

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of this section, for models developed in
3 whole or in part with the Department of Defense,
4 the Administrator, in consultation with the Sec-
5 retary of Defense, as appropriate, shall withhold any
6 model or data if the Administrator or the Secretary
7 of Defense determines doing so to be necessary to
8 protect the national security interests of the United
9 States.

10 (2) RULE OF CONSTRUCTION.—Nothing in this
11 section shall be construed to supersede any other
12 provision of law governing the protection of the na-
13 tional security interests of the United States.

14 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to carry out this section
16 \$2,000,000 for each of fiscal years 2023 through 2027.

17 **DIVISION K—DON YOUNG COAST**
18 **GUARD AUTHORIZATION ACT**
19 **OF 2022**

20 **SEC. 11001. SHORT TITLE; TABLE OF CONTENTS.**

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

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

- Sec. 11001. Short title; table of contents.
- Sec. 11002. Definitions.
- Sec. 11003. Rule of construction.

TITLE CXI—AUTHORIZATIONS

- Sec. 11101. Authorization of appropriations.
- Sec. 11102. Authorized levels of military strength and training.
- Sec. 11103. Authorization for certain programs and services.
- Sec. 11104. Availability of amounts for acquisition of additional vessels.
- Sec. 11105. Shoreside infrastructure and facilities.
- Sec. 11106. Coast Guard yard resilient infrastructure and construction improvement.

TITLE CXII—COAST GUARD

Subtitle A—Infrastructure and Assets

- Sec. 11201. Report on shoreside infrastructure and facilities projects.
- Sec. 11202. Report and briefing on resourcing strategy for Western Pacific region.
- Sec. 11203. Study and report on national security and drug trafficking threats in Florida Straits, Cuba, and Caribbean region.
- Sec. 11204. Coast Guard Yard.
- Sec. 11205. Authority to enter into transactions other than contracts and grants to procure cost-effective technology for mission needs.
- Sec. 11206. Improvements to infrastructure and operations planning.
- Sec. 11207. Aqua alert notification system pilot program.
- Sec. 11208. Pilot project for enhancing Coast Guard cutter readiness through condition-based maintenance.
- Sec. 11209. Study on laydown of Coast Guard Cutters.
- Sec. 11210. Acquisition life-cycle cost estimates.
- Sec. 11211. Disposition of infrastructure related to E-LORAN.

Subtitle B—Great Lakes

- Sec. 11212. Great Lakes winter commerce.
- Sec. 11213. Database on icebreaking operations in Great Lakes.
- Sec. 11214. Center of expertise for Great Lakes oil spill search and response.
- Sec. 11215. Great Lakes snowmobile acquisition plan.
- Sec. 11216. Great Lakes barge inspection exemption.
- Sec. 11217. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

Subtitle C—Arctic

- Sec. 11218. Establishment of medium icebreaker program office.
- Sec. 11219. Arctic activities.
- Sec. 11220. Study on Arctic operations and infrastructure.
- Sec. 11221. Pribilof Island transition completion actions.
- Sec. 11222. Report on shipyards of Finland and Sweden.
- Sec. 11223. Acquisition of icebreaker.

Subtitle D—Maritime Cyber and Artificial Intelligence

- Sec. 11224. Enhancing maritime cybersecurity.
- Sec. 11225. Establishment of unmanned system program and autonomous control and computer vision technology project.
- Sec. 11226. Artificial intelligence strategy.
- Sec. 11227. Review of artificial intelligence applications and establishment of performance metrics.

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- Sec. 11228. Cyber data management.
- Sec. 11229. Data management.
- Sec. 11230. Study on cyber threats to United States marine transportation system.

Subtitle E—Aviation

- Sec. 11231. Space-available travel on Coast Guard aircraft: program authorization and eligible recipients.
- Sec. 11232. Report on Coast Guard Air Station Barbers Point hangar.
- Sec. 11233. Study on operational availability of Coast Guard aircraft and strategy for Coast Guard Aviation.

Subtitle F—Workforce Readiness

- Sec. 11234. Authorized strength.
- Sec. 11235. Continuation of officers with certain critical skills on active duty.
- Sec. 11236. Number and distribution of officers on active duty promotion list.
- Sec. 11237. Career incentive pay for marine inspectors.
- Sec. 11238. Expansion of ability for selection board to recommend officers of particular merit for promotion.
- Sec. 11239. Modification to education loan repayment program.
- Sec. 11240. Retirement of Vice Commandant.
- Sec. 11241. Report on resignation and retirement processing times and denial.
- Sec. 11242. Calculation of active service.
- Sec. 11243. Physical Disability Evaluation System procedure review.
- Sec. 11244. Expansion of authority for multirater assessments of certain personnel.
- Sec. 11245. Promotion parity.
- Sec. 11246. Partnership program to diversify Coast Guard.
- Sec. 11247. Expansion of Coast Guard Junior Reserve Officers' Training Corps.
- Sec. 11248. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.
- Sec. 11249. Strategy to enhance diversity through recruitment and accession.
- Sec. 11250. Support for Coast Guard Academy.
- Sec. 11251. Training for congressional affairs personnel.
- Sec. 11252. Strategy for retention of cuttermen.
- Sec. 11253. Study on performance of Coast Guard Force Readiness Command.
- Sec. 11254. Study on frequency of weapons training for Coast Guard personnel.

Subtitle G—Miscellaneous Provisions

- Sec. 11255. Modification of prohibition on operation or procurement of foreign-made unmanned aircraft systems.
- Sec. 11256. Budgeting of Coast Guard relating to certain operations.
- Sec. 11257. Report on San Diego maritime domain awareness.
- Sec. 11258. Conveyance of Coast Guard vessels for public purposes.
- Sec. 11259. National Coast Guard Museum funding plan.
- Sec. 11260. Report on Coast Guard explosive ordnance disposal.
- Sec. 11261. Transfer and conveyance.
- Sec. 11262. Transparency and oversight.
- Sec. 11263. Study on safety inspection program for containers and facilities.
- Sec. 11264. Operational data sharing capability.

- Sec. 11265. Feasibility study on construction of Coast Guard station at Port Mansfield.
- Sec. 11266. Procurement of tethered aerostat radar system for Coast Guard Station South Padre Island.
- Sec. 11267. Prohibition on major acquisition contracts with entities associated with Chinese Communist Party.
- Sec. 11268. Review of drug interdiction equipment and standards; testing for fentanyl during interdiction operations.
- Sec. 11269. Public availability of information on monthly migrant interdictions.
- Sec. 11270. Cargo waiting time reduction.
- Sec. 11271. Study on Coast Guard oversight and investigations.

