 service providers with respect to subparagraphs
21 (A) through (D).

22 (G) A description of any mitigating cir-
23 cumstance, such as Coast Guard Great Lakes
24 icebreaker diversions to higher priority mis-
25 sions, that may have contributed to the amount

1 of time described in subparagraphs (C) and (D)
2 or the percentage of time described in subpara-
3 graph (E).

4 (3) VOLUNTARY REPORTING.—Any reporting by
5 operators of commercial vessels engaged in commer-
6 cial service or ferries under this section shall be vol-
7 untary.

8 (4) PUBLIC AVAILABILITY.—The Commandant
9 shall make the data collected, archived, and dissemi-
10 nated under this subsection available to the public
11 on a publicly accessible internet website of the Coast
12 Guard.

13 (5) CONSULTATION WITH INDUSTRY.—With re-
14 spect to the Great Lakes icebreaking operations of
15 the Coast Guard and the development of the data
16 collected, archived, and disseminated under this sub-
17 section, the Commandant shall consult operators
18 of—

19 (A) vessels engaged in commercial service;

20 and

21 (B) ferries.

22 (c) REPORT ON COMMON HULL DESIGN.—Section
23 8105 of the William M. (Mac) Thornberry National De-
24 fense Authorization Act for Fiscal Year 2021 (Public Law

1 116–283) is amended by striking subsection (b) and in-
2 serting the following:

3 “(b) REPORT.—Not later than 90 days after the date
4 of enactment of this subsection, the Commandant shall
5 submit to the Committee on Commerce, Science, and
6 Transportation of the Senate and the Committee on
7 Transportation and Infrastructure of the House of Rep-
8 resentatives a report on the operational benefits and limi-
9 tations of a common hull design for icebreaking cutters
10 for operation in the Great Lakes, the Northeastern United
11 States, and the Arctic, as appropriate, that are at least
12 as capable as the Coast Guard 140-foot icebreaking
13 tugs.”.

14 (d) DEFINITIONS.—In this section:

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

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

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

23 (B) includes harbors adjacent to such
24 waters.

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

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

12 (A) meet the reasonable demands of ship-
13 ping;

14 (B) minimize delays to passenger ferries;

15 (C) extricate vessels and persons from dan-
16 ger;

17 (D) prevent damage due to flooding; and

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

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

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

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

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

8 “(1) Lake Ontario;

9 “(2) Lake Erie;

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

11 “(4) Lake Michigan;

12 “(5) Lake Superior; and

13 “(6) the connecting channels (including the fol-
14 lowing rivers and tributaries of such rivers: Saint
15 Mary’s River, Saint Clair River, Detroit River, Niag-
16 ara River, Illinois River, Chicago River, Fox River,
17 Grand River, St. Joseph River, St. Louis River, Me-
18 nominee River, Muskegon River, Kalamazoo River,
19 and Saint Lawrence River to the Canadian bor-
20 der).”.

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

22 Not later than 120 days after the date of enactment
23 of this Act, the Secretary of Homeland Security, in con-
24 sultation with the Secretary of Transportation, shall con-
25 duct a study on the laydown of Coast Guard Fast Re-

1 sponse Cutters to assess Coast Guard mission readiness
2 and to identify areas of need for asset coverage.

3 **Subtitle C—Other Matters**

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

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

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

10 “(a) IN GENERAL.—Not later than 90 days after the
11 submission to the Commandant of the Coast Guard of a
12 recommendation by the National Transportation Safety
13 Board relating to transportation safety, the Commandant
14 shall submit to the Board a written response to each rec-
15 ommendation, which shall include whether the Com-
16 mandant—

17 “(1) concurs with the recommendation;

18 “(2) partially concurs with the recommendation;

19 or

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

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

23 “(1) with respect to a recommendation to which
24 the Commandant concurs, an explanation of the ac-

1 tions the Commandant intends to take to implement
2 such recommendation;

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

8 “(3) with respect to a recommendation to which
9 the Commandant does not concur, the reasons why
10 the Commandant does not concur with such rec-
11 ommendation.

12 “(c) **FAILURE TO RESPOND.**—If the Board has not
13 received the written response required under subsection
14 (a) by the end of the time period described in such sub-
15 section, the Board shall notify the Committee on Trans-
16 portation and Infrastructure of the House of Representa-
17 tives and the Committee on Commerce, Science, and
18 Transportation of the Senate that such response has not
19 been received.”.

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

23 **SEC. 214. CONVEYANCE OF COAST GUARD VESSELS FOR**
24 **PUBLIC PURPOSES.**

25 (a) **REDESIGNATION AND TRANSFER.**—

1 (1) IN GENERAL.—Section 914 of the Coast
2 Guard Authorization Act of 2010 (Public Law 111–
3 281) is transferred to chapter 5 of title 14, United
4 States Code, inserted after section 508, redesignated
5 as section 509, and amended so that the enu-
6 merator, section heading, typeface, and typestyle
7 conform to those appearing in other sections in title
8 46, United States Code.

9 (2) CLERICAL AMENDMENTS.—

10 (A) COAST GUARD AUTHORIZATION ACT OF
11 2010.—The table of contents in section 1(b) of
12 the Coast Guard Authorization Act of 2010
13 (Public Law 111–281) is amended by striking
14 the item relating to section 914.

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

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

19 (b) CONVEYANCE OF COAST GUARD VESSELS FOR
20 PUBLIC PURPOSES.—Section 509 of title 14, United
21 States Code (as transferred and redesignated under sub-
22 section (a)), is amended—

23 (1) by amending subsection (a) to read as fol-
24 lows:

1 “(a) IN GENERAL.—At the request of the Com-
2 mandant, the Administrator of the General Services Ad-
3 ministration may transfer ownership of a Coast Guard
4 vessel or aircraft to an eligible entity for use for edu-
5 cational, cultural, historical, charitable, recreational, or
6 other public purposes if such transfer is authorized by
7 law.”; and

8 (2) in subsection (b)—

9 (A) in paragraph (1)—

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

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

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

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

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

24 “(2) TYPES OF ESTIMATES.—For each Level 1
25 or Level 2 acquisition project or program, in addi-

1 tion to life-cycle cost estimates developed under
2 paragraph (1), the Commandant shall require that—

3 “(A) such life-cycle cost estimates be up-
4 dated before—

5 “(i) each milestone decision is con-
6 cluded; and

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

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

13 **SEC. 216. NATIONAL COAST GUARD MUSEUM FUNDING**
14 **PLAN.**

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

20 **SEC. 217. REPORT ON COAST GUARD EXPLOSIVE ORD-**
21 **NANCE DISPOSAL.**

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

1 and the Committee on Commerce, Science, and Transpor-
2 tation of the Senate a report on the viability of estab-
3 lishing an explosive ordnance disposal program (herein-
4 after referred to as the “Program”) in the Coast Guard.

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

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

12 (A) Maritime Safety and Security Teams;

13 (B) Maritime Security Response Teams;

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

16 (D) elsewhere within the Coast Guard.

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

21 (4) The Coast Guard stations at which—

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

1 (B) explosive ordnance disposal elements
2 equipment would be pre-positioned.

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

7 (A) counter improvised explosive devices;

8 (B) counter unexploded ordnance;

9 (C) combat weapons of destruction;

10 (D) provide service in support of the Presi-
11 dent; and

12 (E) support national security special
13 events.

14 (6) The career progression of Coast Guardsman
15 participating in the Program from—

16 (A) Seaman Recruit to Command Master
17 Chief Petty Officer;

18 (B) Chief Warrant Officer 2 to that of
19 Chief Warrant Officer 4; and

20 (C) Ensign to that of Rear Admiral.

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

- 1 (A) civilian and military pay with details
2 on military pay, including special and incentive
3 pays such as—
- 4 (i) officer responsibility pay;
 - 5 (ii) officer SCUBA diving duty pay;
 - 6 (iii) officer demolition hazardous duty
7 pay;
 - 8 (iv) enlisted SCUBA diving duty pay;
 - 9 (v) enlisted demolition hazardous duty
10 pay;
 - 11 (vi) enlisted special duty assignment
12 pay at level special duty-5;
 - 13 (vii) enlisted assignment incentive
14 pays;
 - 15 (viii) enlistment and reenlistment bo-
16 nuses;
 - 17 (ix) officer and enlisted full civilian
18 clothing allowances;
 - 19 (x) an exception to the policy allowing
20 a third hazardous duty pay for explosive
21 ordnance disposal-qualified officers and en-
22 listed; and
 - 23 (xi) parachutist hazardous duty pay;
- 24 (B) research, development, test, and eval-
25 uation;

- 1 (C) procurement;
- 2 (D) other transaction agreements;
- 3 (E) operations and support; and
- 4 (F) overseas contingency operations.

