

AMENDMENT TO RULES COMMITTEE PRINT 118-

10

OFFERED BY MR. GRAVES OF MISSOURI

At the end of the bill, add the following:

1 DIVISION E—COAST GUARD
2 AUTHORIZATION ACT OF 2023

3 SEC. 5101. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This division may be cited as the
5 “Coast Guard Authorization Act of 2023”.

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

DIVISION E—COAST GUARD AUTHORIZATION ACT OF 2023

Sec. 5101. Short title; table of contents.

Sec. 5102. Commandant defined.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 5201. Authorization of appropriations.

Sec. 5202. Shoreside infrastructure and facilities and information technology.

Sec. 5203. Availability of amounts for acquisition of additional vessels and air-
craft.

Sec. 5204. Authorization for certain programs and services.

Sec. 5205. Fishing vessel safety.

Sec. 5206. Authorized levels of military strength and training.

TITLE II—COAST GUARD

Sec. 5301. Prohibition on use of lead systems integrators.

Sec. 5302. Ports and waterways safety.

Sec. 5303. Minor construction increase.

Sec. 5304. Tsunami evacuation plans.

Sec. 5305. Study on Bering Strait vessel traffic projections and emergency re-
sponse posture at the Port of Point Spencer, Alaska.

Sec. 5306. Service life extension programs.

Sec. 5307. Underwater inspections brief.

Sec. 5308. St. Lucie River railroad bridge.

Sec. 5309. Online incident reporting system.

- Sec. 5310. Maritime Domain Awareness in Coast Guard Sector for Puerto Rico and Virgin Islands.
- Sec. 5311. Public availability of information on monthly drug and migrant interdictions.
- Sec. 5312. Report on establishment of an unmanned systems capabilities office.
- Sec. 5313. Rulemaking regarding port access routes.
- Sec. 5314. Great Lakes icebreaker.

TITLE III— MARITIME

Subtitle A— American Samoa Mariners Act of 2023

- Sec. 5401. Merchant seamen licenses, certificates, and documents; manning of vessels.

Subtitle B—Vessel Operations

- Sec. 5411. Definitions.
- Sec. 5412. Notification.
- Sec. 5413. Publication of fines and penalties.

Subtitle C—Merchant Mariner Credentialing

- Sec. 5421. Revising merchant mariner deck training requirements.
- Sec. 5422. Technical amendments.
- Sec. 5423. Renewal of merchant mariner licenses and documents.

Subtitle D—Vessel Safety

- Sec. 5431. Grossly negligent operations of a vessel.
- Sec. 5432. Administrative procedure for security risks.
- Sec. 5433. Requirements for DUKW amphibious passenger vessels.
- Sec. 5434. Inspection and examination.

Subtitle E—Other Matters

- Sec. 5441. Anchor handling activities.
- Sec. 5442. Establishment of a national advisory committee on autonomous maritime systems.
- Sec. 5443. Controlled substance onboard vessels.
- Sec. 5444. Nonoperating individual.
- Sec. 5445. Information on type approval certificates.
- Sec. 5446. Manning and crewing requirements for certain vessels, vehicles, and structures.
- Sec. 5447. Classification societies.

TITLE IV—OIL POLLUTION INCIDENT LIABILITY

- Sec. 5501. Vessel response plans.
- Sec. 5502. Use of marine casualty investigations.
- Sec. 5503. Timing of review.

TITLE V—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

- Sec. 5601. Technical and conforming amendments.
- Sec. 5602. Technical correction to James M. Inhofe National Defense Authorization Act for Fiscal Year 2023.
- Sec. 5603. Report on role of Coast Guard.

1 **SEC. 5102. COMMANDANT DEFINED.**

2 In this division, the term “Commandant” means the
3 Commandant of the Coast Guard.

4 **TITLE I—AUTHORIZATION OF**
5 **APPROPRIATIONS**

6 **SEC. 5201. AUTHORIZATION OF APPROPRIATIONS.**

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

9 (1) in the matter preceding paragraph (1) by
10 striking “fiscal years 2022 and 2023” and inserting
11 “fiscal years 2024 and 2025”;

12 (2) in paragraph (1)—

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

15 “(i) \$10,750,000,000 for fiscal year 2024;
16 and

17 “(ii) \$11,287,500,000 for fiscal year
18 2025.”;

19 (B) in subparagraph (B) by striking
20 “\$23,456,000” and inserting “\$24,353,000”;

21 and

22 (C) in subparagraph (C) by striking
23 “\$24,353,000” and inserting “\$25,570,000”;

24 (3) in paragraph (2)—

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

1 “(i) \$3,477,600,000 for fiscal year 2024;

2 and

3 “(ii) \$3,477,600,000 for fiscal year

4 2025.”; and

5 (B) in subparagraph (B) by striking

6 clauses (i) and (ii) and inserting the following:

7 “(i) \$20,808,000 for fiscal year 2024; and

8 “(ii) \$20,808,000 for fiscal year 2025.”;

9 (4) in paragraph (3) by striking subparagraphs

10 (A) and (B) and inserting the following:

11 “(A) \$14,681,084 for fiscal year 2024; and

12 “(B) \$15,415,000 for fiscal year 2025.”;

13 and

14 (5) by striking paragraph (4) and inserting the

15 following:

16 “(4) For retired pay, including the payment of

17 obligations otherwise chargeable to lapsed appropria-

18 tions for this purpose, payments under the Retired

19 Serviceman’s Family Protection and Survivor Bene-

20 fits Plans, payment for career status bonuses, pay-

21 ment of continuation pay under section 356 of title

22 37, concurrent receipts, combat-related special com-

23 pensation, and payments for medical care of retired

24 personnel and the dependents of such personnel

1 under chapter 55 of title 10, \$1,147,244,000 for fis-
2 cal year 2024.”.

3 **SEC. 5202. SHORESIDE INFRASTRUCTURE AND FACILITIES**
4 **AND INFORMATION TECHNOLOGY.**

5 (a) IN GENERAL.—Of the amounts authorized to be
6 appropriated under section 4902(2)(A) of title 14, United
7 States Code—

8 (1) for fiscal year 2024, \$36,300,000 is author-
9 ized to modernize the information technology sys-
10 tems of the Coast Guard; and

11 (2) for each of fiscal years 2024 and 2025,
12 \$400,000,000 is authorized to fund maintenance,
13 construction, and repairs for Coast Guard shoreside
14 infrastructure.

15 (b) INFORMATION TECHNOLOGY SET-ASIDES.—Of
16 the amounts authorized under subsection (a)(1),
17 \$11,000,000 is authorized to fund the acquisition, devel-
18 opment, and implementation of a new credentialing system
19 for the merchant mariner credentialing program.

20 (c) SHORESIDE INFRASTRUCTURE.—Of the amounts
21 authorized to be appropriated under section 4902(2)(A)
22 of title 14, United States Code—

23 (1) for the purposes of improvements to facili-
24 ties at the United States Coast Guard Training Cen-
25 ter Cape May in Cape May, New Jersey—

1 (A) for fiscal year 2024—

2 (i) \$130,000,000 is authorized to fund
3 the construction of a new indoor multipur-
4 pose recruit training facility; and

5 (ii) \$70,000,000 is authorized to fund
6 Phase II of the barracks' recapitalization;
7 and

8 (B) for fiscal year 2025, \$70,000,000 is
9 authorized to fund Phase III of the barracks'
10 recapitalization;

11 (2) for each of fiscal years 2024 and 2025,
12 \$30,000,000 is authorized to fund Phase I construc-
13 tion of a ship handling facility in the United States
14 Coast Guard Yard in Baltimore, Maryland; and

15 (3) for fiscal year 2024, \$130,000,000 is au-
16 thorized to fund Phase I of waterfront improvements
17 of Coast Guard Base Seattle, including environ-
18 mental remediation consisting of dredging and struc-
19 tural improvements to piers and wharfs necessary to
20 complete the expansion of Base Seattle to homeport
21 3 Polar Security Cutters in Seattle, Washington.