Subtitle H—Sexual Assault and Sexual Harassment Response and Prevention

- Sec. 11272. Administration of sexual assault forensic examination kits.
- Sec. 11273. Policy on requests for permanent changes of station or unit transfers by persons who report being the victim of sexual assault.
- Sec. 11274. Sex offenses and personnel records.
- Sec. 11275. Study on Special Victims' Counsel program.

TITLE CXIII—ENVIRONMENT

Subtitle A—Marine Mammals

- Sec. 11301. Definitions.
- Sec. 11302. Assistance to ports to reduce impacts of vessel traffic and port operations on marine mammals.
- Sec. 11303. Near real-time monitoring and mitigation program for large cetaceans.
- Sec. 11304. Pilot program to establish a Cetacean Desk for Puget Sound region.
- Sec. 11305. Monitoring ocean soundscapes.

Subtitle B—Oil Spills

- Sec. 11306. Report on changing salvors.
- Sec. 11307. Limited indemnity provisions in standby oil spill response contracts.
- Sec. 11308. Improving oil spill preparedness.
- Sec. 11309. Western Alaska oil spill planning criteria.
- Sec. 11310. Coast Guard claims processing costs.
- Sec. 11311. Calculation of interest on debt owed to national pollution fund.
- Sec. 11312. Per-incident limitation.
- Sec. 11313. Access to Oil Spill Liability Trust Fund.
- Sec. 11314. Cost-reimbursable agreements.
- Sec. 11315. Oil spill response review.
- Sec. 11316. Additional exceptions to regulations for towing vessels.
- Sec. 11317. Port Coordination Council for Point Spencer.

Subtitle C—Environmental Compliance

- Sec. 11318. Providing requirements for vessels anchored in established anchorage grounds.
- Sec. 11319. Study on impacts on shipping and commercial, Tribal, and recreational fisheries from development of renewable energy on West Coast.

Sec. 11320. Use of devices broadcasting on AIS for purposes of marking fishing gear.

Subtitle D—Environmental Issues

- Sec. 11321. Notification of communication outages.
- Sec. 11322. Improvements to communication with fishing industry and related stakeholders.
- Sec. 11323. Advance notification of military or other exercises.
- Sec. 11324. Modifications to Sport Fish Restoration and Boating Trust Fund administration.
- Sec. 11325. Load lines.
- Sec. 11326. Actions by National Marine Fisheries Service to increase energy production.
- Sec. 11327. Aquatic Nuisance Species Task Force.
- Sec. 11328. Safety standards.

Subtitle E—Illegal Fishing and Forced Labor Prevention

Sec. 11329. Definitions.

CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

- Sec. 11330. Enhancement of Seafood Import Monitoring Program Message Set in Automated Commercial Environment system.
- Sec. 11331. Data sharing and aggregation.
- Sec. 11332. Import audits.
- Sec. 11333. Availability of fisheries information.
- Sec. 11334. Report on Seafood Import Monitoring Program.
- Sec. 11335. Authorization of appropriations.

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

- Sec. 11336. Denial of port privileges.
- Sec. 11337. Identification and certification criteria.
- Sec. 11338. Equivalent conservation measures.
- Sec. 11339. Capacity building in foreign fisheries.
- Sec. 11340. Training of United States observers.
- Sec. 11341. Regulations.

TITLE CXIV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

- Sec. 11401. Coast Guard child care improvements.
- Sec. 11402. Armed Forces access to Coast Guard child development services.
- Sec. 11403. Cadet pregnancy policy improvements.
- Sec. 11404. Combat-related special compensation.
- Sec. 11405. Study on food security.

Subtitle B—Healthcare

- Sec. 11406. Development of medical staffing standards for Coast Guard.
- Sec. 11407. Healthcare system review and strategic plan.
- Sec. 11408. Data collection and access to care.
- Sec. 11409. Behavioral health policy.

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- Sec. 11410. Members asserting post-traumatic stress disorder or traumatic brain injury.
- Sec. 11411. Improvements to Physical Disability Evaluation System and transition program.
- Sec. 11412. Expansion of access to counseling.
- Sec. 11413. Expansion of postgraduate opportunities for members of Coast Guard in medical and related fields.
- Sec. 11414. Study on Coast Guard medical facilities needs.
- Sec. 11415. Study on Coast Guard telemedicine program.

Subtitle C—Housing

- Sec. 11416. Study on Coast Guard housing access, cost, and challenges.
- Sec. 11417. Audit of certain military housing conditions of enlisted members of Coast Guard in Key West, Florida.
- Sec. 11418. Study on Coast Guard housing authorities and privatized housing.
- Sec. 11419. Strategy to improve quality of life at remote units.

Subtitle D—Other Matters

- Sec. 11420. Report on availability of emergency supplies for Coast Guard personnel.
- Sec. 11421. Fleet mix analysis and shore infrastructure investment plan.

TITLE CXV—MARITIME

Subtitle A—Vessel Safety

- Sec. 11501. Responses to safety recommendations.
- Sec. 11502. Requirements for DUKW amphibious passenger vessels.
- Sec. 11503. Exoneration and limitation of liability for small passenger vessels.
- Sec. 11504. At-sea recovery operations pilot program.
- Sec. 11505. Historic wood sailing vessels.
- Sec. 11506. Certificates of numbers for undocumented vessels.
- Sec. 11507. Comptroller General review and report on Coast Guard oversight of third-party organizations.
- Sec. 11508. Articulated tug-barge manning.
- Sec. 11509. Fishing vessel safety.
- Sec. 11510. Exemptions for certain passenger vessels.

Subtitle B—Merchant Mariner Credentialing

- Sec. 11511. Modernizing merchant mariner credentialing system.
- Sec. 11512. Assessment regarding application process for merchant mariner credentials.
- Sec. 11513. GAO report.
- Sec. 11514. Military to Mariners Act of 2022.
- Sec. 11515. Definitions.

Subtitle C—Other Matters

- Sec. 11516. Nonoperating individual.
- Sec. 11517. Oceanographic research vessels.
- Sec. 11518. Port access routes briefing.
- Sec. 11519. Definition of stateless vessel.
- Sec. 11520. Limitation on recovery for certain injuries incurred in aquaculture activities.
- Sec. 11521. Report on securing vessels and cargo.

- Sec. 11522. Report on enforcement of coastwise laws.
- Sec. 11523. Land conveyance, Sharpe Army Depot, Lathrop, California.
- Sec. 11524. Prohibition on entry and operation.
- Sec. 11525. Floating dry docks.
- Sec. 11526. Updated requirements for fishing crew agreements.