5 **SEC. 218. PRIBILOF ISLAND TRANSITION COMPLETION AC-**
6 **TIONS.**

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

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

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

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

22 (1) the degree to which Coast Guard personnel
23 and equipment are deployed to St. Paul Island,
24 Alaska, in actual occupancy of the facilities, as re-
25 quired under section 524 of the Pribilof Island

1 Transition Completion Act of 2016 (Public Law
2 114–120); and

3 (2) the status of the activities described in sub-
4 sections (c) and (d) until such activities have been
5 completed.

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

7 (1) enter into a lease for a hangar to house de-
8 ployed Coast Guard aircraft if such hangar was pre-
9 viously under lease by the Coast Guard for purposes
10 of housing such aircraft; and

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

16 (d) FUEL TANK.—

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

22 (2) TRANSFER.—Subject to paragraph (3), if
23 the Secretary determines such tank is not needed for
24 operations, the Secretary shall, not later than 90
25 days after making such determination, transfer such

1 tank to the Alaska Native Village Corporation for
2 St. Paul Island, Alaska.

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

11 (e) SAVINGS CLAUSE.—Nothing in this section shall
12 be construed to limit any rights of the Alaska Native Vil-
13 lage Corporation for St. Paul to receive conveyance of all
14 or part of the lands and improvements related to Tract
15 43 under the same terms and conditions as prescribed in
16 section 524 of the Pribilof Island Transition Completion
17 Act of 2016 (Public Law 114–120).

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

19 Not later than 180 days after the date of enactment
20 of this Act, the Commandant of the Coast Guard shall
21 submit to the Committee on Transportation and Infra-
22 structure of the House of Representatives and the Com-
23 mittee on Commerce, Science, and Transportation of the
24 Senate a report that—

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

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

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

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

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

12 (D) generate receipt confirmation and ac-
13 knowledgment of outages from mariners; and

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

17 (3) identifies technology gaps necessary to im-
18 plement the plan and provide a budgetary assess-
19 ment necessary to implement the plan.

20 **TITLE III—MARITIME**

21 **Subtitle A—Shipping**

22 **SEC. 301. NONOPERATING INDIVIDUAL.**

23 Section 8313(b) of the William M. (Mac) Thornberry
24 National Defense Authorization Act for Fiscal Year 2021
25 (Public Law 116–283) is amended by striking “the date

1 that is 2 years after the date of the enactment of this
2 Act” and inserting “January 1, 2025”.

3 **SEC. 302. OCEANOGRAPHIC RESEARCH VESSELS.**

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

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

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

22 (2) The total number of United States-flagged
23 vessels known or estimated to operate or to have op-
24 erated as oceanographic research vessels (as such

1 term is defined section 2101 of title 46, United
2 States Code) during each of the past 10 fiscal years.

3 **SEC. 303. ATLANTIC COAST PORT ACCESS ROUTES BRIEF-**
4 **ING.**

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

15 **Subtitle B—Vessel Safety**

16 **SEC. 304. FISHING VESSEL SAFETY.**

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

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

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

24 “(B) the vessel is—

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

1 “(ii) built before July 1, 2013; and
2 “(iii) 25 years of age or older; and”;
3 (2) in section 4503(b) by striking “Except as
4 provided in section 4503a, subsection (a)” and in-
5 serting “Subsection (a)”; and
6 (3) by repealing section 4503a.

7 (b) **ALTERNATIVE SAFETY COMPLIANCE AGREE-**
8 **MENTS.**—Nothing in this section or the amendments made
9 by this section shall be construed to affect or apply to any
10 alternative compliance and safety agreement entered into
11 by the Coast Guard that is in effect on the date of enact-
12 ment of this Act.

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

16 **SEC. 305. REQUIREMENTS FOR DUKW-TYPE AMPHIBIOUS**
17 **PASSENGER VESSELS.**

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

1 (b) DEADLINE FOR COMPLIANCE.—The regulations
2 issued under subsection (a) shall take effect not later than
3 24 months after the date of enactment of this Act.

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

6 (1) A requirement that operators of DUKW-
7 type amphibious passenger vessels provide reserve
8 buoyancy for such vessels through passive means, in-
9 cluding watertight compartmentalization, built-in flo-
10 tation, or such other means as determined appro-
11 priate by the Commandant, in order to ensure that
12 such vessels remain afloat and upright in the event
13 of flooding, including when carrying a full com-
14 plement of passengers and crew.

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

17 (A) review and notate the forecast of the
18 National Weather Service of the National Oce-
19 anic and Atmospheric Administration in the
20 logbook of the vessel before getting underway
21 and periodically while underway;

22 (B) proceed to the nearest harbor or safe
23 refuge in any case in which a watch or warning
24 is issued for wind speeds exceeding the wind
25 speed equivalent used to certify the stability of

1 such DUKW-type amphibious passenger vessel;
2 and

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

8 (3) A requirement that—

9 (A) operators of DUKW-type amphibious
10 passenger vessels inform passengers that seat
11 belts may not be worn during waterborne oper-
12 ations;

13 (B) before the commencement of water-
14 borne operations, a crew member shall visually
15 check that the seatbelt of each passenger is un-
16 buckled; and

17 (C) operators or crew maintain a log re-
18 cording the actions described in subparagraphs
19 (A) and (B).

20 (4) A requirement for annual training for oper-
21 ators and crew of DUKW-type amphibious pas-
22 sengers vessels, including—

23 (A) training for personal flotation and seat
24 belt requirements, verifying the integrity of the
25 vessel at the onset of each waterborne depar-

1 ture, identification of weather hazards, and use
2 of National Weather Service resources prior to
3 operation; and

4 (B) training for crew to respond to emer-
5 gency situations, including flooding, engine
6 compartment fires, man-overboard situations,
7 and in water emergency egress procedures.

8 (d) CONSIDERATION.—In issuing the regulations re-
9 quired under subsection (a), the Commandant shall con-
10 sider whether personal flotation devices should be required
11 for the duration of the waterborne transit of a DUKW-
12 type amphibious passenger vessel.

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

19 (1) Remove the canopies and any window cov-
20 erings of such vessels for waterborne operations, or
21 install in such vessels a canopy that does not restrict
22 horizontal or vertical escape by passengers in the
23 event of flooding or sinking.

24 (2) If a canopy and window coverings are re-
25 moved from any such vessel pursuant to paragraph

1 (1), require that all passengers wear a personal flo-
2 tation device approved by the Coast Guard before
3 the onset of waterborne operations of such vessel.

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

8 (4) Install in such vessels independently pow-
9 ered electric bilge pumps that are capable of
10 dewatering such vessels at the volume of the largest
11 remaining penetration in order to supplement an op-
12 erable Higgins pump or a dewatering pump of equiv-
13 alent or greater capacity.

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

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

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

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

24 (9) Otherwise comply with any other provisions
25 of relevant Coast Guard guidance or instructions in

1 the inspection, configuration, and operation of such
2 vessels.

3 **SEC. 306. EXONERATION AND LIMITATION OF LIABILITY**
4 **FOR SMALL PASSENGERS VESSELS.**

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

7 (1) by inserting the following before section
8 30501 the following:

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

10 (2) by inserting the following before section
11 30503:

12 **“Subchapter II—Exoneration and Limitation**
13 **of Liability”;**

14 and

15 (3) by redesignating sections 30503 through
16 30512 as sections 30521 through 30530, respec-
17 tively.

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

20 **“§ 30501. Definitions**

21 “In this chapter:

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

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

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

2 “(ii) carrying—

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

5 “(II) not more than 150 pas-
6 sengers on any voyage that is not an
7 overnight domestic voyage; and

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

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

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

“30501. Definitions.”.

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

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

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

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

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

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

10 (1) by inserting before section 30501 the fol-
11 lowing:

“SUBCHAPTER I—GENERAL PROVISIONS”;

12 (2) by inserting after section 30502 the fol-
13 lowing:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

14 and

15 (3) by redesignating the items relating to sec-
16 tions 30503 through 30512 as items relating to sec-
17 tions 30521 through 30530, respectively.

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

20 (1) in section 14305(a)(5), by striking “section
21 30506” and inserting “section 30524”;

22 (2) in section 30523(a), as redesignated by sub-
23 section (a), by striking “section 30506” and insert-
24 ing “section 30524”;

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

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

6 (A) in the matter preceding paragraph (1),
7 by striking “sections 30505 and 30506” and in-
8 serting “sections 30523 and 30524”;

9 (B) in paragraph (1) by striking “section
10 30505” and inserting “section 30523”; and

11 (C) in paragraph (2) by striking “section
12 30506(b)” and inserting “section 30524(b)”.

13 **SEC. 307. AUTOMATIC IDENTIFICATION SYSTEM REQUIRE-**
14 **MENTS.**

15 (a) REQUIREMENT FOR FISHING VESSELS TO HAVE
16 AUTOMATIC IDENTIFICATION SYSTEMS.—Section
17 70114(a)(1) of title 46, United States Code, is amended—

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

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

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

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

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

2 “(B) A vessel of the United States that is more
3 than 65 feet overall in length, while engaged in fish-
4 ing, fish processing, or fish tendering operations on
5 the navigable waters of the United States or in the
6 United States exclusive 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.

