

1 ocean users in a manner that is most  
2 likely to result in informed decision  
3 making regarding the mitigation of  
4 such risks.

5 (VI) Any other information on  
6 the potential benefits and efficacy of  
7 the pilot project the Under Secretary  
8 considers appropriate.

9 (B) FINAL REPORT.—

10 (i) IN GENERAL.—Not later than 6  
11 years after the date of the enactment of  
12 this Act, the Under Secretary, in coordina-  
13 tion with the heads of other relevant Fed-  
14 eral agencies, shall submit to the Com-  
15 mittee on Commerce, Science, and Trans-  
16 portation of the Senate and the Committee  
17 on Natural Resources of the House of Rep-  
18 resentatives, and make available to the  
19 public, a final report on the pilot project.

20 (ii) ELEMENTS.—The report required  
21 by clause (i) shall—

22 (I) address the elements under  
23 subparagraph (A)(ii); and

24 (II) include—

1 (aa) an assessment of the  
2 benefits and efficacy of the pilot  
3 project;

4 (bb) a strategic plan to ex-  
5 pand the pilot project to provide  
6 near real-time monitoring and  
7 mitigation measures—

8 (AA) to additional large  
9 cetaceans of concern for  
10 which such measures would  
11 reduce risk of serious injury  
12 or death; and

13 (BB) in important feed-  
14 ing, breeding, calving,  
15 rearing, or migratory habi-  
16 tats of large cetaceans that  
17 co-occur with areas of high  
18 risk of mortality or serious  
19 injury from vessel strikes or  
20 disturbance;

21 (cc) a budget and descrip-  
22 tion of funds necessary to carry  
23 out such strategic plan;

24 (dd) a prioritized plan for  
25 acquisition, deployment, and



1 maintenance of monitoring tech-  
2 nologies; and

3 (ee) the locations or species  
4 to which such plan would apply.

5 (e) MITIGATION PROTOCOLS.—The Under Secretary,  
6 in consultation with the Secretary, the Secretary of De-  
7 fense, the Secretary of Transportation, and the Secretary  
8 of the Interior, and with input from affected stakeholders,  
9 shall develop and deploy mitigation protocols that make  
10 use of the monitoring system designed and deployed under  
11 subsection (d)(3) to direct sector-specific mitigation meas-  
12 ures that avoid and significantly reduce risk of serious in-  
13 jury and mortality to North Atlantic right whales.

14 (f) ACCESS TO DATA.—The Under Secretary shall  
15 provide access to data generated by the monitoring system  
16 designed and deployed under subsection (d)(3) for pur-  
17 poses of scientific research and evaluation and public  
18 awareness and education, including through the Right  
19 Whale Sighting Advisory System of the National Oceanic  
20 and Atmospheric Administration and WhaleMap or other  
21 successor public internet website portals, subject to review  
22 for national security considerations.

23 (g) ADDITIONAL AUTHORITY.—The Under Secretary  
24 may enter into and perform such contracts, leases, grants,  
25 or cooperative agreements as may be necessary to carry

1 out the purposes of this section on such terms as the  
2 Under Secretary considers appropriate, consistent with  
3 the Federal Acquisition Regulation.

4 (h) SAVINGS CLAUSE.—An activity may not be car-  
5 ried out under this section if the Secretary of Defense,  
6 in consultation with the Under Secretary, determines that  
7 the activity would negatively impact the defense readiness  
8 or the national security of the United States.

9 (i) AUTHORIZATION OF APPROPRIATIONS.—There is  
10 authorized to be appropriated to the Under Secretary to  
11 support development, deployment, application, and ongo-  
12 ing maintenance of the Program \$5,000,000 for each of  
13 fiscal years 2023 through 2027.

14 **SEC. 314. PILOT PROGRAM TO ESTABLISH A CETACEAN**  
15 **DESK FOR PUGET SOUND REGION.**

16 (a) ESTABLISHMENT.—

17 (1) IN GENERAL.—Not later than 1 year after  
18 the date of the enactment of this Act, the Secretary,  
19 with the concurrence of the Under Secretary, shall  
20 establish a pilot program to establish a Cetacean  
21 Desk, which shall be—

22 (A) located and manned within the Puget  
23 Sound Vessel Traffic Service; and

24 (B) designed—

1 (i) to improve coordination with the  
2 maritime industry to reduce the risk of  
3 vessel impacts to large cetaceans, including  
4 impacts from vessel strikes, disturbances,  
5 and other sources; and

6 (ii) to monitor the presence and loca-  
7 tion of large cetaceans during the months  
8 during which such large cetaceans are  
9 present in Puget Sound, the Strait of Juan  
10 de Fuca, and the United States portion of  
11 the Salish Sea.

12 (2) DURATION AND STAFFING.—The pilot pro-  
13 gram required by paragraph (1)—

14 (A) shall—

15 (i) be for a duration of 4 years; and

16 (ii) require not more than 1 full-time  
17 equivalent position, who shall also con-  
18 tribute to other necessary Puget Sound  
19 Vessel Traffic Service duties and respon-  
20 sibilities as needed; and

21 (B) may be supported by other existing  
22 Federal employees, as appropriate.

23 (b) ENGAGEMENT WITH VESSEL OPERATORS.—

24 (1) IN GENERAL.—Under the pilot program re-  
25 quired by subsection (a), the Secretary shall require

1 personnel of the Cetacean Desk to engage with ves-  
2 sel operators in areas where large cetaceans have  
3 been seen or could reasonably be present to ensure  
4 compliance with applicable laws, regulations, and  
5 voluntary guidance, to reduce the impact of vessel  
6 traffic on large cetaceans.

7 (2) CONTENTS.—In engaging with vessel opera-  
8 tors as required by paragraph (1), personnel of the  
9 Cetacean Desk shall communicate where and when  
10 sightings of large cetaceans have occurred.

11 (c) MEMORANDUM OF UNDERSTANDING.—The Sec-  
12 retary and the Under Secretary may enter into a memo-  
13 randum of understanding to facilitate real-time sharing of  
14 data relating to large cetaceans between the Quiet Sound  
15 program of the State of Washington, the National Oceanic  
16 and Atmospheric Administration, and the Puget Sound  
17 Vessel Traffic Service, and other relevant entities, as ap-  
18 propriate.

19 (d) DATA.—The Under Secretary shall leverage exist-  
20 ing data collection methods, the pilot project required by  
21 section 313, and public data to ensure accurate and timely  
22 information on the sighting of large cetaceans.

23 (e) CONSULTATIONS.—

24 (1) IN GENERAL.—In carrying out the pilot  
25 program required by subsection (a), the Secretary

1 shall consult with Tribal governments, the State of  
2 Washington, institutions of higher education, the  
3 maritime industry, ports in the Puget Sound region,  
4 and nongovernmental organizations.

5 (2) COORDINATION WITH CANADA.—When ap-  
6 propriate, the Secretary shall coordinate with the  
7 Government of Canada, consistent with policies and  
8 agreements relating to management of vessel traffic  
9 in Puget Sound.

10 (f) PUGET SOUND VESSEL TRAFFIC SERVICE LOCAL  
11 VARIANCE AND POLICY.—The Secretary, with the concur-  
12 rence of the Under Secretary and in consultation with the  
13 Captain of the Port for the Puget Sound region—

14 (1) shall implement local variances, as author-  
15 ized by subsection (c) of section 70001 of title 46,  
16 United States Code, to reduce the impact of vessel  
17 traffic on large cetaceans; and

18 (2) may enter into cooperative agreements, in  
19 accordance with subsection (d) of that section, with  
20 Federal, State, and local officials to reduce the like-  
21 lihood of vessel interactions with protected large  
22 cetaceans, which may include—

23 (A) communicating marine mammal pro-  
24 tection guidance to vessels;

- 1 (B) training on requirements imposed by  
2 local, State, Tribal, and Federal laws and regu-  
3 lations and guidelines concerning—
- 4 (i) vessel buffer zones;
  - 5 (ii) vessel speed;
  - 6 (iii) seasonal no-go zones for vessels;
  - 7 (iv) protected areas, including areas  
8 designated as critical habitat, as applicable  
9 to marine operations; and
  - 10 (v) any other activities to reduce the  
11 direct and indirect impact of vessel traffic  
12 on large cetaceans;
- 13 (C) training to understand, utilize, and  
14 communicate large cetacean location data; and
- 15 (D) training to understand and commu-  
16 nicate basic large cetacean detection, identifica-  
17 tion, and behavior, including—
- 18 (i) cues of the presence of large  
19 cetaceans such as spouts, water disturb-  
20 ances, breaches, or presence of prey;
  - 21 (ii) important feeding, breeding,  
22 calving, and rearing habitats that co-occur  
23 with areas of high risk of vessel strikes;

1 (iii) seasonal large cetacean migration  
2 routes that co-occur with areas of high risk  
3 of vessel strikes; and

4 (iv) areas designated as critical habi-  
5 tat for large cetaceans.

6 (g) REPORT REQUIRED.—Not later than 1 year after  
7 the date of the enactment of this Act, and every 2 years  
8 thereafter for the duration of the pilot program under this  
9 section, the Commandant, in coordination with the Under  
10 Secretary and the Administrator of the Maritime Adminis-  
11 tration, shall submit to the appropriate congressional com-  
12 mittees a report that—

13 (1) evaluates the functionality, utility, reli-  
14 ability, responsiveness, and operational status of the  
15 Cetacean Desk established under the pilot program  
16 required by subsection (a), including a quantification  
17 of reductions in vessel strikes to large cetaceans as  
18 a result of the pilot program;

19 (2) assesses the efficacy of communication be-  
20 tween the Cetacean Desk and the maritime industry  
21 and provides recommendations for improvements;

22 (3) evaluates the integration and interoper-  
23 ability of existing data collection methods, as well as  
24 public data, into the Cetacean Desk operations;

1           (4) assesses the efficacy of collaboration and  
2 stakeholder engagement with Tribal governments,  
3 the State of Washington, institutions of higher edu-  
4 cation, the maritime industry, ports in the Puget  
5 Sound region, and nongovernmental organizations;  
6 and

7           (5) evaluates the progress, performance, and  
8 implementation of guidance and training procedures  
9 for Puget Sound Vessel Traffic Service personnel, as  
10 required by subsection (f).

11 **SEC. 315. MONITORING OCEAN SOUNDSCAPES.**

12       (a) IN GENERAL.—The Under Secretary shall main-  
13 tain and expand an ocean soundscape development pro-  
14 gram—

15           (1) to award grants to expand the deployment  
16 of Federal and non-Federal observing and data man-  
17 agement systems capable of collecting measurements  
18 of underwater sound for purposes of monitoring and  
19 analyzing baselines and trends in the underwater  
20 soundscape to protect and manage marine life;

21           (2) to continue to develop and apply standard-  
22 ized forms of measurements to assess sounds pro-  
23 duced by marine animals, physical processes, and  
24 anthropogenic activities; and



1           (3) after coordinating with the Secretary of De-  
2           fense, to coordinate and make accessible to the pub-  
3           lic the datasets, modeling and analysis, and user-  
4           driven products and tools resulting from observa-  
5           tions of underwater sound funded through grants  
6           awarded under paragraph (1).

7           (b) COORDINATION.—The program described in sub-  
8           section (a) shall—

9           (1) include the Ocean Noise Reference Station  
10          Network of the National Oceanic and Atmospheric  
11          Administration and the National Park Service;

12          (2) use and coordinate with the Integrated  
13          Ocean Observing System; and

14          (3) coordinate with the Regional Ocean Part-  
15          nerships and the Director of the United States Fish  
16          and Wildlife Service, as appropriate.

17          (c) PRIORITY.—In awarding grants under subsection  
18          (a), the Under Secretary shall consider the geographic di-  
19          versity of the recipients of such grants.

20          (d) SAVINGS CLAUSE.—An activity may not be car-  
21          ried out under this section if the Secretary of Defense,  
22          in consultation with the Under Secretary, determines that  
23          the activity would negatively impact the defense readiness  
24          or the national security of the United States.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
 2 authorized to be appropriated \$1,500,000 for each of fis-  
 3 cal years 2023 through 2028 to carry out this section.

## 4 **Subtitle B—Oil Spills**

### 5 **SEC. 321. IMPROVING OIL SPILL PREPAREDNESS.**

6 The Under Secretary of Commerce for Oceans and  
 7 Atmosphere shall include in the Automated Data Inquiry  
 8 for Oil Spills database (or a successor database) used by  
 9 National Oceanic and Atmospheric Administration oil  
 10 weathering models new data, including peer-reviewed data,  
 11 on properties of crude and refined oils, including data on  
 12 diluted bitumen, as such data becomes publicly available.

### 13 **SEC. 322. WESTERN ALASKA OIL SPILL PLANNING CRI-** 14 **TERIA.**

15 (a) ALASKA OIL SPILL PLANNING CRITERIA PRO-  
 16 GRAM.—

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

### 20 **“§ 323. Western Alaska Oil Spill Planning Criteria** 21 **Program**

22 “(a) ESTABLISHMENT.—There is established within  
 23 the Coast Guard a Western Alaska Oil Spill Planning Cri-  
 24 teria Program (referred to in this section as the ‘Pro-

1 gram') to develop and administer the Western Alaska oil  
2 spill planning criteria.

3 “(b) PROGRAM MANAGER.—

4 “(1) IN GENERAL.—Not later than 1 year after  
5 the date of the enactment of this section, the Com-  
6 mandant shall select a permanent civilian career em-  
7 ployee through a competitive search process for a  
8 term not less than 5 years to serve as the Western  
9 Alaska Oil Spill Criteria Program Manager (referred  
10 to in this section as the ‘Program Manager’)—

11 “(A) the primary duty of whom shall be to  
12 administer the Program; and

13 “(B) who shall not be subject to frequent  
14 or routine reassignment.

15 “(2) CONFLICTS OF INTEREST.—The individual  
16 selected to serve as the Program Manager shall not  
17 have conflicts of interest relating to entities regu-  
18 lated by the Coast Guard.

19 “(3) DUTIES.—

20 “(A) DEVELOPMENT OF GUIDANCE.—The  
21 Program Manager shall develop guidance for—

22 “(i) approval, drills, and testing relat-  
23 ing to the Western Alaska oil spill plan-  
24 ning criteria; and

1                   “(ii) gathering input concerning such  
2                   planning criteria from Federal agencies,  
3                   State, local, and Tribal governments, and  
4                   relevant industry and nongovernmental en-  
5                   tities.

6                   “(B) ASSESSMENTS.—Not less frequently  
7                   than once every 5 years, the Program Manager  
8                   shall—

9                   “(i) assess whether such existing plan-  
10                  ning criteria adequately meet the needs of  
11                  vessels operating in the geographic area;  
12                  and

13                  “(ii) identify methods for advancing  
14                  response capability so as to achieve, with  
15                  respect to a vessel, compliance with na-  
16                  tional planning criteria.

17                  “(C) ONSITE VERIFICATIONS.—The Pro-  
18                  gram Manager shall address the relatively small  
19                  number and limited nature of verifications of  
20                  response capabilities for vessel response plans  
21                  by increasing, within the Seventeenth Coast  
22                  Guard District, the quantity and frequency of  
23                  onsite verifications of the providers identified in  
24                  vessel response plans.

1           “(c) TRAINING.—The Commandant shall enhance the  
2 knowledge and proficiency of Coast Guard personnel with  
3 respect to the Program by—

4                   “(1) developing formalized training on the Pro-  
5 gram that, at a minimum—

6                           “(A) provides in-depth analysis of—

7                                   “(i) the national planning criteria de-  
8 scribed in part 155 of title 33, Code of  
9 Federal Regulations (or successor regula-  
10 tions);

11                                   “(ii) alternative planning criteria;

12                                   “(iii) Western Alaska oil spill plan-  
13 ning criteria;

14                                   “(iv) Captain of the Port and Federal  
15 On-Scene Coordinator authorities related  
16 to activation of a vessel response plan;

17                                   “(v) the responsibilities of vessel own-  
18 ers and operators in preparing a vessel re-  
19 sponse plan for submission; and

20                                   “(vi) responsibilities of the Area Com-  
21 mittee, including risk analysis, response  
22 capability, and development of alternative  
23 planning criteria;

24                                   “(B) explains the approval processes of  
25 vessel response plans that involve alternative

1 planning criteria or Western Alaska oil spill  
2 planning criteria; and

3 “(C) provides instruction on the processes  
4 involved in carrying out the actions described in  
5 paragraphs (9)(D) and (9)(F) of section 311(j)  
6 of the Federal Water Pollution Control Act (33  
7 U.S.C. 1321(j)), including instruction on car-  
8 rying out such actions—

9 “(i) in any geographic area in the  
10 United States; and

11 “(ii) specifically in the Seventeenth  
12 Coast Guard District; and

13 “(2) providing such training to all Coast Guard  
14 personnel involved in the Program.

15 “(d) DEFINITIONS.—In this section:

16 “(1) ALTERNATIVE PLANNING CRITERIA.—The  
17 term ‘alternative planning criteria’ means criteria  
18 submitted under section 155.1065 or 155.5067 of  
19 title 33, Code of Federal Regulations (or successor  
20 regulations), for vessel response plans.

21 “(2) TRIBAL.—The term ‘Tribal’ means of or  
22 pertaining to an Indian Tribe or a Tribal organiza-  
23 tion (as those terms are defined in section 4 of the  
24 Indian Self-Determination and Education Assistance  
25 Act (25 U.S.C. 5304)).



1 criteria’ means criteria submitted under  
2 section 155.1065 or 155.5067 of title 33,  
3 Code of Federal Regulations (or successor  
4 regulations), for vessel response plans.

5 “(ii) PRINCE WILLIAM SOUND CAP-  
6 TAIN OF THE PORT ZONE.—The term  
7 ‘Prince William Sound Captain of the Port  
8 Zone’ means the area described in section  
9 3.85–15(b) of title 33, Code of Federal  
10 Regulations (or successor regulations).

11 “(iii) SECRETARY.—The term ‘Sec-  
12 retary’ means the Secretary of the Depart-  
13 ment in which the Coast Guard is oper-  
14 ating.

15 “(iv) TRIBAL.—The term ‘Tribal’  
16 means of or pertaining to an Indian Tribe  
17 or a Tribal organization (as those terms  
18 are defined in section 4 of the Indian Self-  
19 Determination and Education Assistance  
20 Act (25 U.S.C. 5304)).

21 “(v) VESSEL RESPONSE PLAN.—The  
22 term ‘vessel response plan’ means a plan  
23 required to be submitted by the owner or  
24 operator of a tank vessel or a nontank ves-



1 sel under regulations issued by the Presi-  
2 dent under paragraph (5).

3 “(vi) WESTERN ALASKA CAPTAIN OF  
4 THE PORT ZONE.—The term ‘Western  
5 Alaska Captain of the Port Zone’ means  
6 the area described in section 3.85–15(a) of  
7 title 33, Code of Federal Regulations (as  
8 in effect on the date of enactment of this  
9 paragraph).

10 “(B) REQUIREMENT.—Except as provided  
11 in subparagraph (I), for any part of the area of  
12 responsibility of the Western Alaska Captain of  
13 the Port Zone or the Prince William Sound  
14 Captain of the Port Zone in which the Sec-  
15 retary has determined that the national plan-  
16 ning criteria established pursuant to this sub-  
17 section are inappropriate for a vessel operating  
18 in that area, a response plan required under  
19 paragraph (5) with respect to a discharge of oil  
20 for such a vessel shall comply with the planning  
21 criteria established under subparagraph (D)(i).

22 “(C) RELATION TO NATIONAL PLANNING  
23 CRITERIA.—The planning criteria established  
24 under subparagraph (D)(i) shall, with respect  
25 to a discharge of oil from a vessel described in



1                   “(II) standardized submission,  
2                   review, approval, and compliance  
3                   verification processes for the planning  
4                   criteria established under clause (i),  
5                   including the quantity and frequency  
6                   of drills and on-site verifications of  
7                   vessel response plans accepted pursu-  
8                   ant to those planning criteria; and  
9                   “(ii) may, as required to develop  
10                  standards that adequately reflect the needs  
11                  and capabilities of various locations within  
12                  the Western Alaska Captain of the Port  
13                  Zone, develop subregions in which the  
14                  Alaska oil spill planning criteria referred to  
15                  in clause (i)(I) may differ from such cri-  
16                  teria for other subregions in the Western  
17                  Alaska Captain of the Port Zone, provided  
18                  that any such criteria for a subregion is  
19                  not less stringent than the criteria required  
20                  for a worst case discharge of oil, and a  
21                  substantial threat of such a discharge,  
22                  within any part of the applicable sub-  
23                  region.  
24                  “(E) INCLUSIONS.—

1                   “(i) IN GENERAL.—The Western  
2 Alaska oil spill planning criteria estab-  
3 lished under subparagraph (D)(i) shall in-  
4 clude planning criteria for the following:

5                   “(I) Mechanical oil spill response  
6 resources that are required to be lo-  
7 cated within that area.

8                   “(II) Response times for mobili-  
9 zation of oil spill response resources  
10 and arrival on the scene of a worst  
11 case discharge of oil, or substantial  
12 threat of such a discharge, occurring  
13 within that area.

14                   “(III) Pre-identified vessels for  
15 oil spill response that are capable of  
16 operating in the ocean environment.

17                   “(IV) Ensuring the availability of  
18 at least 1 oil spill removal organiza-  
19 tion that is classified by the Coast  
20 Guard and that—

21                   “(aa) is capable of respond-  
22 ing in all operating environments  
23 in that area;

24                   “(bb) controls oil spill re-  
25 sponse resources of dedicated and

1 nondedicated resources within  
2 that area, through ownership,  
3 contracts, agreements, or other  
4 means approved by the Presi-  
5 dent, sufficient—

6 “(AA) to mobilize and  
7 sustain a response to a  
8 worst case discharge of oil;  
9 and

10 “(BB) to contain, re-  
11 cover, and temporarily store  
12 discharged oil;

13 “(cc) has pre-positioned oil  
14 spill response resources in stra-  
15 tegic locations throughout that  
16 area in a manner that ensures  
17 the ability to support response  
18 personnel, marine operations, air  
19 cargo, or other related logistics  
20 infrastructure;

21 “(dd) has temporary storage  
22 capability using both dedicated  
23 and non-dedicated assets located  
24 within that area;

1                   “(ee) has non-mechanical oil  
2 spill response resources, to be  
3 available under contracts, agree-  
4 ments, or other means approved  
5 by the President, capable of re-  
6 sponding to a discharge of per-  
7 sistent oil and a discharge of  
8 nonpersistent oil, whether the  
9 discharged oil was carried by a  
10 vessel as fuel or cargo; and

11                   “(ff) considers availability of  
12 wildlife response resources for  
13 primary, secondary, and tertiary  
14 responses to support carcass col-  
15 lection, sampling, deterrence, res-  
16 cue, and rehabilitation of birds,  
17 sea turtles, marine mammals,  
18 fishery resources, and other wild-  
19 life.

20                   “(V) With respect to tank barges  
21 carrying nonpersistent oil in bulk as  
22 cargo, oil spill response resources that  
23 are required to be carried on board.

24                   “(VI) Specifying a minimum  
25 length of time that approval of a re-

1                    sponse plan under this paragraph is  
2                    valid.

3                    “(VII) Managing wildlife protec-  
4                    tion and rehabilitation, including iden-  
5                    tified wildlife protection and rehabili-  
6                    tation resources in that area.

7                    “(ii)        ADDITIONAL        CONSIDER-  
8                    ATIONS.—The Commandant may consider  
9                    criteria regarding—

10                    “(I) vessel routing measures con-  
11                    sistent with international routing  
12                    measure deviation protocols; and

13                    “(II) maintenance of real-time  
14                    continuous vessel tracking, moni-  
15                    toring, and engagement protocols with  
16                    the ability to detect and address vessel  
17                    operation anomalies.

18                    “(F) REQUIREMENT FOR APPROVAL.—The  
19                    President may approve a response plan for a  
20                    vessel under this paragraph only if the owner or  
21                    operator of the vessel demonstrates the avail-  
22                    ability of the oil spill response resources re-  
23                    quired to be included in the response plan  
24                    under the planning criteria established under  
25                    subparagraph (D)(i).

1           “(G) PERIODIC AUDITS.—The Secretary  
2 shall conduct periodic audits to ensure compli-  
3 ance of vessel response plans and oil spill re-  
4 moval organizations within the Western Alaska  
5 Captain of the Port Zone and the Prince Wil-  
6 liam Sound Captain of the Port Zone with the  
7 planning criteria under subparagraph (D)(i).

8           “(H) REVIEW OF DETERMINATION.—Not  
9 less frequently than once every 5 years, the Sec-  
10 retary shall review each determination of the  
11 Secretary under subparagraph (B) that the na-  
12 tional planning criteria are inappropriate for a  
13 vessel operating in the area of responsibility of  
14 the Western Alaska Captain of the Port Zone  
15 and the Prince William Sound Captain of the  
16 Port Zone.

17           “(I) VESSELS IN COOK INLET.—Unless  
18 otherwise authorized by the Secretary, a vessel  
19 may only operate in Cook Inlet, Alaska, under  
20 a vessel response plan that meets the require-  
21 ments of the national planning criteria estab-  
22 lished pursuant to paragraph (5).

23           “(J) SAVINGS PROVISIONS.—Nothing in  
24 this paragraph affects—



1           “(i) the requirements under this sub-  
2           section applicable to vessel response plans  
3           for vessels operating within the area of re-  
4           sponsibility of the Western Alaska Captain  
5           of the Port Zone, within Cook Inlet, Alas-  
6           ka;

7           “(ii) the requirements under this sub-  
8           section applicable to vessel response plans  
9           for vessels operating within the area of re-  
10          sponsibility of the Prince William Sound  
11          Captain of the Port Zone under section  
12          5005 of the Oil Pollution Act of 1990 (33  
13          U.S.C. 2735); or

14          “(iii) the authority of a Federal On-  
15          Scene Coordinator to use any available re-  
16          sources when responding to an oil spill.”.

17           (2) ESTABLISHMENT OF ALASKA OIL SPILL  
18          PLANNING CRITERIA.—

19           (A) DEADLINE.—Not later than 2 years  
20          after the date of the enactment of this Act, the  
21          President shall establish the planning criteria  
22          required to be established under paragraph  
23          (9)(D)(i) of section 311(j) of the Federal Water  
24          Pollution Control Act (33 U.S.C. 1321(j)).

1           (B) CONSULTATION.—In establishing the  
2           planning criteria described in subparagraph  
3           (B), the President shall consult with the Fed-  
4           eral, State, local, and Tribal agencies, and the  
5           owners and operators, that would be subject to  
6           those planning criteria, oil spill removal organi-  
7           zations, Alaska Native organizations, and envi-  
8           ronmental nongovernmental organizations lo-  
9           cated within the State of Alaska.

10           (C) CONGRESSIONAL REPORT.—Not later  
11           than 2 years after the date of the enactment of  
12           this Act, the Secretary shall submit to Congress  
13           a report describing the status of implementa-  
14           tion of paragraph (9) of section 311(j) of the  
15           Federal Water Pollution Control Act (33 U.S.C.  
16           1321(j)).

17 **SEC. 323. ACCIDENT AND INCIDENT NOTIFICATION RELAT-**  
18 **ING TO PIPELINES.**

19           (a) REPEAL.—Subsection (c) of section 9 of the Pipe-  
20           line Safety, Regulatory Certainty, and Job Creation Act  
21           of 2011 (49 U.S.C. 60117 note; Public Law 112–90) is  
22           repealed.

23           (b) APPLICATION.—Section 9 of the Pipeline Safety,  
24           Regulatory Certainty, and Job Creation Act of 2011 (49  
25           U.S.C. 60117 note; Public Law 112–90) shall be applied

1 and administered as if the subsection repealed by sub-  
2 section (a) had never been enacted.