1 **SEC. 5203. AVAILABILITY OF AMOUNTS FOR ACQUISITION**
2 **OF ADDITIONAL VESSELS AND AIRCRAFT.**

3 Of the amounts authorized to be appropriated under
4 section 4902(2)(A) of title 14, United States Code, for fis-
5 cal year 2024—

6 (1) \$400,000,000 is authorized for the acquisi-
7 tion of 4 Fast Response Cutters;

8 (2) \$125,000,000 is authorized for the acquisi-
9 tion or procurement of an available commercial ice-
10 breaker;

11 (3) \$55,000,000 is authorized for the acquisi-
12 tion of a Great Lakes icebreaker at least as capable
13 as Coast Guard Cutter Mackinaw (WLBB-30);

14 (4) \$20,000,000 is authorized to procure long
15 lead time materials for a Great Lakes icebreaker at
16 least as capable as Coast Guard Cutter Mackinaw
17 (WLBB-30);

18 (5) \$30,500,000 is authorized for the program
19 management, design, and acquisition of Pacific
20 Northwest heavy weather boats that are at least as
21 capable as the Coast Guard 52-foot motor surfboat;

22 (6) \$138,500,000 is authorized for the acquisi-
23 tion or procurement of 1 missionized HC-130J air-
24 craft; and

25 (7) \$113,000,000 is authorized to outfit and as-
26 semble 4 MH-60T Jayhawk aircraft.

1 **SEC. 5204. AUTHORIZATION FOR CERTAIN PROGRAMS AND**
2 **SERVICES.**

3 Of the amounts authorized to be appropriated under
4 section 4902(1)(A) of title 14, United States Code, for
5 each of fiscal years 2024 and 2025—

6 (1) \$11,978,000 is authorized to fund addi-
7 tional recruiting personnel and offices for the Coast
8 Guard Recruiting Command; and

9 (2) \$9,000,000 is authorized to enhance Coast
10 Guard recruiting capabilities.

11 **SEC. 5205. FISHING VESSEL SAFETY.**

12 Section 4502 of title 46, United States Code, is
13 amended—

14 (1) in subsection (i) by striking paragraph (4)
15 and inserting the following:

16 “(4) AUTHORIZATION OF APPROPRIATIONS.—
17 Out of funds made available under section
18 4902(1)(A) of title 14, \$3,000,000 shall be available
19 for each of fiscal years 2024 and 2025 for grants
20 under this subsection.”; and

21 (2) in subsection (j) by striking paragraph (4)
22 and inserting the following:

23 “(4) AUTHORIZATION OF APPROPRIATIONS.—
24 Out of funds made available under section
25 4902(1)(A) of title 14, \$3,000,000 shall be available

1 for each of fiscal years 2024 and 2025 for grants
2 under this subsection.”.

3 **SEC. 5206. AUTHORIZED LEVELS OF MILITARY STRENGTH**
4 **AND TRAINING.**

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

7 (1) in subsection (a) by striking “fiscal years
8 2022 and 2023” and inserting “fiscal years 2024
9 and 2025”; and

10 (2) in subsection (b) by striking “fiscal years
11 2022 and 2023” and inserting “fiscal years 2024
12 and 2025”.

13 **TITLE II—COAST GUARD**

14 **SEC. 5301. PROHIBITION ON USE OF LEAD SYSTEMS INTE-**
15 **GRATORS.**

16 Section 1105 of title 14, United States Code, is
17 amended by adding at the end the following:

18 “(c) DEFINITION.—In this section, the term ‘lead
19 systems integrator’ has the meaning given such term in
20 section 805(c) of the National Defense Authorization Act
21 for Fiscal Year 2006 (Public Law 109–163).”.

22 **SEC. 5302. PORTS AND WATERWAYS SAFETY.**

23 (a) WATERFRONT SAFETY.—Section 70011(a) of
24 title 46, United States Code, is amended—

1 (1) in paragraph (1) by inserting “, including
2 damage or destruction resulting from cyber inci-
3 dents, transnational organized crime, or foreign
4 state threats” after “adjacent to such waters”; and

5 (2) in paragraph (2) by inserting “or harm re-
6 sulting from cyber incidents, transnational organized
7 crime, or foreign state threats” after “loss”.

8 (b) REGULATION OF ANCHORAGE AND MOVEMENT
9 OF VESSELS DURING NATIONAL EMERGENCY.—Section
10 70051 of title 46, United States Code, is amended by in-
11 serting “or cyber incidents, or transnational organized
12 crime, or foreign state threats,” after “threatened war, or
13 invasion, or insurrection, or subversive activity,”.

14 (c) FACILITY VISIT BY STATE SPONSOR OF TER-
15 RORISM.—Section 70011(b) of title 46, United States
16 Code, is amended—

17 (1) in paragraph (3) by striking “and” at the
18 end;

19 (2) in paragraph (4) by striking the period at
20 the end and inserting “; and”; and

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

22 “(5) prohibiting a representative of a govern-
23 ment of country that the Secretary of State has de-
24 termined has repeatedly provided support for acts of
25 international terrorism under section 620A of the

1 Foreign Assistance Act of 1961 (22 U.S.C. 2371)
2 from visiting a facility for which a facility security
3 plan is required under section 70103(c).”.

4 **SEC. 5303. MINOR CONSTRUCTION INCREASE.**

5 Section 903(d)(1) of title 14, United States Code, is
6 amended by striking “\$1,500,000” and inserting
7 “\$2,000,000”.

8 **SEC. 5304. TSUNAMI EVACUATION PLANS.**

9 (a) TSUNAMI EVACUATION PLANS.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, the Commandant,
12 in consultation with the Administrator of the Na-
13 tional Oceanic and Atmospheric Administration and
14 the Administrator of the Federal Emergency Man-
15 agement Agency, shall establish location specific tsu-
16 nami evacuation plans for each unit and sector of
17 the Coast Guard that has facilities, personnel, or as-
18 sets located within areas—

19 (A) designated by the Administrator of the
20 National Oceanic and Atmospheric Administra-
21 tion as high risk or very high risk of a United
22 States tsunami hazard; and

23 (B) that are located inside a tsunami inun-
24 dation zone.

1 (2) EVACUATION PLANS.—In establishing the
2 evacuation plans under paragraph (1), the Com-
3 mandant shall ensure that such plans—

4 (A) are included in the emergency action
5 plans for each unit or sector located inside of
6 a tsunami inundation zone;

7 (B) designate an evacuation route to an
8 assembly area located outside of a tsunami in-
9 undation zone;

10 (C) include a map or diagram of all tsu-
11 nami inundation zone evacuation routes;

12 (D) include evacuation routes for all Coast
13 Guard personnel and dependents of such per-
14 sonnel living in Coast Guard housing;

15 (E) are feasible for all servicemembers and
16 dependents of such servicemembers present on
17 Coast Guard property or living in Coast Guard
18 provided housing;

19 (F) include procedures to begin evacu-
20 ations once a major seismic event is detected;

21 (G) include evacuation plans for air and
22 water assets that do not impinge on the safety
23 of human life;

24 (H) are able to be completely executed
25 within 15 minutes of detection of a seismic

1 event or, if not possible within 15 minutes,
2 within a reasonable timeframe;

3 (I) are able to be completely executed by
4 servicemembers on foot from any location with-
5 in the tsunami inundation zone;

6 (J) are exercised biennially by each unit
7 and sector located in a tsunami inundation
8 zone; and

9 (K) are evaluated by leadership at each
10 unit and sector located in a tsunami inundation
11 zone annually.

12 (3) CONSULTATION.—In establishing the evacu-
13 ation plans under paragraph (1), the Commandant
14 shall consult local governments.

15 (b) REPORT.—Not later than 2 years after the date
16 of enactment of this Act, the Commandant shall submit
17 to the Committee on Transportation and Infrastructure
18 of the House of Representatives and the Committee on
19 Commerce, Science, and Transportation of the Senate,
20 and provide a briefing to each such Committee on, a re-
21 port on—

22 (1) the status of the implementation and feasi-
23 bility of the plans established under subsection
24 (a)(1);

1 (2) a risk evaluation and vulnerability assess-
2 ment of the infrastructure and assets located within
3 tsunami inundation zones;

4 (3) the need for vertical evacuation structures
5 for units and sectors in which an evacuation of a
6 tsunami inundation zone cannot be completed on
7 foot within 15 minutes of the detection of a seismic
8 event; and

9 (4) whether the plans established under sub-
10 section (a)(1) achieve the purpose to protect human
11 life and ensure the ability for the Coast Guard to
12 provide search and rescue operations following a tsu-
13 nami event in the area.