TITLE CXVI—SEXUAL ASSAULT AND SEXUAL HARASSMENT
PREVENTION AND RESPONSE

- Sec. 11601. Definitions.
- Sec. 11602. Convicted sex offender as grounds for denial.
- Sec. 11603. Sexual harassment or sexual assault as grounds for suspension or revocation.
- Sec. 11604. Accommodation; notices.
- Sec. 11605. Protection against discrimination.
- Sec. 11606. Alcohol at sea.
- Sec. 11607. Surveillance requirements.
- Sec. 11608. Master key control.
- Sec. 11609. Requirement to report sexual assault and harassment.
- Sec. 11610. Safety management system.
- Sec. 11611. Reports to Congress.

TITLE CXVII—NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

Subtitle A—National Oceanic and Atmospheric Administration Commissioned
Officer Corps

- Sec. 11701. Definitions.
- Sec. 11702. Requirement for appointments.
- Sec. 11703. Repeal of requirement to promote ensigns after 3 years of service.
- Sec. 11704. Authority to provide awards and decorations.
- Sec. 11705. Retirement and separation.
- Sec. 11706. Improving professional mariner staffing.
- Sec. 11707. Legal assistance.
- Sec. 11708. Acquisition of aircraft for agency air, atmosphere, and weather reconnaissance and research mission.
- Sec. 11709. Report on professional mariner staffing models.

Subtitle B—Other Matters

- Sec. 11710. Conveyance of certain property of National Oceanic and Atmospheric Administration in Juneau, Alaska.

TITLE CXVIII—TECHNICAL, CONFORMING, AND CLARIFYING
AMENDMENTS

- Sec. 11801. Terms and vacancies.
- Sec. 11802. Passenger vessel security and safety requirements.
- Sec. 11803. Technical corrections.
- Sec. 11804. Transportation worker identification credential technical amendments.
- Sec. 11805. Reinstatement.
- Sec. 11806. Determination of budgetary effects.
- Sec. 11807. Technical amendment.
- Sec. 11808. Lighthouse service amendments.

1 **SEC. 11002. DEFINITIONS.**

2 In this division:

3 (1) **COMMANDANT.**—The term “Commandant”
4 means the Commandant of the Coast Guard.

5 (2) **SECRETARY.**—Except as otherwise provided,
6 the term “Secretary” means the Secretary of the de-
7 partment in which the Coast Guard is operating.

8 **SEC. 11003. RULE OF CONSTRUCTION.**

9 (a) **IN GENERAL.**—Nothing in this division may be
10 construed—

11 (1) to satisfy any requirement for government-
12 to-government consultation with Tribal governments;
13 or

14 (2) to affect or modify any treaty or other right
15 of any Tribal government.

16 (b) **TRIBAL GOVERNMENT DEFINED.**—In this sec-
17 tion, the term “Tribal government” means the recognized
18 governing body of any Indian or Alaska Native Tribe,
19 band, nation, pueblo, village, community, component band,
20 or component reservation, individually identified (includ-
21 ing parenthetically) in the list published most recently as
22 of the date of the enactment of this Act pursuant to sec-
23 tion 104 of the Federally Recognized Indian Tribe List
24 Act of 1994 (25 U.S.C. 5131).

1 **TITLE CXI—AUTHORIZATIONS**

2 **SEC. 11101. AUTHORIZATION OF APPROPRIATIONS.**

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

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

8 (2) in paragraph (1)—

9 (A) in subparagraph (A) by striking
10 clauses (i) and (ii) and inserting the following:

11 “(i) \$10,000,000,000 for fiscal year 2022;
12 and

13 “(ii) \$10,750,000,000 for fiscal year
14 2023.”;

15 (B) in subparagraph (B) by striking
16 “\$17,035,000” and inserting “\$23,456,000”;
17 and

18 (C) in subparagraph (C) by striking “,
19 (A)(ii) \$17,376,000” and inserting “(A)(ii),
20 \$24,353,000”;

21 (3) in paragraph (2)—

22 (A) in subparagraph (A) by striking
23 clauses (i) and (ii) and inserting the following:

24 “(i) \$3,312,114,000 for fiscal year 2022;
25 and

1 “(ii) \$3,477,600,000 for fiscal year
2 2023.”; and

3 (B) in subparagraph (B) by striking
4 clauses (i) and (ii) and inserting the following:

5 “(i) \$20,400,000 for fiscal year 2022; and

6 “(ii) \$20,808,000 for fiscal year 2023.”;

7 (4) in paragraph (3) by striking subparagraphs
8 (A) and (B) and inserting the following:

9 “(A) \$7,476,000 for fiscal year 2022; and

10 “(B) \$14,681,084 for fiscal year 2023.”;

11 and

12 (5) in paragraph (4) by striking subparagraphs
13 (A) and (B) and inserting the following:

14 “(A) \$240,577,000 for fiscal year 2022;

15 and

16 “(B) \$252,887,000 for fiscal year 2023.”.

17 **SEC. 11102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
18 **AND TRAINING.**

19 Section 4904 of title 14, United States Code, is
20 amended—

21 (1) in subsection (a) by striking “fiscal years
22 2020 and 2021” and inserting “fiscal years 2022
23 and 2023”; and

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

4 **SEC. 11103. AUTHORIZATION FOR CERTAIN PROGRAMS AND**
5 **SERVICES.**

6 Of the amounts authorized to be appropriated under
7 section 4902(1)(A) of title 14, United States Code, there
8 are authorized to the Commandant for each of fiscal years
9 2022 and 2023—

10 (1) \$25,000,000 for the child care subsidy pro-
11 gram as established under section 11401 and any ad-
12 ditional eligible uses established by the Commandant
13 under the amendment made by subsection (c) of sec-
14 tion 11401;

15 (2) \$1,300,000 for expansion of behavioral
16 health services in the Coast Guard under section
17 11412;

18 (3) \$3,000,000 for the Aqua Alert Notification
19 System pilot program established under section
20 11207; and

21 (4) \$1,000,000 to prepare the evaluation of re-
22 quirements for the Arctic Security Cutter.

1 **SEC. 11104. AVAILABILITY OF AMOUNTS FOR ACQUISITION**
2 **OF ADDITIONAL VESSELS.**

3 (a) IN GENERAL.—Of the amounts authorized to be
4 appropriated under section 4902(2)(A)(ii) of title 14,
5 United States Code, as amended by section 11101, for fis-
6 cal year 2023—

7 (1) \$300,000,000 shall be authorized for the
8 acquisition of a twelfth National Security Cutter;

9 (2) \$420,000,000 shall be authorized for the
10 acquisition of 6 Fast Response Cutters;

11 (3) \$172,500,000 is authorized for the program
12 management, design, and acquisition of 12 Pacific
13 Northwest heavy weather boats that are at least as
14 capable as the Coast Guard 52-foot motor surfboat;

15 (4) \$167,200,000 is authorized for the third
16 Polar Security Cutter;

17 (5) \$150,000,000 is authorized for the acquisi-
18 tion or procurement of an available icebreaker (as
19 such term is defined under section 11223);

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

24 (7) in addition to amounts authorized under
25 paragraph (6), \$20,000,000 shall be authorized for
26 the design and selection of icebreaking cutters for

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

5 (8) \$650,000,000 is authorized for the contin-
6 ued acquisition of Offshore Patrol Cutters.