15 **Subtitle C—Shipbuilding Program**

16 **SEC. 308. QUALIFIED VESSEL.**

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

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

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

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

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

1 “(D) a passenger vessel or small passenger
2 vessel, as such terms are defined in section
3 2101, that has a passenger capacity of 50 pas-
4 sengers or greater.”.

5 (b) QUALIFIED VESSEL.—Section 53501(5) of title
6 46, United States Code, is amended—

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

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

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

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

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

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

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

1 **TITLE IV—FEDERAL MARITIME**
2 **COMMISSION**

3 **SEC. 401. TERMS AND VACANCIES.**

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

6 (1) in paragraph (2)—

7 (A) by striking “one year” and inserting
8 “2 years”; and

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

11 (2) in paragraph (3)—

12 (A) by striking “of the individual being
13 succeeded” and inserting “to which such indi-
14 vidual is appointed”;

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

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

19 **TITLE V—MISCELLANEOUS**

20 **Subtitle A—Navigation**

21 **SEC. 501. RESTRICTION ON CHANGING SALVORS.**

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

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

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

17 **SEC. 502. PROVIDING REQUIREMENTS FOR VESSELS AN-**
18 **CHORED IN ESTABLISHED ANCHORAGE**
19 **GROUNDS.**

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

22 **“§ 70006. Anchorage grounds**

23 “(a) ANCHORAGE GROUNDS.—

24 “(1) ESTABLISHMENT.—The Secretary of the
25 department in which the Coast Guard is operating

1 shall define and establish anchorage grounds in the
2 navigable waters of the United States for vessels op-
3 erating in such waters.

4 “(2) RELEVANT FACTORS FOR ESTABLISH-
5 MENT.—In carrying out paragraph (1), the Sec-
6 retary shall take into account all relevant factors
7 concerning navigational safety, protection of the ma-
8 rine environment, proximity to undersea pipelines
9 and cables, safe and efficient use of Marine Trans-
10 portation System, and national security.

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

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

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

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

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

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

23 “(2) anchor in near proximity, within distances
24 determined by the Coast Guard, to an undersea

1 pipeline or cable, unless authorized or directed to by
2 the Captain of the Port; and

3 “(3) anchor or remain anchored in an anchor-
4 age ground during any period in which the Captain
5 of the Port orders closure of the anchorage ground
6 due to inclement weather, navigational hazard, a
7 threat to the environment, or other safety or secu-
8 rity concern.

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

13 (b) REGULATORY REVIEW.—

14 (1) REVIEW REQUIRED.—Not later than 1 year
15 after the date of enactment of this Act, the Sec-
16 retary of the department in which the Coast Guard
17 is operating shall complete a review of existing an-
18 chorage regulations and identify regulations that
19 may need modification—

20 (A) in the interest of marine safety, secu-
21 rity, and environmental concerns, taking into
22 account undersea pipelines, cables, or other in-
23 frastructure; and

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

1 (2) BRIEFING.—Upon completion of the review
2 under paragraph (1), but not later than 2 years
3 after the date of enactment of this Act, the Sec-
4 retary shall provide a briefing to the Committee on
5 Commerce, Science, and Transportation of the Sen-
6 ate and the Subcommittee on Coast Guard and Mar-
7 itime Transportation of the Committee on Transpor-
8 tation and Infrastructure of the House of Represent-
9 atives that summarizes the review.

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

 “70006. Anchorage grounds.”.

14 (d) APPLICABILITY OF REGULATIONS.—The amend-
15 ments made by subsection (a) may not be construed to
16 alter any existing rules, regulations, or final agency ac-
17 tions issued under section 70006 of title 46, United States
18 Code, as in effect on the day before the date of enactment
19 of this Act until all regulations required under subsection
20 (b) take effect.

21 **SEC. 503. AQUATIC NUISANCE SPECIES TASK FORCE.**

22 (a) RECREATIONAL VESSEL DEFINED.—Section
23 1003 of the Nonindigenous Aquatic Nuisance Prevention
24 and Control Act of 1990 (16 U.S.C. 4702) is amended—

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

4 (2) by inserting after paragraph (12) the fol-
5 lowing:

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

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

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

17 “(g) OBSERVERS.—The chairpersons designated
18 under subsection (d) may invite representatives of non-
19 governmental entities to participate as observers of the
20 Task Force.”.

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

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

3 (2) by redesignating paragraph (7) as para-
4 graph (10); and

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

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

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

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

11 (d) AQUATIC NUISANCE SPECIES PROGRAM.—Sec-
12 tion 1202 of the Nonindigenous Aquatic Nuisance Preven-
13 tion and Control Act of 1990 (16 U.S.C. 4722) is amend-
14 ed—

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

17 “(4) TECHNICAL ASSISTANCE AND REC-
18 OMMENDATIONS.—The Task Force may provide
19 technical assistance and recommendations for best
20 practices to an agency or entity engaged in vessel in-
21 spections or decontaminations for the purpose of—

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

1 “(B) inspecting recreational vessels in a
2 manner that minimizes disruptions to public ac-
3 cess for boating and recreation in non-contami-
4 nated vessels.

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

8 “(A) State fish and wildlife management
9 agencies;

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

13 “(C) relevant nongovernmental entities.”;
14 and

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

17 “(3) Not later than 90 days after the date of
18 enactment of the Don Young Coast Guard Author-
19 ization Act of 2022, the Task Force shall submit a
20 report to Congress recommending legislative, pro-
21 grammatic, or regulatory changes to eliminate re-
22 maining gaps in authorities between members of the
23 Task Force to effectively manage and control the
24 movement of aquatic nuisance species.”.

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

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

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

9 (3) in section 1203(a)—

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

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

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

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

19 **SEC. 504. LIMITATION ON RECOVERY FOR CERTAIN INJU-**
20 **RIES INCURRED IN AQUACULTURE ACTIVI-**
21 **TIES.**

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

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

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

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

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

7 “(A) is an aquaculture worker if State
8 workers’ compensation is available to such indi-
9 vidual; and

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

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

16 “(A) is employed by a commercial enter-
17 prise that is involved in the controlled cultiva-
18 tion and harvest of aquatic plants and animals,
19 including—

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

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

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

1 “(B) does not hold a license issued under
2 section 7101(e); and

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

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

8 **Subtitle B—Other Matters**

9 **SEC. 505. INFORMATION ON TYPE APPROVAL CERTIFI-** 10 **CATES.**

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

14 **“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFI-** 15 **CATES.**

16 “The Commandant of the Coast Guard shall, upon
17 request by any State, the District of Columbia, or territory
18 of the United States, provide all data possessed by the
19 Coast Guard pertaining to challenge water quality charac-
20 teristics, challenge water biological organism concentra-
21 tions, post-treatment water quality characteristics, and
22 post-treatment biological organism concentrations data for
23 a ballast water management system with a type approval
24 certificate approved by the Coast Guard pursuant to sub-
25 part 162.060 of title 46, Code of Federal Regulations.”.

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

“904. Information on type approval certificates.”.

5 **SEC. 506. PASSENGER VESSEL SECURITY AND SAFETY RE-**
6 **QUIREMENTS.**

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

9 (1) in subparagraph (A) by striking “at least
10 250” and inserting “250 or more”; and

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

13 “(B) has overnight accommodations for
14 250 or more passengers; and”.

15 **SEC. 507. CARGO WAITING TIME REDUCTION.**

16 (a) INTERAGENCY TASK FORCE.—The President
17 shall, acting through the Supply Chain Disruptions Task
18 Force established under Executive Order 14017 (relating
19 to supply chains) of February 24, 2021 (86 Fed. Reg.
20 11849) (hereinafter referred to as the “Task Force”),
21 carry out the duties described in subsection (c).

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

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

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

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

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

9 (A) develop a plan to—

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

12 (ii) reduce nationwide cargo proc-
13 essing delays, including the Port of Los
14 Angeles and the Port of Long Beach; and

15 (B) submit to the Committee on Transpor-
16 tation and Infrastructure of the House of Rep-
17 resentatives and the Committee on Commerce,
18 Science, and Transportation of the Senate a re-
19 port containing the plan developed under sub-
20 paragraph (A).

21 (c) REPORT OF THE COMMANDANT.—No later than
22 90 days after the date of enactment of this Act, the Com-
23 mandant of the Coast Guard shall submit to the Com-
24 mittee on Transportation and Infrastructure of the House
25 of Representatives and the Committee on Commerce,

1 Science, and Transportation of the Senate a report on
2 cargo backlogs that includes—

3 (1) an explanation of the extent to which ves-
4 sels carrying cargo are complying with the require-
5 ments of chapter 700 of title 46, United States
6 Code;

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

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

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

18 (B) address other safety concerns and en-
19 vironmental impacts.