3 **SEC. 324. COAST GUARD CLAIMS PROCESSING COSTS.**

4 Section 1012(a)(4) of the Oil Pollution Act of 1990  
5 (33 U.S.C. 2712(a)(4)) is amended by striking “dam-  
6 ages;” and inserting “damages, including, in the case of  
7 a spill of national significance that results in extraordinary  
8 Coast Guard claims processing activities, the administra-  
9 tive and personnel costs of the Coast Guard to process  
10 those claims (including the costs of commercial claims  
11 processing, expert services, training, and technical serv-  
12 ices), subject to the condition that the Coast Guard shall  
13 submit to Congress a report describing the spill of national  
14 significance not later than 30 days after the date on which  
15 the Coast Guard determines it necessary to process those  
16 claims;”.

17 **SEC. 325. CALCULATION OF INTEREST ON DEBT OWED TO**  
18 **THE NATIONAL POLLUTION FUND.**

19 Section 1005(b)(4) of the Oil Pollution Act of 1990  
20 (33 U.S.C. 2705(b)(4)) is amended—

21 (1) by striking “The interest paid” and insert-  
22 ing the following:

23 “(A) IN GENERAL.—The interest paid for  
24 claims, other than Federal Government cost re-  
25 covery claims;” and

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

2 “(B) FEDERAL COST RECOVERY CLAIMS.—

3 The interest paid for Federal Government cost  
4 recovery claims under this section shall be cal-  
5 culated in accordance with section 3717 of title  
6 31, United States Code.”.

7 **SEC. 326. PER-INCIDENT LIMITATION.**

8 Subparagraph (A) of section 9509(c)(2) of the Inter-  
9 nal Revenue Code of 1986 is amended—

10 (1) in clause (i), by striking “\$1,000,000,000”  
11 and inserting “\$1,500,000,000”;

12 (2) in clause (ii), by striking “\$500,000,000”  
13 and inserting “\$750,000,000”; and

14 (3) in the heading, by striking “\$1,000,000,000”  
15 and inserting “\$1,500,000,000”.

16 **SEC. 327. ACCESS TO THE OIL SPILL LIABILITY TRUST**  
17 **FUND.**

18 Section 6002 of the Oil Pollution Act of 1990 (33  
19 U.S.C. 2752) is amended by striking subsection (b) and  
20 inserting the following:

21 “(b) EXCEPTIONS.—

22 “(1) IN GENERAL.—Subsection (a) shall not  
23 apply to—

24 “(A) section 1006(f), 1012(a)(4), or 5006;

25 or

1           “(B) an amount, which may not exceed  
2           \$50,000,000 in any fiscal year, made available  
3           by the President from the Fund—

4                   “(i) to carry out section 311(c) of the  
5                   Federal Water Pollution Control Act (33  
6                   U.S.C. 1321(c)); and

7                   “(ii) to initiate the assessment of nat-  
8                   ural resources damages required under sec-  
9                   tion 1006.

10           “(2) FUND ADVANCES.—

11                   “(A) IN GENERAL.—To the extent that the  
12                   amount described in subparagraph (B) of para-  
13                   graph (1) is not adequate to carry out the ac-  
14                   tivities described in that subparagraph, the  
15                   Coast Guard may obtain 1 or more advances  
16                   from the Fund as may be necessary, up to a  
17                   maximum of \$100,000,000 for each advance,  
18                   with the total amount of advances not to exceed  
19                   the amounts available under section 9509(e)(2)  
20                   of the Internal Revenue Code of 1986.

21                   “(B) NOTIFICATION TO CONGRESS.—Not  
22                   later than 30 days after the date on which the  
23                   Coast Guard obtains an advance under sub-  
24                   paragraph (A), the Coast Guard shall notify  
25                   Congress of—

1 “(i) the amount advanced; and

2 “(ii) the facts and circumstances that  
3 necessitated the advance.

4 “(C) REPAYMENT.—Amounts advanced  
5 under this paragraph shall be repaid to the  
6 Fund when, and to the extent that, removal  
7 costs are recovered by the Coast Guard from re-  
8 sponsible parties for the discharge or substan-  
9 tial threat of discharge.

10 “(3) AVAILABILITY.—Amounts to which this  
11 subsection applies shall remain available until ex-  
12 pended.”.

13 **SEC. 328. COST-REIMBURSABLE AGREEMENTS.**

14 Section 1012 of the Oil Pollution Act of 1990 (33  
15 U.S.C. 2712) is amended—

16 (1) in subsection (a)(1)(B), by striking “by a  
17 Governor or designated State official” and inserting  
18 “by a State, a political subdivision of a State, or an  
19 Indian tribe, pursuant to a cost-reimbursable agree-  
20 ment”;

21 (2) by striking subsections (d) and (e) and in-  
22 serting the following:

23 “(d) COST-REIMBURSABLE AGREEMENT.—

24 “(1) IN GENERAL.—In carrying out section  
25 311(c) of the Federal Water Pollution Control Act

1 (33 U.S.C. 1321(e)), the President may enter into  
2 cost-reimbursable agreements with a State, a polit-  
3 ical subdivision of a State, or an Indian tribe to obli-  
4 gate the Fund for the payment of removal costs con-  
5 sistent with the National Contingency Plan.

6 “(2) INAPPLICABILITY.—Neither section 1535  
7 of title 31, United States Code, nor chapter 63 of  
8 that title shall apply to a cost-reimbursable agree-  
9 ment entered into under this subsection.”; and

10 (3) by redesignating subsections (f), (h), (i), (j),  
11 (k), and (l) as subsections (e), (f), (g), (h), (i), and  
12 (j), respectively.

13 **SEC. 329. OIL SPILL RESPONSE REVIEW.**

14 (a) IN GENERAL.—Subject to the availability of ap-  
15 propriations, the Commandant shall develop and carry out  
16 a program—

17 (1) to increase collection and improve the qual-  
18 ity of incident data on oil spill location and response  
19 capability by periodically evaluating the data, docu-  
20 mentation, and analysis of—

21 (A) Coast Guard-approved vessel response  
22 plans, including vessel response plan audits and  
23 assessments;

24 (B) oil spill response drills conducted  
25 under section 311(j)(7) of the Federal Water

1 Pollution Control Act (33 U.S.C. 1321(j)(7))  
2 that occur within the Marine Transportation  
3 System; and

4 (C) responses to oil spill incidents that re-  
5 quire mobilization of contracted response re-  
6 sources;

7 (2) to update, not less frequently than annually,  
8 information contained in the Coast Guard Response  
9 Resource Inventory and other Coast Guard tools  
10 used to document the availability and status of oil  
11 spill response equipment, so as to ensure that such  
12 information remains current; and

13 (3) subject to section 552 of title 5, United  
14 States Code (commonly known as the “Freedom of  
15 Information Act”), to make data collected under  
16 paragraph (1) available to the public.

17 (b) POLICY.—Not later than 1 year after the date  
18 of the enactment of this Act, the Commandant shall issue  
19 a policy—

20 (1) to establish processes to maintain the pro-  
21 gram under subsection (a) and support Coast Guard  
22 oil spill prevention and response activities, including  
23 by incorporating oil spill incident data from after-ac-  
24 tion oil spill reports and data ascertained from vessel  
25 response plan exercises and audits into—



1 (A) review and approval process standards  
2 and metrics;

3 (B) Alternative Planning Criteria (APC)  
4 review processes;

5 (C) Area Contingency Plan (ACP) develop-  
6 ment; and

7 (D) risk assessments developed under sec-  
8 tion 70001 of title 46, United States Code, in-  
9 cluding lessons learned from reportable marine  
10 casualties;

11 (2) to standardize and develop tools, training,  
12 and other relevant guidance that may be shared with  
13 vessel owners and operators to assist with accurately  
14 calculating and measuring the performance and via-  
15 bility of proposed alternatives to national planning  
16 criteria requirements and Area Contingency Plans  
17 under the jurisdiction of the Coast Guard;

18 (3) to improve training of Coast Guard per-  
19 sonnel to ensure continuity of planning activities  
20 under this section, including by identifying ways in  
21 which civilian staffing may improve the continuity of  
22 operations; and

23 (4) to increase Federal Government engage-  
24 ment with State, local, and Tribal governments and

1 stakeholders so as to strengthen coordination and ef-  
2 ficiency of oil spill responses.

3 (c) PERIODIC UPDATES.—Not less frequently than  
4 every 5 years, the Commandant shall update the processes  
5 established under subsection (b)(1) to incorporate relevant  
6 analyses of—

7 (1) incident data on oil spill location and re-  
8 sponse quality;

9 (2) oil spill risk assessments;

10 (3) oil spill response effectiveness and the af-  
11 fects of such response on the environment;

12 (4) oil spill response drills conducted under sec-  
13 tion 311(j)(7) of the Federal Water Pollution Con-  
14 trol Act (33 U.S.C. 1321(j)(7));

15 (5) marine casualties reported to the Coast  
16 Guard; and

17 (6) near miss incidents documented by a Vessel  
18 Traffic Service Center (as such terms are defined in  
19 sections 70001(m) of title 46, United States Code).

20 (d) REPORT.—

21 (1) IN GENERAL.—Not later than 1 year after  
22 the date of the enactment of this Act, and annually  
23 thereafter for 5 years, the Commandant shall pro-  
24 vide to the Committee on Commerce, Science, and  
25 Transportation of the Senate and the Committee on

1       Transportation and Infrastructure of the House of  
2       Representatives a briefing on the status of ongoing  
3       and planned efforts to improve the effectiveness and  
4       oversight of the vessel response program.

5               (2) PUBLIC AVAILABILITY.—The Commandant  
6       shall publish the report required by subparagraph  
7       (A) on a publicly accessible internet website of the  
8       Coast Guard.

9       **SEC. 330. REVIEW AND REPORT ON LIMITED INDEMNITY**  
10               **PROVISIONS IN STANDBY OIL SPILL RE-**  
11               **SPONSE CONTRACTS.**

12       (a) IN GENERAL.—Not later than 1 year after the  
13       date of enactment of this Act, the Comptroller General  
14       of the United States shall submit to the Committee on  
15       Commerce, Science, and Transportation of the Senate and  
16       the Committee on Transportation and Infrastructure of  
17       the House of Representatives a report on the effects of  
18       removing limited indemnity provisions from Coast Guard  
19       oil spill response contracts entered into by the President  
20       (or a delegate) under section 311(c) of the Federal Water  
21       Pollution Control Act (33 U.S.C. 1321(c)).

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

24               (1) An assessment of the adequacy of contracts  
25       described in that subsection in meeting the needs of

1 the United States to carry out oil spill clean-ups  
2 under the National Contingency Plan (as defined in  
3 section 311(a) of the Federal Water Pollution Con-  
4 trol Act (33 U.S.C. 1321(a)) during the period be-  
5 ginning in 2009 and ending in 2014 with respect to  
6 those contracts that included limited indemnity pro-  
7 visions for oil spill response organizations.

8 (2) A review of the costs incurred by the Coast  
9 Guard, the Oil Spill Liability Trust Fund estab-  
10 lished by section 9509(a) of the Internal Revenue  
11 Code of 1986, and the Federal Government to cover  
12 the indemnity provisions provided to oil spill re-  
13 sponse organizations during the period described in  
14 paragraph (1).

15 (3) An assessment of the adequacy of contracts  
16 described in that subsection in meeting the needs of  
17 the United States to carry out oil spill clean-ups  
18 under the National Contingency Plan (as so defined)  
19 after limited indemnity provisions for oil spill re-  
20 sponse organizations were removed from those con-  
21 tracts in 2014.

22 (4) An assessment of the impact that the re-  
23 moval of limited indemnity provisions described in  
24 paragraph (3) has had on the ability of oil spill re-

1        sponse organizations to enter into contracts de-  
2        scribed in that subsection.

3                (5) An assessment of the ability of the Oil Spill  
4        Liability Trust Fund established by section 9509(a)  
5        of the Internal Revenue Code of 1986, to cover lim-  
6        ited indemnity provided to a contractor for liabilities  
7        and expenses incidental to the containment or re-  
8        moval of oil arising out of the performance of a con-  
9        tract that is substantially identical to the terms con-  
10       tained in subsections (d)(2) through (h) of section  
11       H.4 of the contract offered by the Coast Guard in  
12       the solicitation numbered DTCG89-98-A-68F953  
13       and dated November 17, 1998.

14       **SEC. 331. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR**  
15                        **TOWING VESSELS.**

16        (a) IN GENERAL.—Not later than 180 days after the  
17        date of enactment of this Act, the Secretary shall review  
18        existing Coast Guard policies with respect to exceptions  
19        to the applicability of subchapter M of chapter I of title  
20        46, Code of Federal Regulations (or successor regula-  
21        tions), for—

22                (1) an oil spill response vessel, or a vessel of op-  
23        portunity, while such vessel is—

24                        (A) towing boom for oil spill response; or

1 (B) participating in an oil response exer-  
2 cise; and

3 (2) a fishing vessel while that vessel is oper-  
4 ating as a vessel of opportunity.

5 (b) POLICY.—Not later than 180 days after the con-  
6 clusion of the review required by subsection (a), the Sec-  
7 retary shall revise or issue any necessary policy to clarify  
8 the applicability of subchapter M of chapter I of title 46,  
9 Code of Federal Regulations (or successor regulations) to  
10 the vessels described in subsection (a). Such a policy shall  
11 ensure safe and effective operation of such vessels.

12 (c) DEFINITIONS.—In this section:

13 (1) FISHING VESSEL; OIL SPILL RESPONSE VES-  
14 SEL.—The terms “fishing vessel” and “oil spill re-  
15 sponse vessel” have the meanings given such terms  
16 in section 2101 of title 46, United States Code.

17 (2) VESSEL OF OPPORTUNITY.—The term “ves-  
18 sel of opportunity” means a vessel engaged in spill  
19 response activities that is normally and substantially  
20 involved in activities other than spill response and  
21 not a vessel carrying oil as a primary cargo.

1                   **Subtitle C—Environmental**  
2                   **Compliance**

3 **SEC. 341. REVIEW OF ANCHORAGE REGULATIONS.**

4           (a) REGULATORY REVIEW.—Not later than 1 year  
5 after the date of enactment of this Act, the Secretary shall  
6 complete a review of existing anchorage regulations or  
7 other rules and identify regulations or rules that may need  
8 modification in the interest of marine safety, security, and  
9 environmental concerns, taking into account undersea  
10 pipelines, cables, or other infrastructure.

11          (b) BRIEFING.—Upon completion of the review under  
12 paragraph (1), but not later than 2 years after the date  
13 of enactment of this Act, the Secretary shall provide a  
14 briefing to the Committee on Commerce, Science, and  
15 Transportation of the Senate and the Committee on  
16 Transportation and Infrastructure of the House of Rep-  
17 resentatives that summarizes the review.

18 **SEC. 342. STUDY ON IMPACTS ON SHIPPING AND COMMER-**  
19                   **CIAL, TRIBAL, AND RECREATIONAL FISH-**  
20                   **ERIES FROM THE DEVELOPMENT OF RENEW-**  
21                   **ABLE ENERGY ON THE WEST COAST.**

22          (a) DEFINITIONS.—In this section:

23           (1) COVERED WATERS.—The term “covered  
24 waters” means Federal or State waters off of the

1 Canadian border and out to the furthest extent of  
2 the exclusive economic zone.

3 (2) EXCLUSIVE ECONOMIC ZONE.—The term  
4 “exclusive economic zone” has the meaning given  
5 that term in section 107 of title 46, United States  
6 Code.

7 (b) STUDY.—Not later than 180 days after the date  
8 of enactment of this Act, the Secretary, the Secretary of  
9 the Interior, and the Under Secretary of Commerce for  
10 Oceans and Atmosphere, shall enter into an agreement  
11 with the National Academy of Sciences under which the  
12 National Academy of Sciences shall carry out a study to—

13 (1) identify, document, and analyze—

14 (A) historic and current, as of the date of  
15 the study, Tribal, commercial, and recreational  
16 fishing grounds, as well as areas where fish  
17 stocks are likely to shift in the future in all cov-  
18 ered waters;

19 (B) usual and accustomed fishing areas in  
20 all covered waters;

21 (C) historic, current, and potential future  
22 shipping lanes, based on projected growth in  
23 shipping traffic in all covered waters; and

24 (D) key data needed to properly site re-  
25 newable energy sites on the West Coast;



1 (2) analyze—

2 (A) methods used to manage fishing, ship-  
3 ping, and other maritime activities; and

4 (B) how those activities could be impacted  
5 by the placement of renewable energy infra-  
6 structure and the associated construction, main-  
7 tenance, and operation such infrastructure; and

8 (3) provide recommendations on appropriate  
9 areas for renewable energy sites and outline a com-  
10 prehensive approach to include all impacted coastal  
11 communities, particularly Tribal governments and  
12 fisheries communities, in the decision-making proc-  
13 ess.

14 (c) SUBMISSION.—Not later than 1 year after com-  
15 mencing the study under subsection (b), the Secretary  
16 shall—

17 (1) submit the study to the Committee on Com-  
18 merce, Science, and Transportation of the Senate  
19 and the Committee on Transportation and Infra-  
20 structure of the House of Representatives, including  
21 all recommendations provided under subsection  
22 (b)(3); and

23 (2) make the study publicly available.

1     **Subtitle D—Environmental Issues**

2     **SEC. 351. MODIFICATIONS TO THE SPORT FISH RESTORA-**  
3                   **TION AND BOATING TRUST FUND ADMINIS-**  
4                   **TRATION.**

5           (a) DINGELL-JOHNSON SPORT FISH RESTORATION  
6     ACT AMENDMENTS.—

7           (1)       AVAILABLE        AMOUNTS.—Section  
8           4(b)(1)(B)(i) of the Dingell-Johnson Sport Fish  
9           Restoration Act (16 U.S.C. 777c(b)(1)(B)(i)) is  
10          amended by striking subclause (I) and inserting the  
11          following:

12                                   “(I) the product obtained by mul-  
13                                   tiplying—

14   “(aa) \$12,786,434; and

15   “(bb) the change, relative to  
16                                   the preceding fiscal year, in the  
17                                   Consumer Price Index for All  
18                                   Urban Consumers published by  
19                                   the Department of Labor; and”.

20          (2) AUTHORIZED EXPENSES.—Section 9(a) of  
21          the Dingell-Johnson Sport Fish Restoration Act (16  
22          U.S.C. 777h(a)) is amended—

23                   (A) in paragraph (7), by striking “full-  
24                   time”; and

1 (B) in paragraph (9), by striking “on a  
2 full-time basis”.

3 (b) PITTMAN-ROBERTSON WILDLIFE RESTORATION  
4 ACT AMENDMENTS.—

5 (1) AVAILABLE AMOUNTS.—Section  
6 4(a)(1)(B)(i) of the Pittman-Robertson Wildlife Res-  
7 toration Act (16 U.S.C. 669c(a)(1)(B)(i)) is amend-  
8 ed by striking subclause (I) and inserting the fol-  
9 lowing:

10 “(I) the product obtained by mul-  
11 tiplying—

12 “(aa) \$12,786,434; and

13 “(bb) the change, relative to  
14 the preceding fiscal year, in the  
15 Consumer Price Index for All  
16 Urban Consumers published by  
17 the Department of Labor; and”.

18 (2) AUTHORIZED EXPENSES.—Section 9(a) of  
19 the Pittman-Robertson Wildlife Restoration Act (16  
20 U.S.C. 669h(a)) is amended—

21 (A) in paragraph (7), by striking “full-  
22 time”; and

23 (B) in paragraph (9), by striking “on a  
24 full-time basis”.

1 **SEC. 352. IMPROVEMENTS TO COAST GUARD COMMUNICA-**  
2 **TION WITH NORTH PACIFIC MARITIME AND**  
3 **FISHING INDUSTRY.**

4 (a) RESCUE 21 SYSTEM IN ALASKA.—

5 (1) UPGRADES.—The Commandant shall ensure  
6 the timely upgrade of the Rescue 21 system in Alas-  
7 ka so as to achieve, not later than August 30, 2023,  
8 98 percent operational availability of remote fixed  
9 facility sites.

10 (2) PLAN TO REDUCE OUTAGES.—

11 (A) IN GENERAL.—Not later than 180  
12 days after the date of the enactment of this  
13 Act, the Commandant shall develop an oper-  
14 ations and maintenance plan for the Rescue 21  
15 system in Alaska that anticipates maintenance  
16 needs so as to reduce Rescue 21 system outages  
17 to the maximum extent practicable.

18 (B) PUBLIC AVAILABILITY.—The plan re-  
19 quired by subparagraph (A) shall be made  
20 available to the public on a publicly accessible  
21 internet website.

22 (3) REPORT REQUIRED.—Not later than 180  
23 days after the date of the enactment of this Act, the  
24 Commandant shall submit to the Committee on  
25 Commerce, Science, and Transportation of the Sen-  
26 ate and the Committee on Transportation and Infra-

1 structure of the House of Representatives a report  
2 that—

3 (A) contains a plan for the Coast Guard to  
4 notify mariners of radio outages for towers  
5 owned and operated by the Seventeenth Coast  
6 Guard District;

7 (B) addresses in such plan how the Seven-  
8 teenth Coast Guard will—

9 (i) disseminate updates regarding out-  
10 ages on social media not less frequently  
11 than every 48 hours;

12 (ii) provide updates on a publicly ac-  
13 cessible website not less frequently than  
14 every 48 hours;

15 (iii) develop methods for notifying  
16 mariners in areas in which cellular  
17 connectivity does not exist; and

18 (iv) develop and advertise a web-based  
19 communications update hub on AM/FM  
20 radio for mariners; and

21 (C) identifies technology gaps necessary to  
22 implement the plan and provides a budgetary  
23 assessment necessary to implement the plan.

24 (4) CONTINGENCY PLAN.—

1           (A) IN GENERAL.—Not later than 180  
2 days after the date of the enactment of this  
3 Act, the Commandant shall, in collaboration  
4 with relevant Federal and State entities (includ-  
5 ing the North Pacific Fishery Management  
6 Council, the National Oceanic and Atmospheric  
7 Administration Weather Service, the National  
8 Oceanic and Atmospheric Administration Fish-  
9 eries Service, agencies of the State of Alaska,  
10 local radio stations, and stakeholders), establish  
11 a contingency plan to ensure that notifications  
12 of an outage of the Rescue 21 system in Alaska  
13 are broadly disseminated in advance of such  
14 outage.

15           (B) ELEMENTS.—The plan required by  
16 subparagraph (A) shall require Coast Guard—

17           (i) to disseminate updates regarding  
18 outages on social media not less frequently  
19 than every 48 hours during an outage;

20           (ii) to provide updates on a publicly  
21 accessible website not less frequently than  
22 every 48 hours during an outage;

23           (iii) to notify mariners in areas in  
24 which cellular connectivity does not exist;

1 (iv) to develop and advertise a web-  
2 based communications update hub on AM/  
3 FM radio for mariners; and

4 (v) to identify technology gaps nec-  
5 essary to implement the plan and provides  
6 a budgetary assessment necessary to im-  
7 plement the plan.

8 (b) IMPROVEMENTS TO COMMUNICATION WITH THE  
9 FISHING INDUSTRY AND RELATED STAKEHOLDERS.—

10 (1) IN GENERAL.—The Commandant, in coordi-  
11 nation with the National Commercial Fishing Safety  
12 Advisory Committee established by section 15102 of  
13 title 46, United States Code, shall develop a publicly  
14 accessible internet website that contains all Coast  
15 Guard-related information relating to the fishing in-  
16 dustry, including safety information, inspection and  
17 enforcement requirements, hazards, training, regula-  
18 tions (including proposed regulations), Rescue 21  
19 system outages and similar outages, and any infor-  
20 mation regarding fishing-related activities under the  
21 jurisdiction of the Coast Guard.

22 (2) AUTOMATIC COMMUNICATIONS.—The Com-  
23 mandant shall provide methods for regular and auto-  
24 matic email communications with stakeholders who

1 elect, through the internet website developed under  
2 paragraph (1), to receive such communications.

3 (c) **ADVANCE NOTIFICATION OF MILITARY OR**  
4 **OTHER EXERCISES.**—In consultation with the Secretary  
5 of Defense, the Secretary of State, and commercial fishing  
6 industry participants, the Commandant shall develop and  
7 publish on a publicly available internet website a plan for  
8 notifying United States mariners and the operators of  
9 United States fishing vessels in advance of—

10 (1) military exercises in the exclusive economic  
11 zone of the United States (as defined in section 3  
12 of the Magnuson-Stevens Fishery Conservation and  
13 Management Act (16 U.S.C. 1802)); or

14 (2) other military activities that will impact rec-  
15 reational or commercial activities.

16 **SEC. 353. FISHING SAFETY TRAINING GRANTS PROGRAM.**

17 Section 4502(i)(4) of title 46, United States Code,  
18 is amended by striking “2018 through 2021” and insert-  
19 ing “2023 through 2025”.

20 **SEC. 354. LOAD LINES.**

21 (a) **DEFINITION OF COVERED FISHING VESSEL.**—In  
22 this section, the term “covered fishing vessel” means a  
23 vessel that operates exclusively in one, or both, of the  
24 Thirteenth and Seventeenth Coast Guard Districts and  
25 that—



1           (1) was constructed, under construction, or  
2           under contract to be constructed as a fish tender  
3           vessel before January 1, 1980;

4           (2) was converted for use as a fish tender vessel  
5           before January 1, 2022, and—

6                   (A) the vessel has a current stability letter  
7                   issued in accordance with regulations prescribed  
8                   under chapter 51 of title 46, United States  
9                   Code; and

10                   (B) the hull and internal structure of the  
11                   vessel has been verified as suitable for intended  
12                   service as examined by a marine surveyor of an  
13                   organization accepted by the Secretary 2 times  
14                   in the 5 years preceding the date of the deter-  
15                   mination under this subsection, with no interval  
16                   of more than 3 years between such examina-  
17                   tions; or

18           (3) operates part-time as a fish tender vessel  
19           for a period of less than 180 days.

20           (b) APPLICATION TO CERTAIN VESSELS.—During  
21           the period beginning on the date of enactment of this Act  
22           and ending on the date that is 3 years after the date on  
23           which the report required under subsection (c) is sub-  
24           mitted, the load line requirements of chapter 51 of title

1 46, United States Code, shall not apply to covered fishing  
2 vessels.

3 (c) GAO REPORT.—

4 (1) IN GENERAL.—Not later than 12 months  
5 after the date of enactment of this Act, the Comp-  
6 troller General of the United States shall submit to  
7 the Committee on Commerce, Science, and Trans-  
8 portation of the Senate and the Committee on  
9 Transportation and Infrastructure of the House of  
10 Representatives—

11 (A) a report on the safety and seaworthi-  
12 ness of vessels referenced in section 5102(b)(5)  
13 of title 46, United States Code; and

14 (B) recommendations for exempting cer-  
15 tain vessels from the load line requirements  
16 under chapter 51 of title 46 of such Code.

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

19 (A) An assessment of stability require-  
20 ments of vessels referenced in section  
21 5102(b)(5) of title 46, United States Code.

22 (B) An analysis of vessel casualties, mis-  
23 haps, or other safety information relevant to  
24 load line requirements when a vessel is oper-  
25 ating part-time as a fish tender vessel.

1 (C) An assessment of any other safety in-  
2 formation as the Comptroller General deter-  
3 mines appropriate.

4 (D) A list of all vessels that, as of the date  
5 of the report—

6 (i) are covered under section  
7 5102(b)(5) of title 46, United States Code;

8 (ii) are acting as part-time fish tender  
9 vessels; and

10 (iii) are subject to any captain of the  
11 port zone subject to the oversight of the  
12 Commandant.

13 (3) CONSULTATION.—In preparing the report  
14 required under paragraph (1), the Comptroller Gen-  
15 eral shall consider consultation with, at a minimum,  
16 the maritime industry, including—

17 (A) relevant Federal, State, and tribal  
18 maritime associations and groups; and

19 (B) relevant federally funded research in-  
20 stitutions, nongovernmental organizations, and  
21 academia.

22 (d) APPLICABILITY.—Nothing in this section shall  
23 limit any authority available, as of the date of enactment  
24 of this Act, to the captain of a port with respect to safety

1 measures or any other authority as necessary for the safe-  
2 ty of covered fishing vessels.