14 (c) DEFINITIONS.—In this section:

15 (1) SEISMIC EVENT.—The term “seismic event”
16 means an earthquake, volcanic eruption, submarine
17 landslide, coastal rockfall, or other event with the
18 magnitude to cause a tsunami.

19 (2) TSUNAMI INUNDATION ZONE.—The term
20 “tsunami inundation zone” means an area of inland
21 flooding modeled, predicted, or forecasted as a po-
22 tential result of a tsunami or seismic event.

23 (3) VERTICAL EVACUATION STRUCTURE.—The
24 term “vertical evacuation structure” means an ele-

1 vated structure above the tsunami inundation zone
2 designated as a place of refuge from flood waters.

3 **SEC. 5305. STUDY ON BERING STRAIT VESSEL TRAFFIC**
4 **PROJECTIONS AND EMERGENCY RESPONSE**
5 **POSTURE AT THE PORT OF POINT SPENCER,**
6 **ALASKA.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, the Commandant shall seek
9 to enter into an agreement with the National Academies
10 of Science, Engineering, and Medicine, under which the
11 Marine Board of the Transportation Research Board (in
12 this section referred to as the “Board”) shall conduct a
13 study to—

14 (1) analyze commercial vessel traffic that tran-
15 sits through the Bering Strait and projections for
16 the growth of such traffic during the 10-year period
17 beginning after such date of enactment; and

18 (2) assess the adequacy of emergency response
19 capabilities and infrastructure at the Port of Point
20 Spencer, Alaska, to address navigation safety risks
21 and geographic challenges necessary to conduct
22 emergency maritime response operations in the Arc-
23 tic environment.

24 (b) ELEMENTS.—The study required under sub-
25 section (a) shall include the following:

1 (1) An analysis of the volume and types of do-
2 mestic and international commercial vessel traffic
3 through the Bering Strait and the projected growth
4 of such traffic, including a summary of—

5 (A) the sizes, ages, and flag states of ves-
6 sels; and

7 (B) the oil and product tankers that are—

8 (i) in transit to or from Russia or
9 China; or

10 (ii) owned or operated by a Russian
11 or Chinese entity.

12 (2) An assessment of the state and adequacy of
13 vessel traffic services and oil spill and emergency re-
14 sponse capabilities in the vicinity of the Bering
15 Strait, including its approaches.

16 (3) A risk assessment of the projected growth
17 in commercial vessel traffic in the Bering Strait and
18 higher probability of increased frequency in the
19 number of maritime accidents, including spill events,
20 and the potential impacts to the Arctic maritime en-
21 vironment and Native Alaskan village communities
22 in the vicinity of the Bering Strait.

23 (4) An evaluation of the ability of the Port of
24 Point Spencer, Alaska to serve as a port of refuge
25 and as a staging, logistics, and operations center to

1 conduct and support maritime emergency and spill
2 response activities.

3 (5) Recommendations for practical actions that
4 can be taken by the Congress, Federal agencies, the
5 State of Alaska, vessel carriers and operators, the
6 marine salvage and emergency response industry,
7 and other relevant stakeholders to mitigate risks,
8 upgrade infrastructure, and improve the posture of
9 the Port of Point Spencer, Alaska, to function as a
10 strategic staging and logistics center for maritime
11 emergency and spill response operations in the Ber-
12 ing Strait region.

13 (c) CONSULTATION.—In conducting the study re-
14 quired under subsection (a), the Board shall consult
15 with—

16 (1) the Department of Transportation;

17 (2) the Corps of Engineers;

18 (3) the National Transportation Safety Board;

19 (4) relevant ministries of the government of
20 Canada;

21 (5) the Port Coordination Council for the Port
22 of Point Spencer; and

23 (6) non-government entities with relevant exper-
24 tise in monitoring and characterizing vessel traffic in
25 the Arctic.

1 (d) REPORT.—Not later than 1 year after initiating
2 the study under subsection (a), the Board shall submit
3 to the appropriate committees of Congress a report con-
4 taining the findings and recommendations of the study.

5 (e) DEFINITIONS.—In this section:

6 (1) APPROPRIATE COMMITTEES OF CON-
7 GRESS.—The term “appropriate committees of Con-
8 gress” means—

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

11 (B) Committee on Transportation and In-
12 frastructure of the House of Representatives.

13 (2) ARCTIC.—The term “Arctic” has the mean-
14 ing given such term in section 112 of the Arctic Re-
15 search and Policy Act of 1984 (15 U.S.C. 4111).

16 (3) PORT COORDINATION COUNCIL FOR THE
17 PORT OF POINT SPENCER.—The term “Port Coordi-
18 nation Council for the Port of Point Spencer” means
19 the Council established under section 541 of the
20 Coast Guard Authorization Act of 2015 (Public Law
21 114–120).

22 **SEC. 5306. SERVICE LIFE EXTENSION PROGRAMS.**

23 (a) IN GENERAL.—Subchapter II of chapter 11 of
24 title 14, United States Code, is amended by adding at the
25 end the following:

1 **“§ 1138. Service life extension programs**

2 “(a) IN GENERAL.—Requirements for a Level 1 or
3 Level 2 acquisition project or program under sections
4 1131 through 1134 shall not apply to an acquisition by
5 the Coast Guard that is a service life extension program.

6 “(b) DEFINITION.—In this section, the term ‘service
7 life extension program’ means a capital investment that
8 is solely intended to extend the service life and address
9 obsolescence of components or systems of a particular ca-
10 pability or asset.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 11 of such title is amended by inserting after the item
13 relating to section 1137 the following:

“1138. Service life extension programs.”.

14 **SEC. 5307. UNDERWATER INSPECTIONS BRIEF.**

15 Not later than 30 days after the date of enactment
16 of this Act, the Commandant, or a designated individual,
17 shall brief the Committee on Transportation and Infra-
18 structure of the House of Representatives and the Com-
19 mittee on Commerce, Science, and Transportation of the
20 Senate on the underwater inspection in lieu of drydock
21 program established under section 176.615 of title 46,
22 Code of Federal Regulations (as in effect on the date of
23 enactment of this Act).

1 **SEC. 5308. ST. LUCIE RIVER RAILROAD BRIDGE.**

2 Regarding Docket Number USCG-2022-0222, before
3 adopting a final rule, the Commandant of the Coast Guard
4 shall conduct an independent boat traffic study at mile
5 7.4 of the St. Lucie River.

6 **SEC. 5309. ONLINE INCIDENT REPORTING SYSTEM.**

7 (a) IN GENERAL.—Not later than 2 years after the
8 date of enactment of this Act, the National Response Cen-
9 ter shall—

10 (1) develop an online capacity through a web-
11 based application to receive a notification of an oil
12 discharge or release of a hazardous substance; and

13 (2) allow any such notification to the National
14 Response Center that is required under Federal law
15 or regulation to be made online using the applica-
16 tion.

17 (b) USE OF APPLICATION.—In carrying out sub-
18 section (a), the National Response Center may not require
19 the notification of an oil discharge or release of a haz-
20 ardous substance to be made using the application devel-
21 oped under such subsection.

22 **SEC. 5310. MARITIME DOMAIN AWARENESS IN COAST**
23 **GUARD SECTOR FOR PUERTO RICO AND VIR-**
24 **GIN ISLANDS.**

25 Not later than 180 days after the date of enactment
26 of this Act, the Commandant shall submit to the Com-

1 mittee on Transportation and Infrastructure of the House
2 of Representatives and the Committee on Commerce,
3 Science, and Transportation of the Senate a report con-
4 taining—

5 (1) an overview of the maritime domain aware-
6 ness in the area of responsibility of the Coast Guard
7 sector responsible for Puerto Rico and the United
8 States Virgin Islands, including—

9 (A) the average volume of known maritime
10 traffic that transited the area during fiscal
11 years 2020 through 2023;

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

15 (C) the number of illicit activity incidents
16 at sea in such area that the sector responded to
17 during fiscal years 2020 through 2023;

18 (D) an estimate of the volume of traffic
19 engaged in illicit activity at sea in such area
20 and the type and description of any vessels used
21 to carry out illicit activities that such sector re-
22 sponded to during fiscal years 2020 through
23 2023; and

1 (E) the maritime domain awareness re-
2 quirements to effectively meet the mission of
3 such sector;

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

8 (3) a description of any gaps in maritime do-
9 main awareness within the area of responsibility of
10 such sector resulting from an inability to meet the
11 enduring maritime domain awareness requirements
12 of the sector or adequately respond to maritime dis-
13 order, including illicit drug and migrant activity;

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

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

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

24 (7) an identification of any financial obstacles
25 that prevent the Coast Guard from deploying exist-

1 ing commercially available sensor technology to ad-
2 dress such gaps.