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

22 (a) IN GENERAL.—Subject to subsections (b) and (c),
23 a contract for the containment or removal of a discharge
24 entered into by the President under section 311(c) of the
25 Federal Water Pollution Control Act (33 U.S.C. 1321(c))

1 shall contain a provision to indemnify a contractor for li-
2 abilities and expenses incidental to the containment or re-
3 moval arising out of the performance of the contract that
4 is substantially identical to the terms contained in sub-
5 sections (d) through (h) of section H.4 (except for para-
6 graph (1) of subsection (d)) of the contract offered by the
7 Coast Guard in the solicitation numbered DT CG89-98-
8 A-68F953, dated November 17, 1998.

9 (b) REQUIREMENTS.—

10 (1) SOURCE OF FUNDS.—The provision re-
11 quired under subsection (a) shall include a provision
12 that the obligation to indemnify is limited to funds
13 available in the Oil Spill Liability Trust Fund estab-
14 lished by section 9509(a) of the Internal Revenue
15 Code of 1986 at the time the claim for indemnity is
16 made.

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

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

1 (c) APPLICABILITY OF EXEMPTIONS.—Notwith-
2 standing subsection (a), the United States shall not be ob-
3 ligated to indemnify a contractor for any act or omission
4 of the contractor carried out pursuant to a contract en-
5 tered into under this section where such act or omission
6 is grossly negligent or which constitutes willful mis-
7 conduct.

8 **SEC. 509. PORT COORDINATION COUNCIL FOR POINT SPEN-**
9 **CER.**

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

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

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

15 “(2) The Secretary of Homeland Security.

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

18 “(4) The State.”;

19 (2) in subsection (c)(1)—

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

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

24 “(C) land use planning and development at
25 Point Spencer in support of the following activi-

1 ties within the Bearing Sea, the Chukchi Sea,
2 and the Arctic Ocean:

3 “(i) Search and rescue.

4 “(ii) Shipping safety.

5 “(iii) Economic development.

6 “(iv) Oil spill prevention and re-
7 sponse.

8 “(v) National security.

9 “(vi) Major marine casualties.

10 “(vii) Protection of Alaska Native ar-
11 chaeological and cultural resources.

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

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

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

21 (4) in subsection (e)—

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

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

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

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

12 **SEC. 510. WESTERN ALASKA OIL SPILL PLANNING CRI-**
13 **TERIA.**

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

18 “(J)(i) Except as provided in clause (iv)
19 (including with respect to Cook Inlet), in any
20 case in which the Secretary has determined that
21 the national planning criteria established pursu-
22 ant to this subsection are inappropriate for a
23 vessel operating in the area of responsibility of
24 the Western Alaska Captain of the Port Zone,
25 a response plan required under this paragraph

1 with respect to a discharge of oil for the vessel
2 shall comply with the planning criteria estab-
3 lished under clause (ii), which planning criteria
4 shall, with respect to a discharge of oil from the
5 vessel, apply in lieu of any alternative planning
6 criteria approved for vessels operating in such
7 area.

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

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

17 “(II) Response times for mobilization
18 of oil spill response resources and arrival
19 on the scene of a worst case discharge of
20 oil, or substantial threat of such a dis-
21 charge, occurring within such area.

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

1 “(IV) Real-time continuous vessel
2 tracking, monitoring, and engagement pro-
3 tocols that detect and address vessel oper-
4 ation anomalies.

5 “(V) Vessel routing measures con-
6 sistent with international routing measure
7 deviation protocols.

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

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

15 “(bb) controls oil spill response
16 resources of dedicated and nondedi-
17 cated resources within such area,
18 through ownership, contracts, agree-
19 ments, or other means approved by
20 the President, sufficient to mobilize
21 and sustain a response to a worst case
22 discharge of oil and to contain, re-
23 cover, and temporarily store dis-
24 charged oil; and

1 “(cc) has pre-positioned oil spill
2 response resources in strategic loca-
3 tions throughout such area in a man-
4 ner that ensures the ability to support
5 response personnel, marine oper-
6 ations, air cargo, or other related lo-
7 gistics infrastructure.

8 “(VII) Temporary storage capability
9 using both dedicated and non-dedicated as-
10 sets located within such area.

11 “(VIII) Non-mechanical oil spill re-
12 sponse resources, to be available under
13 contracts, agreements, or other means ap-
14 proved by the President, capable of re-
15 sponding to both a discharge of persistent
16 oil and a discharge of non-persistent oil,
17 whether the discharged oil was carried by
18 a vessel as fuel or cargo.

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

23 “(X) Ensuring that oil spill response
24 resources required to comply with this sub-
25 paragraph are separate from and in addi-

1 tion to resources otherwise required to be
2 included in a response plan for purposes of
3 compliance with salvage and marine fire-
4 fighting planning requirements under this
5 subsection.

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

9 “(XII) Ensuring compliance with re-
10 quirements for the preparation and sub-
11 mission of vessel response plans established
12 by regulations pursuant to this paragraph.

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

20 “(iv) Nothing in this subparagraph af-
21 fects—

22 “(I) the requirements under this sub-
23 section applicable to vessel response plans
24 for vessels operating within the area of re-
25 sponsibility of the Western Alaska Captain

1 of the Port Zone within Cook Inlet, Alas-
2 ka;

3 “(II) the requirements applicable to
4 tank vessels operating within Prince Wil-
5 liam Sound Captain of the Port Zone that
6 are subject to section 5005 of the Oil Pol-
7 lution Act of 1990 (33 U.S.C. 2735); or

8 “(III) the authority of a Federal On-
9 Scene Coordinator to use any available re-
10 sources when responding to an oil spill.

11 “(v) The Secretary shall review any deter-
12 mination that the national planning criteria are
13 inappropriate for a vessel operating in the area
14 of responsibility of Western Alaska Captain of
15 the Port Zone not less frequently than once
16 every five years.

17 “(vi) For purposes of this subparagraph,
18 the term ‘Western Alaska Captain of the Port
19 Zone’ means the area described in section 3.85–
20 15 of title 33, Code of Federal Regulations, as
21 in effect on the date of enactment of this sub-
22 paragraph.”.

23 (b) ESTABLISHMENT OF ALASKA OIL SPILL PLAN-
24 NING CRITERIA.—

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

8 (2) CONSULTATION.—In establishing such plan-
9 ning criteria, the President shall consult with the
10 State of Alaska, owners and operators of vessels
11 subject to such planning criteria, oil spill removal or-
12 ganizations, Alaska Native organizations, and envi-
13 ronmental nongovernmental organizations located
14 within the State of Alaska.

15 (3) VESSELS IN COOK INLET.—Unless other-
16 wise authorized by the Secretary of the department
17 in which the Coast Guard, a vessel may only operate
18 in Cook Inlet, Alaska, under a vessel response plan
19 that meets the requirements of the national planning
20 criteria established pursuant to section 311(j)(5) of
21 the Federal Water Pollution Control Act (33 U.S.C.
22 1321(j)(5)).

23 (c) CONGRESSIONAL REPORT.—Not later than one
24 year after the date of enactment of this Act, the Secretary
25 of the department in which the Coast Guard is operating

1 shall submit to Congress a report regarding the status of
2 implementing the requirements of subparagraph (J) of
3 section 311(j)(5) of the Federal Water Pollution Control
4 Act (33 U.S.C. 1321(j)(5)), as added by this section.

5 **SEC. 511. NONAPPLICABILITY.**

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

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

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

17 **SEC. 512. REPORT ON ENFORCEMENT OF COASTWISE LAWS.**

18 The Commandant of the Coast Guard shall submit
19 to Congress a report describing any changes to the en-
20 forcement of chapters 121 and 551 of title 46, United
21 States Code, as a result of the amendments to section
22 4(a)(1) of the Outer Continental Shelf Lands Act (43
23 U.S.C. 1333(a)(1)) made by section 9503 of the William
24 M. (Mac) Thornberry National Defense Authorization Act
25 for Fiscal Year 2021 (Public Law 116–283).

1 **SEC. 513. LAND CONVEYANCE, SHARPE ARMY DEPOT,**
2 **LATHROP, CALIFORNIA.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Administrator of the Maritime Administra-
5 tion shall complete the land conveyance required under
6 section 2833 of the William M. (Mac) Thornberry Na-
7 tional Defense Authorization Act for Fiscal Year 2021
8 (Public Law 116–283).

9 **SEC. 514. CENTER OF EXPERTISE FOR MARINE ENVIRON-**
10 **MENTAL RESPONSE.**

11 (a) **IN GENERAL.**—Not later than 1 year after the
12 date of enactment of this Act, the Commandant of the
13 Coast Guard, in consultation with the Administrator of
14 the National Oceanic and Atmospheric Administration,
15 shall establish a Center of Expertise for Marine Environ-
16 mental Response (referred to in this section as the “Cen-
17 ter of Expertise”) in accordance with section 313 of title
18 14, United States Code.