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

5 **SEC. 361. DEFINITIONS.**

6       In this subtitle:

7           (1) **FORCED LABOR.**—The term “forced labor”  
8       means any labor or service provided for or obtained  
9       by any means described in section 1589(a) of title  
10      18, United States Code.

11          (2) **HUMAN TRAFFICKING.**—The term “human  
12      trafficking” has the meaning given the term “severe  
13      forms of trafficking in persons” in section 103 of  
14      the Trafficking Victims Protection Act of 2000 (22  
15      U.S.C. 7102).

16          (3) **ILLEGAL, UNREPORTED, OR UNREGULATED**  
17      **FISHING.**—The term “illegal, unreported, or unregu-  
18      lated fishing” has the meaning given such term in  
19      the implementing regulations or any subsequent reg-  
20      ulations issued pursuant to section 609(e) of the  
21      High Seas Driftnet Fishing Moratorium Protection  
22      Act (16 U.S.C. 1826j(e)).

23          (4) **OPPRESSIVE CHILD LABOR.**—The term “op-  
24      pressive child labor” has the meaning given such

1 term in section 3 of the Fair Labor Standards Act  
2 of 1938 (29 U.S.C. 203).

3 (5) SEAFOOD.—The term “seafood” means all  
4 marine animal and plant life meant for consumption  
5 as food other than marine mammals and birds, in-  
6 cluding fish, shellfish, shellfish products, and proc-  
7 essed fish.

8 (6) SEAFOOD IMPORT MONITORING PROGRAM.—  
9 The term “Seafood Import Monitoring Program”  
10 means the Seafood Traceability Program established  
11 in subpart Q of part 300 of title 50, Code of Federal  
12 Regulations (or any successor regulation).

13 (7) SECRETARY.—The term “Secretary” means  
14 the Secretary of Commerce, acting through the Ad-  
15 ministrator of the National Oceanic and Atmos-  
16 pheric Administration.

17 **CHAPTER 1—COMBATING HUMAN TRAF-**  
18 **FICKING THROUGH SEAFOOD IMPORT**  
19 **MONITORING**

20 **SEC. 362. ENHANCEMENT OF SEAFOOD IMPORT MONI-**  
21 **TORING PROGRAM AUTOMATED COMMER-**  
22 **CIAL ENVIRONMENT MESSAGE SET.**

23 The Secretary, in coordination with the Commis-  
24 sioner of U.S. Customs and Border Protection, shall, not  
25 later than 6 months after the date of enactment of this

1 Act, develop a strategy to improve the quality and  
2 verifiability of already collected Seafood Import Moni-  
3 toring Program Message Set data elements in the Auto-  
4 mated Commercial Environment system. Such strategy  
5 shall prioritize the use of enumerated data types, such as  
6 checkboxes, dropdown menus, or radio buttons, and any  
7 additional elements the Administrator of the National  
8 Oceanic and Atmospheric Administration finds appro-  
9 priate.

10 **SEC. 363. DATA SHARING AND AGGREGATION.**

11 (a) INTERAGENCY WORKING GROUP ON ILLEGAL,  
12 UNREPORTED, OR UNREGULATED FISHING.—Section  
13 3551(c) of the Maritime SAFE Act (16 U.S.C. 8031(c))  
14 is amended—

15 (1) by redesignating paragraphs (4) through  
16 (13) as paragraphs (5) through (14), respectively;  
17 and

18 (2) by inserting after paragraph (3) the fol-  
19 lowing:

20 “(4) maximizing the utility of the import data  
21 collected by the members of the Working Group by  
22 harmonizing data standards and entry fields;”.

23 (b) PROHIBITION ON AGGREGATED CATCH DATA  
24 FOR CERTAIN SPECIES.—Beginning not later than 1 year  
25 after the date of enactment of this Act, for the purposes

1 of compliance with respect to Northern red snapper under  
2 the Seafood Import Monitoring Program, the Secretary  
3 may not allow an aggregated harvest report of such spe-  
4 cies, regardless of vessel size.

5 **SEC. 364. IMPORT AUDITS.**

6 (a) **AUDIT PROCEDURES.**—The Secretary shall, not  
7 later than 1 year after the date of enactment of this Act,  
8 implement procedures to audit information and supporting  
9 records of sufficient numbers of imports of seafood and  
10 seafood products subject to the Seafood Import Moni-  
11 toring Program to support statistically robust conclusions  
12 that the samples audited are representative of all seafood  
13 imports covered by the Seafood Import Monitoring Pro-  
14 gram with respect to a given year.

15 (b) **EXPANSION OF MARINE FORENSICS LABORA-**  
16 **TORY.**—The Secretary shall, not later than 1 year after  
17 the date of enactment of this Act, begin the process of  
18 expanding the National Oceanic and Atmospheric Admin-  
19 istration’s Marine Forensics Laboratory, including by es-  
20 tablishing sufficient capacity for the development and de-  
21 ployment of rapid, and follow-up, analysis of field-based  
22 tests focused on identifying Seafood Import Monitoring  
23 Program species, and prioritizing such species at high risk  
24 of illegal, unreported, or unregulated fishing and seafood  
25 fraud.

1 (c) ANNUAL REVISION.—In developing the proce-  
2 dures required in subsection (a), the Secretary shall use  
3 predictive analytics to inform whether to revise such pro-  
4 cedures to prioritize for audit those imports originating  
5 from nations—

6 (1) identified pursuant to sections 609(a) or  
7 610(a) of the High Seas Driftnet Fishing Morato-  
8 rium Protection Act (16 U.S.C. 1826j(a) or  
9 1826k(a)) that have not yet received a subsequent  
10 positive certification pursuant to sections 609(d) or  
11 610(e) of such Act, respectively;

12 (2) identified by an appropriate regional fishery  
13 management organization as being the flag state or  
14 landing location of vessels identified by other nations  
15 or regional fisheries management organizations as  
16 engaging in illegal, unreported, or unregulated fish-  
17 ing;

18 (3) identified as having human trafficking or  
19 forced labor in any part of the seafood supply chain,  
20 including on vessels flagged in such nation, and in-  
21 cluding feed for cultured production, in the most re-  
22 cent Trafficking in Persons Report issued by the  
23 Department of State in accordance with the Traf-  
24 ficking Victims Protection Act of 2000 (22 U.S.C.  
25 7101 et seq.);



1           (4) identified as producing goods that contain  
2           seafood using forced labor or oppressive child labor  
3           in the most recent List of Goods Produced by Child  
4           Labor or Forced Labor in accordance with the Traf-  
5           ficking Victims Protection Act (22 U.S.C. 7101 et  
6           seq.); and

7           (5) identified as at risk for human trafficking,  
8           including forced labor, in their seafood catching and  
9           processing industries by the report required under  
10          section 3563 of the Maritime SAFE Act (Public  
11          Law 116–92).

12 **SEC. 365. AVAILABILITY OF FISHERIES INFORMATION.**

13          Section 402(b)(1) of the Magnuson-Stevens Fishery  
14          Conservation and Management Act (16 U.S.C.  
15          1881a(b)(1)) is amended—

16               (1) in subparagraph (G), by striking “or” after  
17               the semicolon;

18               (2) in subparagraph (H), by striking the period  
19               and inserting “; or”; and

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

21                       “(I) to Federal agencies, to the extent nec-  
22                       essary and appropriate, to administer Federal  
23                       programs established to combat illegal, unre-  
24                       ported, or unregulated fishing (as defined in  
25                       section 361 of the Coast Guard Authorization

1 Act of 2022) or forced labor (as defined in sec-  
2 tion 361 of the Coast Guard Authorization Act  
3 of 2022), which shall not include an authoriza-  
4 tion for such agencies to release data to the  
5 public unless such release is related to enforce-  
6 ment.”.

7 **SEC. 366. AUTHORITY TO HOLD FISH PRODUCTS.**

8 Section 311(b)(1) of the Magnuson-Stevens Fishery  
9 Conservation and Management Act (16 U.S.C.  
10 1861(b)(1)) is amended—

11 (1) in subparagraph (B), by striking “and”  
12 after the semicolon;

13 (2) in subparagraph (C), by striking the period  
14 and inserting “; and”; and

15 (3) by adding at the end the following a new  
16 subparagraph:

17 “(D) detain, for a period of not more than 14  
18 days, any shipment of fish or fish product imported  
19 into, landed on, introduced into, exported from, or  
20 transported within the jurisdiction of the United  
21 States, or, if such fish or fish product is determined  
22 to be perishable, sell and retain the proceeds there-  
23 from for a period of not more than 21 days.”.

1 **SEC. 367. REPORT ON SEAFOOD IMPORT MONITORING PRO-**  
2 **GRAM.**

3 (a) REPORT TO CONGRESS AND PUBLIC AVAIL-  
4 ABILITY OF REPORTS.—The Secretary shall, not later  
5 than 120 days after the end of each fiscal year, submit  
6 to the Committee on Commerce, Science, and Transpor-  
7 tation of the Senate and the Committee on Natural Re-  
8 sources of the House of Representatives a report that  
9 summarizes the National Marine Fisheries Service’s ef-  
10 forts to prevent the importation of seafood harvested  
11 through illegal, unreported, or unregulated fishing, par-  
12 ticularly with respect to seafood harvested, produced,  
13 processed, or manufactured by forced labor. Each such re-  
14 port shall be made publicly available on the website of the  
15 National Oceanic and Atmospheric Administration.

16 (b) CONTENTS.—Each report submitted under sub-  
17 section (a) shall include—

18 (1) the volume and value of seafood species sub-  
19 ject to the Seafood Import Monitoring Program, re-  
20 ported by 10-digit Harmonized Tariff Schedule of  
21 the United States codes, imported during the pre-  
22 vious fiscal year;

23 (2) the enforcement activities and priorities of  
24 the National Marine Fisheries Service with respect  
25 to implementing the requirements under the Seafood  
26 Import Monitoring Program;

1           (3) the percentage of import shipments subject  
2           to the Seafood Import Monitoring Program selected  
3           for inspection or the information or records sup-  
4           porting entry selected for audit, as described in sec-  
5           tion 300.324(d) of title 50, Code of Federal Regula-  
6           tions;

7           (4) the number and types of instances of non-  
8           compliance with the requirements of the Seafood Im-  
9           port Monitoring Program;

10          (5) the number and types of instances of viola-  
11          tions of State or Federal law discovered through the  
12          Seafood Import Monitoring Program;

13          (6) the seafood species with respect to which  
14          violations described in paragraphs (4) and (5) were  
15          most prevalent;

16          (7) the location of catch or harvest with respect  
17          to which violations described in paragraphs (4) and  
18          (5) were most prevalent;

19          (8) the additional tools, such as high perform-  
20          ance computing and associated costs, that the Sec-  
21          retary needs to improve the efficacy of the Seafood  
22          Import Monitoring Program; and

23          (9) such other information as the Secretary  
24          considers appropriate with respect to monitoring and

1 enforcing compliance with the Seafood Import Moni-  
2 toring Program.

3 **SEC. 368. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated to the Com-  
5 missioner of U.S. Customs and Border Protection to carry  
6 out enforcement actions pursuant to section 307 of the  
7 Tariff Act of 1930 (19 U.S.C. 1307) \$20,000,000 for each  
8 of fiscal years 2023 through 2027.

9 **CHAPTER 2—STRENGTHENING INTER-**  
10 **NATIONAL FISHERIES MANAGEMENT**  
11 **TO COMBAT HUMAN TRAFFICKING**

12 **SEC. 370. DENIAL OF PORT PRIVILEGES.**

13 Section 101(a)(2) of the High Seas Driftnet Fish-  
14 eries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amend-  
15 ed to read as follows:

16 “(2) DENIAL OF PORT PRIVILEGES.—The Sec-  
17 retary of Homeland Security shall, in accordance  
18 with international law—

19 “(A) withhold or revoke the clearance re-  
20 quired by section 60105 of title 46, United  
21 States Code, for any large-scale driftnet fishing  
22 vessel of a nation that receives a negative cer-  
23 tification under sections 609(d) or 610(c) of the  
24 High Seas Driftnet Fishing Moratorium Protec-  
25 tion Act (16 U.S.C. 1826j(d) or 1826k(c)), or

1 fishing vessels of a nation that has been listed  
2 pursuant to section 609(b) or section 610(a) of  
3 such Act (16 U.S.C. 1826j(b) or 1826k(a)) in  
4 2 or more consecutive reports for the same type  
5 of fisheries activity, as described under section  
6 607 of such Act (16 U.S.C. 1826h), until a  
7 positive certification has been received;

8 “(B) withhold or revoke the clearance re-  
9 quired by section 60105 of title 46, United  
10 States Code, for fishing vessels of a nation that  
11 has been listed pursuant to sections 609(a) or  
12 610(a) of the High Seas Driftnet Fishing Mor-  
13 atorium Protection Act (16 U.S.C. 1826j(a) or  
14 1826k(a)) in 2 or more consecutive reports as  
15 described under section 607 of such Act (16  
16 U.S.C. 1826h); and

17 “(C) deny entry of that vessel to any place  
18 in the United States and to the navigable  
19 waters of the United States, except for the pur-  
20 poses of inspecting such vessel, conducting an  
21 investigation, or taking other appropriate en-  
22 forcement action.”.

1 **SEC. 371. IDENTIFICATION AND CERTIFICATION CRITERIA.**

2 (a) DENIAL OF PORT PRIVILEGES.—Section 609(a)  
3 of the High Seas Driftnet Fishing Moratorium Protection  
4 Act (16 U.S.C. 1826j(a)) is amended—

5 (1) by striking paragraph (2) and inserting the  
6 following:

7 “(2) FOR ACTIONS OF A NATION.—The Sec-  
8 retary shall identify, and list in such report, a nation  
9 engaging in or endorsing illegal, unreported, or un-  
10 regulated fishing. In determining which nations to  
11 list in such report, the Secretary shall consider the  
12 following:

13 “(A) Any nation that is violating, or has  
14 violated at any point during the 3 years pre-  
15 ceding the date of the determination, conserva-  
16 tion and management measures, including catch  
17 and other data reporting obligations and re-  
18 quirements, required under an international  
19 fishery management agreement to which the  
20 United States is a party.

21 “(B) Any nation that is failing, or has  
22 failed in the 3-year period preceding the date of  
23 the determination, to effectively address or reg-  
24 ulate illegal, unreported, or unregulated fishing  
25 within its fleets in any areas where its vessels  
26 are fishing.

1           “(C) Any nation that fails to discharge du-  
2           ties incumbent upon it under international law  
3           or practice as a flag, port, or coastal state to  
4           take action to prevent, deter, and eliminate ille-  
5           gal, unreported, or unregulated fishing.

6           “(D) Any nation that has been identified  
7           as producing for export to the United States  
8           seafood-related goods through forced labor or  
9           oppressive child labor (as those terms are de-  
10          fined in section 361 of the Coast Guard Au-  
11          thorization Act of 2022) in the most recent List  
12          of Goods Produced by Child Labor or Forced  
13          Labor in accordance with the Trafficking Vic-  
14          tims Protection Act of 2000 (22 U.S.C. 7101 et  
15          seq.).”; and

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

17          “(4) TIMING.—The Secretary shall make an  
18          identification under paragraph (1) or (2) at any  
19          time that the Secretary has sufficient information to  
20          make such identification.”.

21          (b) ILLEGAL, UNREPORTED, OR UNREGULATED CER-  
22          TIFICATION DETERMINATION.—Section 609 of the High  
23          Seas Driftnet Fishing Moratorium Protection Act (16  
24          U.S.C. 1826j) is amended in subsection (d), by striking  
25          paragraph (3) and inserting the following:



1           “(3) EFFECT OF CERTIFICATION DETERMINA-  
2           TION.—

3           “(A) EFFECT OF NEGATIVE CERTIFI-  
4           CATION.—The provisions of subsection (a) and  
5           paragraphs (3) and (4) of subsection (b) of sec-  
6           tion 101 of the High Seas Driftnet Fisheries  
7           Enforcement Act (16 U.S.C. 1826a(a) and  
8           (b)(3) and (4)) shall apply to any nation that,  
9           after being identified and notified under sub-  
10          section (b) has failed to take the appropriate  
11          corrective actions for which the Secretary has  
12          issued a negative certification under this sub-  
13          section.

14          “(B) EFFECT OF POSITIVE CERTIFI-  
15          CATION.—The provisions of subsection (a) and  
16          paragraphs (3) and (4) of subsection (b) of sec-  
17          tion 101 of the High Seas Driftnet Fisheries  
18          Enforcement Act (16 U.S.C. 1826a(a) and  
19          (b)(3) and (4)) shall not apply to any nation  
20          identified under subsection (a) for which the  
21          Secretary has issued a positive certification  
22          under this subsection.”.

1 **SEC. 372. EQUIVALENT CONSERVATION MEASURES.**

2 (a) IDENTIFICATION.—Section 610(a) of the High  
3 Seas Driftnet Fishing Moratorium Protection Act (16  
4 U.S.C. 1826k(a)) is amended to read as follows:

5 “(a) IDENTIFICATION.—

6 “(1) IN GENERAL.—The Secretary shall iden-  
7 tify and list in the report under section 607—

8 “(A) a nation if—

9 “(i) any fishing vessel of that nation  
10 is engaged, or has been engaged during the  
11 3 years preceding the date of the deter-  
12 mination, in fishing activities or practices  
13 on the high seas or within the exclusive  
14 economic zone of any nation, that have re-  
15 sulted in bycatch of a protected living ma-  
16 rine resource; and

17 “(ii) the vessel’s flag state has not  
18 adopted, implemented, and enforced a reg-  
19 ulatory program governing such fishing de-  
20 signed to end or reduce such bycatch that  
21 is comparable in effectiveness to the regu-  
22 latory program of the United States, tak-  
23 ing into account differing conditions; and

24 “(B) a nation if—

25 “(i) any fishing vessel of that nation  
26 is engaged, or has engaged during the 3

1 years preceding the date of the determina-  
2 tion, in fishing activities on the high seas  
3 or within the exclusive economic zone of  
4 another nation that target or incidentally  
5 catch sharks; and

6 “(ii) the vessel’s flag state has not  
7 adopted, implemented, and enforced a reg-  
8 ulatory program to provide for the con-  
9 servation of sharks, including measures to  
10 prohibit removal of any of the fins of a  
11 shark, including the tail, before landing the  
12 shark in port, that is comparable to that of  
13 the United States.

14 “(2) TIMING.—The Secretary shall make an  
15 identification under paragraph (1) at any time that  
16 the Secretary has sufficient information to make  
17 such identification.”.

18 (b) CONSULTATION AND NEGOTIATION.—Section  
19 610(b) of the High Seas Driftnet Fishing Moratorium  
20 Protection Act (16 U.S.C. 1826k(b)) is amended to read  
21 as follows:

22 “(b) CONSULTATION AND NEGOTIATION.—The Sec-  
23 retary of State, acting in conjunction with the Secretary,  
24 shall—

1           “(1) notify, as soon as practicable, the Presi-  
2           dent and nations that are engaged in, or that have  
3           any fishing vessels engaged in, fishing activities or  
4           practices described in subsection (a), about the pro-  
5           visions of this Act;

6           “(2) initiate discussions as soon as practicable  
7           with all foreign nations that are engaged in, or a  
8           fishing vessel of which has engaged in, fishing activi-  
9           ties described in subsection (a), for the purpose of  
10          entering into bilateral and multilateral treaties with  
11          such nations to protect such species and to address  
12          any underlying failings or gaps that may have con-  
13          tributed to identification under this Act;

14          “(3) seek agreements calling for international  
15          restrictions on fishing activities or practices de-  
16          scribed in subsection (a) through the United Na-  
17          tions, the Committee on Fisheries of the Food and  
18          Agriculture Organization of the United Nations, and  
19          appropriate international fishery management bod-  
20          ies; and

21          “(4) initiate the amendment of any existing  
22          international treaty for the protection and conserva-  
23          tion of such species to which the United States is a  
24          party in order to make such treaty consistent with  
25          the purposes and policies of this section.”.

1 (c) CONSERVATION CERTIFICATION PROCEDURE.—

2 Section 610(c) of the High Seas Driftnet Fishing Morato-  
3 rium Protection Act (16 U.S.C. 1826k(c)) is amended—

4 (1) in paragraph (2), by inserting “the public  
5 and” after “comment by”; and

6 (2) in paragraph (5), by striking “(except to  
7 the extent that such provisions apply to sport fishing  
8 equipment or fish or fish products not caught by the  
9 vessels engaged in illegal, unreported, or unregulated  
10 fishing)”.

11 (d) DEFINITION OF PROTECTED LIVING MARINE RE-  
12 SOURCE.—Section 610(e) of the High Seas Driftnet Fish-  
13 ing Moratorium Protection Act (16 U.S.C. 1826k(e)) is  
14 amended by striking paragraph (1) and inserting the fol-  
15 lowing:

16 “(1) except as provided in paragraph (2),  
17 means nontarget fish, sea turtles, or marine mam-  
18 mals that are protected under United States law or  
19 international agreement, including—

20 “(A) the Marine Mammal Protection Act  
21 of 1972 (16 U.S.C. 1361 et seq.);

22 “(B) the Endangered Species Act of 1973  
23 (16 U.S.C. 1531 et seq.);

24 “(C) the Shark Finning Prohibition Act  
25 (16 U.S.C. 1822 note); and

1                   “(D) the Convention on International  
2                   Trade in Endangered Species of Wild Fauna  
3                   and Flora, done at Washington March 3, 1973  
4                   (27 UST 1087; TIAS 8249); but”.

5 **SEC. 373. CAPACITY BUILDING IN FOREIGN FISHERIES.**

6           (a) IN GENERAL.—The Secretary of Commerce, in  
7           consultation with the heads of other Federal agencies, as  
8           appropriate, shall develop and carry out with partner gov-  
9           ernments and civil society—

10                   (1) multi-year international environmental co-  
11                   operation agreements and projects; and

12                   (2) multi-year capacity-building projects for im-  
13                   plementing measures to address illegal, unreported,  
14                   or unregulated fishing, fraud, forced labor, bycatch,  
15                   and other conservation measures.

16           (b) CAPACITY BUILDING.—Section 3543(d) of the  
17           Maritime SAFE Act (16 U.S.C. 8013(d)) is amended—

18                   (1) in the matter preceding paragraph (1), by  
19                   striking “as appropriate,”; and

20                   (2) in paragraph (3), by striking “as appro-  
21                   priate” and inserting “for all priority regions identi-  
22                   fied by the Working Group”.

23           (c) REPORTS.—Section 3553 of the Maritime SAFE  
24           Act (16 U.S.C. 8033) is amended—

1           (1) in paragraph (7), by striking “and” after  
2           the semicolon;

3           (2) in paragraph (8), by striking the period at  
4           the end and inserting “; and”; and

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

6           “(9) the status of work with global enforcement  
7           partners.”.

8   **SEC. 374. TRAINING OF UNITED STATES OBSERVERS.**

9           Section 403(b) of the Magnuson-Stevens Fishery  
10          Conservation and Management Act (16 U.S.C. 1881b(b))  
11          is amended—

12           (1) in paragraph (3), by striking “and” after  
13           the semicolon;

14           (2) by redesignating paragraph (4) as para-  
15           graph (5); and

16           (3) by inserting after paragraph (3) the fol-  
17           lowing:

18           “(4) ensure that each observer has received  
19           training to identify indicators of forced labor (as de-  
20           fined in section 361 of the Coast Guard Authoriza-  
21           tion Act of 2022) and human trafficking (as defined  
22           in section 361 of the Coast Guard Authorization Act  
23           of 2022) and refer this information to appropriate  
24           authorities; and”.

1 **SEC. 375. REGULATIONS.**

2 Not later than 1 year after the date of enactment  
3 of this Act, the Secretary shall promulgate such regula-  
4 tions as may be necessary to carry out this title.

5 **TITLE IV—SUPPORT FOR COAST**  
6 **GUARD WORKFORCE**

7 **Subtitle A—Support for Coast**  
8 **Guard Members and Families**

9 **SEC. 401. COAST GUARD CHILD CARE IMPROVEMENTS.**

10 (a) FAMILY DISCOUNT FOR CHILD DEVELOPMENT  
11 SERVICES.—Section 2922(b)(2) of title 14, United States  
12 Code, is amended by adding at the end the following:

13 “(D) In the case of an active duty member with  
14 two or more children attending a Coast Guard child  
15 development center, the Commandant may modify  
16 the fees to be charged for attendance for the second  
17 and any subsequent child of such member by an  
18 amount that is 15 percent less than the amount of  
19 the fee otherwise chargeable for the attendance of  
20 the first such child enrolled at the center, or another  
21 fee as the Commandant determines appropriate, con-  
22 sistent with multiple children.”.

23 (b) CHILD DEVELOPMENT CENTER STANDARDS AND  
24 INSPECTIONS.—Section 2923(a) of title 14, United States  
25 Code, is amended to read as follows:



1           “(a) STANDARDS.—The Commandant shall require  
2 each Coast Guard child development center to meet stand-  
3 ards of operation—

4           “(1) that the Commandant considers appro-  
5 priate to ensure the health, safety, and welfare of  
6 the children and employees at the center; and

7           “(2) necessary for accreditation by an appro-  
8 priate national early childhood programs accrediting  
9 entity.”.

10       (c) CHILD CARE SUBSIDY PROGRAM.—

11           (1) AUTHORIZATION.—

12           (A) IN GENERAL.—Subchapter II of chap-  
13 ter 29 of title 14, United States Code, is  
14 amended by inserting at the end the following:

15 **“§ 2927. Child care subsidy program**

16       “(a) AUTHORITY.—The Commandant may operate a  
17 child care subsidy program to provide financial assistance  
18 to eligible providers that provide child care services or  
19 youth program services to members of the Coast Guard  
20 and any other individual the Commandant considers ap-  
21 propriate, if—

22           “(1) providing such financial assistance—

23           “(A) is in the best interests of the Coast  
24 Guard; and

1           “(B) enables supplementation or expansion  
2           of the provision of Coast Guard child care serv-  
3           ices, while not supplanting or replacing Coast  
4           Guard child care services; and

5           “(2) the Commandant ensures, to the extent  
6           practicable, that the eligible provider is able to com-  
7           ply, and does comply, with the regulations, policies,  
8           and standards applicable to Coast Guard child care  
9           services.

10          “(b) ELIGIBLE PROVIDERS.—A provider of child care  
11         services or youth program services is eligible for financial  
12         assistance under this section if the provider—

13           “(1) is licensed to provide such services under  
14           applicable State and local law;

15           “(2) is registered in an au pair program of the  
16           Department of State;

17           “(3) is a family home daycare; or

18           “(4) is a provider of family child care services  
19         that—

20           “(A) otherwise provides federally funded or  
21           federally sponsored child development services;

22           “(B) provides such services in a child de-  
23           velopment center owned and operated by a pri-  
24           vate, not-for-profit organization;

1           “(C) provides a before-school or after-  
2 school child care program in a public school fa-  
3 cility;

4           “(D) conducts an otherwise federally fund-  
5 ed or federally sponsored school-age child care  
6 or youth services program;

7           “(E) conducts a school-age child care or  
8 youth services program operated by a not-for-  
9 profit organization;

10           “(F) provides in-home child care, such as  
11 a nanny or an au pair; or

12           “(G) is a provider of another category of  
13 child care services or youth program services  
14 the Commandant considers appropriate for  
15 meeting the needs of members or civilian em-  
16 ployees of the Coast Guard.

17       “(c) FUNDING.—To provide financial assistance  
18 under this subsection, the Commandant may use any  
19 funds appropriated for the Coast Guard for operation and  
20 maintenance.”.

21           (B) CLERICAL AMENDMENT.—The analysis  
22 for chapter 29 of title 14, United States Code,  
23 is amended by inserting after the item relating  
24 to section 2926 the following:

“2927. Child care subsidy program.”.