3 **SEC. 5311. PUBLIC AVAILABILITY OF INFORMATION ON**
4 **MONTHLY DRUG AND MIGRANT INTERDIC-**
5 **TIONS.**

6 (a) IN GENERAL.—Section 11269 of the Don Young
7 Coast Guard Authorization Act of 2022 (Public Law 117–
8 263) is—

9 (1) transferred to appear at the end of sub-
10 chapter II of chapter 5 of title 14, United States
11 Code;

12 (2) redesignated as section 529; and

13 (3) amended—

14 (A) by striking the section enumerator and
15 heading and inserting the following:

16 **“§ 529. Public availability of information on monthly**
17 **drug and migrant interdictions”;**

18 (B) by striking “Not later than” and in-
19 serting the following:

20 “(a) IN GENERAL.—Not later than”;

21 (C) by inserting “drug and” before “mi-
22 grant interdictions”; and

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

1 “(b) CONTENTS.—In making information about
2 interdictions publicly available under subsection (a), the
3 Commandant shall include a description of the following:

4 “(1) The number of incidents in which drugs
5 were interdicted, the amount and type of drugs
6 interdicted, and the Coast Guard sectors and geo-
7 graphic areas of responsibility in which such inci-
8 dents occurred.

9 “(2) The number of incidents in which mi-
10 grants were interdicted, the number of migrants
11 interdicted, and the Coast Guard sectors and geo-
12 graphic areas of responsibility in which such inci-
13 dents occurred.”.

14 (b) CLERICAL AMENDMENTS.—

15 (1) The analysis for chapter 5 of title 14,
16 United States Code, is amended by inserting after
17 the item relating to section 528 the following:

“529. Public availability of information on monthly drug and migrant interdic-
tions.”.

18 (2) The table of sections in section 11001(b) of
19 the Don Young Coast Guard Authorization Act of
20 2022 (division K of Public Law 117–263) is amend-
21 ed by striking the item relating to section 11269.

1 **SEC. 5312. REPORT ON ESTABLISHMENT OF AN UNMANNED**
2 **SYSTEMS CAPABILITIES OFFICE.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Commandant shall sub-
5 mit to the Committee on Commerce, Science, and Trans-
6 portation of the Senate and the Committee on Transpor-
7 tation and Infrastructure of the House of Representatives
8 a report that outlines a plan for establishing an unmanned
9 systems capabilities office within the Coast Guard respon-
10 sible for the acquisition and development of unmanned
11 system and counter-unmanned system technologies and to
12 expand the capabilities of the Coast Guard with respect
13 to such technologies

14 (b) CONTENTS.—The report required under sub-
15 section (a) shall include the following:

16 (1) A management strategy for the acquisition,
17 development, and deployment of unmanned system
18 and counter-unmanned system technologies.

19 (2) A service-wide coordination strategy to syn-
20 chronize and integrate efforts across the Coast
21 Guard in order to—

22 (A) support the primary duties of the
23 Coast Guard pursuant to section 102 of title
24 14, United States Code; and

25 (B) pursue expanded research, develop-
26 ment, testing, and evaluation opportunities and

1 funding to expand and accelerate identification
2 and transition of unmanned system and
3 counter-unmanned system technologies.

4 (3) The identification of contracting and acqui-
5 sition authorities needed to expedite the development
6 and deployment of unmanned system and counter-
7 unmanned system technologies.

8 (4) A detailed list of commercially available un-
9 manned system and counter-unmanned system tech-
10 nologies with capabilities determined to be useful for
11 the Coast Guard.

12 (5) A cross-agency collaboration plan to engage
13 with the Department of Homeland Security, the De-
14 partment of Defense, and other relevant agencies to
15 identify common requirements and opportunities to
16 partner in acquiring, contracting, and sustaining un-
17 manned system and counter-unmanned system capa-
18 bilities.

19 (6) Opportunities to obtain and share un-
20 manned system data from government and commer-
21 cial sources to improve maritime domain awareness.

22 (7) The development of a concept of operations
23 for a data ecosystem that supports and integrates
24 unmanned system and counter-unmanned system
25 technologies with key enablers, including enterprise

1 communications networks, data storage and manage-
2 ment, artificial intelligence and machine learning
3 tools, and information sharing and dissemination ca-
4 pabilities.

5 (c) DEFINITIONS.—In this section:

6 (1) COUNTER-UNMANNED SYSTEM.—The term
7 “counter-unmanned system” means a system or de-
8 vice capable of lawfully and safely disabling, dis-
9 rupting, or seizing control of an unmanned system,
10 including a counter-UAS system (as defined in sec-
11 tion 44801 of title 49, United States Code).

12 (2) UNMANNED SYSTEM.—The term “un-
13 manned system” means an unmanned surface, un-
14 dersea, or aircraft and associated elements (includ-
15 ing communication links and the components that
16 control the unmanned system) that are required for
17 the operator to operate the system safely and effi-
18 ciently, including an unmanned aircraft system (as
19 defined in section 44801 of title 49, United States
20 Code).

21 **SEC. 5313. RULEMAKING REGARDING PORT ACCESS**
22 **ROUTES.**

23 Not later than December 31, 2023, the Secretary of
24 the department in which the Coast Guard is operating
25 shall issue a final rule for the Atlantic Coast Port Route

1 Access Study for which an Advanced Notice of Proposed
2 Rulemaking title “Shipping Safety Fairways Along the At-
3 lantic Coast” was issued on June 19, 2020.

4 **SEC. 5314. GREAT LAKES ICEBREAKER.**

5 Not later than 30 days after the date of enactment
6 of this Act, the Commandant shall submit to the Com-
7 mittee on Transportation and Infrastructure of the House
8 of Representatives and the Committee on Commerce,
9 Science, and Transportation of the Senate a strategy de-
10 tailing how the Coast Guard will complete design and con-
11 struction of the Great Lakes icebreaker at least as capable
12 as the Coast Guard Cutter Mackinaw (WLBB-30) in not
13 more than 3 years after funding is provided for such ice-
14 breaker.

15 **TITLE III— MARITIME**

16 **Subtitle A— American Samoa**

17 **Mariners Act of 2023**

18 **SEC. 5401. MERCHANT SEAMEN LICENSES, CERTIFICATES,**

19 **AND DOCUMENTS; MANNING OF VESSELS.**

20 (a) **CITIZENSHIP OR NONCITIZEN NATIONALITY.—**

21 (1) **IN GENERAL.—**Section 7102 of title 46,
22 United States Code, is amended—

23 (A) in the section heading by inserting “**or**
24 **noncitizen nationality**” after “**Citizen-**
25 **ship**”; and

1 (B) by inserting “or noncitizen nationals
2 (as such term is described in section 308 of the
3 Immigration and Nationality Act (8 U.S.C.
4 1408)” after “citizens”.

5 (2) CLERICAL AMENDMENT.—The analysis for
6 chapter 71 of title 46, United States Code, is
7 amended by striking the item relating to section
8 7102 and inserting the following:

“7102. Citizenship or noncitizen nationality.”.

9 (b) CITIZENSHIP OR NONCITIZEN NATIONALITY NO-
10 TATION ON MERCHANT MARINERS’ DOCUMENTS.—

11 (1) IN GENERAL.—Section 7304 of title 46,
12 United States Code, is amended—

13 (A) in the section heading by inserting “**or**
14 **noncitizen nationality**” after “**Citizen-**
15 **ship**”; and

16 (B) by inserting “or noncitizen national
17 (as such term is described in section 308 of the
18 Immigration and Nationality Act (8 U.S.C.
19 1408)” after “citizen”.

20 (2) CLERICAL AMENDMENT.—The analysis for
21 chapter 73 of title 46, United States Code, is
22 amended by striking the item relating to section
23 7304 and inserting the following:

“7304. Citizenship or nationalization notation on merchant mariners’ docu-
ments.”.