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

13 **SEC. 11105. SHORESIDE INFRASTRUCTURE AND FACILI-**
14 **TIES.**

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

18 (1) for each of fiscal years 2022 and 2023,
19 \$1,000,000,000 is authorized to fund maintenance,
20 construction, and repairs for Coast Guard shoreside
21 infrastructure; and

22 (2) for fiscal year 2023, \$127,000,000 is au-
23 thORIZED for improvements to facilities of the Coast
24 Guard Yard.

1 (b) SET-ASIDES.—Of the amounts authorized under
2 subsection (a)(1)—

3 (1) up to \$60,000,000 is authorized to fund
4 Phase I, in fiscal year 2022, and \$60,000,000 is au-
5 thORIZED to fund Phase II, in fiscal year 2023, for
6 the recapitalization of the barracks at the United
7 States Coast Guard Training Center Cape May in
8 Cape May, New Jersey;

9 (2) \$67,500,000 is authorized for the construc-
10 tion of additional new child care development centers
11 not constructed using funds authorized by title V of
12 the Infrastructure Investment and Jobs Act (Public
13 Law 117–58); and

14 (3) up to \$1,200,000 is authorized to—

15 (A) complete repairs to the United States
16 Coast Guard Station, New York, waterfront, in-
17 cluding repairs to the concrete pier; and

18 (B) replace floating piers Alpha and
19 Bravo, the South Breakwater and Ice Screen,
20 the North Breakwater and Ice Screen and the
21 seawall.

22 (c) MITIGATION OF HAZARD RISKS.—In carrying out
23 projects with funds authorized under subsection (a), the
24 Coast Guard shall mitigate, to the greatest extent prac-
25 ticable, natural hazard risks identified in any Shore Infra-

1 structure Vulnerability Assessment for Phase I related to
2 such projects.

3 **SEC. 11106. COAST GUARD YARD RESILIENT INFRASTRUC-**
4 **TURE AND CONSTRUCTION IMPROVEMENT.**

5 There is authorized to appropriated for the period of
6 fiscal years 2023 through 2028 for the Secretary—

7 (1) \$273,000,000 for the purposes of improve-
8 ments to facilities of the Coast Guard Yard; and

9 (2) \$236,000,000 for the acquisition of a new
10 floating drydock at the Yard.

11 **TITLE CXII—COAST GUARD**
12 **Subtitle A—Infrastructure and**
13 **Assets**

14 **SEC. 11201. REPORT ON SHORESIDE INFRASTRUCTURE AND**
15 **FACILITIES PROJECTS.**

16 (a) IN GENERAL.—Not less frequently than annually,
17 the Commandant shall submit to the Committee on Com-
18 merce, Science, and Transportation of the Senate and the
19 Committee on Transportation and Infrastructure of the
20 House of Representatives a report that includes—

21 (1) a detailed list of Coast Guard shoreside in-
22 frastructure projects contemplated in each Coast
23 Guard Sector area of responsibility and planned
24 within the 7 years following the submission of the
25 annual report for all Coast Guard facilities located

1 within each Coast Guard Sector area of responsi-
2 bility in the order of priority, including recapitaliza-
3 tion, maintenance needs in excess of \$100,000,
4 dredging, and other shoreside infrastructure needs
5 of the Coast Guard;

6 (2) the estimated cost of projects to fulfill each
7 project, to the extent available; and

8 (3) a general description of the state of plan-
9 ning, including design and engineering, for each
10 such project.

11 (b) CONTENTS.—The report submitted under sub-
12 section (a) shall include all unfunded shoreside infrastruc-
13 ture and facility priorities meeting the criteria under sub-
14 section (a) recommended to the Commandant for consider-
15 ation for inclusion in the unfunded priority list report to
16 Congress under section 5108 of title 14, United States
17 Code, regardless of whether the unfunded shoreside infra-
18 structure project is included in the final annual unfunded
19 priority list to Congress.

20 **SEC. 11202. REPORT AND BRIEFING ON RESOURCING**
21 **STRATEGY FOR WESTERN PACIFIC REGION.**

22 (a) REPORT.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act, the Commandant,
25 in consultation with the Coast Guard Commander of

1 the Pacific Area, the Commander of United States
2 Indo-Pacific Command, and the Under Secretary of
3 Commerce for Oceans and Atmosphere, shall submit
4 to the Committee on Commerce, Science, and Trans-
5 portation of the Senate and the Committee on
6 Transportation and Infrastructure of the House of
7 Representatives a report outlining the resourcing
8 needs of the Coast Guard to achieve optimum oper-
9 ations in the Western Pacific region.

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

12 (A) An assessment of the risks and associ-
13 ated needs—

14 (i) to United States strategic mari-
15 time interests, in particular such interests
16 in areas west of the International Date
17 Line, including risks to bilateral maritime
18 partners of the United States, posed by
19 not fully staffing and equipping Coast
20 Guard operations in the Western Pacific
21 region;

22 (ii) to the Coast Guard mission and
23 force posed by not fully staffing and equip-
24 ping Coast Guard operations in the West-
25 ern Pacific region; and

1 (iii) to support the call of the Presi-
2 dent, as set forth in the Indo-Pacific Strat-
3 egy, to expand Coast Guard presence and
4 cooperation in Southeast Asia, South Asia,
5 and the Pacific Islands, with a focus on
6 advising, training, deployment, and capac-
7 ity building.

8 (B) A description of the additional re-
9 sources, including shoreside resources, required
10 to fully implement the needs described in sub-
11 paragraph (A), including the United States
12 commitment to bilateral fisheries law enforce-
13 ment in the Pacific Ocean.

14 (C) A description of the operational and
15 personnel assets required and a dispersal plan
16 for available and projected future Coast Guard
17 cutters and aviation forces to conduct optimum
18 operations in the Western Pacific region.

19 (D) An analysis with respect to whether a
20 national security cutter or fast response cutter
21 located at a United States military installation
22 in a foreign country in the Western Pacific re-
23 gion would enhance United States national se-
24 curity, partner country capacity building, and

1 prevention and effective response to illegal, un-
2 reported, and unregulated fishing.