1           (2) EXPANSION OF CHILD CARE SUBSIDY PRO-  
2           GRAM.—

3           (A) IN GENERAL.—The Commandant  
4           shall—

5                   (i) evaluate potential eligible uses for  
6                   the child care subsidy program established  
7                   under section 2927 of title 14, United  
8                   States Code (referred to in this paragraph  
9                   as the “program”); and

10                   (ii) expand the eligible uses of funds  
11                   for the program to accommodate the child  
12                   care needs of members of the Coast Guard  
13                   (including such members with nonstandard  
14                   work hours and surge or other deployment  
15                   cycles), including by providing funds di-  
16                   rectly to such members instead of care pro-  
17                   viders.

18           (B) CONSIDERATIONS.—In evaluating po-  
19           tential eligible uses under subparagraph (A),  
20           the Commandant shall consider au pairs, nanny  
21           services, nanny shares, in-home child care serv-  
22           ices, care services such as supplemental care for  
23           children with disabilities, and any other child  
24           care delivery method the Commandant con-  
25           siders appropriate.

1           (C) REQUIREMENTS.—In establishing ex-  
2           panded eligible uses of funds for the program,  
3           the Commandant shall ensure that such uses—

4                   (i) are in the best interests of the  
5                   Coast Guard;

6                   (ii) provide flexibility for members of  
7                   the Coast Guard, including such members  
8                   and employees with nonstandard work  
9                   hours; and

10                   (iii) ensure a safe environment for de-  
11                   pendents of such members and employees.

12           (D) PUBLICATION.—Not later than 18  
13           months after the date of the enactment of this  
14           Act, the Commandant shall publish an updated  
15           Commandant Instruction Manual (referred to  
16           in this paragraph as the “manual”) that de-  
17           scribes the expanded eligible uses of the pro-  
18           gram.

19           (E) REPORT.—

20                   (i) IN GENERAL.—Not later than 18  
21                   months after the date of the enactment of  
22                   this Act, the Commandant shall submit to  
23                   the Committee on Commerce, Science, and  
24                   Transportation of the Senate and the  
25                   Committee on Transportation and Infra-

1 structure of the House of Representatives  
2 a report outlining the expansion of the pro-  
3 gram.

4 (ii) ELEMENTS.—The report required  
5 by clause (i) shall include the following:

6 (I) An analysis of the consider-  
7 ations described in subparagraph (B).

8 (II) A description of the analysis  
9 used to identify eligible uses that were  
10 evaluated and incorporated into the  
11 manual under subparagraph (D).

12 (III) A full analysis and justifica-  
13 tion with respect to the forms of care  
14 that were ultimately not included in  
15 the manual.

16 (IV) Any recommendation with  
17 respect to funding or additional au-  
18 thorities necessary, including pro-  
19 posals for legislative change, to meet  
20 the current and anticipated future  
21 child care subsidy demands of the  
22 Coast Guard.

1 **SEC. 402. ARMED FORCES ACCESS TO COAST GUARD CHILD**  
2 **CARE FACILITIES.**

3 Section 2922(a) of title 14, United States Code, is  
4 amended to read as follows:

5 “(a)(1) The Commandant may make child develop-  
6 ment services available, in such priority as the Com-  
7 mandant considers to be appropriate and consistent with  
8 readiness and resources and in the best interests of de-  
9 pendants of members and civilian employees of the Coast  
10 Guard, for—

11 “(A) members and civilian employees of the  
12 Coast Guard;

13 “(B) surviving dependents of members of the  
14 Coast Guard who have died on active duty, if such  
15 dependents were beneficiaries of a Coast Guard child  
16 development service at the time of the death of such  
17 members;

18 “(C) members of the armed forces (as defined  
19 in section 101 of title 10, United States Code); and

20 “(D) Federal civilian employees.

21 “(2) Child development service benefits provided  
22 under the authority of this section shall be in addition to  
23 benefits provided under other laws.”.

24 **SEC. 403. CADET PREGNANCY POLICY IMPROVEMENTS.**

25 (a) REGULATIONS REQUIRED.—Not later than 18  
26 months after the date of the enactment of this Act, the

1 Secretary of the department in which the Coast Guard is  
2 operating, in consultation with the Secretary of Defense,  
3 shall prescribe regulations that—

4 (1) preserve parental guardianship rights of ca-  
5 dets who become pregnant or father a child while at-  
6 tending the Coast Guard Academy; and

7 (2) maintain military and academic require-  
8 ments for graduation and commissioning.

9 (b) BRIEFING.—Not later than 180 days after the  
10 date of the enactment of this Act, the Secretary of the  
11 department in which the Coast Guard is operating shall  
12 provide to the Committee on Commerce, Science, and  
13 Transportation of the Senate and the Committee on  
14 Transportation and Infrastructure of the House of Rep-  
15 resentatives a briefing on the development of the regula-  
16 tions required by subsection (a).

17 **SEC. 404. PILOT PROGRAM FOR FERTILITY TREATMENTS.**

18 (a) FINDINGS.—Congress makes the following find-  
19 ings:

20 (1) Members of the Coast Guard face unique  
21 challenges in addressing infertility issues.

22 (2) Frequent deployments, dislocation, trans-  
23 fers, and operational tempo impart unique stresses  
24 to members of the Coast Guard and their families.



1 The same stressors often disrupt or make fertility  
2 treatments impractical or cost prohibitive.

3 (3) Only 6 military treatment facilities in the  
4 United States offer fertility treatments to members  
5 of the Armed Forces.

6 (b) AUTHORIZATION.—

7 (1) IN GENERAL.—Not later than 180 days  
8 after the date of the enactment of this Act, the  
9 Commandant shall establish a pilot program for all  
10 qualified members of the Coast Guard for the pur-  
11 pose of expanding access to fertility treatment cen-  
12 ters.

13 (2) INCLUSIONS.—The pilot program required  
14 by paragraph (1) may expand access and availability  
15 of fertility-related medical care and treatments, as  
16 determined by the Commandant.

17 (3) CONSIDERATION OF METHODS TO EXPAND  
18 ACCESS.—As part of the pilot program under this  
19 section, the Commandant shall consider methods to  
20 expand access to fertility treatments for members of  
21 the Coast Guard, including by—

22 (A) examining support to improve access  
23 to fertility services traditionally considered non-  
24 essential and not covered by the TRICARE pro-  
25 gram (as defined under section 1072(7) of title

1           10, United States Code), such as medications,  
2           reproductive counseling, and other treatments;

3           (B) exploring ways to increase access to  
4           military treatment facilities that offer assistive  
5           reproductive technology services, consistent  
6           with—

7                   (i) the Department of Defense Joint  
8           Travel Regulations issued on June 1,  
9           2022; and

10                   (ii) the Coast Guard Supplement to  
11           the Joint Travel Regulations issued on  
12           June 28, 2019;

13           (C) developing a process to allow assign-  
14           ment or reassignment of members of the Coast  
15           Guard requesting fertility treatments to a loca-  
16           tion conducive to receiving treatments; and

17           (D) in a case in which use of military  
18           treatment facilities is not available or prac-  
19           ticable, entering into partnerships with private-  
20           sector fertility treatment providers; and

21           (E) providing flexible working hours, duty  
22           schedules, and administrative leave to allow for  
23           necessary treatments, appointments, and other  
24           services associated with receipt of fertility treat-  
25           ments and associated care.

1 (c) DURATION.—The duration of the pilot program  
2 under subsection (a) shall be not less than 5 years begin-  
3 ning on the date on which the pilot program is established.

4 (d) DISCHARGE ON DISTRICT BASIS.—The Com-  
5 mandant—

6 (1) may carry out the pilot program on a dis-  
7 trict basis; and

8 (2) shall include remote and urban units in the  
9 pilot program.

10 **SEC. 405. COMBAT-RELATED SPECIAL COMPENSATION.**

11 (a) REPORT AND BRIEFING.—Not later than 90 days  
12 after the date of the enactment of this Act, and every 180  
13 days thereafter until the date that is 5 years after the  
14 date on which the initial report is submitted under this  
15 subsection, the Commandant shall submit a report and  
16 provide an in-person briefing to the Committee on Com-  
17 merce, Science, and Transportation of the Senate and the  
18 Committee on Transportation and Infrastructure of the  
19 House of Representatives on the implementation of section  
20 221 of the Coast Guard Authorization Act of 2015 (Public  
21 Law 114–120; 10 U.S.C. 1413a note).

22 (b) ELEMENTS.—Each report and briefing required  
23 by subsection (a) shall include the following:

1           (1) A description of methods to educate mem-  
2           bers and retirees on the combat-related special com-  
3           pensation program.

4           (2) Statistics regarding enrollment in such pro-  
5           gram for members of the Coast Guard and Coast  
6           Guard retirees.

7           (3) A summary of each of the following:

8                   (A) Activities carried out relating to the  
9                   education of members of the Coast Guard par-  
10                  ticipating in the Transition Assistance Program  
11                  with respect to the combat-related special com-  
12                  pensation program.

13                   (B) Activities carried out relating to the  
14                   education of members of the Coast Guard who  
15                   are engaged in missions in which they are sus-  
16                   ceptible to injuries that may result in qualifica-  
17                   tion for combat-related special compensation,  
18                   including flight school, the National Motor Life-  
19                   boat School, deployable special forces, and other  
20                   training programs as the Commandant con-  
21                   siders appropriate.

22                   (C) Activities carried out relating to train-  
23                   ing physicians and physician assistants em-  
24                   ployed by the Coast Guard, or otherwise sta-  
25                   tioned in Coast Guard clinics, sickbays, or other

1 locations at which medical care is provided to  
2 members of the Coast Guard, for the purpose  
3 of ensuring, during medical examinations, ap-  
4 propriate counseling and documentation of  
5 symptoms, injuries, and the associated incident  
6 that resulted in such injuries.

7 (D) Activities relating to the notification of  
8 health service officers with respect to the com-  
9 bat-related special compensation program.

10 (4) The written guidance provided to members  
11 of the Coast Guard regarding necessary record-  
12 keeping to ensure eligibility for benefits under such  
13 program.

14 (5) Any other matter relating to combat-related  
15 special compensation the Commandant considers ap-  
16 propriate.

17 (c) DISABILITY DUE TO CHEMICAL OR HAZARDOUS  
18 MATERIAL EXPOSURE.—Section 221(a)(2) of the Coast  
19 Guard Reauthorization Act of 2015 (Public Law 114–120;  
20 10 U.S.C. 1413a note) is amended, in the matter pre-  
21 ceding subparagraph (A)—

22 (1) by striking “and hazardous” and inserting  
23 “, hazardous”; and

24 (2) by inserting “, or a duty in which chemical  
25 or other hazardous material exposure has occurred

1 (such as during marine inspections or pollution re-  
2 sponse activities)” after “surfman”).

3 **SEC. 406. RESTORATION OF AMOUNTS IMPROPERLY WITH-**  
4 **HELD FOR TAX PURPOSES FROM SEVERANCE**  
5 **PAYMENTS TO VETERANS OF THE COAST**  
6 **GUARD WITH COMBAT-RELATED INJURIES.**

7 (a) APPLICATION TO MEMBERS OF THE COAST  
8 GUARD WHEN THE COAST GUARD IS NOT OPERATING  
9 AS A SERVICE IN THE DEPARTMENT OF THE NAVY.—The  
10 Combat-Injured Veterans Tax Fairness Act of 2016 (Pub-  
11 lic Law 114–292; 10 U.S.C. 1212 note) is amended—

12 (1) in section 3—

13 (A) in subsection (a)—

14 (i) in the matter preceding paragraph  
15 (1), by inserting “(and the Secretary of  
16 Homeland Security, with respect to the  
17 Coast Guard when it is not operating as a  
18 service in the Department of the Navy,  
19 and the Secretary of Transportation, with  
20 respect to the Coast Guard during the pe-  
21 riod in which it was operating as a service  
22 in the Department of Transportation), in  
23 coordination with the Secretary of the  
24 Treasury,” after “the Secretary of De-  
25 fense”;

1 (ii) in paragraph (1)(A)—

2 (I) in clause (i), by striking “the  
3 Secretary” and inserting “the Sec-  
4 retary of Defense (or the Secretary of  
5 Homeland Security or the Secretary  
6 of Transportation, with respect to the  
7 Coast Guard, as applicable)”;

8 (II) in clause (ii), by striking  
9 “the Secretary” and inserting “the  
10 Secretary of Defense (or the Secretary  
11 of Homeland Security or the Sec-  
12 retary of Transportation, with respect  
13 to the Coast Guard, as applicable)”;  
14 and

15 (III) in clause (iv), striking “the  
16 Secretary” and inserting “the Sec-  
17 retary of Defense (or the Secretary of  
18 Homeland Security or the Secretary  
19 of Transportation, with respect to the  
20 Coast Guard, as applicable)”;

21 (iii) in paragraph (2), by amending  
22 subparagraph (B) to read as follows:

23 “(B) instructions for—

1                   “(i) filing amended tax returns to re-  
2                   cover the amounts improperly withheld for  
3                   tax purposes; and

4                   “(ii) requesting standard refund  
5                   amounts described in subsection (b).”;

6                   (B) by redesignating subsection (b) as sub-  
7                   section (c); and

8                   (C) by inserting after subsection (a) the  
9                   following:

10                  “(b) STANDARD REFUND AMOUNTS DESCRIBED.—

11                  The standard refund amounts described in this subsection  
12                  are—

13                         “(1) \$1,750 for tax years 1991 through 2005;

14                         “(2) \$2,400 for tax years 2006 through 2010;

15                  and

16                         “(3) \$3,200 for tax years 2011 through 2016.”;

17                         (2) in section 4—

18                         (A) in the section heading, by inserting

19                         “**AND THE SECRETARY OF THE DEPART-**

20                         **MENT IN WHICH THE COAST GUARD IS OP-**

21                         **ERATING”** after “**SECRETARY OF DE-**

22                         **FENSE”**;

23                         (B) by inserting “(and the Secretary of the

24                         Department in which the Coast Guard is oper-

25                         ating when it is not operating as a service in



1 the Department of the Navy), in coordination  
2 with the Secretary of the Treasury,” after “The  
3 Secretary of Defense”; and

4 (C) by striking “made by the Secretary”  
5 and inserting “made by the Secretary of De-  
6 fense (and the Secretary of the Department in  
7 which the Coast Guard is operating with re-  
8 spect to the Coast Guard)”; and

9 (3) in section 5—

10 (A) in subsection (a)—

11 (i) by inserting “(and the Secretary of  
12 the Department in which the Coast Guard  
13 is operating, with respect to the Coast  
14 Guard when it is not operating as a service  
15 in the Department of the Navy, and the  
16 Secretary of Transportation, with respect  
17 to the Coast Guard during the period in  
18 which it was operating as a service in the  
19 Department of Transportation)” after “the  
20 Secretary of Defense”; and

21 (ii) by striking “the Secretary to” and  
22 inserting “the Secretary of Defense (or the  
23 Secretary of Homeland Security or the  
24 Secretary of Transportation, with respect  
25 to the Coast Guard, as applicable) to”; and

1 (B) in subsection (b)—

2 (i) in paragraph (2), by striking “the  
3 Secretary” and inserting “the Secretary of  
4 Defense (or the Secretary of Homeland Se-  
5 curity or the Secretary of Transportation,  
6 with respect to the Coast Guard, as appli-  
7 cable)”; and

8 (ii) in paragraph (3), by striking “the  
9 Secretary” and inserting “the Secretary of  
10 Defense (or the Secretary of Homeland Se-  
11 curity, with respect to the Coast Guard  
12 when it is not operating as a service in the  
13 Department of the Navy)”.

14 (b) DEADLINES.—

15 (1) IDENTIFICATION OF AMOUNTS IMPROPERLY  
16 WITHHELD AND REPORTING.—The Secretary of  
17 Homeland Security and the Secretary of Transpor-  
18 tation, in coordination with the Secretary of the  
19 Treasury, shall carry out the requirements under—

20 (A) section 3(a) of the Combat-Injured  
21 Veterans Tax Fairness Act of 2016 (Public  
22 Law 114–292; 10 U.S.C. 1212 note), as  
23 amended by subsection (a)(1)(A), not later than  
24 1 year after the date of the enactment of this  
25 Act; and

1 (B) section 5 of that Act, as amended by  
2 subsection (a)(3), not later than 1 year after  
3 the date of the enactment of this Act.

4 (2) ENSURING AMOUNTS ARE NOT IMPROPERLY  
5 WITHHELD.—The Secretary of Homeland Security  
6 shall carry out the requirements under section 4 of  
7 the Combat-Injured Veterans Tax Fairness Act of  
8 2016 (Public Law 114–292; 10 U.S.C. 1212 note),  
9 as amended by subsection (a)(2), beginning on the  
10 date of the enactment of this Act.

11 **SEC. 407. MODIFICATION OF BASIC NEEDS ALLOWANCE**  
12 **FOR MEMBERS OF THE COAST GUARD.**

13 (a) IN GENERAL.—Section 402b of title 37, United  
14 States Code, is amended—

15 (1) by redesignating subsections (h) through (k)  
16 as subsections (i) through (l), respectively; and

17 (2) by inserting after subsection (g) the fol-  
18 lowing:

19 “(h) SPECIAL RULE FOR MEMBERS OF COAST  
20 GUARD.—

21 “(1) IN GENERAL.—In the case of a member of  
22 the Coast Guard, the Secretary concerned shall—

23 “(A) determine under subsection (f) wheth-  
24 er the member is eligible under subsection (b)  
25 for the allowance under subsection (a); and

1           “(B) if the Secretary concerned determines  
2           a member is eligible for the allowance, pay the  
3           allowance to the member unless the member  
4           elects not to receive the allowance.

5           “(2) ATTESTATION OF INCOME.—A member of  
6           the Coast Guard is not required to submit an appli-  
7           cation under subsection (e) to receive the allowance  
8           under subsection (a), but not less frequently than bi-  
9           ennially, the member shall submit to the Secretary  
10          concerned an attestation that the gross household  
11          income of the member does not exceed the amount  
12          described in subsection (b)(2).

13          “(3) ELECTRONIC PROCESS.—The Secretary  
14          concerned shall establish an electronic process pur-  
15          suant to which a member of the Coast Guard may—

16                 “(A) elect under paragraph (1)(B) not to  
17                 receive the allowance; or

18                 “(B) submit an attestation under para-  
19                 graph (2).”.

20          (b) CONFORMING AMENDMENTS.—Such section is  
21 further amended—

22                 (1) in subsection (e)—

23                         (A) in paragraphs (1) and (2), by striking  
24                         “A member” both places it appears and insert-

1           ing “Except as provided by subsection (h), a  
2           member”; and

3                   (B) in paragraph (4)(B)—

4                           (i) by striking “that the member” and  
5                   inserting the following: “that—

6                                   “(i) the member”;

7                           (ii) by striking the period at the end  
8                   and inserting “; or”; and

9                           (iii) by adding at the end the fol-  
10           lowing:

11                                   “(ii) in the case of a member of the  
12                   Coast Guard, that the member may receive  
13                   the allowance as provided by subsection  
14                   (h).”; and

15                   (2) in subsection (g)(2), by striking “A mem-  
16           ber” and inserting “Except as provided by sub-  
17           section (h), a member”.

18 **SEC. 408. STUDY ON FOOD SECURITY.**

19           (a) STUDY.—

20                   (1) IN GENERAL.—The Commandant shall con-  
21           duct a study on food insecurity among members of  
22           the Coast Guard.

23                   (2) ELEMENTS.—The study required by para-  
24           graph (1) shall include the following:

1           (A) An analysis of the impact of food  
2 deserts on members of the Coast Guard, and  
3 their dependents, who live in areas with high  
4 costs of living, including areas with high-density  
5 populations and rural areas.

6           (B) A comparison of—

7                 (i) the current method used by the  
8 Commandant to determine which areas are  
9 considered to be high cost-of-living areas;

10                (ii) local-level indicators used by the  
11 Bureau of Labor Statistics to determine  
12 cost of living that indicate buying power  
13 and consumer spending in specific geo-  
14 graphic areas; and

15                (iii) indicators of cost of living used  
16 by the Department of Agriculture in mar-  
17 ket basket analyses, and other measures of  
18 local and regional food costs.

19           (C) An assessment of the accuracy of the  
20 method and indicators described in subpara-  
21 graph (B) in quantifying high cost of living in  
22 low-data and remote areas.

23           (D) An assessment of the manner in which  
24 data accuracy and availability affect the accu-  
25 racy of cost-of-living allowance calculations and

1 other benefits, as the Commandant considers  
2 appropriate.

3 (E) Recommendations—

4 (i) to improve access to high-quality,  
5 affordable food within a reasonable dis-  
6 tance of Coast Guard units located in  
7 areas identified as food deserts;

8 (ii) to reduce transit costs for mem-  
9 bers of the Coast Guard and their depend-  
10 ents who are required to travel to access  
11 high-quality, affordable food; and

12 (iii) for improving the accuracy of  
13 such calculations.

14 (F) The estimated costs of implementing  
15 each recommendation made under subpara-  
16 graph (E).

17 (b) PLAN.—

18 (1) IN GENERAL.—The Commandant shall de-  
19 velop a detailed plan to implement the recommenda-  
20 tions of the study conducted under subsection (a).

21 (2) REPORT.—Not later than 1 year after the  
22 date of the enactment of this Act, the Commandant  
23 shall provide to the Committee on Commerce,  
24 Science, and Transportation of the Senate and the  
25 Committee on Transportation and Infrastructure of

1 the House of Representatives a briefing on the plan  
2 required by paragraph (1), including the cost of im-  
3 plementation, proposals for legislative change, and  
4 any other result of the study the Commandant con-  
5 siders appropriate.

6 (c) FOOD DESERT DEFINED.—In this section, the  
7 term “food desert” means an area, as determined by the  
8 Commandant, in which it is difficult to obtain affordable,  
9 high-quality fresh food in the immediate area in which  
10 members of the Coast Guard serve and reside.

## 11 **Subtitle B—Healthcare**

### 12 **SEC. 421. DEVELOPMENT OF MEDICAL STAFFING STAND-** 13 **ARDS FOR THE COAST GUARD.**

14 (a) IN GENERAL.—Not later than 180 days after the  
15 date of the enactment of this Act, the Commandant, in  
16 consultation with the Defense Health Agency and any  
17 healthcare expert the Commandant considers appropriate,  
18 shall develop medical staffing standards for the Coast  
19 Guard consistent with the recommendations of the Com-  
20 troller General of the United States set forth in the report  
21 entitled “Coast Guard Health Care: Improvements Needed  
22 for Determining Staffing Needs and Monitoring Access to  
23 Care” published in February 2022.



1 (b) INCLUSIONS.—The standards required by sub-  
2 section (a) shall address and take into consideration the  
3 following:

4 (1) Current and future operations of healthcare  
5 personnel in support of Department of Homeland  
6 Security missions, including surge deployments for  
7 incident response.

8 (2) Staffing standards for specialized providers,  
9 such as flight surgeons, dentists, behavioral health  
10 specialists, and physical therapists.

11 (3) Staffing levels of medical, dental, and be-  
12 havioral health providers for the Coast Guard who  
13 are—

14 (A) members of the Coast Guard;

15 (B) assigned to the Coast Guard from the  
16 Public Health Service;

17 (C) Federal civilian employees; or

18 (D) contractors hired by the Coast Guard  
19 to fill vacancies.

20 (4) Staffing levels at medical facilities for Coast  
21 Guard units in remote locations.

22 (5) Any discrepancy between medical staffing  
23 standards of the Department of Defense and medical  
24 staffing standards of the Coast Guard.

1           (c) REVIEW.—Not later than 90 days after the staff-  
2 ing standards required by subsection (a) are completed,  
3 the Commandant shall submit the standards to the Comp-  
4 troller General, who shall review the standards and pro-  
5 vide recommendations to the Commandant.

6           (d) REPORT TO CONGRESS.—Not later than 180 days  
7 after developing such standards, the Commandant shall  
8 submit to the Committee on Commerce, Science, and  
9 Transportation of the Senate and the Committee on  
10 Transportation and Infrastructure of the House of Rep-  
11 resentatives a report on the standards developed under  
12 subsection (a) that includes a plan and a description of  
13 the resources and budgetary needs required to implement  
14 the standards.

15           (e) MODIFICATION, IMPLEMENTATION, AND PERI-  
16 ODIC UPDATES.—The Commandant shall—

17               (1) modify such standards as necessary based  
18               on the recommendations provided under subsection  
19               (c);

20               (2) implement the standards;

21               (3) review and update the standards not less  
22               frequently than every 4 years.

1 **SEC. 422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC**  
2 **PLAN.**

3 (a) IN GENERAL.—Not later than 270 days after the  
4 completion of the studies conducted by the Comptroller  
5 General of the United States under sections 8259 and  
6 8260 of the William M. (Mac) Thornberry National De-  
7 fense Authorization Act of Fiscal Year 2021 (Public Law  
8 116–283; 134 Stat. 4679), the Commandant shall—

9 (1) conduct a comprehensive review of the  
10 Coast Guard healthcare system; and

11 (2) develop a strategic plan for improvements  
12 to, and modernization of, such system to ensure ac-  
13 cess to high-quality, timely healthcare for members  
14 of the Coast Guard, their dependents, and applicable  
15 Coast Guard retirees.

16 (b) PLAN.—

17 (1) IN GENERAL.—The strategic plan developed  
18 under subsection (a) shall seek—

19 (A) to maximize the medical readiness of  
20 members of the Coast Guard;

21 (B) to optimize delivery of healthcare bene-  
22 fits;

23 (C) to ensure high-quality training of  
24 Coast Guard medical personnel; and

25 (D) to prepare for the future needs of the  
26 Coast Guard.



1 (I) the medical, dental, phar-  
2 macy, behavioral health, or reproduc-  
3 tive health fields; or

4 (II) any other field the Com-  
5 mandant considers appropriate;

6 (ii) a representative of the Defense  
7 Health Agency; and

8 (iii) a medical representative from  
9 each Coast Guard district.

10 (3) CHAIRPERSON.—The chairperson of the Ad-  
11 visory Committee shall be the Director of the  
12 Health, Safety, and Work Life Directorate of the  
13 Coast Guard.

14 (4) STAFF.—The Advisory Committee shall be  
15 staffed by employees of the Coast Guard.

16 (5) REPORT TO COMMANDANT.—Not later than  
17 1 year after the Advisory Committee is established,  
18 the Advisory Committee shall submit to the Com-  
19 mandant a report that—

20 (A) taking into consideration the medical  
21 staffing standards developed under section 421,  
22 assesses the recommended medical staffing  
23 standards set forth in the Comptroller General  
24 study required by section 8260 of the William  
25 M. (Mac) Thornberry National Defense Author-

1           ization Act for Fiscal Year 2021 (Public Law  
2           116–283; 134 Stat. 4679), and compares such  
3           standards to the medical staffing standards of  
4           the Department of Defense and the private sec-  
5           tor;

6           (B) addresses improvements needed to en-  
7           sure continuity of care for members of the  
8           Coast Guard, including by evaluating the feasi-  
9           bility of having a dedicated primary care man-  
10          ager for each such member while the member is  
11          stationed at a duty station;

12          (C) evaluates the effects of increased surge  
13          deployments of medical personnel on staffing  
14          needs at Coast Guard clinics;

15          (D) identifies ways to improve access to  
16          care for members of the Coast Guard and their  
17          dependents who are stationed in remote areas,  
18          including methods to expand access to providers  
19          in the available network;

20          (E) identifies ways the Coast Guard may  
21          better use Department of Defense Medical  
22          Health System resources for members of the  
23          Coast Guard, their dependents, and applicable  
24          retirees;

1           (F) identifies barriers to participation in  
2           the Coast Guard healthcare system and ways  
3           the Coast Guard may better use patient feed-  
4           back to improve quality of care at Coast Guard-  
5           owned facilities, military treatment facilities,  
6           and specialist referrals;

7           (G) includes recommendations to improve  
8           the Coast Guard healthcare system; and

9           (H) any other matter the Commandant or  
10          the Advisory Committee considers appropriate.

11         (d) REPORT TO CONGRESS.—Not later than 2 years  
12         after the date of the enactment of this Act, the Com-  
13         mandant shall submit to the Committee on Commerce,  
14         Science, and Transportation of the Senate and the Com-  
15         mittee on Transportation and Infrastructure of the House  
16         of Representatives—

17                 (1) the strategic plan for the Coast Guard med-  
18                 ical system required by subsection (a);

19                 (2) the report of the Advisory Committee sub-  
20                 mitted to the Commandant under subsection (c);  
21                 and

22                 (3) a description of the manner in which the  
23                 Commandant plans to implement the recommenda-  
24                 tions of the Advisory Committee.