1 (c) CITIZENSHIP OR NONCITIZEN NATIONALITY.—

2 (1) IN GENERAL.—Section 8103 of title 46,
3 United States Code, is amended—

4 (A) in the section heading by inserting “**or**
5 **noncitizen nationality**” after “**Citizen-**
6 **ship**”;

7 (B) in subsection (a) by inserting “or non-
8 citizen national” after “citizen”;

9 (C) in subsection (b)—

10 (i) in paragraph (1)(A)(i) by inserting
11 “or noncitizen national” after “citizen”;

12 (ii) in paragraph (3) by inserting “or
13 noncitizen nationality” after “citizenship”;

14 and

15 (iii) in paragraph (3)(C) by inserting
16 “or noncitizen nationals” after “citizens”;

17 (D) in subsection (c) by inserting “or non-
18 citizen nationals” after “citizens”;

19 (E) in subsection (d)—

20 (i) in paragraph (1) by inserting “or
21 noncitizen nationals” after “citizens”; and

22 (ii) in paragraph (2) by inserting “or
23 noncitizen national” after “citizen” each
24 place it appears;

1 (F) in subsection (e) by inserting “or non-
2 citizen national” after “citizen” each place it
3 appears;

4 (G) in subsection (i)(1)(A) by inserting “or
5 noncitizen national” after “citizen”;

6 (H) in subsection (k)(1)(A) by inserting
7 “or noncitizen national” after “citizen”; and

8 (I) by adding at the end the following:

9 “(l) NONCITIZEN NATIONAL DEFINED.—In this sec-
10 tion, the term ‘noncitizen national’ means an individual
11 described in section 308 of the Immigration and Nation-
12 ality Act (8 U.S.C. 1408).”.

13 (2) CLERICAL AMENDMENT.—The analysis for
14 chapter 81 of title 46, United States Code, is
15 amended by striking the item relating to section
16 8103 and inserting the following:

“8103. Citizenship or noncitizen nationality and Navy Reserve requirements.”.

17 (d) COMMAND OF DOCUMENTED VESSELS.—Section
18 12131(a) of title 46, United States Code, is amended by
19 inserting “or noncitizen national (as such term is de-
20 scribed in section 308 of the Immigration and Nationality
21 Act (8 U.S.C. 1408))” after “citizen”.

22 (e) INVALIDATION OF CERTIFICATES OF DOCU-
23 MENTATION.—Section 12135(2) of title 46, United States
24 Code, is amended by inserting “or noncitizen national (as

1 such term is described in section 308 of the Immigration
2 and Nationality Act (8 U.S.C. 1408))” after “citizen”.

3 **Subtitle B—Vessel Operations**

4 **SEC. 5411. DEFINITIONS.**

5 In this subtitle:

6 (1) OUTER CONTINENTAL SHELF.—The term
7 “outer Continental Shelf” has the meaning given
8 such term in section 2 of the Outer Continental
9 Shelf Lands Act (43 U.S.C. 1331).

10 (2) RULING LETTER.—The term “ruling letter”
11 means any ruling letter or headquarters ruling letter
12 relating to the enforcement of chapters 121 and 551
13 of title 46, United States Code (commonly referred
14 to as the “Jones Act”), issued by the Commissioner
15 of U.S. Customs and Border Protection pursuant to
16 sections 502(a) or 625 of the Tariff Act of 1930 (19
17 U.S.C. 1502(a) and 1625).

18 (3) SECRETARY.—The term “Secretary” means
19 the Secretary of Homeland Security, acting through
20 the Commissioner of U.S. Customs and Border Pro-
21 tection.

22 **SEC. 5412. NOTIFICATION.**

23 (a) ADVANCE NOTIFICATION REQUIRED.—Prior to
24 engaging in any activity or operations on the outer Conti-
25 nental Shelf, the operator of a foreign vessel used in such

1 activity or operations shall file with the Secretary a notifi-
2 cation describing all activities and operations to be per-
3 formed on the outer Continental Shelf and an identifica-
4 tion of applicable ruling letters issued by the Secretary
5 that have approved the use of a foreign vessel in a sub-
6 stantially similar activity or operation.

7 (b) PUBLICATION OF NOTICES.—

8 (1) PUBLICATION.—The Secretary shall publish
9 a notification under subsection (a) in the Customs
10 Bulletin and Decisions within 14 days of receipt of
11 such notification.

12 (2) CONFIDENTIAL INFORMATION.—The Sec-
13 retary shall redact any information exempt from dis-
14 closure under section 552 of title 5, United States
15 Code, in a notification published under paragraph
16 (1).

17 **SEC. 5413. PUBLICATION OF FINES AND PENALTIES.**

18 (a) IN GENERAL.—Section 55102 of title 46, United
19 States Code, is amended by adding at the end the fol-
20 lowing:

21 “(d) PUBLICATION OF PENALTY.—

22 “(1) IN GENERAL.—Not later than 14 days
23 after the issuance of a pre-penalty notice or a pen-
24 alty, including a settlement, under subsection (c),
25 the Secretary of Homeland Security shall publish

1 such pre-penalty notice or a notification of such pen-
2 alty in the Customs Bulletin and Decisions to the
3 party impacted by the penalty.

4 “(2) CONTENTS.—A pre-penalty notice or pen-
5 alty notification published under paragraph (1) shall
6 include—

7 “(A) the name and the International Mari-
8 time Organization identification number of the
9 vessel that is the subject of the penalty;

10 “(B) the name of the owner of the vessel
11 that is the subject of the penalty;

12 “(C) the amount of the fine or value of
13 merchandise seized; and

14 “(D) a summary of the alleged misconduct
15 and justification for imposing a penalty.”.

16 (b) RULEMAKING.—Not later than 90 days after the
17 date of enactment of this Act, the Secretary shall issue
18 such regulations as are necessary to implement the
19 amendments made by subsection (a), including—

20 (1) regulations regarding the information to be
21 contained in a penalty notification under section
22 55102(d) of title 46, United States Code (as amend-
23 ed by such subsection); and

24 (2) any changes to existing regulations relating
25 to penalties issued by the Secretary.

1 **Subtitle C—Merchant Mariner**
2 **Credentialing**

3 **SEC. 5421. REVISING MERCHANT MARINER DECK TRAINING**
4 **REQUIREMENTS.**

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

7 (1) by redesignating paragraphs (20) through
8 (56) as paragraphs (21) through (57), respectively;
9 and

10 (2) by inserting after paragraph (19) the fol-
11 lowing:

12 “(20) ‘merchant mariner credential’ means a
13 merchant mariner license, certificate, or document
14 that the Secretary is authorized to issue pursuant to
15 this title.”.

16 (b) **EXAMINATIONS.**—Section 7116 of title 46,
17 United States Code, is amended by striking subsection (c).

18 (c) **MERCHANT MARINERS DOCUMENTS.**—

19 (1) **GENERAL REQUIREMENTS.**—Section 7306
20 of title 46, United States Code, is amended to read
21 as follows:

1 **“§ 7306. General requirements and classifications for**
2 **members of deck departments**

3 “(a) IN GENERAL.—The Secretary may issue a mer-
4 chant mariner credential, to members of the deck depart-
5 ment in the following classes:

6 “(1) Able Seaman-Unlimited.

7 “(2) Able Seaman-Limited.

8 “(3) Able Seaman-Special.

9 “(4) Able Seaman-Offshore Supply Vessels.

10 “(5) Able Seaman-Sail.

11 “(6) Able Seaman-Fishing Industry.

12 “(7) Ordinary Seaman.

13 “(b) CLASSIFICATION OF CREDENTIALS.—The Sec-
14 retary may classify the merchant mariner credential issued
15 under subsection (a) based on—

16 “(1) the tonnage and means of propulsion of
17 vessels;

18 “(2) the waters on which vessels are to be oper-
19 ated; or

20 “(3) other appropriate standards.

21 “(c) CONSIDERATIONS.—In issuing the credential
22 under subsection (a), the Secretary may consider the fol-
23 lowing qualifications of the merchant mariner:

24 “(1) Age.

25 “(2) Character.

26 “(3) Habits of life.

1 “(4) Experience.

2 “(5) Professional qualifications demonstrated
3 by satisfactory completion of applicable examinations
4 or other educational requirements.

5 “(6) Physical condition, including sight and
6 hearing.

7 “(7) Other requirements established by the Sec-
8 retary, including career patterns and service appro-
9 priate to the particular service, industry, or job
10 functions the individual is engaged.”.