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

21 (1) an area of the country with quick access to
22 State, Federal, and international waters, port and
23 marine environments, coastal and estuary environ-
24 ments, and the intercoastal waterway;

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

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

3 (4) one or more designated national estuaries;

4 (5) State coastal and wildlife management
5 agencies; and

6 (6) an institution of higher education with ade-
7 quate marine science search laboratory facilities and
8 capabilities and expertise in coastal marine ecology,
9 ecosystems, environmental chemistry, fish and wild-
10 life management, coastal mapping, water resources,
11 and marine technology development.

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

13 (1) monitor and assess, on an ongoing basis,
14 the state of knowledge regarding training, education,
15 and technology development for marine environ-
16 mental response protocols in State, Federal, and
17 international waters, port and marine environments,
18 coastal and estuary environments, and the inter-
19 coastal waterway;

20 (2) identify any significant gaps in research re-
21 lated to marine environmental response protocols, in-
22 cluding an assessment of major scientific or techno-
23 logical deficiencies in responses to past incidents in
24 these waterways that are interconnected, and seek to
25 fill such gaps;

1 (3) conduct research, development, testing, and
2 evaluation for marine environmental response equip-
3 ment, technologies, and techniques to mitigate and
4 respond to environmental incidents in these water-
5 ways;

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

8 (A) the incident command system struc-
9 ture;

10 (B) marine environmental response tech-
11 niques and strategies; and

12 (C) public affairs; and

13 (5) work with academic and private sector re-
14 sponse training centers to develop and standardize
15 marine environmental response training and tech-
16 niques.

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

20 (1) impacts—

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

23 (B) port and marine environments;

24 (C) coastal and estuary environments; or

25 (D) the intercoastal waterway; and

1 (2) promotes—

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

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

6 (C) the resilience of coastal ecosystems and
7 infrastructure.

8 **SEC. 515. PROHIBITION ON ENTRY AND OPERATION.**

9 (a) PROHIBITION.—

10 (1) IN GENERAL.—Except as otherwise pro-
11 vided in this section, during the period in which Ex-
12 ecutive Order 14065 (87 Fed. Reg. 10293, relating
13 to blocking certain Russian property or trans-
14 actions), or any successor Executive Order is in ef-
15 fect, no vessel described in subsection (b) may enter
16 or operate in the navigable waters of the United
17 States or transfer cargo in any port or place under
18 the jurisdiction of the United States.

19 (2) LIMITATIONS ON APPLICATION.—

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

1 (i) the vessel is owned or operated by
2 a Russian national or operated by the gov-
3 ernment of the Russian Federation; and

4 (ii) it is in the national security inter-
5 est not to apply the prohibition to such
6 vessel.

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

18 (C) PUBLICATION.—The Secretary of
19 State shall publish a notice in the Federal Reg-
20 ister of each determination made under sub-
21 paragraph (A).

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

1 (c) INFORMATION AND PUBLICATION.—The Sec-
2 retary of the department in which the Coast Guard is op-
3 erating, with the concurrence of the Secretary of State,
4 shall—

5 (1) maintain timely information on the registra-
6 tions of all foreign vessels owned or operated by or
7 on behalf of the Government of the Russian Federa-
8 tion, a Russian national, or a entity organized under
9 the laws of the Russian Federation or any jurisdic-
10 tion within the Russian Federation; and

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

13 (d) NOTIFICATION OF GOVERNMENTS.—

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

21 (2) ADDITIONAL NOTIFICATION.—In the case of
22 a government that continues to maintain a registra-
23 tion for a vessel that is included on such list after
24 receiving an initial notification under paragraph (1),
25 the Secretary shall issue an additional notification to

1 such government not later than 120 days after the
2 publication of a list under subsection (c)(2).

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

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

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

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

1 **SEC. 516. ST. LUCIE RIVER RAILROAD BRIDGE.**

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

9 **SEC. 517. ASSISTANCE RELATED TO MARINE MAMMALS.**

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

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

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

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

18 “(3) technologies that quantifiably reduce un-
19 derwater noise from marine vessels, including noise
20 produced incidental to the propulsion of marine ves-
21 sels.”.

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

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

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

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

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

11 and

12 “(2) underwater noise from vessels, including
13 noise produced incidental to the propulsion of ves-
14 sels.

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

18 “(1) reducing—

19 “(A) stressors related to vessel traffic; and

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

22 “(2) monitoring—

23 “(A) sound; and

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

1 “(c) PRIORITY.—The Administrator shall prioritize
2 assistance under this section for projects that—

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

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

7 “(3) reduce—

8 “(A) disturbances from vessel presence;

9 “(B) mortality risk; or

10 “(C) serious injury from vessel strikes; or

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

13 “(d) BRIEFING.—The Administrator shall provide to
14 the Committee on Transportation and Infrastructure of
15 the House of Representatives, and the Committee on Com-
16 merce, Science, and Transportation of the Senate, an an-
17 nual briefing that includes the following:

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

20 “(2) The amount of each such grant.

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

23 “(4) An estimate of the impact that a project
24 carried out with such assistance has on the reduc-
25 tion of threats to marine mammals.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to the Administrator to
3 carry out this section \$10,000,000 for each of fiscal years
4 2022 through 2026, to remain available until expended.”.

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

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

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

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

13 **“CHAPTER 507—MONITORING AND**
14 **MITIGATION**

“Sec.

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

“50702. Pilot project.

15 **“§ 50701. Near real-time monitoring and mitigation**
16 **program for large whales**

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

1 protocols developed pursuant to the pilot program required
2 under section 50702.

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

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

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

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

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

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

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

21 “(d) AUTHORITY.—The Administrator may make
22 grants or enter into and contracts, leases, or cooperative
23 agreements as may be necessary to carry out the purposes
24 of this section on such terms as the Administrator con-

1 siders appropriate, consistent with Federal acquisition
2 regulations.

3 **“§ 50702. Pilot project**

4 “(a) ESTABLISHMENT.—The Administrator of the
5 Maritime Administration shall carry out a pilot monitoring
6 and mitigation project for North Atlantic right whales (in
7 this section referred to as the ‘Pilot Program’) for pur-
8 poses of informing a cost-effective, efficient, and results-
9 oriented near real-time monitoring and mitigation pro-
10 gram for large whales under 50701.

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

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

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

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

22 “(C) the Great South Channel core for-
23 aging habitat; and

24 “(D) the Gulf of Maine; and

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

6 “(c) PILOT PROJECT COMPONENTS.—

7 “(1) IN GENERAL.—Not later than 3 years
8 after the date of enactment of the Don Young Coast
9 Guard Authorization Act of 2022, the Adminis-
10 trator, in consultation with the Commandant, Tribal
11 governments, and with input from affected stake-
12 holders, shall design and deploy a near real-time
13 monitoring system for North Atlantic right whales
14 that—

15 “(A) comprises the best available detection
16 and survey technologies to detect North Atlan-
17 tic right whales within core foraging habitats;

18 “(B) uses dynamic habitat suitability mod-
19 els to inform the likelihood of North Atlantic
20 right whale occurrence in core foraging habitat
21 at any given time;

22 “(C) coordinates with the Integrated
23 Ocean Observing System and Coast Guard ves-
24 sel traffic service centers, and may coordinate

1 with Regional Ocean Partnerships to leverage
2 monitoring assets;

3 “(D) integrates historical data;

4 “(E) integrates new near real-time moni-
5 toring methods and technologies as they become
6 available;

7 “(F) accurately verifies and rapidly com-
8 municates detection data;

9 “(G) creates standards for allowing ocean
10 users to contribute data to the monitoring sys-
11 tem using comparable near real-time monitoring
12 methods and technologies; and

13 “(H) communicates the risks of injury to
14 large whales to ocean users in a way that is
15 most likely to result in informed decision mak-
16 ing regarding the mitigation of those risks.

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

21 “(3) ACCESS TO DATA.—The Administrator
22 shall provide access to data generated by the moni-
23 toring system deployed under paragraph (1) for pur-
24 poses of scientific research and evaluation, and pub-
25 lic awareness and education, including through the

1 NOAA Right Whale Sighting Advisory System and
2 WhaleMap or other successive public web portals,
3 subject to review for national security consider-
4 ations.

5 “(d) MITIGATION PROTOCOLS.—The Administrator,
6 in consultation with the Commandant, and with input
7 from affected stakeholders, develop and deploy mitigation
8 protocols that make use of the near real-time monitoring
9 system deployed under subsection (c) to direct sector-spe-
10 cific mitigation measures that avoid and significantly re-
11 duce risk of serious injury and mortality to North Atlantic
12 right whales.

13 “(e) REPORTING.—

14 “(1) PRELIMINARY REPORT.—Not later than 2
15 years after the date of the enactment of the Don
16 Young Coast Guard Authorization Act of 2022, the
17 Administrator, in consultation with the Com-
18 mandant, shall submit to the appropriate Congres-
19 sional Committees and make available to the public
20 a preliminary report which shall include—

21 “(A) a description of the monitoring meth-
22 ods and technology in use or planned for de-
23 ployment;

24 “(B) analyses of the efficacy of the meth-
25 ods and technology in use or planned for de-

1 ployment for detecting North Atlantic right
2 whales;

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

6 “(D) a prioritized identification of tech-
7 nology or research gaps;

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

13 “(F) additional information, as appro-
14 priate.