1 **SEC. 423. DATA COLLECTION AND ACCESS TO CARE.**

2 (a) IN GENERAL.—Not later than 180 days after the  
3 date of the enactment of this Act, the Commandant, in  
4 consultation with the Defense Health Agency and any  
5 healthcare expert the Commandant considers appropriate,  
6 shall develop a policy to require the collection of data re-  
7 garding access by members of the Coast Guard and their  
8 dependents to medical, dental, and behavioral healthcare  
9 as recommended by the Comptroller General of the United  
10 States in the report entitled “Coast Guard Health Care:  
11 Improvements Needed for Determining Staffing Needs  
12 and Monitoring Access to Care” published in February  
13 2022.

14 (b) ELEMENTS.—The policy required by subsection  
15 (a) shall address the following:

16 (1) Methods to collect data on access to care  
17 for—

18 (A) routine annual physical health assess-  
19 ments;

20 (B) flight physicals for aviators or prospec-  
21 tive aviators;

22 (C) sick call;

23 (D) injuries;

24 (E) dental health; and

25 (F) behavioral health conditions.



1           (2) Collection of data on access to care for re-  
2           ferrals.

3           (3) Collection of data on access to care for  
4           members of the Coast Guard stationed at remote  
5           units, aboard Coast Guard cutters, and on deploy-  
6           ments.

7           (4) Use of the electronic health record system  
8           to improve data collection on access to care.

9           (5) Use of data for addressing the standards of  
10          care, including time between requests for appoint-  
11          ments and actual appointments, including appoint-  
12          ments made with referral services.

13          (c) REVIEW BY COMPTROLLER GENERAL.—

14           (1) SUBMISSION.—Not later than 15 days after  
15          the policy is developed under subsection (a), the  
16          Commandant shall submit the policy to the Comp-  
17          troller General of the United States.

18           (2) REVIEW.—Not later than 180 days after re-  
19          ceiving the policy, the Comptroller General shall re-  
20          view the policy and provide recommendations to the  
21          Commandant.

22           (3) MODIFICATION.—Not later than 60 days  
23          after receiving the recommendations of the Comp-  
24          troller General, the Commandant shall modify the  
25          policy as necessary based on such recommendations.

1 (d) PUBLICATION AND REPORT TO CONGRESS.—Not  
2 later than 90 days after the policy is modified under sub-  
3 section (c)(3), the Commandant shall—

4 (1) publish the policy on a publicly accessible  
5 internet website of the Coast Guard; and

6 (2) submit to the Committee on Commerce,  
7 Science, and Transportation of the Senate and the  
8 Committee on Transportation and Infrastructure of  
9 the House of Representatives a report on the policy  
10 and the manner in which the Commandant plans to  
11 address access-to-care deficiencies.

12 (e) PERIODIC UPDATES.—Not less frequently than  
13 every 5 years, the Commandant shall review and update  
14 the policy.

15 **SEC. 424. BEHAVIORAL HEALTH POLICY.**

16 (a) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that—

18 (1) members of the Coast Guard—

19 (A) are exposed to high-risk and often  
20 stressful duties; and

21 (B) should be encouraged to seek appro-  
22 priate medical treatment and professional guid-  
23 ance; and

24 (2) after treatment for behavioral health condi-  
25 tions, many members of the Coast Guard should be

1 allowed to resume service in the Coast Guard if  
2 they—

3 (A) are able to do so without persistent  
4 duty modifications; and

5 (B) do not pose a risk to themselves or  
6 other members of the Coast Guard.

7 (b) INTERIM BEHAVIORAL HEALTH POLICY.—

8 (1) IN GENERAL.—Not later than 180 days  
9 after the date of the enactment of this Act, the  
10 Commandant shall establish an interim behavioral  
11 health policy for members of the Coast Guard that  
12 is in parity with section 5.28 (relating to behavioral  
13 health) of Department of Defense Instruction  
14 6130.03, volume 2, “Medical Standards for Military  
15 Service: Retention”.

16 (2) TERMINATION.—The interim policy estab-  
17 lished under paragraph (1) shall remain in effect  
18 until the date on which the Commandant issues a  
19 permanent behavioral health policy for members of  
20 the Coast Guard.

21 (c) PERMANENT POLICY.—In developing a perma-  
22 nent policy with respect to retention and behavioral health,  
23 the Commandant shall ensure that, to the extent prac-  
24 ticable, the policy of the Coast Guard is in parity with  
25 section 5.28 (relating to behavioral health) of Department

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

3 **SEC. 425. MEMBERS ASSERTING POST-TRAUMATIC STRESS**  
4 **DISORDER OR TRAUMATIC BRAIN INJURY.**

5 (a) IN GENERAL.—Subchapter I of chapter 25 of title  
6 14, United States Code, is amended by adding at the end  
7 the following:

8 **“§ 2515. Members asserting post-traumatic stress dis-**  
9 **order or traumatic brain injury**

10 “(a) MEDICAL EXAMINATION REQUIRED.—(1) The  
11 Secretary shall ensure that a member of the Coast Guard  
12 who has performed Coast Guard operations or has been  
13 sexually assaulted during the preceding 2-year period, and  
14 who is diagnosed by an appropriate licensed or certified  
15 healthcare professional as experiencing post-traumatic  
16 stress disorder or traumatic brain injury or who otherwise  
17 alleges, based on the service of the member or based on  
18 such sexual assault, the influence of such a condition, re-  
19 ceives a medical examination to evaluate a diagnosis of  
20 post-traumatic stress disorder or traumatic brain injury.

21 “(2) A member described in paragraph (1) shall not  
22 be administratively separated under conditions other than  
23 honorable, including an administrative separation in lieu  
24 of court-martial, until the results of the medical examina-  
25 tion have been reviewed by appropriate authorities respon-

1 sible for evaluating, reviewing, and approving the separa-  
2 tion case, as determined by the Secretary.

3 “(3)(A) In a case involving post-traumatic stress dis-  
4 order, the medical examination shall be—

5 “(i) performed by—

6 “(I) a board-certified or board-eligible psy-  
7 chiatrist; or

8 “(II) a licensed doctorate-level psycholo-  
9 gist; or

10 “(ii) performed under the close supervision of—

11 “(I) a board-certified or board-eligible psy-  
12 chiatrist; or

13 “(II) a licensed doctorate-level psycholo-  
14 gist, a doctorate-level mental health provider, a  
15 psychiatry resident, or a clinical or counseling  
16 psychologist who has completed a 1-year intern-  
17 ship or residency.

18 “(B) In a case involving traumatic brain injury, the  
19 medical examination shall be performed by a physiatrist,  
20 psychiatrist, neurosurgeon, or neurologist.

21 “(b) PURPOSE OF MEDICAL EXAMINATION.—The  
22 medical examination required by subsection (a) shall as-  
23 sess whether the effects of mental or neurocognitive dis-  
24 orders, including post-traumatic stress disorder and trau-  
25 matic brain injury, constitute matters in extenuation that

1 relate to the basis for administrative separation under con-  
2 ditions other than honorable or the overall characteriza-  
3 tion of the service of the member as other than honorable.

4 “(c) INAPPLICABILITY TO PROCEEDINGS UNDER  
5 UNIFORM CODE OF MILITARY JUSTICE.—The medical ex-  
6 amination and procedures required by this section do not  
7 apply to courts-martial or other proceedings conducted  
8 pursuant to the Uniform Code of Military Justice.

9 “(d) COAST GUARD OPERATIONS DEFINED.—In this  
10 section, the term ‘Coast Guard operations’ has the mean-  
11 ing given that term in section 888(a) of the Homeland  
12 Security Act of 2002 (6 U.S.C. 468(a)).”.

13 (b) CLERICAL AMENDMENT.—The analysis for sub-  
14 chapter I of chapter 25 of title 14, United States Code,  
15 is amended by adding at the end the following:

“2515. Members asserting post-traumatic stress disorder or traumatic brain in-  
jury.”.

16 **SEC. 426. IMPROVEMENTS TO THE PHYSICAL DISABILITY**  
17 **EVALUATION SYSTEM AND TRANSITION PRO-**  
18 **GRAM.**

19 (a) TEMPORARY POLICY.—Not later than 60 days  
20 after the date of the enactment of this Act, the Com-  
21 mandant shall develop a temporary policy that—

22 (1) improves timeliness, communication, and  
23 outcomes for members of the Coast Guard under-

1 going the Physical Disability Evaluation System, or  
2 a related formal or informal process;

3 (2) affords maximum career transition benefits  
4 to members of the Coast Guard determined by a  
5 Medical Evaluation Board to be unfit for retention  
6 in the Coast Guard; and

7 (3) maximizes the potential separation and ca-  
8 reer transition benefits for members of the Coast  
9 Guard undergoing the Physical Disability Evaluation  
10 System, or a related formal or informal process.

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

13 (1) A requirement that any member of the  
14 Coast Guard who is undergoing the Physical Dis-  
15 ability Evaluation System, or a related formal or in-  
16 formal process, shall be placed in a duty status that  
17 allows the member the opportunity to attend nec-  
18 essary medical appointments and other activities re-  
19 lating to the Physical Disability Evaluation System,  
20 including completion of any application of the De-  
21 partment of Veterans Affairs and career transition  
22 planning.

23 (2) In the case of a Medical Evaluation Board  
24 report that is not completed within 120 days after  
25 the date on which an evaluation by the Medical

1 Evaluation Board was initiated, the option for such  
2 a member to enter permissive duty status.

3 (3) A requirement that the date of initiation of  
4 an evaluation by a Medical Evaluation Board shall  
5 include the date on which any verbal or written af-  
6 firmation is made to the member, command, or med-  
7 ical staff that the evaluation by the Medical Evalua-  
8 tion Board has been initiated.

9 (4) An option for such member to seek an in-  
10 ternship under the SkillBridge program established  
11 under section 1143(e) of title 10, United States  
12 Code, and outside employment aimed at improving  
13 the transition of the member to civilian life, only if  
14 such an internship or employment does not interfere  
15 with necessary medical appointments required for  
16 the member's physical disability evaluation.

17 (5) A requirement that not less than 21 days  
18 notice shall be provided to such a member for any  
19 such medical appointment, to the maximum extent  
20 practicable, to ensure that the appointment timeline  
21 is in the best interests of the immediate health of  
22 the member.

23 (6) A requirement that the Coast Guard shall  
24 provide such a member with a written separation  
25 date upon the completion of a Medical Evaluation



1 Board report that finds the member unfit to con-  
2 tinue active duty.

3 (7) To provide certainty to such a member with  
4 respect to a separation date, a policy that ensures—

5 (A) that accountability measures are in  
6 place with respect to Coast Guard delays  
7 throughout the Physical Disability Evaluation  
8 System, including—

9 (i) placement of the member in an ex-  
10 cess leave status after 270 days have  
11 elapsed since the date of initiation of an  
12 evaluation by a Medical Evaluation Board  
13 by any competent authority; and

14 (ii) a calculation of the costs to retain  
15 the member on active duty, including the  
16 pay, allowances, and other associated bene-  
17 fits of the member, for the period begin-  
18 ning on the date that is 90 days after date  
19 of initiation of an evaluation by a Medical  
20 Evaluation Board by any competent au-  
21 thority and ending on the date on which  
22 the member is separated from the Coast  
23 Guard; and

24 (B) the availability of administrative solu-  
25 tions to any such delay.

1           (8) With respect to a member of the Coast  
2           Guard on temporary limited duty status, an option  
3           to remain in the member's current billet, to the max-  
4           imum extent practicable, or to be transferred to a  
5           different active-duty billet, so as to minimize any  
6           negative impact on the member's career trajectory.

7           (9) A requirement that each respective com-  
8           mand shall report to the Coast Guard Personnel  
9           Service Center any delay of more than 21 days be-  
10          tween each stage of the Physical Disability Evalua-  
11          tion System for any such member, including between  
12          stages of the processes, the Medical Evaluation  
13          Board, the Informal Physical Evaluation Board, and  
14          the Formal Physical Evaluation Board.

15          (10) A requirement that, not later than 7 days  
16          after receipt of a report of a delay described in para-  
17          graph (9), the Personnel Service Center shall take  
18          corrective action, which shall ensure that the Coast  
19          Guard exercises maximum discretion to continue the  
20          Physical Disability Evaluation System of such a  
21          member in a timely manner, unless such delay is  
22          caused by the member.

23          (11) A requirement that—

24                 (A) a member of the Coast Guard shall be  
25                 allowed to make a request for a reasonable

1 delay in the Physical Disability Evaluation Sys-  
2 tem to obtain additional input and consultation  
3 from a medical or legal professional; and

4 (B) any such request for delay shall be ap-  
5 proved by the Commandant based on a showing  
6 of good cause by the member.

7 (c) REPORT ON TEMPORARY POLICY.—Not later  
8 than 60 days after the date of the enactment of this Act,  
9 the Commandant shall submit to the Committee on Com-  
10 merce, Science, and Transportation of the Senate and the  
11 Committee on Transportation and Infrastructure of the  
12 House of Representatives a copy of the policy developed  
13 under subsection (a).

14 (d) PERMANENT POLICY.—Not later than 180 days  
15 after the date of the enactment of this Act, the Com-  
16 mandant shall publish a Commandant Instruction making  
17 the policy developed under subsection (a) a permanent pol-  
18 icy of the Coast Guard.

19 (e) BRIEFING.—Not later than 1 year after the date  
20 of the enactment of this Act, the Commandant shall pro-  
21 vide the Committee on Commerce, Science, and Transpor-  
22 tation of the Senate and the Committee on Transportation  
23 and Infrastructure of the House of Representatives a  
24 briefing on, and a copy of, the permanent policy.

25 (f) ANNUAL REPORT ON COSTS.—

1           (1) IN GENERAL.—Not less frequently than an-  
2 nually, the Commandant shall submit to the Com-  
3 mittee on Commerce, Science, and Transportation of  
4 the Senate and the Committee on Transportation  
5 and Infrastructure of the House of Representatives  
6 a report that, for the preceding fiscal year—

7           (A) details the total aggregate service-wide  
8 costs described in subsection (b)(7)(A)(ii) for  
9 members of the Coast Guard whose Physical  
10 Disability Evaluation System process has ex-  
11 ceeded 90 days; and

12           (B) includes for each such member—

13           (i) an accounting of such costs; and

14           (ii) the number of days that elapsed  
15 between the initiation and completion of  
16 the Physical Disability Evaluation System  
17 process.

18           (2) PERSONALLY IDENTIFIABLE INFORMA-  
19 TION.—A report under paragraph (1) shall not in-  
20 clude the personally identifiable information of any  
21 member of the Coast Guard.

22 **SEC. 427. EXPANSION OF ACCESS TO COUNSELING.**

23           (a) IN GENERAL.—Not later than 180 days after the  
24 date of the enactment of this Act, the Commandant shall

1 hire, train, and deploy not fewer than an additional 5 be-  
2 havioral health specialists.

3 (b) REQUIREMENT.—Through the hiring process re-  
4 quired by subsection (a), the Commandant shall ensure  
5 that at least 35 percent of behavioral health specialists  
6 employed by the Coast Guard have experience in behav-  
7 ioral healthcare for the purpose of supporting members  
8 of the Coast Guard with fertility, infertility, pregnancy,  
9 miscarriage, child loss, postpartum depression, and related  
10 counseling needs.

11 (c) ACCESSIBILITY.—The support provided by the be-  
12 havioral health specialists described in subsection (a)—

13 (1) may include care delivered via telemedicine;  
14 and

15 (2) shall be made widely available to members  
16 of the Coast Guard.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—Of the  
18 amounts authorized to be appropriated under section  
19 4902(1)(A) of title 14, United States Code, as amended  
20 by section 101 of this Act, \$2,000,000 shall be made avail-  
21 able to the Commandant for each of fiscal years 2023 and  
22 2024 to carry out this section.

1 **SEC. 428. EXPANSION OF POSTGRADUATE OPPORTUNITIES**  
2 **FOR MEMBERS OF THE COAST GUARD IN**  
3 **MEDICAL AND RELATED FIELDS.**

4 (a) IN GENERAL.—The Commandant shall expand  
5 opportunities for members of the Coast Guard to secure  
6 postgraduate degrees in medical and related professional  
7 disciplines for the purpose of supporting Coast Guard clin-  
8 ics and operations.

9 (b) MILITARY TRAINING STUDENT LOADS.—Section  
10 4904(b)(3) of title 14, United States Code, is amended  
11 by striking “350” and inserting “385”.

12 **SEC. 429. STUDY ON COAST GUARD TELEMEDICINE PRO-**  
13 **GRAM.**

14 (a) IN GENERAL.—Not later than 180 days after the  
15 date of the enactment of this Act, the Comptroller General  
16 of the United States shall commence a study on the Coast  
17 Guard telemedicine program.

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

20 (1) An assessment of—

21 (A) the current capabilities and limitations  
22 of the Coast Guard telemedicine program;

23 (B) the degree of integration of such pro-  
24 gram with existing electronic health records;

25 (C) the capability and accessibility of such  
26 program, as compared to the capability and ac-

1           cessibility of the telemedicine programs of the  
2           Department of Defense and commercial medical  
3           providers;

4                   (D) the manner in which the Coast Guard  
5           telemedicine program may be expanded to pro-  
6           vide better clinical and behavioral medical serv-  
7           ices to members of the Coast Guard, including  
8           such members stationed at remote units or on-  
9           board Coast Guard cutters at sea; and

10                   (E) the costs savings associated with the  
11           provision of—

12                           (i) care through telemedicine; and

13                           (ii) preventative care.

14                   (2) An identification of barriers to full use or  
15           expansion of such program.

16                   (3) A description of the resources necessary to  
17           expand such program to its full capability.

18           (c) REPORT.—Not later than 1 year after com-  
19           mencing the study required by subsection (a), the Comp-  
20           troller General shall submit to the Committee on Com-  
21           merce, Science, and Transportation of the Senate and the  
22           Committee on Transportation and Infrastructure of the  
23           House of Representatives a report on the findings of the  
24           study.

1 **SEC. 430. STUDY ON COAST GUARD MEDICAL FACILITIES**  
2 **NEEDS.**

3 (a) **IN GENERAL.**—Not later than 270 days after the  
4 date of the enactment of this Act, the Comptroller General  
5 of the United States shall commence a study on Coast  
6 Guard medical facilities needs.

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

9 (1) A current list of Coast Guard medical facili-  
10 ties, including clinics, sickbays, and shipboard facili-  
11 ties.

12 (2) A summary of capital needs for Coast  
13 Guard medical facilities, including construction and  
14 repair.

15 (3) A summary of equipment upgrade backlogs  
16 of Coast Guard medical facilities.

17 (4) An assessment of improvements to Coast  
18 Guard medical facilities, including improvements to  
19 IT infrastructure, required to enable the Coast  
20 Guard to fully use telemedicine and implement other  
21 modernization initiatives.

22 (5) An evaluation of the process used by the  
23 Coast Guard to identify, monitor, and construct  
24 Coast Guard medical facilities.





1           (C) basic allowance for housing adjust-  
2           ments to rates that are more competitive for  
3           members of the Coast Guard seeking privately  
4           owned or privately rented housing.

5           (2) Methods to improve access by members of  
6           the Coast Guard and their dependents to—

7                   (A) medical, dental, and pediatric care;

8                   (B) healthcare specific to women; and

9                   (C) behavioral healthcare.

10          (3) Methods to increase access to child care  
11          services, including recommendations for increasing  
12          child care capacity and opportunities for care within  
13          the Coast Guard and in the private sector.

14          (4) Methods to improve non-Coast Guard net-  
15          work internet access at remote units—

16                   (A) to improve communications between  
17                   families and members of the Coast Guard on  
18                   active duty; and

19                   (B) for other purposes such as education  
20                   and training.

21          (5) Methods to support spouses and dependents  
22          who face challenges specific to remote locations.

23          (6) Any other matter the Commandant con-  
24          siders appropriate.

1 (c) BRIEFING.—Not later than 180 days after the  
2 strategy required by subsection (a) is completed, the Com-  
3 mandant shall provide to the Committee on Commerce,  
4 Science, and Transportation of the Senate and the Com-  
5 mittee on Transportation and Infrastructure of the House  
6 of Representatives a briefing on the strategy.

7 (d) REMOTE UNIT DEFINED.—In this section, the  
8 term “remote unit” means a unit located in an area in  
9 which members of the Coast Guard and their dependents  
10 are eligible for TRICARE Prime Remote.

11 **SEC. 442. STUDY ON COAST GUARD HOUSING ACCESS,**  
12 **COST, AND CHALLENGES.**

13 (a) IN GENERAL.—Not later than 90 days after the  
14 date of the enactment of this Act, the Comptroller General  
15 of the United States shall commence a study on housing  
16 access, cost, and associated challenges facing members of  
17 the Coast Guard.

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

20 (1) An assessment of—

21 (A) the extent to which—

22 (i) the Commandant has evaluated the  
23 sufficiency, availability, and affordability of  
24 housing options for members of the Coast  
25 Guard and their dependents; and

1 (ii) the Coast Guard owns and leases  
2 housing for members of the Coast Guard  
3 and their dependents;

4 (B) the methods used by the Commandant  
5 to manage housing data, and the manner in  
6 which the Commandant uses such data—

7 (i) to inform Coast Guard housing  
8 policy; and

9 (ii) to guide investments in Coast  
10 Guard-owned housing capacity and other  
11 investments in housing, such as long-term  
12 leases and other options; and

13 (C) the process used by the Commandant  
14 to gather and provide information used to cal-  
15 culate housing allowances for members of the  
16 Coast Guard and their dependents, including  
17 whether the Commandant has established best  
18 practices to manage low-data areas.

19 (2) An assessment as to whether it is advan-  
20 tageous for the Coast Guard to continue to use the  
21 Department of Defense basic allowance for housing  
22 system.

23 (3) Recommendations for actions the Com-  
24 mandant should take to improve the availability and

1           affordability of housing for members of the Coast  
2           Guard and their dependents who are stationed in—

3                   (A) remote units located in areas in which  
4                   members of the Coast Guard and their depend-  
5                   ents are eligible for TRICARE Prime Remote;  
6                   or

7                   (B) units located in areas with a high  
8                   number of vacation rental properties.

9           (c) REPORT.—Not later than 1 year after com-  
10           mencing the study required by subsection (a), the Comp-  
11           troller General shall submit to the Committee on Com-  
12           merce, Science, and Transportation of the Senate and the  
13           Committee on Transportation and Infrastructure of the  
14           House of Representatives a report on the findings of the  
15           study.

16           (d) STRATEGY.—Not later than 180 days after the  
17           submission of the report required by subsection (c), the  
18           Commandant shall publish a Coast Guard housing strat-  
19           egy that addresses the findings set forth in the report,  
20           which shall, at a minimum—

21                   (1) address housing inventory shortages and af-  
22                   fordability; and

23                   (2) include a Coast Guard-owned housing infra-  
24                   structure investment prioritization plan.

1                   **Subtitle D—Other Matters**

2   **SEC. 451. REPORT ON AVAILABILITY OF EMERGENCY SUP-**  
3                   **PLIES FOR COAST GUARD PERSONNEL.**

4           (a) IN GENERAL.—Not later than 180 days after the  
5 date of the enactment of this Act, the Comptroller General  
6 of the United States shall submit to the Committee on  
7 Commerce, Science, and Transportation of the Senate and  
8 the Committee on Transportation and Infrastructure of  
9 the House of Representatives a report on the availability  
10 of appropriate emergency supplies at Coast Guard units.

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

13               (1) An assessment of the extent to which—

14                       (A) the Commandant ensures that Coast  
15                       Guard units assess risks and plan accordingly  
16                       to obtain and maintain appropriate emergency  
17                       supplies; and

18                       (B) Coast Guard units have emergency  
19                       food and water supplies available according to  
20                       local emergency preparedness needs.

21               (2) A description of any challenge the Com-  
22               mandant faces in planning for and maintaining ade-  
23               quate emergency supplies for Coast Guard per-  
24               sonnel.

1 (c) PUBLICATION.—Not later than 90 days after the  
2 date of submission of the report required by subsection  
3 (a), the Commandant shall publish a strategy and rec-  
4 ommendations in response to the report that includes—

5 (1) a plan for improving emergency prepared-  
6 ness and emergency supplies for Coast Guard units;  
7 and

8 (2) a process for periodic review and engage-  
9 ment with Coast Guard units to ensure emerging  
10 emergency response supply needs are achieved and  
11 maintained.

## 12 **TITLE V—MARITIME**

### 13 **Subtitle A—Vessel Safety**

#### 14 **SEC. 501. ABANDONED SEAFARER FUND AMENDMENTS.**

15 Section 11113 of title 46, United States Code, is  
16 amended—

17 (1) in the matter preceding subparagraph (A)  
18 of subsection (a)(2), by striking “may be appro-  
19 priated” and inserting “shall be available without  
20 further appropriations, and shall remain available  
21 until expended,”; and

22 (2) in subsection (c)—

23 (A) in the matter preceding subparagraph

24 (A) of paragraph (1), by inserting “plus a sur-

1 charge of 25 percent of such total amount”,  
2 after “seafarer”; and

3 (B) by striking paragraph (4).

4 **SEC. 502. RECEIPTS; INTERNATIONAL AGREEMENTS FOR**  
5 **ICE PATROL SERVICES.**

6 Section 80301(e) of title 46, United States Code, is  
7 amended by striking the period at the end and inserting  
8 “and shall be available until expended for the purpose of  
9 the Coast Guard international ice patrol program.”.

10 **SEC. 503. PASSENGER VESSEL SECURITY AND SAFETY RE-**  
11 **QUIREMENTS.**

12 Notwithstanding any other provision of law, require-  
13 ments authorized under sections 3509 of title 46, United  
14 States Code, shall not apply to any passenger vessel, as  
15 defined in section 2101 of such title, that—

16 (1) carries in excess of 250 passengers; and

17 (2) is, or was, in operation in the internal  
18 waters of the United States on voyages inside the  
19 Boundary Line, as defined in section 103 of such  
20 title, on or before July 27, 2030.

21 **SEC. 504. AT-SEA RECOVERY OPERATIONS PILOT PRO-**  
22 **GRAM.**

23 (a) IN GENERAL.—The Secretary shall conduct a  
24 pilot program to evaluate the potential use of remotely



1 controlled or autonomous operation and monitoring of cer-  
2 tain vessels for the purposes of—

3 (1) better understanding the complexities of  
4 such at-sea operations and potential risks to naviga-  
5 tion safety, vessel security, maritime workers, the  
6 public, and the environment;

7 (2) gathering observational and performance  
8 data from monitoring the use of remotely-controlled  
9 or autonomous vessels; and

10 (3) assessing and evaluating regulatory require-  
11 ments necessary to guide the development of future  
12 occurrences of such operations and activities.

13 (b) DURATION AND EFFECTIVE DATE.—The dura-  
14 tion of the pilot program established under this section  
15 shall be not more than 5 years beginning on the date on  
16 which the pilot program is established, which shall be not  
17 later than 180 days after the date of enactment of this  
18 Act.

19 (c) AUTHORIZED ACTIVITIES.—The activities author-  
20 ized under this section include—

21 (1) remote over-the-horizon monitoring oper-  
22 ations related to the active at-sea recovery of  
23 spaceflight components on an unmanned vessel or  
24 platform;

1           (2) procedures for the unaccompanied operation  
2           and monitoring of an unmanned spaceflight recovery  
3           vessel or platform; and

4           (3) unmanned vessel transits and testing oper-  
5           ations without a physical tow line related to space  
6           launch and recovery operations, except within 12  
7           nautical miles of a port.