11 (2) CLERICAL AMENDMENT.—The analysis for
12 chapter 73 of title 46, United States Code, is
13 amended by striking the item relating to section
14 7306 and inserting the following:

“7306. General requirements and classifications for members of deck depart-
ments.”.

15 (3) ABLE SEAMEN-UNLIMITED.—Section 7307
16 of title 46, United States Code, is amended by strik-
17 ing “3 years’” and inserting “18 months’”.

18 (4) ABLE SEAMEN-LIMITED.—Section 7308 of
19 title 46, United States Code, is amended by striking
20 “18 months’” and inserting “12 months’”.

21 (5) GENERAL REQUIREMENTS FOR MEMBERS
22 OF ENGINE DEPARTMENTS.—Section 7313(b) of title
23 46, United States Code, is amended by striking
24 “and coal passer”.

1 (6) TRAINING.—Section 7315 of title 46,
2 United States Code, is amended—

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

5 “(a) Graduation from a nautical school program ap-
6 proved by the Secretary may be substituted for the service
7 requirements under sections 7307–7312 and 7314.”;

8 (B) in subsection (b)—

9 (i) by striking “one-third” and insert-
10 ing “one-half”; and

11 (ii) by striking “7307–7311 of this
12 title” and inserting “7307–7312 and
13 7314”; and

14 (C) by striking subsection (c).

15 (d) MERCHANT MARINER CREDENTIALS.—Section
16 7510 of title 46, United States Code, is amended by strik-
17 ing subsection (d).

18 (e) IMPLEMENTATION.—The Secretary of the depart-
19 ment in which the Coast Guard is operating shall imple-
20 ment the amended requirements under subsections (c)(3),
21 (c)(4), and (c)(6) of this section without regard to chap-
22 ters 5 and 6 of title 5, United States Code, and Executive
23 Orders 12866 and 13563 (5 U.S.C. 601 note).

1 **SEC. 5422. TECHNICAL AMENDMENTS.**

2 (a) IN GENERAL.—The heading for part E of subtitle
3 II of title 46, United States Code, is amended by striking
4 “**MERCHANT SEAMEN LICENSES, CERTIFICATES,**
5 **AND DOCUMENTS**” and inserting “**MERCHANT MAR-**
6 **INER CREDENTIALS**”.

7 (b) ABLE SEAFARERS—UNLIMITED.—

8 (1) IN GENERAL.—The section heading for sec-
9 tion 7307 of title 46, United States Code, is amend-
10 ed by striking “**seamen**” and inserting “**sea-**
11 **farers**”.

12 (2) CLERICAL AMENDMENT.—The analysis for
13 chapter 73 of title 46, United States Code, is further
14 amended in the item relating to section 7307 by
15 striking “seamen” and inserting “seafarers”.

16 (c) ABLE SEAMEN—LIMITED.—

17 (1) IN GENERAL.—The section heading for sec-
18 tion 7308 of title 46, United States Code, is amend-
19 ed by striking “**seamen**” and inserting “**sea-**
20 **farers**”.

21 (2) CLERICAL AMENDMENT.—The analysis for
22 chapter 73 of title 46, United States Code, is further
23 amended in the item relating to section 7308 by
24 striking “seamen” and inserting “seafarers”.

25 (d) ABLE SEAFARERS—SPECIAL.—

1 (1) IN GENERAL.—The section heading for sec-
2 tion 7309 of title 46, United States Code, is amend-
3 ed by striking “**seamen**” and inserting “**sea-**
4 **farers**”.

5 (2) CLERICAL AMENDMENT.—The analysis for
6 chapter 73 of title 46, United States Code, is further
7 amended in the item relating to section 7309 by
8 striking “seamen” and inserting “seafarers”.

9 (e) ABLE SEAFARERS—OFFSHORE SUPPLY VES-
10 SELS.—

11 (1) IN GENERAL.—The section heading for sec-
12 tion 7310 of title 46, United States Code, is amend-
13 ed by striking “**seamen**” and inserting “**sea-**
14 **farers**”.

15 (2) CLERICAL AMENDMENT.—The analysis for
16 chapter 73 of title 46, United States Code, is further
17 amended in the item relating to section 7310 by
18 striking “seamen” and inserting “seafarers”.

19 (f) ABLE SEAFARERS—SAIL.—

20 (1) IN GENERAL.—The section heading for sec-
21 tion 7311 of title 46, United States Code, is amend-
22 ed by striking “**seamen**” and inserting “**sea-**
23 **farers**”.

24 (2) CLERICAL AMENDMENT.—The analysis for
25 chapter 73 of title 46, United States Code, is further

1 amended in the item relating to section 7311 by
2 striking “seamen” and inserting “seafarers”.

3 (g) ABLE SEAMEN—FISHING INDUSTRY.—

4 (1) IN GENERAL.—The section heading for sec-
5 tion 7311a of title 46, United States Code, is
6 amended by striking “**seamen**” and inserting
7 “**seafarers**”.

8 (2) CLERICAL AMENDMENT.—The analysis for
9 chapter 73 of title 46, United States Code, is further
10 amended in the item relating to section 7311a by
11 striking “seamen” and inserting “seafarers”.

12 (h) PARTS E AND F.—Parts E and F of subtitle II
13 of title 46, United States Code, is amended—

14 (1) by striking “seaman” and inserting “sea-
15 farer” each place it appears; and

16 (2) by striking “seamen” and inserting “sea-
17 farers” each place it appears.

18 (i) CLERICAL AMENDMENTS.—The analysis for sub-
19 title II of title 46, United States Code, is amended—

20 (1) in the item relating to subtitle II by striking
21 “**Seamen**” and inserting “**Seafarer**”; and

22 (2) in the item relating to part E by striking
23 “**MERCHANT SEAMEN LICENSES, CERTIFI-**
24 **CATES, AND DOCUMENTS**” and inserting “**MER-**
25 **CHANT MARINER CREDENTIALS**”.

1 **SEC. 5423. RENEWAL OF MERCHANT MARINER LICENSES**
2 **AND DOCUMENTS.**

3 Section 7507 of title 46, United States Code, is
4 amended by adding at the end the following:

5 “(d) RENEWAL.—With respect to any renewal of an
6 active merchant mariner credential issued under this part
7 that is not an extension under subsection (a) or (b), such
8 credential shall begin the day after the expiration of the
9 active credential of the credential holder.”.

10 **Subtitle D—Vessel Safety**

11 **SEC. 5431. GROSSLY NEGLIGENT OPERATIONS OF A VES-**
12 **SEL.**

13 Section 2302(b) of title 46, United States Code, is
14 amended to read as follows:

15 “(b) GROSSLY NEGLIGENT OPERATION.—

16 “(1) MISDEMEANOR.—A person operating a
17 vessel in a grossly negligent manner that endangers
18 the life, limb, or property of a person commits a
19 class A misdemeanor.

20 “(2) FELONY.—A person operating a vessel in
21 a grossly negligent manner that results in serious
22 bodily injury, as defined in section 1365(h)(3) of
23 title 18—

24 “(A) commits a class E felony; and

25 “(B) may be assessed a civil penalty of not
26 more than \$35,000.”.

1 **SEC. 5432. ADMINISTRATIVE PROCEDURE FOR SECURITY**
2 **RISKS.**

3 (a) SECURITY RISK.—Section 7702(d)(1) of title 46,
4 United States Code, is amended—

5 (1) in subparagraph (B) by redesignating
6 clauses (i) through (iv) as subclauses (I) through
7 (IV), respectively (and by conforming the margins
8 accordingly);

9 (2) by redesignating subparagraphs (A) and
10 (B) as clauses (i) and (ii), respectively (and by con-
11 forming the margins accordingly);

12 (3) by striking “an individual if—” and insert-
13 ing the following: “an individual—

14 “(A) if—”; and

15 (4) in subparagraph (A)(ii)(IV), as so redesign-
16 ated, by striking the period at the end and insert-
17 ing “; or”; and

18 (5) by adding at the end the following:

19 “(B) if there is probable cause to believe that
20 the individual has violated company policy and is a
21 security risk that poses a threat to other individuals
22 on the vessel.”.

23 (b) TECHNICAL AMENDMENT.—Section 2101(47)(B)
24 of title 46, United States Code (as so redesignated), is
25 amended by striking “; and” and inserting “; or”.