3 (E) An assessment of the benefits and as-
4 sociated costs involved in—

5 (i) increasing staffing of Coast Guard
6 personnel within the command elements of
7 United States Indo-Pacific Command or
8 subordinate commands; and

9 (ii) designating a Coast Guard patrol
10 force under the direct authority of the
11 Commander of the United States Indo-Pa-
12 cific Command with associated forward-
13 based assets and personnel.

14 (F) An identification of any additional au-
15 thority necessary, including proposals for legis-
16 lative change, to meet the needs identified in
17 accordance with subparagraphs (A) through (E)
18 and any other mission requirement in the West-
19 ern Pacific region.

20 (3) FORM.—The report required under para-
21 graph (1) shall be submitted in unclassified form but
22 may include a classified annex.

23 (b) BRIEFING.—Not later than 60 days after the date
24 on which the Commandant submits the report under sub-
25 section (a), the Commandant, or a designated individual,

1 shall provide to the Committee on Commerce, Science, and
2 Transportation of the Senate and the Committee on
3 Transportation and Infrastructure of the House of Rep-
4 resentatives a briefing on the findings and conclusions of
5 such report.

6 **SEC. 11203. STUDY AND REPORT ON NATIONAL SECURITY**
7 **AND DRUG TRAFFICKING THREATS IN FLOR-**
8 **IDA STRAITS, CUBA, AND CARIBBEAN RE-**
9 **GION.**

10 (a) IN GENERAL.—The Commandant shall conduct
11 a study on threats to national security, drug trafficking,
12 and other relevant threats the Commandant considers ap-
13 propriate in the Florida Straits and Caribbean region, in-
14 cluding Cuba.

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

17 (1) An assessment of—

18 (A) new technology and evasive maneuvers
19 used by transnational criminal organizations to
20 evade detection and interdiction by Coast
21 Guard law enforcement units and interagency
22 partners; and

23 (B) capability gaps of the Coast Guard
24 with respect to—

1 (i) the detection and interdiction of il-
2 licit drugs in the Florida Straits and Car-
3ibbean region, including Cuba; and

4 (ii) the detection of national security
5 threats in such region.

6 (2) An identification of—

7 (A) the critical technological advancements
8 required for the Coast Guard to meet current
9 and anticipated threats in such region;

10 (B) the capabilities required to enhance in-
11formation sharing and coordination between the
12Coast Guard and interagency partners, foreign
13governments, and related civilian entities; and

14 (C) any significant developing threats to
15the United States posed by illicit actors in such
16region.

17 (c) REPORT.—Not later than 2 years after the date
18 of enactment of this Act, the Commandant shall submit
19 to the Committee on Commerce, Science, and Transpor-
20tation of the Senate and the Committee on Transportation
21and Infrastructure of the House of Representatives a re-
22port on the results of the study under subsection (a).

1 **SEC. 11204. COAST GUARD YARD.**

2 (a) IN GENERAL.—With respect to the Coast Guard
3 Yard, the uses of the amounts authorized under sections
4 11105(a)(2) and 11106 are to—

5 (1) improve resilience and capacity;

6 (2) maintain and expand Coast Guard organic
7 manufacturing capacity;

8 (3) expand training and recruitment;

9 (4) enhance safety;

10 (5) improve environmental compliance; and

11 (6) ensure that the Coast Guard Yard is pre-
12 pared to meet the growing needs of the modern
13 Coast Guard fleet.

14 (b) INCLUSIONS.—The Secretary shall ensure that
15 the Coast Guard Yard receives improvements that include
16 the following:

17 (1) Facilities upgrades needed to improve resil-
18 ience of the shipyard, its facilities, and associated in-
19 frastructure.

20 (2) Acquisition of a large-capacity drydock.

21 (3) Improvements to piers and wharves, dry-
22 docks, and capital equipment utilities.

23 (4) Environmental remediation.

24 (5) Construction of a new warehouse and paint
25 facility.

26 (6) Acquisition of a new travel lift.

1 (7) Dredging necessary to facilitate access to
2 the Coast Guard Yard.

3 (c) WORKFORCE DEVELOPMENT PLAN.—Not later
4 than 180 days after the date of enactment of this Act,
5 the Commandant shall submit to the Committee on Com-
6 merce, Science, and Transportation of the Senate and the
7 Committee on Transportation and Infrastructure of the
8 House of Representatives, a workforce development plan
9 that—

10 (1) outlines the workforce needs of the Coast
11 Guard Yard with respect to civilian employees and
12 active duty members of the Coast Guard, including
13 engineers, individuals engaged in trades, cyber spe-
14 cialists, and other personnel necessary to meet the
15 evolving mission set of the Coast Guard Yard; and

16 (2) includes recommendations for Congress with
17 respect to the authorities, training, funding, and ci-
18 vilian and active-duty recruitment, including the re-
19 cruitment of women and underrepresented minori-
20 ties, necessary to meet workforce needs of the Coast
21 Guard Yard for the 10-year period beginning on the
22 date of submission of the plan.

1 **SEC. 11205. AUTHORITY TO ENTER INTO TRANSACTIONS**
2 **OTHER THAN CONTRACTS AND GRANTS TO**
3 **PROCURE COST-EFFECTIVE TECHNOLOGY**
4 **FOR MISSION NEEDS.**

5 (a) IN GENERAL.—Subchapter III of chapter 11 of
6 title 14, United States Code, is amended by adding at the
7 end the following:

8 **“§ 1158. Authority to enter into transactions other**
9 **than contracts and grants to procure**
10 **cost-effective, advanced technology for**
11 **mission-critical needs**

12 “(a) IN GENERAL.—Subject to subsections (b) and
13 (c), the Commandant may enter into transactions (other
14 than contracts, cooperative agreements, and grants) to op-
15 erate, test, and acquire cost-effective technology for the
16 purpose of meeting the mission needs of the Coast Guard.

17 “(b) OPERATION, TESTING, AND ACQUISITION.—Op-
18 eration, testing, and acquisition of technologies under sub-
19 section (a) shall be—

20 “(1) carried out in accordance with Coast
21 Guard policies and guidance; and

22 “(2) consistent with the operational require-
23 ments of the Coast Guard.

24 “(c) LIMITATIONS.—The Commandant may not enter
25 into a transaction under subsection (a) with respect to a
26 technology that—

1 “(1) does not comply with the cybersecurity
2 standards of the Coast Guard; or

3 “(2) is sourced from an entity domiciled in the
4 People’s Republic of China, unless the Commandant
5 determines that the prototype or procurement of
6 such a technology is for the purpose of—

7 “(A) counter-UAS or surrogate testing; or

8 “(B) intelligence, electronic warfare, and
9 information warfare, testing, and analysis.