8           (d) INTERIM AUTHORITY.—In recognition of poten-  
9           tial risks to navigation safety, vessel security, maritime  
10          workers, the public, and the environment, and the unique  
11          circumstances requiring the use of remotely operated or  
12          autonomous vessels, the Secretary, in the pilot program  
13          established under subsection (a), may—

14           (1) allow remotely controlled or autonomous  
15           vessel operations to proceed consistent to the extent  
16           practicable under titles 33 and 46 of the United  
17           States Code, including navigation and manning laws  
18           and regulations;

19           (2) modify or waive applicable regulations and  
20           guidance as the Secretary considers appropriate to—

21           (A) allow remote and autonomous vessel  
22           at-sea operations and activities to occur while  
23           ensuring navigation safety; and

1 (B) ensure the reliable, safe, and secure  
2 operation of remotely-controlled or autonomous  
3 vessels; and

4 (3) require each remotely operated or auto-  
5 nous vessel to be at all times under the supervision  
6 of 1 or more individuals—

7 (A) holding a merchant mariner credential  
8 which is suitable to the satisfaction of the Coast  
9 Guard; and

10 (B) who shall practice due regard for the  
11 safety of navigation of the autonomous vessel,  
12 to include collision avoidance.

13 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
14 tion shall be construed to authorize the Secretary to—

15 (1) permit foreign vessels to participate in the  
16 pilot program established under subsection (a);

17 (2) waive or modify applicable laws and regula-  
18 tions under titles 33 and 46 of the United States  
19 Code, except to the extent authorized under sub-  
20 section (d)(2); or

21 (3) waive or modify any regulations arising  
22 under international conventions.

23 (f) SAVINGS PROVISION.—Nothing in this section  
24 may be construed to authorize the employment in the  
25 coastwise trade of a vessel or platform that does not meet

1 the requirements of sections 12112, 55102, 55103, and  
2 55111 of title 46, United States Code.

3 (g) BRIEFINGS.—The Secretary or the designee of  
4 the Secretary shall brief the Committee on Commerce,  
5 Science, and Transportation of the Senate and the Com-  
6 mittee on Transportation and Infrastructure of the House  
7 of Representatives on the program established under sub-  
8 section (a) on a quarterly basis.

9 (h) REPORT.—Not later than 180 days after the expi-  
10 ration of the pilot program established under subsection  
11 (a), the Secretary shall submit to the Committee on Com-  
12 merce, Science, and Transportation of the Senate and the  
13 Committee on Transportation and Infrastructure of the  
14 House of Representatives a final report regarding an as-  
15 sessment of the execution of the pilot program and impli-  
16 cations for maintaining navigation safety, the safety of  
17 maritime workers, and the preservation of the environ-  
18 ment.

19 (i) GAO REPORT.—

20 (1) IN GENERAL.—Not later than 18 months  
21 after the date of enactment of this section, the  
22 Comptroller General of the United States shall sub-  
23 mit to the Committee on Commerce, Science, and  
24 Transportation of the Senate and the Committee on  
25 Transportation and Infrastructure of the House of



1 autonomous, remote, and associated tech-  
2 nologies; and

3 (ii) training and workforce develop-  
4 ment needs associated with such tech-  
5 nologies.

6 (D) An assessment and evaluation of regu-  
7 latory requirements necessary to guide the de-  
8 velopment of future autonomous, remote, and  
9 associated technologies in the operation of ship-  
10 board equipment and safe and secure naviga-  
11 tion of vessels.

12 (E) An assessment of the extent to which  
13 such technologies are being used in other coun-  
14 tries and how such countries have regulated  
15 such technologies.

16 (F) Recommendations regarding authoriza-  
17 tion, infrastructure, and other requirements  
18 necessary for the implementation of such tech-  
19 nologies in the United States.

20 (3) CONSULTATION.—The report required  
21 under paragraph (1) shall include, at a minimum,  
22 consultation with the maritime industry including—

23 (A) vessel operators, including commercial  
24 carriers, entities engaged in exploring for, de-  
25 veloping, or producing resources, including non-

1 mineral energy resources in its offshore areas,  
2 and supporting entities in the maritime indus-  
3 try;

4 (B) shipboard personnel impacted by any  
5 change to autonomous vessel operations, in  
6 order to assess the various benefits and risks  
7 associated with the implementation of autono-  
8 mous, remote, and associated technologies in  
9 the operation of shipboard equipment and safe  
10 and secure navigation of vessels and the impact  
11 such technologies would have on maritime jobs  
12 and maritime manpower; and

13 (C) relevant federally funded research in-  
14 stitutions, non-governmental organizations, and  
15 academia.

16 (j) DEFINITIONS.—In this section:

17 (1) MERCHANT MARINER CREDENTIAL.—The  
18 term “merchant mariner credential” means a mer-  
19 chant mariner license, certificate, or document that  
20 the Secretary is authorized to issue pursuant to title  
21 46, United States Code.

22 (2) SECRETARY.—The term “Secretary” means  
23 the Secretary of the department in which the Coast  
24 Guard is operating.

1 **SEC. 505. EXONERATION AND LIMITATION OF LIABILITY**  
2 **FOR SMALL PASSENGER VESSELS.**

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

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

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

8 (2) by inserting before section 30503 the fol-  
9 lowing:

10 **“Subchapter II—Exoneration and Limitation**  
11 **of Liability”;**

12 and

13 (3) by redesignating sections 30503 through  
14 30512 as sections 30521 through 30530, respec-  
15 tively.

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

18 **“§ 30501. Definitions**

19 “In this chapter:

20 “(1) COVERED SMALL PASSENGER VESSEL.—

21 The term ‘covered small passenger vessel’—

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

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

25 “(ii) carrying—



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

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

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

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

13                  (c) APPLICABILITY.—Section 30502 of title 46,  
14                  United States Code, is amended—

15                  (1) by striking “Except as otherwise provided”  
16                  and inserting the following: “(a) IN GENERAL.—Ex-  
17                  cept as to covered small passenger vessels and as  
18                  otherwise provided”;

19                  (2) by striking “section 30503” and inserting  
20                  “section 30521”; and

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

22                  “(b) APPLICATION.—Notwithstanding subsection (a),  
23                  the requirements of section 30526 of this title shall apply  
24                  to covered small passenger vessels.”.

1 (d) PROVISIONS REQUIRING NOTICE OF CLAIM OR  
2 LIMITING TIME FOR BRINGING ACTION.—Section 30526  
3 of title 46, United States Code, as redesignated by sub-  
4 section (a), is amended—

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

8 (2) in subsection (b)—

9 (A) in paragraph (1), by striking “6  
10 months” and inserting “2 years”; and

11 (B) in paragraph (2), by striking “one  
12 year” and inserting “2 years”.

13 (e) CHAPTER ANALYSIS.—The analysis for chapter  
14 305 of title 46, United States Code, is amended—

15 (1) by inserting before the item relating to sec-  
16 tion 30501 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

17 (2) by inserting after the item relating to sec-  
18 tion 30502 the following:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

19 (3) by striking the item relating to section  
20 30501 and inserting the following:

“30501. Definitions.”;

21 and

1           (4) by redesignating the items relating to sec-  
2           tions 30503 through 30512 as items relating to sec-  
3           tions 30521 through 30530, respectively.

4           (f) CONFORMING AMENDMENTS.—Title 46, United  
5 States Code, is further amended—

6           (1) in section 14305(a)(5), by striking “section  
7           30506” and inserting “section 30524”;

8           (2) in section 30523(a), as redesignated by sub-  
9           section (a), by striking “section 30506” and insert-  
10          ing “section 30524”;

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

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

16                (A) in the matter preceding paragraph (1),  
17                by striking “sections 30505 and 30506” and in-  
18                serting “sections 30523 and 30524”;

19                (B) in paragraph (1), by striking “section  
20                30505” and inserting “section 30523”; and

21                (C) in paragraph (2), by striking “section  
22                30506(b)” and inserting “section 30524(b)”.

1 **SEC. 506. MORATORIUM ON TOWING VESSEL INSPECTION**  
2 **USER FEES.**

3 Notwithstanding section 9701 of title 31, United  
4 States Code, and section 2110 of title 46 of such Code,  
5 the Secretary of the department in which the Coast Guard  
6 is operating may not charge an inspection fee for a towing  
7 vessel that has a certificate of inspection issued under sub-  
8 chapter M of chapter I of title 46, Code of Federal Regula-  
9 tions (or any successor regulation), and that uses the Tow-  
10 ing Safety Management System option for compliance  
11 with such subchapter, until—

12 (1) the completion of the review required under  
13 section 815 of the Frank LoBiondo Coast Guard  
14 Authorization Act of 2018 (14 U.S.C. 946 note;  
15 Public Law 115–282); and

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

18 **SEC. 507. CERTAIN HISTORIC PASSENGER VESSELS.**

19 (a) **REPORT ON COVERED HISTORIC VESSELS.—**

20 (1) **IN GENERAL.—**Not later than 1 year after  
21 the date of enactment of this Act, the Comptroller  
22 General of the United States shall submit to the  
23 Committee on Commerce, Science, and Transpor-  
24 tation of the Senate and the Committee on Trans-  
25 portation and Infrastructure of the House of Rep-  
26 resentatives a report evaluating the practicability of

1 the application of section 3306(n)(3)(v) of title 46,  
2 United States Code, to covered historic vessels.

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

5 (A) An assessment of the compliance, as of  
6 the date on which the report is submitted in ac-  
7 cordance with paragraph (1), of covered historic  
8 vessels with section 3306(n)(3)(v) of title 46,  
9 United States Code.

10 (B) An assessment of the safety record of  
11 covered historic vessels.

12 (C) An assessment of the risk, if any, that  
13 modifying the requirements under section  
14 3306(n)(3)(v) of title 46, United States Code,  
15 would have on the safety of passengers and  
16 crew of covered historic vessels.

17 (D) An evaluation of the economic prac-  
18 ticability of the compliance of covered historic  
19 vessels with such section 3306(n)(3)(v) and  
20 whether that compliance would meaningfully  
21 improve safety of passengers and crew in a  
22 manner that is both feasible and economically  
23 practicable.

1           (E) Any recommendations to improve safe-  
2           ty in addition to, or in lieu of, such section  
3           3306(n)(3)(v).

4           (F) Any other recommendations as the  
5           Comptroller General determines are appropriate  
6           with respect to the applicability of such section  
7           3306(n)(3)(v) to covered historic vessels.

8           (G) An assessment to determine if covered  
9           historic vessels could be provided an exemption  
10          to such section 3306(n)(3)(v) and what changes  
11          to legislative or rulemaking requirements, in-  
12          cluding modifications to section 177.500(q) of  
13          title 46, Code of Federal Regulations (as in ef-  
14          fect on the date of enactment of this Act), are  
15          necessary to provide the Commandant the au-  
16          thority to make such exemption or to otherwise  
17          provide for such exemption.

18          (b) CONSULTATION.—In completing the report re-  
19          quired under subsection (a)(1), the Comptroller General  
20          may consult with—

21               (1) the National Transportation Safety Board;

22               (2) the Coast Guard; and

23               (3) the maritime industry, including relevant  
24          federally funded research institutions, nongovern-  
25          mental organizations, and academia.

1 (c) EXTENSION FOR COVERED HISTORIC VESSELS.—

2 The captain of a port may waive the requirements of sec-  
3 tion 3306(n)(3)(v) of title 46, United States Code, with  
4 respect to covered historic vessels for not more than 2  
5 years after the date of submission of the report required  
6 by subsection (a) to Congress in accordance with such sub-  
7 section.

8 (d) SAVINGS CLAUSE.—Nothing in this section shall  
9 limit any authority available, as of the date of enactment  
10 of this Act, to the captain of a port with respect to safety  
11 measures or any other authority as necessary for the safe-  
12 ty of covered historic vessels.

13 (e) NOTICE TO PASSENGERS.—A covered historic  
14 vessel that receives a waiver under subsection (c) shall,  
15 beginning on the date on which the requirements under  
16 section 3306(n)(3)(v) of title 46, United States Code, take  
17 effect, provide a prominently displayed notice on its  
18 website, ticket counter, and each ticket for passengers that  
19 the vessel is exempt from meeting the Coast Guard safety  
20 compliance standards concerning egress as provided for  
21 under such section 3306(n)(3)(v).

22 (f) DEFINITION OF COVERED HISTORIC VESSELS.—

23 In this section, the term “covered historic vessels” means  
24 the following:

25 (1) American Eagle (Official Number 229913).

- 1 (2) Angelique (Official Number 623562).
- 2 (3) Heritage (Official Number 649561).
- 3 (4) J & E Riggin (Official Number 226422).
- 4 (5) Ladona (Official Number 222228).
- 5 (6) Lewis R. French (Official Number 015801).
- 6 (7) Mary Day (Official Number 288714).
- 7 (8) Stephen Taber (Official Number 115409).
- 8 (9) Victory Chimes (Official Number 136784).
- 9 (10) Grace Bailey (Official Number 085754).
- 10 (11) Mercantile (Official Number 214388).
- 11 (12) Mistress (Official Number 509004).

12 **SEC. 508. COAST GUARD DIGITAL REGISTRATION.**

13 Section 12304(a) of title 46, United States Code, is  
14 amended—

- 15 (1) by striking “shall be pocket-sized,”; and
- 16 (2) by striking “, and may be valid” and insert-  
17 ing “and may be in hard copy or digital form. The  
18 certificate shall be valid”.

19 **SEC. 509. RESPONSES TO SAFETY RECOMMENDATIONS.**

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

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

24 “(a) IN GENERAL.—Not later than 90 days after the  
25 submission to the Commandant of a recommendation and



1 supporting justification by the National Transportation  
2 Safety Board relating to transportation safety, the Com-  
3 mandant shall submit to the National Transportation  
4 Safety Board a written response to the recommendation,  
5 which shall include whether the Commandant—

6           “(1) concurs with the recommendation;

7           “(2) partially concurs with the recommendation;

8           or

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

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

12           “(1) with respect to a recommendation with  
13 which the Commandant concurs, an explanation of  
14 the actions the Commandant intends to take to im-  
15 plement such recommendation;

16           “(2) with respect to a recommendation with  
17 which the Commandant partially concurs, an expla-  
18 nation of the actions the Commandant intends to  
19 take to implement the portion of such recommenda-  
20 tion with which the Commandant partially concurs;  
21 and

22           “(3) with respect to a recommendation with  
23 which the Commandant does not concur, the reasons  
24 the Commandant does not concur.

1           “(c) FAILURE TO RESPOND.—If the National Trans-  
2 portation Safety Board has not received the written re-  
3 sponse required under subsection (a) by the end of the  
4 time period described in that subsection, the National  
5 Transportation Safety Board shall notify the Committee  
6 on Commerce, Science, and Transportation of the Senate  
7 and the Committee on Transportation and Infrastructure  
8 of the House of Representatives that such response has  
9 not been received.”.

10           (b) CLERICAL AMENDMENT.—The analysis for chap-  
11 ter 7 of title 14, United States Code, is amended by add-  
12 ing at the end the following:

“721. Responses to safety recommendations.”.

13 **SEC. 510. COMPTROLLER GENERAL OF THE UNITED**  
14 **STATES STUDY AND REPORT ON THE COAST**  
15 **GUARD’S OVERSIGHT OF THIRD PARTY ORGA-**  
16 **NIZATIONS.**

17           (a) IN GENERAL.—The Comptroller General of the  
18 United States shall initiate a review, not later than 1 year  
19 after the date of enactment of this Act that assesses the  
20 Coast Guard’s oversight of third party organizations.

21           (b) ELEMENTS.—The study required under sub-  
22 section (a) shall analyze the following:

23           (1) Coast Guard utilization of third party orga-  
24 nizations in its prevention mission, and the extent  
25 the Coast Guard plans to increase such use to en-

1       hance prevention mission performance, including re-  
2       source utilization and specialized expertise.

3           (2) The extent the Coast Guard has assessed  
4       the potential risks and benefits of using third party  
5       organizations to support prevention mission activi-  
6       ties.

7           (3) The extent the Coast Guard provides over-  
8       sight of third party organizations authorized to sup-  
9       port prevention mission activities.

10       (c) REPORT.—The Comptroller General shall submit  
11       the results from this study not later than 1 year after initi-  
12       ating the review to the Committee on Commerce, Science,  
13       and Transportation of the Senate and the Committee on  
14       Transportation and Infrastructure of the House of Rep-  
15       resentatives.

16       **SEC. 511. ARTICULATED TUG-BARGE MANNING.**

17       (a) IN GENERAL.—Notwithstanding the watch set-  
18       ting requirements set forth in section 8104 of title 46,  
19       United States Code, the Secretary of the department in  
20       which the Coast Guard is operating shall authorize an Of-  
21       ficer in Charge of Marine Inspection to issue an amended  
22       Certificate of Inspection that does not require engine room  
23       watch setting to inspected towing vessels certificated prior  
24       to July 19, 2022, forming part of an articulated tug-barge  
25       unit, provided that such vessels are equipped with engi-

1 neering control and monitoring systems of a type accepted  
2 for no engine room watch setting under a previously ap-  
3 proved Minimum Safe Manning Document or Certificate  
4 of Inspection for articulated tug-barge units.

5 (b) DEFINITIONS.—In this section:

6 (1) CERTIFICATE OF INSPECTION.—The term  
7 “Certificate of Inspection” means a certificate of in-  
8 spection under subchapter M of chapter I of title 46,  
9 Code of Federal Regulations.

10 (2) INSPECTED TOWING VESSEL.—The term  
11 “inspected towing vessel” means a vessel issued a  
12 Certificate of Inspection.

### 13 **Subtitle B—Other Matters**

#### 14 **SEC. 521. DEFINITION OF A STATELESS VESSEL.**

15 Section 70502(d)(1) of title 46, United States Code,  
16 is amended—

17 (1) in subparagraph (B), by striking “and”  
18 after the semicolon;

19 (2) in subparagraph (C), by striking the period  
20 at the end and inserting “; and”; and

21 (3) by adding at the end the following new sub-  
22 paragraph:

23 “(D) a vessel aboard which no individual,  
24 on request of an officer of the United States  
25 authorized to enforce applicable provisions of

1 United States law, claims to be the master or  
2 is identified as the individual in charge and that  
3 has no other claim of nationality or registry  
4 under paragraph (1) or (2) of subsection (e).”.

5 **SEC. 522. REPORT ON ENFORCEMENT OF COASTWISE LAWS.**

6 Not later than 1 year of the date of enactment of  
7 this Act, the Commandant shall submit to Congress a re-  
8 port describing any changes to the enforcement of chap-  
9 ters 121 and 551 of title 46, United States Code, as a  
10 result of the amendments to section 4(a)(1) of the Outer  
11 Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made  
12 by section 9503 of the William M. (Mac) Thornberry Na-  
13 tional Defense Authorization Act for Fiscal Year 2021  
14 (Public Law 116–283).

15 **SEC. 523. STUDY ON MULTI-LEVEL SUPPLY CHAIN SECU-**  
16 **RITY STRATEGY OF THE DEPARTMENT OF**  
17 **HOMELAND SECURITY.**

18 (a) IN GENERAL.—Not later than 1 year after the  
19 date of enactment of this Act, the Comptroller General  
20 of the United States shall initiate a study that assesses  
21 the efforts of the Department of Homeland Security with  
22 respect to securing vessels and maritime cargo bound for  
23 the United States from national security related risks and  
24 threats.

1 (b) ELEMENTS.—The study required under sub-  
2 section (a) shall assess the following:

3 (1) Programs that comprise the maritime strat-  
4 egy of the Department of Homeland Security for se-  
5 curing vessels and maritime cargo bound for the  
6 United States, and the extent that such programs  
7 cover the critical components of the global supply  
8 chain.

9 (2) The extent to which the components of the  
10 Department of Homeland Security responsible for  
11 maritime security issues have implemented leading  
12 practices in collaboration.

13 (3) The extent to which the Department of  
14 Homeland Security has assessed the effectiveness of  
15 its maritime security strategy.

16 (c) REPORT.—Not later than 1 year after initiating  
17 the study under subsection (a), the Comptroller General  
18 of the United States shall submit the results from the  
19 study to the Committee on Commerce, Science, and  
20 Transportation of the Senate and the Committee on  
21 Transportation and Infrastructure of the House of Rep-  
22 resentatives.

1 **SEC. 524. STUDY TO MODERNIZE THE MERCHANT MARINER**  
2 **LICENSING AND DOCUMENTATION SYSTEM.**

3 (a) IN GENERAL.—Not later than 90 days 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 and the Committee on Appropriations of the  
7 Senate, and the Committee on Transportation and Infra-  
8 structure and the Committee on Appropriations of the  
9 House of Representatives, a report on the financial,  
10 human, and information technology infrastructure re-  
11 sources needed to establish an electronic merchant mar-  
12 iner licensing and documentation system.

13 (b) LEGISLATIVE AND REGULATORY SUGGES-  
14 TIONS.—The report described in paragraph (1) shall in-  
15 clude recommendations for such legislative or administra-  
16 tive actions as the Commandant determines necessary to  
17 establish the electronic merchant mariner licensing and  
18 documentation system described in subsection (a) as soon  
19 as possible.

20 **SEC. 525. STUDY AND REPORT ON DEVELOPMENT AND**  
21 **MAINTENANCE OF MARINER RECORDS DATA-**  
22 **BASE.**

23 (a) STUDY.—

24 (1) IN GENERAL.—The Secretary, in coordina-  
25 tion with the Commandant and the Administrator of  
26 the Maritime Administration and the Commander of

1 the United States Transportation Command, shall  
2 conduct a study on the potential benefits and feasi-  
3 bility of developing and maintaining a Coast Guard  
4 database that—

5 (A) contains records with respect to each  
6 credentialed mariner, including credential valid-  
7 ity, drug and alcohol testing results, and infor-  
8 mation on any final adjudicated agency action  
9 involving a credentialed mariner or regarding  
10 any involvement in a marine casualty; and

11 (B) maintains such records in a manner  
12 such that data can be readily accessed by the  
13 Federal Government for the purpose of assess-  
14 ing workforce needs and for the purpose of the  
15 economic and national security of the United  
16 States.

17 (2) ELEMENTS.—The study required under  
18 paragraph (1) shall—

19 (A) include an assessment of the resources,  
20 including information technology, and authori-  
21 ties necessary to develop and maintain the data-  
22 base described in such paragraph; and

23 (B) specifically address the protection of  
24 the privacy interests of any individuals whose  
25 information may be contained within the data-



1           base, which shall include limiting access to the  
2           database or having access to the database be  
3           monitored by, or accessed through, a member of  
4           the Coast Guard.

5           (b) REPORT.—Not later than 180 days after the date  
6 of the enactment of this Act, the Secretary shall submit  
7 to the Committee on Commerce, Science, and Transpor-  
8 tation of the Senate and the Committee on Transportation  
9 and Infrastructure of the House of Representatives a re-  
10 port on the results of the study under subsection (a), in-  
11 cluding findings, conclusions, and recommendations.

12           (c) DEFINITIONS.—In this section:

13           (1) CREDENTIALLED MARINER.—The term  
14 “credentialed mariner” means an individual with a  
15 merchant mariner license, certificate, or document  
16 that the Secretary is authorized to issue pursuant to  
17 title 46, United States Code.

18           (2) SECRETARY.—The term “Secretary” means  
19 the Secretary of the Department in which the Coast  
20 Guard is operating.

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 offense under a State, local,  
15 or Tribal law.

16 “(46) ‘sexual harassment’ means any of the fol-  
17 lowing:

18 “(A) Conduct towards an individual (which  
19 may have been by the individual’s supervisor, a  
20 supervisor in another area, a coworker, or an-  
21 other credentialed mariner) that—

22 “(i) involves unwelcome sexual ad-  
23 vances, requests for sexual favors, or delib-  
24 erate or repeated offensive comments or  
25 gestures of a sexual nature, when—

1                   “(I) submission to such conduct  
2                   is made either explicitly or implicitly a  
3                   term or condition of employment, pay,  
4                   career, benefits, or entitlements of the  
5                   individual;

6                   “(II) any submission to, or rejection  
7                   of, such conduct by the individual  
8                   is used as a basis for decisions affecting  
9                   the individual’s job, pay, career,  
10                  benefits, or entitlements; or

11                  “(III) such conduct has the purpose  
12                  or effect of unreasonably interfering  
13                  with the individual’s work performance  
14                  or creates an intimidating,  
15                  hostile, or offensive working environment;  
16                  and

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

21                  “(B) Any use or condonation by any person  
22                  in a supervisory or command position of  
23                  any form of sexual behavior to control, influence,  
24                  or affect the career, pay, or job of an individual  
25                  who is a subordinate to the person.

1           “(C) Any intentional or repeated unwel-  
2           come verbal comment or gesture of a sexual na-  
3           ture towards or about an individual by the indi-  
4           vidual’s supervisor, a supervisor in another  
5           area, a coworker, or another credentialed mar-  
6           iner.”.

7           (b) REPORT.—The Commandant shall submit to the  
8           Committee on Transportation and Infrastructure of the  
9           House of Representatives and the Committee on Com-  
10          merce, Science, and Transportation of the Senate a report  
11          describing any changes the Commandant may propose to  
12          the definitions added by the amendments in subsection  
13          (a).

14          (c) CONFORMING AMENDMENTS.—

15               (1) Section 2113(3) of title 46, United States  
16               Code, is amended by striking “section 2101(51)(A)”  
17               and inserting “section 2101(53)(A)”.

18               (2) Section 4105 of title 46, United States  
19               Code, is amended—

20                       (A) in subsections (b)(1) and (c), by strik-  
21                       ing “section 2101(51)” each place it appears  
22                       and inserting “section 2101(53)”; and

23                       (B) in subsection (d), by striking “section  
24                       2101(51)(A)” and inserting “section  
25                       2101(53)(A)”.

1           (3) Section 1131(a)(1)(E) of title 49, United  
2 States Code, is amended by striking “section  
3 2101(46)” and inserting “116”.

4 **SEC. 602. CONVICTED SEX OFFENDER AS GROUNDS FOR**  
5 **DENIAL.**

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

9 **“§ 7511. Convicted sex offender as grounds for denial**

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

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

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

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

4 **SEC. 603. ACCOMMODATION; NOTICES.**

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

7 (1) in subsection (a)—

8 (A) in paragraph (3), by striking “; and”  
9 and inserting a semicolon;

10 (B) in paragraph (4), by striking the pe-  
11 riod at the end and inserting “; and”; and

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

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

15 “(A) vessel owner or company policies pro-  
16 hibiting sexual assault, sexual harassment, re-  
17 taliation, and drug and alcohol use; and

18 “(B) procedures and resources to report  
19 allegations of sexual assault and sexual harass-  
20 ment, including information—

21 “(i) on the contact information,  
22 website address, and mobile application of  
23 the Coast Guard Investigative Services and  
24 the Coast Guard National Command Cen-

1 ter, in order to report allegations of sexual  
2 assault or sexual harassment;

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) on additional items specified in  
14 regulations issued by, and at the discretion  
15 of, the Secretary.”; and

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

1 **SEC. 604. PROTECTION AGAINST DISCRIMINATION.**

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

4 (1) in paragraph (1)—

5 (A) by redesignating subparagraphs (B)  
6 through (G) as subparagraphs (C) through (H),  
7 respectively; and

8 (B) by inserting after subparagraph (A)  
9 the following:

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

17 (2) in paragraphs (2) and (3), by striking  
18 “paragraph (1)(B)” each place it appears and in-  
19 serting “paragraph (1)(C)”.

20 **SEC. 605. ALCOHOL AT SEA.**

21 (a) IN GENERAL.—The Commandant shall seek to  
22 enter into an agreement with the National Academy of  
23 Sciences not later than 1 year after the date of the enact-  
24 ment of this Act under which the National Academy of  
25 Sciences shall prepare an assessment to determine safe  
26 levels of alcohol consumption and possession by crew mem-



1 bers aboard vessels of the United States engaged in com-  
2 mercial service, except when such possession is associated  
3 with the commercial sale to individuals aboard the vessel  
4 who are not crew members.

5 (b) ASSESSMENT.—The assessment under this sec-  
6 tion shall—

7 (1) take into account the safety and security of  
8 every individual on the vessel;

9 (2) take into account reported incidences of sex-  
10 ual harassment or sexual assault, as defined in sec-  
11 tion 2101 of title 46, United States Code; and

12 (3) provide any appropriate recommendations  
13 for any changes to laws, including regulations, or  
14 employer policies.