1 **SEC. 5433. REQUIREMENTS FOR DUKW AMPHIBIOUS PAS-**
2 **SENGER VESSELS.**

3 Section 11502 of the James H. Inhofe National De-
4 fense Authorization Act for Fiscal Year 2023 (Public Law
5 117–263) is amended—

6 (1) in the section header by striking “**DUKW**
7 **AMPHIBIOUS PASSENGER VESSELS**” and insert-
8 ing “**COMMERCIAL AMPHIBIOUS SMALL PAS-**
9 **SENGER VESSELS**”;

10 (2) by striking “DUKW amphibious passenger
11 vessel” each place it appears and inserting “com-
12 mercial amphibious small passenger vessel”;

13 (3) by striking “DUKW amphibious passenger
14 vessels” each place it appears and inserting “com-
15 mercial amphibious small passenger vessels”;

16 (4) in subsection (h)—

17 (A) by striking “DEFINITIONS” and all
18 that follows through “The term ‘appropriate
19 congressional committees’” and inserting “AP-
20 PROPRIATE CONGRESSIONAL COMMITTEES DE-
21 FINED.—In this section, the term ‘appropriate
22 congressional committees’”; and

23 (B) by striking paragraph (2); and

24 (5) by adding at the end the following:

25 “(i) APPLICATION.—This section shall apply to am-
26 phibious vessels operating as a small passenger vessel in

1 waters subject to the jurisdiction of the United States, as
2 such term is defined in section 2.38 of title 33, Code of
3 Federal Regulations (as in effect on the date of enactment
4 of the Coast Guard Authorization Act of 2023).”.

5 **SEC. 5434. INSPECTION AND EXAMINATION.**

6 Section 3714 of title 46, United States Code, is
7 amended—

8 (1) in subsection (a)(1) by striking “The Sec-
9 retary” and inserting “Except as provided in sub-
10 section (c), the Secretary”;

11 (2) by redesignating subsection (c) as sub-
12 section (d); and

13 (3) by inserting after subsection (b) the fol-
14 lowing:

15 “(c)(1) With respect to examinations of liquefied nat-
16 ural gas tank vessels and vessels that carry bulk liquefied
17 gases as cargo, including examinations under section
18 153.808 and part 154 of title 46, Code of Federal Regula-
19 tions (as in effect on the date of enactment of the Coast
20 Guard Authorization Act of 2023), the Secretary may
21 adopt a risk-based examination schedule to which such
22 vessels are to be examined and the frequency with which
23 such examinations occur.

1 “(2) The Secretary may not adopt a risk-based exam-
2 ination schedule under paragraph (1) until the Secretary
3 has—

4 “(A) received and reviewed the National Acad-
5 emies study required under section 8254(b) of the
6 William M. (Mac) Thornberry National Defense Au-
7 thorization Act for Fiscal Year 2021 (Public Law
8 116–283);

9 “(B) conducted the assessment recommended in
10 the Government Accountability Office report sub-
11 mitted under section 8254(a) of such Act;

12 “(C) concluded through such assessment that a
13 risk-based examination schedule provides not less
14 than the level of safety provided by the annual ex-
15 aminations required under subsection (a)(1); and

16 “(D) provided the results of such assessment to
17 the Committee on Transportation and Infrastructure
18 of the House of Representatives and the Committee
19 on Commerce, Science, and Transportation of the
20 Senate.”.

21 **Subtitle E—Other Matters**

22 **SEC. 5441. ANCHOR HANDLING ACTIVITIES.**

23 Section 12111(d)(1) of title 46, United States Code,
24 is amended—

1 (1) in subparagraph (A) by inserting “or other
2 energy production or transmission facility, or vessel
3 engaged in the launch, recovery, or support of com-
4 mercial space transportation or space exploration ac-
5 tivities” after “drilling unit”; and

6 (2) in subparagraph (B) by inserting “or other
7 energy production or transmission facility, or vessel
8 engaged in the launch, recovery, or support of com-
9 mercial space transportation or space exploration ac-
10 tivities” after “drilling unit”.

11 **SEC. 5442. ESTABLISHMENT OF A NATIONAL ADVISORY**
12 **COMMITTEE ON AUTONOMOUS MARITIME**
13 **SYSTEMS.**

14 (a) IN GENERAL.—Chapter 151 of title 46, United
15 States Code, is amended by adding at the end the fol-
16 lowing:

17 **“§ 15110. Establishment of a national advisory com-**
18 **mittee on autonomous maritime systems**

19 “(a) ESTABLISHMENT.—There is established a Na-
20 tional Advisory Committee on Autonomous Maritime Sys-
21 tems (in this section referred to as the ‘Committee’).

22 “(b) FUNCTION.—The Committee shall advise the
23 Secretary on matters relating to the regulation and use
24 of Autonomous Systems within the territorial waters of
25 the United States.

1 “(c) MEMBERSHIP.—

2 “(1) IN GENERAL.—The Committee shall con-
3 sist of 8 members appointed by the Secretary in ac-
4 cordance with this section and section 15109.

5 “(2) EXPERTISE.—Each member of the Com-
6 mittee shall have particular expertise, knowledge,
7 and experience in matters relating to the function of
8 the Committee.

9 “(3) REPRESENTATION.—Each of the following
10 groups shall be represented by at least 1 member on
11 the Committee:

12 “(A) Marine safety or security entities.

13 “(B) Vessel design and construction enti-
14 ties.

15 “(C) Entities engaged in the production or
16 research of unmanned vehicles, including
17 drones, autonomous or semi-autonomous vehi-
18 cles, or any other product or service integral to
19 the provision, maintenance, or management of
20 such products or services.

21 “(D) Port districts, authorities, or terminal
22 operators.

23 “(E) Vessel operators.

24 “(F) National labor unions representing
25 merchant mariners.

1 “(G) Maritime pilots.

2 “(H) Commercial space transportation op-
3 erators.

4 “(I) Academic institutions.”.

5 (b) CLERICAL AMENDMENTS.—The analysis for
6 chapter 151 of title 46, United States Code, is amended
7 by adding at the end the following:

“15110. Establishment of a national advisory committee on autonomous mari-
time systems.”.

8 (c) ESTABLISHMENT.—Not later than 90 days after
9 the date of enactment of this Act, the Secretary of the
10 department in which the Coast Guard is operating shall
11 establish the Committee under section 15110 of title 46,
12 United States Code (as added by this section).

13 **SEC. 5443. CONTROLLED SUBSTANCE ONBOARD VESSELS.**

14 Section 70503(a) of title 46, United States Code, is
15 amended—

16 (1) in the matter preceding paragraph (1) by
17 striking “While on board a covered vessel, an indi-
18 vidual” and inserting “An individual”;

19 (2) by amending paragraph (1) to read as fol-
20 lows:

21 “(1) manufacture or distribute, possess with in-
22 tent to manufacture or distribute, or place or cause
23 to be placed with intent to manufacture or distribute

1 a controlled substance on board a covered vessel;”;
2 and

3 (3) in paragraph (2) by inserting “aboard a
4 covered vessel” after “Comprehensive Drug Abuse
5 Prevention and Control Act of 1970 (21 U.S.C.
6 881(a))”.

7 **SEC. 5444. NONOPERATING INDIVIDUAL.**

8 Section 8313(b) of the William M. (Mac) Thornberry
9 National Defense Authorization Act for Fiscal Year 2021
10 (Public Law 116– 283) is amended by striking “2025”
11 and inserting “2027”.

12 **SEC. 5445. INFORMATION ON TYPE APPROVAL CERTIFI-**
13 **CATES.**

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

17 **“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFI-**
18 **CATES.**

19 “The Commandant of the Coast Guard shall, upon
20 request by any State, the District of Columbia, or any ter-
21 ritory of the United States, provide all data possessed by
22 the Coast Guard pertaining to challenge water quality
23 characteristics, challenge water biological organism con-
24 centrations, post-treatment water quality characteristics,
25 and post-treatment biological organism concentrations

1 data for a ballast water management system with a type
2 approval certificate approved by the Coast Guard pursu-
3 ant to subpart 162.060 of title 46, Code of Federal Regu-
4 lations.”.

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

“Sec. 904. Information on type approval certificates.”.