10 “(d) EDUCATION AND TRAINING.—The Commandant
11 shall ensure that management, technical, and contracting
12 personnel of the Coast Guard involved in the award or
13 administration of transactions under this section are pro-
14 vided adequate education and training with respect to the
15 authority under this section.

16 “(e) REGULATIONS.—The Commandant shall pre-
17 scribe regulations as necessary to carry out this section.

18 “(f) COUNTER-UAS DEFINED.—In this section, the
19 term ‘counter-UAS’ has the meaning given such term in
20 section 44801 of title 49.”.

21 (b) CLERICAL AMENDMENT.—The analysis for chap-
22 ter 11 of title 14, United States Code, is amended by in-
23 serting after the item relating to section 1157 the fol-
24 lowing:

“1158. Authority to enter into transactions other than contracts and grants to
procure cost-effective, advanced technology for mission-critical
needs.”.

1 (c) REPORT.—

2 (1) IN GENERAL.—Not later than 5 years after
3 the date of the enactment of this Act, the Com-
4 mandant shall submit to the appropriate committees
5 of Congress a report that—

6 (A) describes the use of the authority pur-
7 suant to section 1158 of title 14, United States
8 Code (as added by this section); and

9 (B) assesses the mission and operational
10 benefits of such authority.

11 (2) APPROPRIATE COMMITTEES OF CONGRESS
12 DEFINED.—In this subsection, the term “appro-
13 priate committees of Congress” means—

14 (A) the Committee on Commerce, Science,
15 and Transportation of the Senate; and

16 (B) the Committee on Transportation and
17 Infrastructure of the House of Representatives.

18 **SEC. 11206. IMPROVEMENTS TO INFRASTRUCTURE AND OP-**
19 **ERATIONS PLANNING.**

20 (a) IN GENERAL.—Not later than 1 year after the
21 date of enactment of this Act, the Commandant shall in-
22 corporate the most recent oceanic and atmospheric data
23 relating to the increasing rates of extreme weather, includ-
24 ing flooding, into planning scenarios for Coast Guard in-

1 frastructure and mission deployments with respect to all
2 Coast Guard Missions.

3 (b) COORDINATION WITH NATIONAL OCEANIC AND
4 ATMOSPHERIC ADMINISTRATION.—In carrying out sub-
5 section (a), the Commandant shall—

6 (1) coordinate with the Under Secretary of
7 Commerce for Oceans and Atmosphere to ensure the
8 incorporation of the most recent environmental and
9 climatic data; and

10 (2) request technical assistance and advice from
11 the Under Secretary in planning scenarios, as appro-
12 priate.

13 (c) BRIEFING.—Not later than 1 year after the date
14 of enactment of this Act, the Commandant shall provide
15 to the Committee on Commerce, Science, and Transpor-
16 tation of the Senate and the Committee on Transportation
17 and Infrastructure of the House of Representatives a
18 briefing on the manner in which the best-available science
19 from the National Oceanic and Atmospheric Administra-
20 tion has been incorporated into at least 1 key mission area
21 of the Coast Guard, and the lessons learned from incor-
22 porating such science.

1 **SEC. 11207. AQUA ALERT NOTIFICATION SYSTEM PILOT**
2 **PROGRAM.**

3 (a) IN GENERAL.—Not later than 2 years after the
4 date of enactment of this Act, the Commandant shall, sub-
5 ject to the availability of appropriations, establish a pilot
6 program to improve the issuance of alerts to facilitate co-
7 operation with the public to render aid to distressed indi-
8 viduals under section 521 of title 14, United States Code.

9 (b) PILOT PROGRAM CONTENTS.—In carrying out
10 the pilot program established under subsection (a), the
11 Commandant shall, to the maximum extent possible—

12 (1) include a voluntary opt-in program under
13 which members of the public, as appropriate, and
14 the entities described in subsection (c), may receive
15 notifications on cellular devices regarding Coast
16 Guard activities to render aid to distressed individ-
17 uals under section 521 of title 14, United States
18 Code;

19 (2) cover areas located within the area of re-
20 sponsibility of 3 different Coast Guard sectors in di-
21 verse geographic regions; and

22 (3) provide that the dissemination of an alert
23 shall be limited to the geographic areas most likely
24 to facilitate the rendering of aid to distressed indi-
25 viduals.

1 (c) CONSULTATION.—In developing the pilot program
2 under subsection (a), the Commandant shall consult—

3 (1) the head of any relevant Federal agency;

4 (2) the government of any relevant State;

5 (3) any Tribal Government;

6 (4) the government of any relevant territory or
7 possession of the United States; and

8 (5) any relevant political subdivision of an enti-
9 ty described in paragraph (2), (3), or (4).

10 (d) REPORT TO CONGRESS.—

11 (1) IN GENERAL.—Not later than 2 years after
12 the date of enactment of this Act, and annually
13 thereafter through 2026, the Commandant shall
14 submit to the Committee on Commerce, Science, and
15 Transportation of the Senate and the Committee on
16 Transportation and Infrastructure of the House of
17 Representatives a report on the implementation of
18 this section.

19 (2) PUBLIC AVAILABILITY.—The Commandant
20 shall make the report submitted under paragraph
21 (1) available to the public.

1 **SEC. 11208. PILOT PROJECT FOR ENHANCING COAST**
2 **GUARD CUTTER READINESS THROUGH CON-**
3 **DITION-BASED MAINTENANCE.**

4 (a) IN GENERAL.—Not later than 3 years after the
5 date of enactment of this Act, the Commandant shall con-
6 duct a pilot project to enhance cutter readiness and reduce
7 lost patrol days through the deployment of condition-based
8 program standards for cutter maintenance, in accordance
9 with the criteria set forth in subsection (b).

10 (b) CRITERIA FOR CONDITION-BASED MAINTENANCE
11 EVALUATION.—In conducting the pilot project under sub-
12 section (a), the Commandant, in cooperation with govern-
13 ment and industry partners, shall—

14 (1) select at least 1 class of cutters under con-
15 struction with respect to which the application of the
16 pilot project would enhance readiness;

17 (2) use condition-based program standards
18 which incorporate artificial, intelligence, prognostic
19 based maintenance planning;

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

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

1 (5) evaluate and weight efficacy of potential
2 emergent repairs as well as planned depot mainte-
3 nance activities.

4 (c) CONSIDERATION.—Prior to developing the pilot
5 project in this section, the Commandant shall evaluate
6 commercially available products, technology, applications,
7 standards, and technology for development and implemen-
8 tation of the pilot program.