15 “(2) FINAL REPORT.—Not later than 6 years
16 after the date of the enactment of the Don Young
17 Coast Guard Authorization Act of 2022, the Admin-
18 istrator, in consultation with the Commandant, shall
19 submit to the appropriate congressional committees
20 and make available to the public a final report, ad-
21 dressing the components in subparagraph (A) and
22 including—

23 “(A) an assessment of the benefits and ef-
24 ficacy of the near real-time monitoring and
25 mitigation program;

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

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

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

12 “(C) a prioritized plan for acquisition, de-
13 ployment, and maintenance of monitoring tech-
14 nologies;

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

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

19 “(f) *ADDITIONAL AUTHORITY.*—The Administrator
20 may make grants enter into contracts, leases, or coopera-
21 tive agreements as may be necessary to carry out the pur-
22 poses of this section on such terms as the Administrator
23 considers appropriate, consistent with Federal acquisition
24 regulations.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to the Administrator to
3 carry out this section \$17,000,000 for each of fiscal years
4 2022 through 2026.

5 “(h) DEFINITIONS.—In this section and section
6 50701:

7 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term ‘appropriate congressional com-
9 mittees’ means the Committee Transportation and
10 Infrastructure of the House of Representatives and
11 the Committee on Commerce, Science, and Trans-
12 portation of the Senate.

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

19 “(3) NEAR REAL-TIME.—The term ‘near real-
20 time’ means detected activity that is visual, acoustic,
21 or in any other form, of North Atlantic right whales
22 that are transmitted and reported as soon as tech-
23 nically feasible after such detected activity has oc-
24 curred.

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

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

“507. Monitoring and Mitigation50701”.

8 **SEC. 518. MANNING AND CREWING REQUIREMENTS FOR**
9 **CERTAIN VESSELS, VEHICLES, AND STRUC-**
10 **TURES.**

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

15 **“§ 8108. Exemptions from manning and crew require-**
16 **ments**

17 “(a) IN GENERAL.—The Secretary may provide an
18 exemption described in subsection (b) to the owner or op-
19 erator of a covered facility if each individual who is man-
20 ning or crewing the covered facility is—

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

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

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

1 “(b) REQUIREMENTS FOR ELIGIBILITY FOR EXEMP-
2 TION.—An exemption under this subsection is an exemp-
3 tion from the regulations established pursuant to section
4 30(a)(3) of the Outer Continental Shelf Lands Act (43
5 U.S.C. 1356(a)(3)).

6 “(c) LIMITATIONS.—An exemption under this sec-
7 tion—

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

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

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

25 “(e) REVOCATION.—

1 “(1) IN GENERAL.—The Secretary—

2 “(A) may revoke an exemption for a cov-
3 ered facility under this section if the Secretary
4 determines that information provided in the ap-
5 plication for the exemption was false or incom-
6 plete, or is no longer true or complete; and

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

12 “(2) NOTICE REQUIRED.—The Secretary shall
13 provides notice of a determination under subpara-
14 graph (A) or (B) of paragraph (1) to the owner or
15 operator of the covered facility.

16 “(f) REVIEW OF COMPLIANCE.—The Secretary shall
17 periodically, but not less than once annually, inspect each
18 covered facility that operates under an exemption under
19 this section to verify the owner or operator of the covered
20 facility’s compliance with the exemption. During an in-
21 spection under this subsection, the Secretary shall require
22 all crew members serving under the exemption to hold a
23 valid transportation security card issued under section
24 70105.

1 “(g) PENALTY.—In addition to revocation under sub-
2 section (e), the Secretary may impose on the owner or op-
3 erator of a covered facility a civil penalty of \$10,000 per
4 day for each day the covered facility—

5 “(1) is manned or crewed in violation of an ex-
6 emption under this subsection; or

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

10 “(h) NOTIFICATION OF SECRETARY OF STATE.—The
11 Secretary shall notify the Secretary of State of each ex-
12 emption issued under this section, including the effective
13 period of the exemption.

14 “(i) DEFINITIONS.—In this section:

15 “(1) COVERED FACILITY.—The term ‘covered
16 facility’ means any vessel, rig, platform, or other ve-
17 hicle or structure, over 50 percent of which is owned
18 by citizens of a foreign nation or with respect to
19 which the citizens of a foreign nation have the right
20 effectively to control, except to the extent and to the
21 degree that the President determines that the gov-
22 ernment of such foreign nation or any of its political
23 subdivisions has implemented, by statute, regulation,
24 policy, or practice, a national manning requirement
25 for equipment engaged in the exploring for, devel-

1 oping, or producing resources, including non-mineral
2 energy resources in its offshore areas.

3 “(2) SECRETARY.—The term ‘Secretary’ means
4 the Secretary of the department in which the Coast
5 Guard is operating.”.

6 (b) ANNUAL REPORT.—

7 (1) IN GENERAL.—Not later than 1 year after
8 the date of enactment of this Act, and annually
9 thereafter, the Secretary shall submit to Congress a
10 report containing information on each letter of non-
11 applicability of section 8109 of title 46, United
12 States Code, with respect to a covered facility that
13 was issued by the Secretary during the preceding
14 year.

15 (2) CONTENTS.—The report under paragraph
16 (1) shall include, for each covered facility—

17 (A) the name and International Maritime
18 Organization number;

19 (B) the nation in which the covered facility
20 is documented;

21 (C) the nationality of owner or owners; and

22 (D) for any covered facility that was pre-
23 viously issued a letter of nonapplicability in a
24 prior year, any changes in the information de-
25 scribed in subparagraphs (A) through (C).

1 (c) REGULATIONS.—Not later than 90 days after the
2 date of the enactment of this Act, the Secretary shall pro-
3 mulgate regulations that specify the documentary and
4 other requirements for the issuance of an exemption under
5 the amendment made by this section.

6 (d) EXISTING EXEMPTIONS.—

7 (1) EFFECT OF AMENDMENTS; TERMI-
8 NATION.—Each exemption under section 30(c)(2) of
9 the Outer Continental Shelf Lands Act (43 U.S.C.
10 1356(c)(2)) issued before the date of the enactment
11 of this Act—

12 (A) shall not be affected by the amend-
13 ments made by this section during the 120-day
14 period beginning on the date of the enactment
15 of this Act; and

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

17 (2) NOTIFICATION OF HOLDERS.—Not later
18 than 60 days after the date of the enactment of this
19 Act, the Secretary shall notify all persons that hold
20 such an exemption that it will expire as provided in
21 paragraph (1).

22 (e) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 81 of the title 46, United States Code, is amended
24 by adding at the end the following:

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

1 **TITLE VI—SEXUAL ASSAULT AND**
2 **SEXUAL HARASSMENT PRE-**
3 **VENTION AND RESPONSE**

4 **SEC. 601. DEFINITIONS.**

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

7 (1) by redesignating paragraphs (45) through
8 (54) as paragraphs (47) through (56), respectively;
9 and

10 (2) by inserting after paragraph (44) the fol-
11 lowing:

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

15 “(46) ‘sexual harassment’ means—

16 “(A) conduct that—

17 “(i) involves unwelcome sexual ad-
18 vances, requests for sexual favors, or delib-
19 erate or repeated offensive comments or
20 gestures of a sexual nature if any—

21 “(I) submission to such conduct
22 is made either explicitly or implicitly a
23 term or condition of employment, pay,
24 career, benefits, or entitlements of the
25 individual;

1 “(II) submission to, or rejection,
2 of such conduct by an individual is
3 used as a basis for decisions affecting
4 that individual’s job, pay, career, ben-
5 efits, or entitlements;

6 “(III) such conduct has the pur-
7 pose or effect of unreasonably inter-
8 fering with an individual’s work per-
9 formance or creates an intimidating,
10 hostile, or offensive work environment;
11 or

12 “(IV) conduct may have been by
13 an individual’s supervisor, a super-
14 visor in another area, a co-worker, or
15 another credentialed mariner; and

16 “(ii) is so severe or pervasive that a
17 reasonable person would perceive, and the
18 victim does perceive, the environment as
19 hostile or offensive;

20 “(B) any use or condonation associated
21 with first-hand or personal knowledge, by any
22 individual in a supervisory or command posi-
23 tion, of any form of sexual behavior to control,
24 influence, or affect the career, pay, benefits, en-
25 tlements, or employment of a subordinate; and

1 “(C) any deliberate or repeated unwelcome
2 verbal comment or gesture of a sexual nature
3 by any fellow employee of the complainant.”.

4 (b) REPORT.—The Commandant of the Coast Guard
5 shall submit to the Committee on Transportation and In-
6 frastructure of the House of Representatives and the Com-
7 mittee on Commerce, Science, and Transportation of the
8 Senate a report describing any changes the Commandant
9 may propose to the definitions added by the amendments
10 in subsection (a).