9 **SEC. 5446. MANNING AND CREWING REQUIREMENTS FOR**
10 **CERTAIN VESSELS, VEHICLES, AND STRUC-**
11 **TURES.**

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

16 **“§ 8109. Exemptions from manning and crew require-**
17 **ments**

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

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

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

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

3 “(b) REQUIREMENTS FOR ELIGIBILITY FOR EXEMP-
4 TION.—An exemption under this subsection is an exemp-
5 tion from the regulations established pursuant to section
6 302(a)(3) of the Outer Continental Shelf Lands Act (43
7 U.S.C. 1356(a)(3)).

8 “(c) LIMITATIONS.—An exemption under this sec-
9 tion—

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

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

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

1 by the applicant of all information required for the
2 issuance of the exemption.

3 “(e) REVOCATION.—

4 “(1) IN GENERAL.—The Secretary—

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

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

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

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

1 valid transportation security card issued under section
2 70105.

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

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

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

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

16 “(i) DEFINITIONS.—In this section:

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

1 policy, or practice, a national manning requirement
2 for equipment engaged in the exploring for, devel-
3 oping, or producing resources, including non-mineral
4 energy resources in its offshore areas.

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

8 (b) ANNUAL REPORT.—

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

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

19 (A) the name and International Maritime
20 Organization number;

21 (B) the nation in which the covered facility
22 is documented;

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

24 (D) for any covered facility that was pre-
25 viously issued a letter of nonapplicability in a

1 prior year, any changes in the information de-
2 scribed in subparagraphs (A) through (C).

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

8 (d) EXISTING EXEMPTIONS.—

9 (1) EFFECT OF AMENDMENTS; TERMIN-
10 NATION.—Each exemption under section 30(c)(2) of
11 the Outer Continental Shelf Lands Act (43 U.S.C.
12 1356(c)(2)) issued before the date of the enactment
13 of this Act—

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

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

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

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

“8109. Exemptions from manning and crew requirements.”.

4 **SEC. 5447. CLASSIFICATION SOCIETIES.**

5 Section 3316(d) of title 46, United States Code, is
6 amended—

7 (1) by amending paragraph (2)(B)(i) to read as
8 follows:

9 “(i) the government of the foreign country in
10 which the foreign society is headquartered—

11 “(I) delegates that authority to the Amer-
12 ican Bureau of Shipping; or

13 “(II) does not delegate that authority to
14 any classification society; or”; and

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

16 “(5) CLARIFICATION ON AUTHORITY.—Nothing
17 in this subsection authorizes the Secretary to make
18 a delegation under paragraph (2) to a classification
19 society from the People’s Republic of China.”.

20 **TITLE IV—OIL POLLUTION**
21 **INCIDENT LIABILITY**

22 **SEC. 5501. VESSEL RESPONSE PLANS.**

23 Section 311(j)(6) of the Federal Water Pollution
24 Control Act (33 U.S.C. 1321(j)(6)) is amended to read
25 as follows:

1 “(6) EQUIPMENT REQUIREMENTS,
2 VERIFICATION, AND INSPECTION.—The President
3 may require—

4 “(A) periodic inspection of containment
5 booms, skimmers, vessels, and other major
6 equipment used to remove discharges;

7 “(B) periodic inspection of vessels, salvage
8 and marine firefighting equipment, and other
9 major equipment used to respond to vessel cas-
10 ualties and prevent discharges;

11 “(C) periodic verification of capabilities to
12 appropriately, and in a timely manner, respond
13 to a worst case discharge, or a substantial
14 threat of a discharge, including—

15 “(i) drills, with or without prior no-
16 tice;

17 “(ii) review of contracts and relevant
18 third-party agreements;

19 “(iii) testing of equipment;

20 “(iv) review of training; and

21 “(v) other evaluations of response ca-
22 pabilities, as determined appropriate by the
23 President; and

24 “(D) vessels operating on navigable waters
25 and carrying oil or a hazardous substance in

1 bulk as cargo, and nontank vessels carrying oil
2 of any kind as fuel for main propulsion, to
3 carry appropriate removal equipment that em-
4 ploys the best technology economically feasible
5 and that is compatible with the safe operation
6 of the vessel.”.

7 **SEC. 5502. USE OF MARINE CASUALTY INVESTIGATIONS.**

8 Section 6308 of title 46, United States Code, is
9 amended—

10 (1) in subsection (a) by striking “initiated” and
11 inserting “conducted”; and

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

13 “(e) For purposes of this section, an administrative
14 proceeding conducted by the United States includes pro-
15 ceedings under section 7701 and claims adjudicated under
16 section 1013 of the Oil Pollution Act of 1990 (33 U.S.C.
17 2713).”.

18 **SEC. 5503. TIMING OF REVIEW.**

19 Section 1017 of the Oil Pollution Act of 1990 (33
20 U.S.C. 2717) is amended by adding at the end the fol-
21 lowing:

22 “(g) **TIMING OF REVIEW.**—Before the date of com-
23 pletion of a removal action, no person may bring an action
24 under this Act, section 311 of the Federal Water Pollution
25 Control Act (33 U.S.C. 1321), or chapter 7 of title 5,

1 United States Code, challenging any decision relating to
2 such removal action that is made by an on-scene coordi-
3 nator appointed under the National Contingency Plan.”.

4 **TITLE V—TECHNICAL, CON-**
5 **FORMING, AND CLARIFYING**
6 **AMENDMENTS**

7 **SEC. 5601. TECHNICAL AND CONFORMING AMENDMENTS.**

8 (a) PROHIBITION ON ENTRY AND OPERATION.—Sec-
9 tion 70022(b)(1) of title 46, United States Code, is
10 amended by striking “Federal Register” and inserting
11 “the Federal Register”.

12 (b) PORT, HARBOR, AND COASTAL FACILITY SECU-
13 RITY.—Section 70116(b) of title 46, United States Code,
14 is amended—

15 (1) in paragraph (1) by striking “terrorism
16 cyber” and inserting “terrorism, cyber”; and

17 (2) in paragraph (2) by inserting a comma
18 after “acts of terrorism”.

19 (c) ENFORCEMENT BY STATE AND LOCAL OFFI-
20 CERS.—Section 70118(a) of title 46, United States Code,
21 is amended—

22 (1) by striking “section 1 of title II of the Act
23 of June 15, 1917 (chapter 30; 50 U.S.C. 191)” and
24 inserting “section 70051”; and

1 (2) by striking “section 7(b) of the Ports and
2 Waterways Safety Act (33 U.S.C. 1226(b))” and in-
3 serting “section 70116(b)”.

4 (d) CHAPTER 701 DEFINITIONS.—Section 70131(2)
5 of title 46, United States Code, is amended—

6 (1) by striking “section 1 of title II of the Act
7 of June 15, 1917 (50 U.S.C. 191)” and inserting
8 “section 70051”; and

9 (2) by striking “section 7(b) of the Ports and
10 Waterways Safety Act (33 U.S.C. 1226(b))” and in-
11 serting “section 70116(b)”.

12 **SEC. 5602. TECHNICAL CORRECTION TO JAMES M. INHOFE**
13 **NATIONAL DEFENSE AUTHORIZATION ACT**
14 **FOR FISCAL YEAR 2023.**

15 Section 11328(b) of the James M. Inhofe National
16 Defense Authorization Act for Fiscal Year 2023 (Public
17 Law 117–263) is amended—

18 (1) by striking “Maritime” and inserting “Ma-
19 rine”; and

20 (2) by striking “2023” and inserting “2025”.

21 **SEC. 5603. REPORT ON ROLE OF COAST GUARD.**

22 The Secretary of Defense, in consultation with the
23 Secretary of the department in which the Coast Guard is
24 operating when it is not operating as a Service in the
25 Navy, shall prepare a report on the role the United States

1 Coast Guard is expected to play in the next 5, 10, and
2 20 years in providing assistance to the military depart-
3 ments in—

4 (1) working with the navies and domestic coast
5 guard of nations located in the Indo-Pacific region
6 on building capacity to protect those nations' terri-
7 torial waters from incursions by other nations;

8 (2) providing a presence in the Arctic and Ant-
9 arctic to protect uses sovereign national security in-
10 terests in those regions; and

11 (3) in providing law enforcement capabilities
12 which the military departments do not possess for
13 national security, piracy, alien and drug interdiction
14 and fishery law enforcement on the high seas.