9 (d) REPORT TO CONGRESS.—The Commandant shall
10 submit to the Committee on Commerce, Science, and
11 Transportation of the Senate and the Committee on
12 Transportation and Infrastructure of the House of Rep-
13 resentatives—

14 (1) an interim report not later than 12 months
15 after the date of enactment of this Act on the
16 progress in carrying out the pilot project described
17 in subsection (a); and

18 (2) a final report not later than 3 years after
19 the date of enactment of this Act on the results of
20 the pilot project described in subsection (a) that in-
21 cludes—

22 (A) options to integrate condition-based
23 program standards with prognostic based main-
24 tenance planning to Coast Guard cutters; and

1 (B) plans to deploy condition-based pro-
2 gram standards with prognostic based mainte-
3 nance planning to Coast Guard cutters.

4 **SEC. 11209. STUDY ON LAYDOWN OF COAST GUARD CUT-**
5 **TERS.**

6 Not later than 120 days after the date of enactment
7 of this Act, the Secretary shall conduct a study on the
8 laydown of Coast Guard Fast Response Cutters to assess
9 Coast Guard mission readiness and to identify areas of
10 need for asset coverage.

11 **SEC. 11210. ACQUISITION LIFE-CYCLE COST ESTIMATES.**

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

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

19 “(A) life-cycle cost estimates developed
20 under paragraph (1) be updated before—

21 “(i) each milestone decision is con-
22 cluded; and

23 “(ii) the project or program enters a
24 new acquisition phase; and

1 “(B) an independent cost estimate or inde-
2 pendent cost assessment, as appropriate, be de-
3 veloped to validate life-cycle cost estimates de-
4 veloped under paragraph (1).”.

5 **SEC. 11211. DISPOSITION OF INFRASTRUCTURE RELATED**
6 **TO E-LORAN.**

7 Section 914 of title 14, United States Code, is
8 amended to read as follows:

9 **“§ 914. Disposition of infrastructure related to E-**
10 **LORAN**

11 “(a) IN GENERAL.—Notwithstanding any other pro-
12 vision of law, the Commandant may dismantle or dispose
13 of any real or personal property under the administrative
14 control of the Coast Guard and used for the LORAN-
15 C system.

16 “(b) RESTRICTION.—No action described in sub-
17 section (a) may be taken unless and until—

18 “(1) the Commandant notifies the Secretary of
19 Transportation and the Secretary of Defense in writ-
20 ing of the proposed dismantling or disposal of a
21 LORAN-C system; and

22 “(2) a period of 90 calendar days expires fol-
23 lowing the day on which the notice has been sub-
24 mitted.

1 “(c) RECEIPT OF NOTIFICATION.—If, not later than
2 90 calendar days of receipt of the written notification
3 under subsection (b), the Secretary of Transportation or
4 the Secretary of Defense notifies the Commandant, in
5 writing, of a determination under section 312(d) of title
6 49 that the property is required to provide a positioning,
7 navigation, and timing system to provide redundant capa-
8 bility in the event the Global Positioning System signals
9 are disrupted, the Commandant shall transfer the prop-
10 erty to the Department of Transportation without any
11 consideration.

12 “(d) NOTIFICATION EXPIRATION.—If, at the end of
13 the 90 calendar day period no notification under sub-
14 section (b) has been received, the Commandant shall no-
15 tify the Committee on Transportation and Infrastructure
16 and the Committee on Appropriations in the House of
17 Representatives and the Committee on Commerce,
18 Science, and Transportation and the Committee on Appro-
19 priations of the Senate that the period in subsection (b)(2)
20 has expired, and may proceed with the dismantling and
21 disposal of the personal property, and disposing of the real
22 property in accordance with section 2945 of this title.

23 “(e) EXCEPTION.—The prohibition on actions in sub-
24 section (b) does not apply to actions necessary for the
25 safety of human life.”.

1 **Subtitle B—Great Lakes**

2 **SEC. 11212. GREAT LAKES WINTER COMMERCE.**

3 (a) GREAT LAKES ICEBREAKING OPERATIONS.—

4 (1) GOVERNMENT ACCOUNTABILITY OFFICE RE-
5 PORT.—

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

15 (B) ELEMENTS.—The report required
16 under subparagraph (A) shall evaluate—

17 (i) the economic impact of vessel
18 delays or cancellations associated with ice
19 coverage on the Great Lakes;

20 (ii) mission needs of the Coast Guard
21 Great Lakes icebreaking program;

22 (iii) the impact that the proposed
23 standards described in paragraph (2)
24 would have on—

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1 (I) Coast Guard operations in the
2 Great Lakes;

3 (II) Northeast icebreaking mis-
4 sions; and

5 (III) inland waterway operations;

6 (iv) a fleet mix analysis for meeting
7 such proposed standards;

8 (v) a description of the resources nec-
9 essary to support the fleet mix resulting
10 from such fleet mix analysis, including bil-
11 lets for crew and operating costs; and

12 (vi) recommendations to the Com-
13 mandant for Improvements to the Great
14 Lakes icebreaking program, including with
15 respect to facilitating commerce and meet-
16 ing all Coast Guard mission needs.

17 (2) PROPOSED STANDARDS FOR ICEBREAKING
18 OPERATIONS.—The proposed standards described in
19 this subsection are the following:

20 (A) Except as provided in subparagraph
21 (B), the Commandant shall keep ice-covered
22 waterways in the Great Lakes open to naviga-
23 tion during not less than 90 percent of the
24 hours that commercial vessels and ferries at-
25 tempt to transit such ice-covered waterways.

1 (B) In a year in which the Great Lakes
2 are not open to navigation, because of ice of a
3 thickness that occurs on average only once
4 every 10 years, the Commandant shall keep ice-
5 covered waterways in the Great Lakes open to
6 navigation during not less than 70 percent of
7 the hours that commercial vessels and ferries
8 attempt to transit such ice-covered waterways.

9 (3) REPORT BY COMMANDANT.—Not later than
10 90 days after the date on which the Comptroller
11 General submits the report under paragraph (1), the
12 Commandant shall submit to the Committee on
13 Commerce, Science, and Transportation of the Sen-
14 ate and the Committee on Transportation and Infra-
15 structure of the House of Representatives a report
16 that includes the following:

17 (A) A plan for Coast Guard implementa-
18 tion of any recommendation made by the Comp-
19 troller General under paragraph (1)(B)(ii) that
20 the Commandant considers appropriate.

21 (B) With respect to any recommendation
22 made under such paragraph that the Com-
23 mandant declines to implement and a justifica-
24 tion for such decision.

1 (C) A review of, and a proposed implemen-
2 tation plan for, the results of the fleet mix anal-
3 ysis under paragraph (1)(B)(iv).

4 (D) Any proposed modifications to the
5 standards for icebreaking operations in the
6 Great Lakes.