11 **SEC. 602. CONVICTED SEX OFFENDER AS GROUNDS FOR**
12 **DENIAL.**

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

16 **“§ 7511. Convicted sex offender as grounds for denial**

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

24 “(b) ABUSIVE SEXUAL CONTACT.—A license, certifi-
25 cate of registry, or merchant mariner’s document author-

1 ized to be issued under this part may be denied to an indi-
 2 vidual who within 5 years before applying for the license,
 3 certificate, or document, has been convicted of a sexual
 4 offense prohibited under subsection (b) of section 2244 of
 5 title 18, or a substantially similar State, local, or Tribal
 6 offense.”.

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

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

10 **SEC. 603. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS**
 11 **GROUNDS FOR SUSPENSION OR REVOCA-**
 12 **TION.**

13 (a) IN GENERAL.—Chapter 77 of title 46, United
 14 States Code, is amended by inserting after section 7704
 15 the following:

16 **“§ 7704a. Sexual harassment or sexual assault as**
 17 **grounds for suspension or revocation**

18 “(a) SEXUAL HARASSMENT.—If it is shown at a
 19 hearing under this chapter that a holder of a license, cer-
 20 tificate of registry, or merchant mariner’s document
 21 issued under this part, within 5 years before the beginning
 22 of the suspension and revocation proceedings, is the sub-
 23 ject of an official finding of sexual harassment, then the
 24 license, certificate of registry, or merchant mariner’s docu-
 25 ment may be suspended or revoked.

1 “(b) SEXUAL ASSAULT.—If it is shown at a hearing
2 under this chapter that a holder of a license, certificate
3 of registry, or merchant mariner’s document issued under
4 this part, within 10 years before the beginning of the sus-
5 pension and revocation proceedings, is the subject of an
6 official finding of sexual assault, then the license, certifi-
7 cate of registry, or merchant mariner’s document shall be
8 revoked.

9 “(c) OFFICIAL FINDING.—

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

12 “(A) a legal proceeding or agency finding
13 or decision that determines the individual com-
14 mitted sexual harassment or sexual assault in
15 violation of any Federal, State, local, or Tribal
16 law or regulation; or

17 “(B) a determination after an investigation
18 by the Coast Guard that, by a preponderance of
19 the evidence, the individual committed sexual
20 harassment or sexual assault if the investiga-
21 tion affords appropriate due process rights to
22 the subject of the investigation.

23 “(2) INVESTIGATION BY THE COAST GUARD.—

24 An investigation by the Coast Guard under para-
25 graph (1)(B) shall include, at a minimum, evalua-

1 tion of the following materials that, upon request,
2 shall be provided to the Coast Guard:

3 “(A) Any inquiry or determination made
4 by the employer or former employer of the indi-
5 vidual as to whether the individual committed
6 sexual harassment or sexual assault.

7 “(B) Any investigative materials, docu-
8 ments, records, or files in the possession of an
9 employer or former employer of the individual
10 that are related to the claim of sexual harass-
11 ment or sexual assault by the individual.

12 “(3) ADMINISTRATIVE LAW JUDGE REVIEW.—

13 “(A) COAST GUARD INVESTIGATION.—A
14 determination under paragraph (1)(B) shall be
15 reviewed and affirmed by an administrative law
16 judge within the same proceeding as any sus-
17 pension or revocation of a license, certificate of
18 registry, or merchant mariner’s document under
19 subsection (a) or (b).

20 “(B) LEGAL PROCEEDING.—A determina-
21 tion under paragraph (1)(A) that an individual
22 committed sexual harassment or sexual assault
23 is conclusive in suspension and revocation pro-
24 ceedings.”.

1 (b) CLERICAL AMENDMENT.—The chapter analysis
2 of chapter 77 of title 46, United States Code, is amended
3 by inserting after the item relating to section 7704 the
4 following:

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

5 **SEC. 604. ACCOMMODATION; NOTICES.**

6 Section 11101 of title 46, United States Code, is
7 amended—

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

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

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

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

16 “(A) vessel owner or company policies pro-
17 hibiting sexual assault and sexual harassment,
18 retaliation, and drug and alcohol usage; and

19 “(B) procedures and resources to report
20 crimes, including sexual assault and sexual har-
21 assment, including information—

22 “(i) on the contact information,
23 website address, and mobile application to
24 the Coast Guard Investigative Services for

1 reporting of crimes and the Coast Guard
2 National Command Center;

3 “(ii) on vessel owner or company pro-
4 cedures to report violations of company
5 policy and access resources;

6 “(iii) on resources provided by outside
7 organizations such as sexual assault hot-
8 lines and counseling;

9 “(iv) on the retention period for sur-
10 veillance video recording after an incident
11 of sexual harassment or sexual assault is
12 reported; and

13 “(v) additional items specified in reg-
14 ulations issued by, and at the discretion of,
15 the Secretary of the department in which
16 the Coast Guard is operating.”; and

17 (4) in subsection (d), by adding at the end the
18 following: “In each washing space in a visible loca-
19 tion there shall be information regarding procedures
20 and resources to report crimes upon the vessel, in-
21 cluding sexual assault and sexual harassment, and
22 vessel owner or company policies prohibiting sexual
23 assault and sexual harassment, retaliation, and drug
24 and alcohol usage.”.

1 **SEC. 605. PROTECTION AGAINST DISCRIMINATION.**

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

4 (1) by redesignating subparagraphs (B)
5 through (G) as subparagraphs (C) through (H), re-
6 spectively; and

7 (2) by inserting after subparagraph (A) the fol-
8 lowing:

9 “(B) the seaman in good faith has reported or
10 is about to report to the vessel owner, Coast Guard
11 or other appropriate Federal agency or department
12 sexual harassment or sexual assault against the sea-
13 man or knowledge of sexual harassment or sexual
14 assault against another seaman;”.

15 **SEC. 606. ALCOHOL PROHIBITION.**

16 (a) REGULATIONS.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of enactment of this Act, the Secretary of
19 the department in which the Coast Guard is oper-
20 ating shall, taking into account the safety and secu-
21 rity of every individual on documented vessels, issue
22 such regulations as are necessary relating to alcohol
23 consumption on documented vessels, according to
24 the following requirements:

25 (A) The Secretary shall determine safe lev-
26 els of alcohol consumption by crewmembers

1 aboard documented vessels engaged in commer-
2 cial service.

3 (B) If the Secretary determines there is no
4 alcohol policy that can be implemented to en-
5 sure a safe environment for crew and pas-
6 sengers, the Secretary shall implement a prohi-
7 bition on possession and consumption of alcohol
8 by crewmembers while aboard a vessel, except
9 when possession is associated with the commer-
10 cial sale or gift to non-crew members aboard
11 the vessel.

12 (C) To the extent a policy establishes safe
13 levels of alcohol consumption in accordance with
14 subparagraph (A), such policy shall not super-
15 seede a vessel owner's discretion to further limit
16 or prohibit alcohol on its vessels.

17 (2) IMMUNITY FROM CIVIL LIABILITY.—Any
18 crewmember who reports an incident of sexual as-
19 sault or sexual harassment that is directly related to
20 a violation of the regulations issued under paragraph
21 (1) is immune from civil liability for any related vio-
22 lation of such regulations.

1 **SEC. 607. SURVEILLANCE REQUIREMENTS.**

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

5 **“CHAPTER 49—OCEANGOING NON-**
6 **PASSENGER COMMERCIAL VESSELS**

“Sec.

“4901. Surveillance requirements.

7 **“§ 4901. Surveillance requirements**

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

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

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

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

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

20 “(2) documented vessels of at least 500 gross
21 tons as measured under section 14502, or an alter-
22 nate tonnage measured under section 14302 as pre-
23 scribed by the Secretary under section 14104 on an
24 international voyage; and

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

5 “(c) PLACEMENT OF VIDEO AND AUDIO SURVEIL-
6 LANCE EQUIPMENT.—

7 “(1) IN GENERAL.—The owner of a vessel to
8 which this section applies shall install video and
9 audio surveillance equipment aboard the vessel not
10 later than 2 years after enactment of the Don
11 Young Coast Guard Authorization Act of 2022, or
12 during the next scheduled drydock, whichever is
13 later.

14 “(2) LOCATIONS.—Video and audio surveillance
15 equipment shall be placed in passageways on to
16 which doors from staterooms open. Such equipment
17 shall be placed in a manner ensuring the visibility of
18 every door in each such passageway.

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

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

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

9 “(2) CIVIL ACTIONS.—Except as proscribed by
10 law enforcement authorities or court order, the
11 owner of a vessel to which this section applies shall,
12 upon written request, provide to any individual or
13 the individual’s legal representative a copy of all
14 records of video and audio surveillance—

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

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

19 “(C) that may provide evidence of any sex-
20 ual harassment or sexual assault incident in a
21 civil action.

22 “(3) LIMITED ACCESS.—The owner of a vessel
23 to which this section applies shall ensure that access
24 to records of video and audio surveillance is limited
25 to the purposes described in this paragraph and not

1 used as part of a labor action against a crew mem-
2 ber or employment dispute unless used in a criminal
3 or civil action.