15 (c) SUBMISSION.—Upon completion of the assess-  
16 ment under this section, the National Academy of Sciences  
17 shall submit the assessment to the Committee on Com-  
18 merce, Science, and Transportation of the Senate, the  
19 Committee on Transportation and Infrastructure of the  
20 House of Representatives, the Commandant, and the Sec-  
21 retary of the department in which the Coast Guard is op-  
22 erating.

23 (d) REGULATIONS.—

24 (1) The Commandant—

1           (A) shall review the findings and rec-  
2           ommendations of the assessment under this sec-  
3           tion by not later than 180 days after receiving  
4           the assessment under subsection (c); and

5           (B) taking into account the safety and se-  
6           curity of every individual on vessels of the  
7           United States engaged in commercial service,  
8           may issue regulations relating to alcohol con-  
9           sumption on such vessels.

10        (e) REPORT REQUIRED.—If, by the date that is 2  
11        years after the receipt of the assessment under subsection  
12        (c), the Commandant does not issue regulations under  
13        subsection (d), the Commandant shall provide a report by  
14        such date to the appropriate committees of Congress—

15           (1) regarding the rationale for not issuing such  
16        regulations; and

17           (2) providing other recommendations as nec-  
18        essary to ensure safety at sea.

19        **SEC. 606. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS**  
20                               **GROUND FOR SUSPENSION AND REVOCA-**  
21                               **TION.**

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

1 **“§ 7704a. Sexual harassment or sexual assault as**  
2 **grounds for suspension and revocation**

3 “(a) SEXUAL HARASSMENT.—If it is shown at a  
4 hearing under this chapter that a holder of a license, cer-  
5 tificate of registry, or merchant mariner’s document  
6 issued under this part, within 10 years before the begin-  
7 ning of the suspension and revocation proceedings, is the  
8 subject of a substantiated claim of sexual harassment,  
9 then the license, certificate of registry, or merchant mari-  
10 ner’s document shall be suspended or revoked.

11 “(b) SEXUAL ASSAULT.—If it is shown at a hearing  
12 under this chapter that a holder of a license, certificate  
13 of registry, or merchant mariner’s document issued under  
14 this part, within 20 years before the beginning of the sus-  
15 pension and revocation proceedings, is the subject of a  
16 substantiated claim of sexual assault, then the license, cer-  
17 tificate of registry, or merchant mariner’s document shall  
18 be revoked.

19 “(c) SUBSTANTIATED CLAIM.—

20 “(1) IN GENERAL.—In this section, the term  
21 ‘substantiated claim’ means—

22 “(A) a legal proceeding or agency action in  
23 any administrative proceeding that determines  
24 the individual committed sexual harassment or  
25 sexual assault in violation of any Federal,  
26 State, local, or Tribal law or regulation and for

1           which all appeals have been exhausted, as appli-  
2           cable; or

3           “(B) a determination after an investigation  
4           by the Coast Guard that it is more likely than  
5           not that the individual committed sexual har-  
6           assment or sexual assault as defined in section  
7           2101, if the determination affords appropriate  
8           due process rights to the subject of the inves-  
9           tigation.

10          “(2) INVESTIGATION BY THE COAST GUARD.—  
11          An investigation by the Coast Guard under para-  
12          graph (1)(B) shall include evaluation of the fol-  
13          lowing materials that shall be provided to the Coast  
14          Guard:

15                 “(A) Any inquiry or determination made  
16                 by the employer of the individual as to whether  
17                 the individual committed sexual harassment or  
18                 sexual assault.

19                 “(B) Upon request from the Coast Guard,  
20                 any investigative materials, documents, records,  
21                 or files in the possession of an employer or  
22                 former employer of the individual that are re-  
23                 lated to the claim of sexual harassment or sex-  
24                 ual assault by the individual.

1           “(3) **ADDITIONAL REVIEW.**—A license, certifi-  
 2           cate of registry, or merchant mariner’s document  
 3           shall not be suspended or revoked under subsection  
 4           (a) or (b), unless the substantiated claim is reviewed  
 5           and affirmed, in accordance with the applicable defi-  
 6           nition in section 2101, by an administrative law  
 7           judge at the same suspension or revocation hearing  
 8           under this chapter described in subsection (a) or (b),  
 9           as applicable.”.

10          (b) **CLERICAL AMENDMENT.**—The analysis for chap-  
 11         ter 77 of title 46, United States Code, is amended by in-  
 12         serting after the item relating to section 7704 the fol-  
 13         lowing:

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

14         **SEC. 607. SURVEILLANCE REQUIREMENTS.**

15           (a) **IN GENERAL.**—Part B of subtitle II of title 46,  
 16         United States Code, is amended by adding at the end the  
 17         following:

18                         **“CHAPTER 49—OCEANGOING**  
 19         **NONPASSENGER COMMERCIAL VESSELS**  
 20         **“§ 4901. Surveillance requirements**

21           “(a) **APPLICABILITY.**—

22                         “(1) **IN GENERAL.**—The requirements in this  
 23         section shall apply to vessels engaged in commercial

1 service that do not carry passengers and are any of  
2 the following:

3 “(A) A documented vessel with overnight  
4 accommodations for at least 10 persons on  
5 board that—

6 “(i) is on a voyage of at least 600  
7 miles and crosses seaward of the boundary  
8 line; or

9 “(ii) is at least 24 meters (79 feet) in  
10 overall length and required to have a load  
11 line under chapter 51.

12 “(B) A documented vessel on an inter-  
13 national voyage that is of—

14 “(i) at least 500 gross tons as meas-  
15 ured under section 14502; or

16 “(ii) an alternate tonnage measured  
17 under section 14302 as prescribed by the  
18 Secretary under section 14104.

19 “(C) A vessel with overnight accommoda-  
20 tions for at least 10 persons on board that are  
21 operating for no less than 72 hours on waters  
22 superjacent to the outer Continental Shelf (as  
23 defined in section 2(a) of the Outer Continental  
24 Shelf Lands Act (43 U.S.C. 1331(a)).

1           “(2) EXCEPTION.—Notwithstanding paragraph  
2           (1), the requirements in this section shall not apply  
3           to any fishing vessel, fish processing vessel, or fish  
4           tender vessel.

5           “(b) REQUIREMENT FOR MAINTENANCE OF VIDEO  
6 SURVEILLANCE SYSTEM.—Each vessel to which this sec-  
7 tion applies shall maintain a video surveillance system in  
8 accordance with this section.

9           “(c) PLACEMENT OF VIDEO AND AUDIO SURVEIL-  
10 LANCE EQUIPMENT.—

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

17           “(2) LOCATIONS.—Video and audio surveillance  
18 equipment shall be placed in passageways onto  
19 which doors from staterooms open. Such equipment  
20 shall be placed in a manner ensuring the visibility of  
21 every door in each such passageway.

22           “(d) NOTICE OF VIDEO AND AUDIO SURVEIL-  
23 LANCE.—The owner of a vessel to which this section ap-  
24 plies shall provide clear and conspicuous signs on board

1 the vessel notifying the crew of the presence of video and  
2 audio surveillance equipment.

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

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

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

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

20 “(B) if the request is in conjunction with  
21 a legal proceeding or investigation; and

22 “(C) that may provide evidence of any sex-  
23 ual harassment or sexual assault incident in a  
24 civil action.



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

8           “(f) RETENTION REQUIREMENTS.—The owner of a  
9           vessel to which this section applies shall retain all records  
10          of audio and video surveillance for not less than 4 years  
11          after the footage is obtained. Any video and audio surveil-  
12          lance found to be associated with an alleged incident of  
13          sexual harassment or sexual assault shall be retained by  
14          such owner for not less than 10 years from the date of  
15          the alleged incident. The Federal Bureau of Investigation  
16          and the Coast Guard are authorized access to all records  
17          of video and audio surveillance relevant to an investigation  
18          into criminal conduct.

19          “(g) PERSONNEL TRAINING.—A vessel owner, man-  
20          aging operator, or employer of a seafarer (in this sub-  
21          section referred to as the ‘company’) shall provide training  
22          for all individuals employed by the company for the pur-  
23          pose of responding to incidents of sexual assault or sexual  
24          harassment, including—

25                 “(1) such training to ensure the individuals—

1                   “(A) retain audio and visual records and  
2                   other evidence objectively; and

3                   “(B) act impartially without influence from  
4                   the company or others; and

5                   “(2) training on applicable Federal, State, Trib-  
6                   al, and local laws and regulations regarding sexual  
7                   assault and sexual harassment investigations and re-  
8                   porting requirements.

9                   “(h) DEFINITION OF OWNER.—In this section, the  
10                  term ‘owner’ means the owner, charterer, managing oper-  
11                  ator, master, or other individual in charge of a vessel.”.

12                  (b) CLERICAL AMENDMENT.—The analysis of sub-  
13                  title II at the beginning of title 46, United States Code,  
14                  is amended by adding after the item relating to chapter  
15                  47 the following:

                  “CHAPTER 49—OCEANGOING NONPASSENGER COMMERCIAL VESSELS”.

16                  **SEC. 608. MASTER KEY CONTROL.**

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

20                  **“§ 3106. Master key control system**

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

23                         “(1) ensure that such vessel is equipped with a  
24                         vessel master key control system, manual or elec-  
25                         tronic, which provides controlled access to all copies

1 of the vessel's master key of which access shall only  
2 be available to the individuals described in para-  
3 graph (2);

4 “(2)(A) establish a list of all crew members,  
5 identified by position, allowed to access and use the  
6 master key; and

7 “(B) maintain such list upon the vessel within  
8 owner records and include such list in the vessel  
9 safety management system under section  
10 3203(a)(6);

11 “(3) record in a log book, which may be elec-  
12 tronic and shall be included in the safety manage-  
13 ment system under section 3203(a)(6), information  
14 on all access and use of the vessel's master key, in-  
15 cluding—

16 “(A) dates and times of access;

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

18 “(C) the name and rank of the crew mem-  
19 ber that used the master key; and

20 “(4) make the list under paragraph (2) and the  
21 log book under paragraph (3) available upon request  
22 to any agent of the Federal Bureau of Investigation,  
23 any member of the Coast Guard, and any law en-  
24 forcement officer performing official duties in the  
25 course and scope of an investigation.

1           “(b) PROHIBITED USE.—A crew member not in-  
2 cluded on the list described in subsection (a)(2) shall not  
3 have access to or use the master key unless in an emer-  
4 gency and shall immediately notify the master and owner  
5 of the vessel following access to or use of such key.

6           “(c) PENALTY.—Any crew member who violates sub-  
7 section (b) shall be liable to the United States Government  
8 for a civil penalty of not more than \$1,000, and may be  
9 subject to suspension or revocation under section 7703.”.

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

“3106. Master key control system.”.

13 **SEC. 609. SAFETY MANAGEMENT SYSTEMS.**

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

16           (1) in subsection (a)—

17                   (A) by redesignating paragraphs (5) and  
18                   (6) as paragraphs (7) and (8), respectively; and

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

21           “(5) with respect to sexual harassment and sex-  
22           ual assault, procedures and annual training require-  
23           ments for all responsible persons and vessels to  
24           which this chapter applies on—

25                   “(A) prevention;

1 “(B) bystander intervention;

2 “(C) reporting;

3 “(D) response; and

4 “(E) investigation;

5 “(6) the list required under section 3106(a)(2)

6 and the log book required under section

7 3106(a)(3);”;

8 (2) by redesignating subsections (b) and (c) as

9 subsections (d) and (e), respectively; and

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

11 lowing:

12 “(b) PROCEDURES AND TRAINING REQUIRE-

13 MENTS.—In prescribing regulations for the procedures

14 and training requirements described in subsection (a)(5),

15 such procedures and requirements shall be consistent with

16 the requirements to report sexual harassment or sexual

17 assault under section 10104.

18 “(c) AUDITS.—

19 “(1) IN GENERAL.—Upon discovery of a failure

20 of a responsible person or vessel to comply with a re-

21 quirement under section 10104 during an audit of a

22 safety management system or from other sources of

23 information acquired by the Coast Guard (including

24 an audit or systematic review under section

25 10104(g)), the Secretary shall audit the safety man-

1       agement system of a vessel under this section to de-  
2       termine if there is a failure to comply with any other  
3       requirement under section 10104.

4           “(2) CERTIFICATES.—

5               “(A) SUSPENSION.—During an audit of a  
6       safety management system of a vessel required  
7       under paragraph (1), the Secretary may sus-  
8       pend the Safety Management Certificate issued  
9       for the vessel under section 3205 and issue a  
10      separate Safety Management Certificate for the  
11      vessel to be in effect for a 3-month period be-  
12      ginning on the date of the issuance of such sep-  
13      arate certificate.

14           “(B) REVOCATION.—At the conclusion of  
15      an audit of a safety management system re-  
16      quired under paragraph (1), the Secretary shall  
17      revoke the Safety Management Certificate  
18      issued for the vessel under section 3205 if the  
19      Secretary determines—

20               “(i) that the holder of the Safety  
21      Management Certificate knowingly, or re-  
22      peatedly, failed to comply with section  
23      10104; or

1                   “(ii) other failure of the safety man-  
2                   agement system resulted in the failure to  
3                   comply with such section.

4                   “(3) DOCUMENTS OF COMPLIANCE.—

5                   “(A) IN GENERAL.—Following an audit of  
6                   the safety management system of a vessel re-  
7                   quired under paragraph (1), the Secretary may  
8                   audit the safety management system of the re-  
9                   sponsible person for the vessel.

10                  “(B) SUSPENSION.—During an audit  
11                  under subparagraph (A), the Secretary may  
12                  suspend the Document of Compliance issued to  
13                  the responsible person under section 3205 and  
14                  issue a separate Document of Compliance to  
15                  such person to be in effect for a 3-month period  
16                  beginning on the date of the issuance of such  
17                  separate document.

18                  “(C) REVOCATION.—At the conclusion of  
19                  an assessment or an audit of a safety manage-  
20                  ment system under subparagraph (A), the Sec-  
21                  retary shall revoke the Document of Compliance  
22                  issued to the responsible person if the Secretary  
23                  determines—

1                   “(i) that the holder of the Document  
2                   of Compliance knowingly, or repeatedly,  
3                   failed to comply with section 10104; or

4                   “(ii) that other failure of the safety  
5                   management system resulted in the failure  
6                   to comply with such section.”.

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 MEM-  
13 BERS.—

14                   “(1) IN GENERAL.—A crew member of a docu-  
15 mented vessel shall report to the Commandant in ac-  
16 cordance with subsection (c) any complaint or inci-  
17 dent of sexual harassment or sexual assault of which  
18 the crew member has firsthand or personal knowl-  
19 edge.

20                   “(2) PENALTY.—Except as provided in para-  
21 graph (3), a crew member with firsthand or personal  
22 knowledge of a sexual assault or sexual harassment  
23 incident on a documented vessel who knowingly fails  
24 to report in compliance with paragraph (1) is liable



1 to the United States Government for a civil penalty  
2 of not more than \$25,000.

3 “(3) AMNESTY.—A crew member who know-  
4 ingly fails to make the required reporting under  
5 paragraph (1) shall not be subject to the penalty de-  
6 scribed in paragraph (2) if the complaint is shared  
7 in confidence with the crew member directly from  
8 the individual who experienced the sexual harass-  
9 ment or sexual assault or the crew member is a vic-  
10 tim advocate as defined in section 40002(a) of the  
11 Violence Against Women Act of 1994 (34 U.S.C.  
12 12291(a)).

13 “(b) MANDATORY REPORTING BY VESSEL OWNER,  
14 MASTER, MANAGING OPERATOR, OR EMPLOYER.—

15 “(1) IN GENERAL.—A vessel owner, master, or  
16 managing operator of a documented vessel or the  
17 employer of a seafarer on that vessel shall report to  
18 the Commandant in accordance with subsection (c)  
19 any complaint or incident of sexual harassment or  
20 sexual assault involving a crew member in violation  
21 of employer policy or law of which such vessel owner  
22 or managing operator is made aware. Such reporting  
23 shall include results of any investigation into the in-  
24 cident, if applicable, and any action taken against  
25 the offending crew member.

1           “(2) PENALTY.—A vessel owner, master, or  
2 managing operator of a documented vessel or the  
3 employer of a seafarer on that vessel who knowingly  
4 fails to report in compliance with paragraph (1) is  
5 liable to the United States Government for a civil  
6 penalty of not more than \$50,000.

7           “(c) REPORTING PROCEDURES.—

8           “(1) TIMING.—

9           “(A) REPORTS BY CREW MEMBERS.—A re-  
10 port required under subsection (a) shall be  
11 made as soon as practicable, but not later than  
12 10 days after the individual develops firsthand  
13 or personal knowledge of the sexual assault or  
14 sexual harassment incident, to the Commandant  
15 by the fastest telecommunications channel avail-  
16 able.

17           “(B) REPORTS BY VESSEL OWNERS, MAS-  
18 TERS, MANAGING OPERATORS, OR EMPLOY-  
19 ERS.—A report required under subsection (b)  
20 shall be made immediately after the vessel  
21 owner, master, managing operator, or employer  
22 of the seafarer gains knowledge of a sexual as-  
23 sault or sexual harassment incident by the fast-  
24 est telecommunications channel available. Such  
25 report shall be made to the Commandant and

1 the appropriate officer or agency of the govern-  
2 ment of the country in whose waters the inci-  
3 dent occurs.

4 “(2) CONTENTS.—A report required under sub-  
5 section (a) or (b) shall include, to the best of the  
6 knowledge of the individual making the report—

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

10 “(B) the name and official number of the  
11 documented vessel;

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

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

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

18 “(3) RECEIVING REPORTS AND COLLECTION OF  
19 INFORMATION.—

20 “(A) RECEIVING REPORTS.—With respect  
21 to reports submitted under this subsection to  
22 the Coast Guard, the Commandant—

23 “(i) may establish additional reporting  
24 procedures, including procedures for re-  
25 ceiving reports through—

1                   “(I) a telephone number that is  
2                   continuously manned at all times; and

3                   “(II) an email address that is  
4                   continuously monitored; and

5                   “(ii) shall use procedures that include  
6                   preserving evidence in such reports and  
7                   providing emergency service referrals.

8                   “(B) COLLECTION OF INFORMATION.—

9                   After receiving a report under this subsection,  
10                  the Commandant shall collect information re-  
11                  lated to the identity of each alleged victim, al-  
12                  leged perpetrator, and witness identified in the  
13                  report through a means designed to protect, to  
14                  the extent practicable, the personal identifiable  
15                  information of such individuals.

16                  “(d) SUBPOENA AUTHORITY.—

17                  “(1) IN GENERAL.—The Commandant may  
18                  compel the testimony of witnesses and the produc-  
19                  tion of any evidence by subpoena to determine com-  
20                  pliance with this section.

21                  “(2) JURISDICTIONAL LIMITS.—The jurisdic-  
22                  tional limits of a subpoena issued under this section  
23                  are the same as, and are enforceable in the same  
24                  manner as, subpoenas issued under chapter 63 of  
25                  this title.

1           “(e) COMPANY AFTER-ACTION SUMMARY.—A vessel  
2 owner, master, managing operator, or employer of a sea-  
3 farer that makes a report under subsection (b), or becomes  
4 aware of a report made under subsection (a) that involves  
5 an individual employed by the owner, master, operator, or  
6 employer at the time of the sexual assault or sexual har-  
7 assment incident, shall—

8           “(1) submit to the Commandant a document  
9 with detailed information to describe the actions  
10 taken by the vessel owner, master, managing oper-  
11 ator, or employer of a seafarer after it became aware  
12 of the sexual assault or sexual harassment incident;  
13 and

14           “(2) make such submission not later than 10  
15 days after the vessel owner, master, managing oper-  
16 ator, or employer of a seafarer made the report  
17 under subsection (b), or became aware of a report  
18 made under subsection (a) that involves an indi-  
19 vidual employed by the owner, master, operator, or  
20 employer at the time of the sexual assault or sexual  
21 harassment incident.

22           “(f) REQUIRED COMPANY RECORDS.—A vessel  
23 owner, master, managing operator, or employer of a sea-  
24 farer shall—

1           “(1) submit to the Commandant copies of all  
2 records, including documents, files, recordings, state-  
3 ments, reports, investigatory materials, findings, and  
4 any other materials requested by the Commandant  
5 related to the claim of sexual assault or sexual har-  
6 assment; and

7           “(2) make such submission not later than 14  
8 days after—

9                   “(A) the vessel owner, master, managing  
10 operator, or employer of a seafarer submitted a  
11 report under subsection (b); or

12                   “(B) the vessel owner, master, managing  
13 operator, or employer of a seafarer acquired  
14 knowledge of a report made under subsection  
15 (a) that involved individuals employed by the  
16 vessel owner, master, managing operator, or  
17 employer of a seafarer.

18           “(g) INVESTIGATORY AUDIT.—The Commandant  
19 shall periodically perform an audit or other systematic re-  
20 view of the submissions made under this section to deter-  
21 mine if there were any failures to comply with the require-  
22 ments of this section.

23           “(h) CIVIL PENALTY.—A vessel owner, master, man-  
24 aging operator, or employer of a seafarer that fails to com-  
25 ply with subsections (e) or (f) is liable to the United States

1 Government for a civil penalty of \$50,000 for each day  
2 a failure continues.

3 “(i) APPLICABILITY; REGULATIONS.—

4 “(1) EFFECTIVE DATE.—The requirements of  
5 this section take effect on the date of enactment of  
6 the Coast Guard Authorization Act of 2022.

7 “(2) REGULATIONS.—The Commandant may  
8 issue regulations to implement the requirements of  
9 this section.

10 “(3) REPORTS.—Any report required to be  
11 made to the Commandant under this section shall be  
12 made to the Coast Guard National Command Cen-  
13 ter, until regulations establishing other reporting  
14 procedures are issued.”.

15 **SEC. 611. CIVIL ACTIONS FOR PERSONAL INJURY OR**  
16 **DEATH OF SEAMEN.**

17 (a) PERSONAL INJURY TO OR DEATH OF SEAMEN.—  
18 Section 30104 of title 46, United States Code, is amended  
19 by inserting “, including an injury resulting from sexual  
20 assault or sexual harassment (as such terms are defined  
21 in section 2101),” after “in the course of employment”.

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

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

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

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

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

7 “(b) EXTENSION FOR SEXUAL OFFENSE.—A civil ac-  
8 tion under subsection (a) arising out of a maritime tort  
9 for a claim of sexual harassment or sexual assault, as such  
10 terms are defined in section 2101, shall be brought not  
11 later than 5 years after the cause of action for a claim  
12 of sexual harassment or sexual assault arose.”.

13 (c) CLERICAL AMENDMENT.—The analysis for chap-  
14 ter 301 of title 46, United States Code, is amended by  
15 striking the item relating to section 30106 and inserting  
16 the following:

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

17 **SEC. 612. ACCESS TO CARE AND SEXUAL ASSAULT FOREN-**  
18 **SIC EXAMINATIONS.**

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

22 “§ 564. **Access to care and sexual assault forensic ex-**  
23 **aminations**

24 “(a) SEXUAL ASSAULT FORENSIC EXAM PROCE-  
25 DURE.—



1           “(1) IN GENERAL.—Before embarking on any  
2           prescheduled voyage, a Coast Guard vessel shall  
3           have in place a written operating procedure that en-  
4           sures that an embarked victim of sexual assault  
5           shall have access to a sexual assault forensic exam-  
6           ination—

7                   “(A) as soon as possible after the victim  
8                   requests an examination; and

9                   “(B) that is treated with the same level of  
10                  urgency as emergency medical care.

11           “(2) REQUIREMENTS.—The written operating  
12           procedure required by paragraph (1), shall, at a  
13           minimum, account for—

14                   “(A) the health, safety, and privacy of a  
15                   victim of sexual assault;

16                   “(B) the proximity of ashore or afloat  
17                   medical facilities, including coordination as nec-  
18                   essary with the Department of Defense, includ-  
19                   ing other military departments (as defined in  
20                   section 101 of title 10, United States Code);

21                   “(C) the availability of aeromedical evacu-  
22                   ation;

23                   “(D) the operational capabilities of the  
24                   vessel concerned;

1           “(E) the qualifications of medical per-  
2           sonnel onboard;

3           “(F) coordination with law enforcement  
4           and the preservation of evidence;

5           “(G) the means of accessing a sexual as-  
6           sault forensic examination and medical care  
7           with a restricted report of sexual assault;

8           “(H) the availability of nonprescription  
9           pregnancy prophylactics; and

10           “(I) other unique military considerations.”.

11           (b) STUDY.—

12           (1) IN GENERAL.—Not later than 1 year after  
13           the date of the enactment of this Act, the Secretary  
14           of the department in which the Coast Guard is oper-  
15           ating shall seek to enter into an agreement with the  
16           National Academy of Sciences under which the Na-  
17           tional Academy of Sciences shall conduct a study to  
18           assess the feasibility of the development of a self-ad-  
19           ministered sexual assault forensic examination for  
20           use by victims of sexual assault onboard a vessel at  
21           sea.

22           (2) ELEMENTS.—The study under paragraph  
23           (1) shall—

24           (A) take into account—

1 (i) the safety and security of the al-  
2 leged victim of sexual assault;

3 (ii) the ability to properly identify,  
4 document, and preserve any evidence rel-  
5 evant to the allegation of sexual assault;  
6 and

7 (iii) the applicable criminal procedural  
8 laws relating to authenticity, relevance,  
9 preservation of evidence, chain of custody,  
10 and any other matter relating to evi-  
11 dentiary admissibility; and

12 (B) provide any appropriate recommenda-  
13 tion for changes to existing laws, regulations, or  
14 employer policies.

15 (3) REPORT.—Upon completion of the study  
16 under paragraph (1), the National Academy of  
17 Sciences shall submit to the Committee on Com-  
18 merce, Science, and Transportation of the Senate,  
19 the Committee on Transportation and Infrastructure  
20 of the House of Representatives, and the Secretary  
21 of the department in which the Coast Guard is oper-  
22 ating a report on the findings of the study.

23 (c) CLERICAL AMENDMENT.—The analysis for sub-  
24 chapter IV of chapter 5 of title 14, United States Code,  
25 is amended by adding at the end the following:

“564. Access to care and sexual assault forensic examinations.”.

1 **SEC. 613. REPORTS TO CONGRESS.**

2 (a) IN GENERAL.—Chapter 101 of title 46, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 **“§ 10105. Reports to Congress**

6 “Not later than 1 year after the date of enactment  
7 of the Coast Guard Authorization Act of 2022, and on  
8 an annual basis thereafter, the Commandant shall submit  
9 to the Committee on Commerce, Science, and Transpor-  
10 tation of the Senate and the Committee on Transportation  
11 and Infrastructure of the House of Representatives a re-  
12 port to include—

13 “(1) the number of reports received under sec-  
14 tion 10104;

15 “(2) the number of penalties issued under such  
16 section;

17 “(3) the number of open investigations under  
18 such section, completed investigations under such  
19 section, and the outcomes of such open or completed  
20 investigations;

21 “(4) the number of assessments or audits con-  
22 ducted under section 3203 and the outcome of those  
23 assessments or audits;

24 “(5) a statistical analysis of compliance with  
25 the safety management system criteria under section  
26 3203;

1           “(6) the number of credentials denied or re-  
2           voked due to sexual harassment, sexual assault, or  
3           related offenses; and

4           “(7) recommendations to support efforts of the  
5           Coast Guard to improve investigations and oversight  
6           of sexual harassment and sexual assault in the mari-  
7           time sector, including funding requirements and leg-  
8           islative change proposals necessary to ensure compli-  
9           ance with title VI of the Coast Guard Authorization  
10          Act of 2022 and the amendments made by such  
11          title.”.

12          (b) CLERICAL AMENDMENT.—The analysis for chap-  
13          ter 101 of title 46, United States Code, is amended by  
14          adding at the end the following:

          “10105. Reports to Congress.”.