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

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

17 “(h) EXEMPTION.—Fishing vessels, fish processing
18 vessels, and fish tender vessels are exempt from this sec-
19 tion.”.

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

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

1 **SEC. 608. MASTER KEY CONTROL.**

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

5 **“§ 3106. Master key control system**

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

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

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

19 “(3) record in a log book information on all ac-
20 cess and use of the vessel’s master key, including—

21 “(A) dates and times of access;

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

23 “(C) the name and rank of the crew mem-
24 ber that used the master key; and

25 “(4) make the list under paragraph (2) and the
26 log book under paragraph (3) available upon request

1 to any agent of the Federal Bureau of Investigation,
2 any member of the Coast Guard, and any law en-
3 forcement officer performing official duties in the
4 course and scope of an investigation.

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

10 “(c) REQUIREMENTS FOR LOG BOOK.—The log book
11 described in subsection (a)(3) and required to be included
12 in a safety management system under section
13 3203(a)(6)—

14 “(1) may be electronic; and

15 “(2) shall be located in a centralized location
16 that is readily accessible to law enforcement per-
17 sonnel.

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

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

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

“3106. Master key control system.”.

4 **SEC. 609. SAFETY MANAGEMENT SYSTEMS.**

5 Section 3203 of title 46, United States Code, is
6 amended—

7 (1) in subsection (a)—

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

10 (B) by inserting after paragraph (4) the
11 following:

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

15 “(A) prevention;

16 “(B) bystander intervention;

17 “(C) reporting;

18 “(D) response; and

19 “(E) investigation;

20 “(6) the log book required under section
21 3106;”;

22 (2) by redesignating subsections (b) and (c) as
23 subsections (c) and (d), respectively; and

24 (3) by inserting after subsection (a) the fol-
25 lowing:

1 “(b) PROCEDURES AND TRAINING REQUIRE-
2 MENTS.—In prescribing regulations for the procedures
3 and training requirements described in subsection (a)(5),
4 such procedures and requirements shall be consistent with
5 the requirements to report sexual harassment or sexual
6 assault under section 10104.”.

7 **SEC. 610. REQUIREMENT TO REPORT SEXUAL ASSAULT**
8 **AND HARASSMENT.**

9 Section 10104 of title 46, United States Code, is
10 amended by striking subsections (a) and (b) and inserting
11 the following:

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

13 “(1) IN GENERAL.—A crew member of a docu-
14 mented vessel shall report to the Secretary any com-
15 plaint or incident of sexual harassment or sexual as-
16 sault of which the crewmember has first-hand or
17 personal knowledge.

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

24 “(3) AMNESTY.—A crew member who fails to
25 make the required reporting under paragraph (1)

1 shall not be subject to the penalty described in para-
2 graph (2) if—

3 “(A) the crew member is the victim of such
4 sexual assault or sexual harassment incident;

5 “(B) the complaint is shared in confidence
6 with the crew member directly from the victim;
7 or

8 “(C) the crew member is a victim advocate
9 as defined in section 40002(a) of the Violent
10 Crime Control and Law Enforcement Act of
11 1994 (34 U.S.C. 12291(a)).

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

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

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

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

5 “(c) REPORTING PROCEDURES.—

6 “(1) CREW MEMBER REPORTING.—A report re-
7 quired under subsection (a)—

8 “(A) with respect to a crew member, shall
9 be made as soon as practicable, but no later
10 than 10 days after the crew member develops
11 first-hand or personal knowledge of the sexual
12 assault or sexual harassment incident to the
13 Coast Guard National Command Center by the
14 fastest telecommunication channel available;
15 and

16 “(B) with respect to a master, shall be
17 made immediately after the master develops
18 first-hand or personal knowledge of a sexual as-
19 sult incident to the Coast Guard National
20 Command Center by the fastest telecommuni-
21 cation channel available.

22 “(2) VESSEL OWNER REPORTING.—A report re-
23 quired under subsection (b) shall be made imme-
24 diately after the vessel owner, managing operator, or
25 employer of the seafarer gains knowledge of a sexual

1 assault or sexual harassment incident by the fastest
2 telecommunication channel available, and such re-
3 port shall be made to the Coast Guard National
4 Command Center and to—

5 “(A) the nearest Coast Guard Captain of
6 the Port; or

7 “(B) the appropriate officer or agency of
8 the government of the country in whose waters
9 the incident occurs.

10 “(3) CONTENTS.—A report required under sub-
11 sections (a) and (b) shall include, to the best of the
12 reporter’s knowledge—

13 “(A) the name, official position or role in
14 relation to the vessel, and contact information
15 of the individual making the report;

16 “(B) the name and official number of the
17 documented vessel;

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

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

21 “(E) a brief description of the alleged sex-
22 ual harassment or sexual assault being re-
23 ported.

24 “(4) INFORMATION COLLECTION.—After receipt
25 of the report made under this subsection, the Coast

1 Guard will collect information related to the identity
2 of each alleged victim, alleged perpetrator, and wit-
3 ness through means designed to protect, to the ex-
4 tent practicable, the personal identifiable informa-
5 tion of such individuals.

6 “(d) REGULATIONS.—The requirements of this sec-
7 tion are effective as of the date of enactment of the Don
8 Young Coast Guard Authorization Act of 2022. The Sec-
9 retary may issue additional regulations to implement the
10 requirements of this section.”.

11 **SEC. 611. CIVIL ACTIONS FOR PERSONAL INJURY OR**
12 **DEATH OF SEAMEN.**

13 (a) PERSONAL INJURY TO OR DEATH OF SEAMEN.—
14 Section 30104(a) of title 46, United States Code, as so
15 designated by section 505(a)(1), is amended by inserting
16 “, including an injury resulting from sexual assault or sex-
17 ual harassment,” after “in the course of employment”.

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

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

23 (2) by striking “Except as otherwise” and in-
24 serting the following:

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

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

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

7 (c) **CLERICAL AMENDMENT.**—The analysis for chap-
8 ter 301 of title 46, United States Code, is amended by
9 striking the item related to section 30106 and inserting
10 the following:

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

11 **SEC. 612. ADMINISTRATION OF SEXUAL ASSAULT FORENSIC**
12 **EXAMINATION KITS.**

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

16 **“§ 564. Administration of sexual assault forensic ex-**
17 **amination kits**

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

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

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

24 “(b) **COVERED VOYAGE DEFINED.**—In this section,
25 the term ‘covered voyage’ means a prescheduled voyage

1 of a Coast Guard vessel that, at any point during such
2 voyage—

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

6 “(2) aeromedical evacuation will be unavailable
7 during the travel period referenced in paragraph
8 (1).”.

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

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

12 **TITLE VII—TECHNICAL AND**
13 **CONFORMING PROVISIONS**

14 **SEC. 701. TECHNICAL CORRECTIONS.**

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

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

1 **SEC. 702. TRANSPORTATION WORKER IDENTIFICATION**
2 **CREDENTIAL TECHNICAL AMENDMENTS.**

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

5 (1) in the section heading by striking “**secu-**
6 **riety cards**” and inserting “**worker identifica-**
7 **tion credentials**”;

8 (2) by striking “transportation security card”
9 each place it appears and inserting “transportation
10 worker identification credential”;

11 (3) by striking “transportation security cards”
12 each place it appears and inserting “transportation
13 worker identification credentials”;

14 (4) by striking “card” each place it appears
15 and inserting “credential”

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

18 (6) in subsection (g), by striking “Assistant
19 Secretary of Homeland Security for” and inserting
20 “Administrator of”;

21 (7) by striking subsection (i) and redesignating
22 subsections (j) and (k) as subsections (i) and (j), re-
23 spectively;

24 (8) by striking subsection (l) and redesignating
25 subsections (m) through (q) as subsections (k)
26 through (o), respectively;

1 (9) in subsection (j), as so redesignated—

2 (A) in the subsection heading by striking
3 “SECURITY CARD” and inserting “WORKER
4 IDENTIFICATION CREDENTIAL”; and

5 (B) in the heading for paragraph (2) by
6 striking “SECURITY CARDS” and inserting
7 “WORKER IDENTIFICATION CREDENTIAL”;

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

11 (11) in subsection (o), as so redesignated—

12 (A) in the subsection heading by striking
13 “SECURITY CARD” and inserting “WORKER
14 IDENTIFICATION CREDENTIAL”;

15 (B) in paragraph (1)—

16 (i) by striking “subsection (k)(3)” and
17 inserting “subsection (j)(3)”; and

18 (ii) by striking “This plan shall” and
19 inserting “Such receipt and activation
20 shall”; and

21 (C) in paragraph (2) by striking “on-site
22 activation capability” and inserting “on-site re-
23 ceipt and activation of transportation worker
24 identification credentials”.

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

“70105. Transportation worker identification credentials.”.

5 **SEC. 703. REINSTATEMENT.**

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

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

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

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

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