15       **SEC. 614. POLICY ON REQUESTS FOR PERMANENT**  
16                       **CHANGES OF STATION OR UNIT TRANSFERS**  
17                       **BY PERSONS WHO REPORT BEING THE VIC-**  
18                       **TIM OF SEXUAL ASSAULT.**

19          Not later than 30 days after the date of the enact-  
20          ment of this Act, the Commandant, in consultation with  
21          the Director of the Health, Safety, and Work Life Direc-  
22          torate, shall issue an interim update to Coast Guard policy  
23          guidance to allow a member of the Coast Guard who has  
24          reported being the victim of a sexual assault or any other  
25          offense covered by section 920, 920c, or 930 of title 10,

1 United States Code (article 120, 120c, or 130 of the Uni-  
2 form Code of Military Justice) to request an immediate  
3 change of station or a unit transfer. The final policy shall  
4 be updated not later than 1 year after the date of the  
5 enactment of this Act.

6 **SEC. 615. SEX OFFENSES AND PERSONNEL RECORDS.**

7 Not later than 180 days after the date of the enact-  
8 ment of this Act, the Commandant shall issue final regula-  
9 tions or policy guidance required to fully implement sec-  
10 tion 1745 of the National Defense Authorization Act for  
11 Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561  
12 note).

13 **SEC. 616. STUDY ON COAST GUARD OVERSIGHT AND INVES-**  
14 **TIGATIONS.**

15 (a) IN GENERAL.—Not later than 180 days after the  
16 date of the enactment of this Act, the Comptroller General  
17 of the United States shall commence a study to assess the  
18 oversight over Coast Guard activities, including investiga-  
19 tions, personnel management, whistleblower protection,  
20 and other activities carried out by the Department of  
21 Homeland Security Office of Inspector General.

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

24 (1) An analysis of the ability of the Department  
25 of Homeland Security Office of Inspector General to

1 ensure timely, thorough, complete, and appropriate  
2 oversight over the Coast Guard, including oversight  
3 over both civilian and military activities.

4 (2) An assessment of—

5 (A) the best practices with respect to such  
6 oversight; and

7 (B) the ability of the Department of  
8 Homeland Security Office of Inspector General  
9 and the Commandant to identify and achieve  
10 such best practices.

11 (3) An analysis of the methods, standards, and  
12 processes employed by the Department of Defense  
13 Office of Inspector General and the inspectors gen-  
14 erals of the armed forces (as defined in section 101  
15 of title 10, United States Code), other than the  
16 Coast Guard, to conduct oversight and investigation  
17 activities.

18 (4) An analysis of the methods, standards, and  
19 processes of the Department of Homeland Security  
20 Office of Inspector General with respect to oversight  
21 over the civilian and military activities of the Coast  
22 Guard, as compared to the methods, standards, and  
23 processes described in paragraph (3).

24 (5) An assessment of the extent to which the  
25 Coast Guard Investigative Service completes inves-

1       tigation or other disciplinary measures after refer-  
2       ral of complaints from the Department of Homeland  
3       Security Office of Inspector General.

4           (6) A description of the staffing, expertise,  
5       training, and other resources of the Department of  
6       Homeland Security Office of Inspector General, and  
7       an assessment as to whether such staffing, expertise,  
8       training, and other resources meet the requirements  
9       necessary for meaningful, timely, and effective over-  
10      sight over the activities of the Coast Guard.

11      (c) REPORT.—Not later than 1 year after com-  
12      mencing the study required by subsection (a), the Comp-  
13      troller General shall submit to the Committee on Com-  
14      merce, Science, and Transportation of the Senate and the  
15      Committee on Transportation and Infrastructure of the  
16      House of Representatives a report on the findings of the  
17      study, including recommendations with respect to over-  
18      sight over Coast Guard activities.

19      **SEC. 617. STUDY ON SPECIAL VICTIMS' COUNSEL PRO-**  
20    **GRAM.**

21      (a) IN GENERAL.—Not later than 30 days after the  
22      date of the enactment of this Act, the Secretary of the  
23      department in which the Coast Guard is operating shall  
24      enter into an agreement with a federally funded research  
25      and development center for the conduct of a study on—



1           (1) the Special Victims' Counsel program of the  
2           Coast Guard;

3           (2) Coast Guard investigations of sexual assault  
4           offenses for cases in which the subject of the inves-  
5           tigation is no longer under jeopardy for the alleged  
6           misconduct for reasons including the death of the  
7           accused, a lapse in the statute of limitations for the  
8           alleged offense, and a fully adjudicated criminal trial  
9           of the alleged offense in which all appeals have been  
10          exhausted; and

11          (3) legal support and representation provided to  
12          members of the Coast Guard who are victims of sex-  
13          ual assault, including in instances in which the ac-  
14          cused is a member of the Army, Navy, Air Force,  
15          Marine Corps, or Space Force.

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

18               (1) The Special Victims' Counsel program of  
19               the Coast Guard, including training, effectiveness,  
20               capacity to handle the number of cases referred, and  
21               experience with cases involving members of the  
22               Coast Guard and members of another armed force  
23               (as defined in section 101 of title 10, United States  
24               Code).

1           (2) The experience of Special Victims' Counsels  
2           in representing members of the Coast Guard during  
3           a court-martial.

4           (3) Policies concerning the availability and de-  
5           tailing of Special Victims' Counsels for sexual as-  
6           sault allegations, in particular such allegations in  
7           which the accused is a member of another armed  
8           force (as defined in section 101 of title 10, United  
9           States Code), and the impact that the cross-service  
10          relationship had on—

11                   (A) the competence and sufficiency of serv-  
12                   ices provided to the alleged victim; and

13                   (B) the interaction between—

14                           (i) the investigating agency and the  
15                           Special Victims' Counsels; and

16                           (ii) the prosecuting entity and the  
17                           Special Victims' Counsels.

18          (4) Training provided to, or made available for,  
19          Special Victims' Counsels and paralegals with re-  
20          spect to Department of Defense processes for con-  
21          ducting sexual assault investigations and Special  
22          Victims' Counsel representation of sexual assault  
23          victims.

24          (5) The ability of Special Victims' Counsels to  
25          operate independently without undue influence from

1 third parties, including the command of the accused,  
2 the command of the victim, the Judge Advocate  
3 General of the Coast Guard, and the Deputy Judge  
4 Advocate General of the Coast Guard.

5 (6) The skill level and experience of Special Vie-  
6 tims' Counsels, as compared to special victims' coun-  
7 sels available to members of the Army, Navy, Air  
8 Force, Marine Corps, and Space Force.

9 (7) Policies regarding access to an alternate  
10 Special Victims' Counsel, if requested by the mem-  
11 ber of the Coast Guard concerned, and potential im-  
12 provements for such policies.

13 (c) REPORT.—Not later than 180 days after entering  
14 into an agreement under subsection (a), the federally  
15 funded research and development center shall submit to  
16 the Committee on Commerce, Science, and Transportation  
17 of the Senate and the Committee on Transportation and  
18 Infrastructure of the House of Representatives a report  
19 that includes—

20 (1) the findings of the study required by that  
21 subsection;

22 (2) recommendations to improve the coordina-  
23 tion, training, and experience of Special Victims'  
24 Counsels of the Coast Guard so as to improve out-

1 comes for members of the Coast Guard who have re-  
2 ported sexual assault; and

3 (3) any other recommendation the federally  
4 funded research and development center considers  
5 appropriate.

6 **TITLE VII—NATIONAL OCEANIC**  
7 **AND ATMOSPHERIC ADMINIS-**  
8 **TRATION**

9 **Subtitle A—National Oceanic and**  
10 **Atmospheric Administration**  
11 **Commissioned Officer Corps**

12 **SEC. 701. DEFINITIONS.**

13 Section 212(b) of the National Oceanic and Atmos-  
14 pheric Administration Commissioned Officer Corps Act of  
15 2002 (33 U.S.C. 3002(b)) is amended by adding at the  
16 end the following:

17 “(8) UNDER SECRETARY.—The term ‘Under  
18 Secretary’ means the Under Secretary of Commerce  
19 for Oceans and Atmosphere.”.

20 **SEC. 702. REQUIREMENT FOR APPOINTMENTS.**

21 Section 221(e) of the National Oceanic and Atmos-  
22 pheric Administration Commissioned Officer Corps Act of  
23 2002 (33 U.S.C. 3021(e)) is amended by striking “may  
24 not be given” and inserting the following: “may—

1           “(1) be given only to an individual who is a cit-  
2           izen of the United States; and

3           “(2) not be given”.

4 **SEC. 703. REPEAL OF REQUIREMENT TO PROMOTE EN-**  
5 **SIGNS AFTER 3 YEARS OF SERVICE.**

6           (a) IN GENERAL.—Section 223 of the National Oce-  
7           anic and Atmospheric Administration Commissioned Offi-  
8           cer Corps Act of 2002 (33 U.S.C. 3023) is amended to  
9           read as follows:

10 **“SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY**  
11 **QUALIFIED.**

12           “If an officer in the permanent grade of ensign is  
13           at any time found not fully qualified, the officer’s commis-  
14           sion shall be revoked and the officer shall be separated  
15           from the commissioned service.”.

16           (b) CLERICAL AMENDMENT.—The table of contents  
17           in section 1 of the Act entitled “An Act to reauthorize  
18           the Hydrographic Services Improvement Act of 1998, and  
19           for other purposes” (Public Law 107–372) is amended by  
20           striking the item relating to section 223 and inserting the  
21           following:

          “Sec. 223. Separation of ensigns found not fully qualified.”.

22 **SEC. 704. AUTHORITY TO PROVIDE AWARDS AND DECORA-**  
23 **TIONS.**

24           (a) IN GENERAL.—Subtitle A of the National Oce-  
25           anic and Atmospheric Administration Commissioned Offi-

1 cer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amend-  
2 ed by adding at the end the following:

3 **“SEC. 220. AWARDS AND DECORATIONS.**

4 “The Under Secretary may provide ribbons, medals,  
5 badges, trophies, and similar devices to members of the  
6 commissioned officer corps of the Administration and to  
7 members of other uniformed services for service and  
8 achievement in support of the missions of the Administra-  
9 tion.”.

10 (b) CLERICAL AMENDMENT.—The table of contents  
11 in section 1 of the Act entitled “An Act to reauthorize  
12 the Hydrographic Services Improvement Act of 1998, and  
13 for other purposes” (Public Law 107–372) is amended by  
14 inserting after the item relating to section 219 the fol-  
15 lowing:

“Sec. 220. Awards and decorations.”.

16 **SEC. 705. RETIREMENT AND SEPARATION.**

17 (a) INVOLUNTARY RETIREMENT OR SEPARATION.—  
18 Section 241(a)(1) of the National Oceanic and Atmos-  
19 pheric Administration Commissioned Officer Corps Act of  
20 2002 (33 U.S.C. 3041(a)(1)) is amended to read as fol-  
21 lows:

22 “(1) an officer in the permanent grade of cap-  
23 tain or commander may—

24 “(A) except as provided by subparagraph  
25 (B), be transferred to the retired list; or

1                   “(B) if the officer is not qualified for re-  
2                   tirement, be separated from service; and”.

3           (b) RETIREMENT FOR AGE.—Section 243(a) of that  
4 Act (33 U.S.C. 3043(a)) is amended by striking “be re-  
5 tired” and inserting “be retired or separated (as specified  
6 in section 1251(e) of title 10, United States Code)”.

7           (c) RETIREMENT OR SEPARATION BASED ON YEARS  
8 OF CREDITABLE SERVICE.—Section 261(a) of that Act  
9 (33 U.S.C. 3071(a)) is amended—

10           (1) by redesignating paragraphs (17) through  
11           (26) as paragraphs (18) through (27), respectively;  
12           and

13           (2) by inserting after paragraph (16) the fol-  
14           lowing:

15           “(17) Section 1251(e), relating to retirement or  
16           separation based on years of creditable service.”.

17 **SEC. 706. LICENSURE OF HEALTH-CARE PROFESSIONALS.**

18           Section 263 of the National Oceanic and Atmospheric  
19 Administration Commissioned Officer Corps Act of 2002  
20 (33 U.S.C. 3073) is amended—

21           (1) by striking “The Secretary” and inserting  
22           “(a) IN GENERAL.—The Secretary”; and

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

24           “(b) LICENSURE OF HEALTH-CARE PROFES-  
25           SIONALS.—





1           “(iv) any other health-care profes-  
2           sional credentialed and privileged at a Fed-  
3           eral health-care institution or location spe-  
4           cially designated by the Secretary; and

5           “(B) who—

6           “(i) has a current license to practice  
7           medicine, osteopathic medicine, dentistry,  
8           or another health profession; and

9           “(ii) is performing authorized duties  
10          for the Administration.

11          “(3) DEFINITIONS.—In this subsection:

12          “(A) HEALTH-CARE PROFESSIONAL.—The  
13          term ‘health-care professional’ has the meaning  
14          given that term in section 1094(e) of title 10,  
15          United States Code, except that such section  
16          shall be applied and administered by sub-  
17          stituting ‘Secretary of Commerce’ for ‘Secretary  
18          of Defense’ each place it appears.

19          “(B) LICENSE.—The term ‘license’ has the  
20          meaning given that term in such section.”.

21   **SEC. 707. IMPROVING PROFESSIONAL MARINER STAFFING.**

22          (a) IN GENERAL.—Subtitle E of the National Oce-  
23          anic and Atmospheric Administration Commissioned Offi-  
24          cer Corps Act of 2002 (33 U.S.C. 3071 et seq.) is amend-  
25          ed by adding at the end the following:

1 **“SEC. 269B. SHORE LEAVE FOR PROFESSIONAL MARINERS.**

2 “(a) IN GENERAL.—The Under Secretary may pre-  
3 scribe regulations relating to shore leave for professional  
4 mariners without regard to the requirements of section  
5 6305 of title 5, United States Code.

6 “(b) REQUIREMENTS.—The regulations prescribed  
7 under subsection (a) shall—

8 “(1) require that a professional mariner serving  
9 aboard an ocean-going vessel be granted a leave of  
10 absence of four days per pay period; and

11 “(2) provide that a professional mariner serving  
12 in a temporary promotion position aboard a vessel  
13 may be paid the difference between the mariner’s  
14 temporary and permanent rates of pay for leave ac-  
15 crued while serving in the temporary promotion posi-  
16 tion.

17 “(c) PROFESSIONAL MARINER DEFINED.—In this  
18 section, the term ‘professional mariner’ means an indi-  
19 vidual employed on a vessel of the Administration who has  
20 the necessary expertise to serve in the engineering, deck,  
21 steward, electronic technician, or survey department.”.

22 (b) CLERICAL AMENDMENT.—The table of contents  
23 in section 1 of the Act entitled “An Act to reauthorize  
24 the Hydrographic Services Improvement Act of 1998, and  
25 for other purposes” (Public Law 107–372) is amended by

1 inserting after the item relating to section 269A the fol-  
2 lowing:

“Sec. 269B. Shore leave for professional mariners.”.

3 **SEC. 708. LEGAL ASSISTANCE.**

4 Section 1044(a)(3) of title 10, United States Code,  
5 is amended by inserting “or the commissioned officer  
6 corps of the National Oceanic and Atmospheric Adminis-  
7 tration” after “Public Health Service”.

8 **SEC. 709. ACQUISITION OF AIRCRAFT FOR EXTREME**

9 **WEATHER RECONNAISSANCE.**

10 (a) INCREASED FLEET CAPACITY.—

11 (1) IN GENERAL.—The Under Secretary of  
12 Commerce for Oceans and Atmosphere shall acquire  
13 adequate aircraft platforms with the necessary ob-  
14 servation and modification requirements—

15 (A) to meet agency-wide air reconnaissance  
16 and research mission requirements, particularly  
17 with respect to hurricanes and tropical cyclones,  
18 and also for atmospheric chemistry, climate, air  
19 quality for public health, full-season fire weath-  
20 er research and operations, full-season atmos-  
21 pheric river air reconnaissance observations,  
22 and other mission areas; and

23 (B) to ensure data and information col-  
24 lected by the aircraft are made available to all  
25 users for research and operations purposes.

1           (2) CONTRACTS.—In carrying out paragraph  
2           (1), the Under Secretary shall negotiate and enter  
3           into 1 or more contracts or other agreements, to the  
4           extent practicable and necessary, with 1 or more  
5           governmental, commercial, or nongovernmental enti-  
6           ties.

7           (3) DERIVATION OF FUNDS.—For each of fiscal  
8           years 2023 through 2026, amounts to support the  
9           implementation of paragraphs (1) and (2) shall be  
10          derived—

11                 (A) from amounts appropriated to the Of-  
12                 fice of Marine and Aviation Operations of the  
13                 National Oceanic and Atmospheric Administra-  
14                 tion and available for the purpose of atmos-  
15                 pheric river reconnaissance; and

16                 (B) if amounts described in subparagraph  
17                 (A) are insufficient to support the implementa-  
18                 tion of paragraphs (1) and (2), from amounts  
19                 appropriated to that Office and available for  
20                 purposes other than atmospheric river recon-  
21                 naissance.

22          (b) ACQUISITION OF AIRCRAFT TO REPLACE THE  
23          WP-3D AIRCRAFT.—

24                 (1) IN GENERAL.—Not later than September  
25                 30, 2023, the Under Secretary shall enter into a

1 contract for the acquisition of 6 aircraft to replace  
2 the WP-3D aircraft that provides for—

3 (A) the first newly acquired aircraft to be  
4 fully operational before the retirement of the  
5 last WP-3D aircraft operated by the National  
6 Oceanic and Atmospheric Administration; and

7 (B) the second newly acquired aircraft to  
8 be fully operational not later than 1 year after  
9 the first such aircraft is required to be fully  
10 operational under subparagraph (A).

11 (2) AUTHORIZATION OF APPROPRIATIONS.—

12 There is authorized to be appropriated to the Under  
13 Secretary \$1,800,000,000, without fiscal year limita-  
14 tion, for the acquisition of the aircraft under para-  
15 graph (1).

16 **SEC. 710. REPORT ON PROFESSIONAL MARINER STAFFING**  
17 **MODELS.**

18 (a) IN GENERAL.—Not later than 18 months after  
19 the date of the enactment of this Act, the Comptroller  
20 General of the United States shall submit to the commit-  
21 tees specified in subsection (c) a report on staffing issues  
22 relating to professional mariners within the Office of Ma-  
23 rine and Aviation Operations of the National Oceanic and  
24 Atmospheric Administration.

1 (b) ELEMENTS.—The report required by subsection  
2 (a) shall include consideration of—

3 (1) the challenges the Office of Marine and  
4 Aviation Operations faces in recruiting and retaining  
5 qualified professional mariners;

6 (2) workforce planning efforts to address those  
7 challenges; and

8 (3) other models or approaches that exist, or  
9 are under consideration, to provide incentives for the  
10 retention of qualified professional mariners.

11 (c) COMMITTEES SPECIFIED.—The committees speci-  
12 fied in this subsection are—

13 (1) the Committee on Commerce, Science, and  
14 Transportation of the Senate; and

15 (2) the Committee on Transportation and In-  
16 frastructure and the Committee on Natural Re-  
17 sources of the House of Representatives.

18 (d) PROFESSIONAL MARINER DEFINED.—In this sec-  
19 tion, the term “professional mariner” means an individual  
20 employed on a vessel of the National Oceanic and Atmos-  
21 pheric Administration who has the necessary expertise to  
22 serve in the engineering, deck, steward, or survey depart-  
23 ment.

1                   **Subtitle B—Other Matters**

2   **SEC. 711. CONVEYANCE OF CERTAIN PROPERTY OF THE**  
3                   **NATIONAL OCEANIC AND ATMOSPHERIC AD-**  
4                   **MINISTRATION IN JUNEAU, ALASKA.**

5           (a) DEFINITIONS.—In this section:

6               (1) CITY.—The term “City” means the City  
7               and Borough of Juneau, Alaska.

8               (2) MASTER PLAN.—The term “Master Plan”  
9               means the Juneau Small Cruise Ship Infrastructure  
10              Master Plan released by the Docks and Harbors  
11              Board and Port of Juneau for the City and dated  
12              March 2021.

13              (3) PROPERTY.—The term “Property” means  
14              the parcel of real property consisting of approxi-  
15              mately 2.4 acres, including tidelands, owned by the  
16              United States and under administrative custody and  
17              control of the National Oceanic and Atmospheric  
18              Administration and located at 250 Egan Drive, Ju-  
19              neau, Alaska, including any improvements thereon  
20              that are not authorized or required by another provi-  
21              sion of law to be conveyed to a specific individual or  
22              entity.

23              (4) SECRETARY.—The term “Secretary” means  
24              the Secretary of Commerce, acting through the  
25              Under Secretary of Commerce for Oceans and At-

1       mosphere and the Administrator of the National  
2       Oceanic and Atmospheric Administration.

3       (b) CONVEYANCE AUTHORIZED.—

4             (1) IN GENERAL.—The Secretary may convey,  
5       at fair market value, all right, title, and interest of  
6       the United States in and to the Property, subject to  
7       subsection (c) and the requirements of this section.

8             (2) TERMINATION OF AUTHORITY.—The au-  
9       thority provided by paragraph (1) shall terminate on  
10      the date that is 3 years after date of the enactment  
11      of this Act.

12      (c) RIGHT OF FIRST REFUSAL.—The City shall have  
13      the right of first refusal with respect to the purchase, at  
14      fair market value, of the Property.

15      (d) SURVEY.—The exact acreage and legal descrip-  
16      tion of the Property shall be determined by a survey satis-  
17      factory to the Secretary.

18      (e) CONDITION; QUITCLAIM DEED.—If the Property  
19      is conveyed under this section, the Property shall be con-  
20      veyed—

21             (1) in an “as is, where is” condition; and

22             (2) via a quitclaim deed.

23      (f) FAIR MARKET VALUE.—

24             (1) IN GENERAL.—The fair market value of the  
25      Property shall be—



- 1 (A) determined by an appraisal that—  
2 (i) is conducted by an independent ap-  
3 praiser selected by the Secretary; and  
4 (ii) meets the requirements of para-  
5 graph (2); and  
6 (B) adjusted, at the Secretary's discretion,  
7 based on the factors described in paragraph (3).

8 (2) APPRAISAL REQUIREMENTS.—An appraisal  
9 conducted under paragraph (1)(A) shall be con-  
10 ducted in accordance with nationally recognized ap-  
11 praisal standards, including—

12 (A) the Uniform Appraisal Standards for  
13 Federal Land Acquisitions; and

14 (B) the Uniform Standards of Professional  
15 Appraisal Practice.

16 (3) FACTORS.—The factors described in this  
17 paragraph are—

18 (A) matters of equity and fairness;

19 (B) actions taken by the City regarding  
20 the Property, if the City exercises its right of  
21 first refusal under subsection (c), including—

22 (i) comprehensive waterfront plan-  
23 ning, site development, and other redev-  
24 opment activities supported by the City in

1 proximity to the Property in furtherance of  
2 the Master Plan;

3 (ii) in-kind contributions made to fa-  
4 cilitate and support use of the Property by  
5 governmental agencies; and

6 (iii) any maintenance expenses, capital  
7 improvement, or emergency expenditures  
8 made necessary to ensure public safety and  
9 access to and from the Property; and

10 (C) such other factors as the Secretary  
11 considers appropriate.

12 (g) COSTS OF CONVEYANCE.—If the City exercises  
13 its right of first refusal under subsection (c), all reason-  
14 able and necessary costs, including real estate transaction  
15 and environmental documentation costs, associated with  
16 the conveyance of the Property to the City under this sec-  
17 tion may be shared equitably by the Secretary and the  
18 City, as determined by the Secretary, including with the  
19 City providing in-kind contributions for any or all of such  
20 costs.

21 (h) PROCEEDS.—Notwithstanding section 3302 of  
22 title 31, United States Code, or any other provision of law,  
23 any proceeds from a conveyance of the Property under this  
24 section shall—

1           (1) be deposited in an account or accounts of  
2           the National Oceanic and Atmospheric Administra-  
3           tion that exists as of the date of the enactment of  
4           this Act;

5           (2) used to cover costs associated with the con-  
6           veyance, related relocation efforts, and other facility  
7           and infrastructure projects in Alaska; and

8           (3) remain available until expended, without  
9           further appropriation.

10          (i) MEMORANDUM OF AGREEMENT.—If the City ex-  
11          ercises its right of first refusal under subsection (c), before  
12          finalizing a conveyance to the City under this section, the  
13          Secretary and the City shall enter into a memorandum  
14          of agreement to establish the terms under which the Sec-  
15          retary shall have future access to, and use of, the Property  
16          to accommodate the reasonable expectations of the Sec-  
17          retary for future operational and logistical needs in south-  
18          east Alaska.

19          (j) RESERVATION OR EASEMENT FOR ACCESS AND  
20          USE.—The conveyance authorized under this section shall  
21          be subject to a reservation providing, or an easement  
22          granting, the Secretary, at no cost to the United States,  
23          a right to access and use the Property that—

24                 (1) is compatible with the Master Plan; and

1           (2) authorizes future operational access and use  
2           by other Federal, State, and local government agen-  
3           cies that have customarily used the Property.

4           (k) LIABILITY.—

5           (1) AFTER CONVEYANCE.—An individual or en-  
6           tity to which a conveyance is made under this sec-  
7           tion shall hold the United States harmless from any  
8           liability with respect to activities carried out on or  
9           after the date and time of the conveyance of the  
10          Property.

11          (2) BEFORE CONVEYANCE.—The United States  
12          shall remain responsible for any liability the United  
13          States incurred with respect to activities the United  
14          States carried out on the Property before the date  
15          and time of the conveyance of the Property.

16          (l) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
17          retary may require such additional terms and conditions  
18          in connection with a conveyance under this section as the  
19          Secretary considers appropriate and reasonable to protect  
20          the interests of the United States.

21          (m) ENVIRONMENTAL COMPLIANCE.—Nothing in  
22          this section may be construed to affect or limit the applica-  
23          tion of or obligation to comply with any applicable environ-  
24          mental law, including—

1 (1) the National Environmental Policy Act of  
2 1969 (42 U.S.C. 4321 et seq.); or

3 (2) section 120(h) of the Comprehensive Envi-  
4 ronmental Response, Compensation, and Liability  
5 Act of 1980 (42 U.S.C. 9620(h)).

6 (n) CONVEYANCE NOT A MAJOR FEDERAL AC-  
7 TION.—A conveyance under this section shall not be con-  
8 sidered a major Federal action for purposes of section  
9 102(2) of the National Environmental Policy Act of 1969  
10 (42 U.S.C. 4332(2)).

11 **TITLE VIII—TECHNICAL, CON-**  
12 **FORMING, AND CLARIFYING**  
13 **AMENDMENTS**

14 **SEC. 801. TECHNICAL CORRECTION.**

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

19 **SEC. 802. REINSTATEMENT.**

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

23 (1) reinstated as it appeared on the day before  
24 the date of the enactment of section 8507(b) of the  
25 William M. (Mac) Thornberry National Defense Au-

1       thorization Act for Fiscal Year 2021 (Public Law  
2       116–283; 134 Stat. 4754); and

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

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

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

11   **SEC. 803. TERMS AND VACANCIES.**

12       Section 46101(b) of title 46, United States Code, is  
13      amended—

14             (1) in paragraph (2)—

15                 (A) by striking “one year” and inserting  
16                 “2 years”; and

17                 (B) by striking “2 terms” and inserting “3  
18                 terms”; and

19             (2) in paragraph (3)—

20                 (A) by striking “of the individual being  
21                 succeeded” and inserting “to which such indi-  
22                 vidual is appointed”;

23                 (B) by striking “2 terms” and inserting “3  
24                 terms”; and

1 (C) by striking “the predecessor of that”  
2 and inserting “such”.

3 **TITLE IX—RULE OF**  
4 **CONSTRUCTION**

5 **SEC. 901. RULE OF CONSTRUCTION.**

6 Nothing in this Act may be construed—

7 (1) to satisfy any requirement for government-  
8 to-government consultation with Tribal governments;  
9 or

10 (2) to affect or modify any treaty or other right  
11 of any Tribal government.