7 (b) DEFINITIONS.—In this section:

8 (1) COMMERCIAL VESSEL.—The term “commer-
9 cial vessel” means any privately owned cargo vessel
10 operating in the Great Lakes during the winter sea-
11 son of at least 500 tons, as measured under section
12 14502 of title 46, or an alternate tonnage measured
13 under section 14302 of such title, as prescribed by
14 the Secretary under section 14104 of such title.

15 (2) GREAT LAKES.—The term “Great Lakes”
16 means the United States waters of Lake Superior,
17 Lake Michigan, Lake Huron (including Lake St.
18 Clair), Lake Erie, and Lake Ontario, their con-
19 necting waterways, and their adjacent harbors, and
20 the connecting channels (including the following riv-
21 ers and tributaries of such rivers: Saint Mary’s
22 River, Saint Clair River, Detroit River, Niagara
23 River, Illinois River, Chicago River, Fox River,
24 Grand River, St. Joseph River, St. Louis River, Me-

1 nominee River, Muskegon River, Kalamazoo River,
2 and Saint Lawrence River to the Canadian border).

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

10 (4) OPEN TO NAVIGATION.—The term “open to
11 navigation” means navigable to the extent necessary,
12 in no particular order of priority, to meet the rea-
13 sonable demands of commerce, minimize delays to
14 passenger ferries, extricate vessels and individuals
15 from danger, prevent damage due to flooding, and
16 conduct other Coast Guard missions (as required).

17 (5) REASONABLE DEMANDS OF COMMERCE.—
18 The term “reasonable demands of commerce” means
19 the safe movement of commercial vessels and ferries
20 transiting ice-covered waterways in the Great Lakes,
21 regardless of type of cargo, at a speed consistent
22 with the design capability of Coast Guard ice-
23 breakers operating in the Great Lakes and appro-
24 priate to the ice capability of the commercial vessel.

1 **SEC. 11213. DATABASE ON ICEBREAKING OPERATIONS IN**
2 **GREAT LAKES.**

3 (a) IN GENERAL.—The Commandant shall establish
4 and maintain a database for collecting, archiving, and dis-
5 seminating data on icebreaking operations and commercial
6 vessel and ferry transit in the Great Lakes during ice sea-
7 son.

8 (b) ELEMENTS.—The database required under sub-
9 section (a) shall include the following:

10 (1) Attempts by commercial vessels and ferries
11 to transit ice-covered waterways in the Great Lakes
12 that are unsuccessful because of inadequate
13 icebreaking.

14 (2) The period of time that each commercial
15 vessel or ferry was unsuccessful at transit described
16 in paragraph (1) due to inadequate icebreaking.

17 (3) The amount of time elapsed before each
18 such commercial vessel or ferry was successfully bro-
19 ken out of the ice and whether it was accomplished
20 by the Coast Guard or by commercial icebreaking
21 assets.

22 (4) Relevant communications of each such com-
23 mercial vessel or ferry with the Coast Guard and
24 with commercial icebreaking services during such pe-
25 riod.

1 (5) A description of any mitigating cir-
2 cumstance, such as Coast Guard icebreaker diver-
3 sions to higher priority missions, that may have con-
4 tributed to the amount of time described in para-
5 graph (3).

6 (e) VOLUNTARY REPORTING.—Any reporting by op-
7 erators of commercial vessels or ferries under this section
8 shall be voluntary.

9 (d) PUBLIC AVAILABILITY.—The Commandant shall
10 make the database available to the public on a publicly
11 accessible website of the Coast Guard.

12 (e) CONSULTATION WITH INDUSTRY.—With respect
13 to the Great Lakes icebreaking operations of the Coast
14 Guard and the development of the database required
15 under subsection (a), the Commandant shall consult oper-
16 ators of commercial vessels and ferries.

17 (f) PUBLIC REPORT.—Not later than July 1 after the
18 first winter in which the Commandant is subject to the
19 requirements of section 564 of title 14, United States
20 Code, the Commandant shall publish on a publicly acces-
21 sible website of the Coast Guard a report on the cost to
22 the Coast Guard of meeting the requirements of such sec-
23 tion.

24 (g) DEFINITIONS.—In this section:

1 (1) COMMERCIAL VESSEL.—The term “commer-
2 cial vessel” means any privately owned cargo vessel
3 operating in the Great Lakes during the winter sea-
4 son of at least 500 tons, as measured under section
5 14502 of title 46, United States Code, or an alter-
6 nate tonnage measured under section 14302 of such
7 title, as prescribed by the Secretary under section
8 14104 of such title.

9 (2) GREAT LAKES.—The term “Great Lakes”
10 means the United States waters of Lake Superior,
11 Lake Michigan, Lake Huron (including Lake St.
12 Clair), Lake Erie, and Lake Ontario, their con-
13 necting waterways, and their adjacent harbors, and
14 the connecting channels (including the following riv-
15 ers and tributaries of such rivers: Saint Mary’s
16 River, Saint Clair River, Detroit River, Niagara
17 River, Illinois River, Chicago River, Fox River,
18 Grand River, St. Joseph River, St. Louis River, Me-
19 nominee River, Muskegon River, Kalamazoo River,
20 and Saint Lawrence River to the Canadian border).

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

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

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

6 (A) extricate vessels and individuals from
7 danger;

8 (B) prevent damage due to flooding;

9 (C) meet the reasonable demands of com-
10 merce;

11 (D) minimize delays to passenger ferries;
12 and

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

15 (5) REASONABLE DEMANDS OF COMMERCE.—

16 The term “reasonable demands of commerce” means
17 the safe movement of commercial vessels and ferries
18 transiting ice-covered waterways in the Great Lakes,
19 regardless of type of cargo, at a speed consistent
20 with the design capability of Coast Guard ice-
21 breakers operating in the Great Lakes and appro-
22 priate to the ice capability of the commercial vessel.

1 **SEC. 11214. CENTER OF EXPERTISE FOR GREAT LAKES OIL**
2 **SPILL SEARCH AND RESPONSE.**

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

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

8 “(1) Lake Ontario;

9 “(2) Lake Erie;

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

11 “(4) Lake Michigan;

12 “(5) Lake Superior; and

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

21 **SEC. 11215. GREAT LAKES SNOWMOBILE ACQUISITION**
22 **PLAN.**

23 (a) IN GENERAL.—The Commandant shall develop a
24 plan to expand snowmobile procurement for Coast Guard
25 units for which snowmobiles may improve ice rescue re-
26 sponse times while maintaining the safety of Coast Guard

1 personnel engaged in ice search and rescue. The plan shall
2 include consideration of input from Officers in Charge,
3 commanding officers, and commanders of such units.

4 (b) ELEMENTS.—The plan required under subsection
5 (a) shall include—

6 (1) a consideration of input from Officers in
7 Charge, commanding officers, and commanders of
8 Coast Guard units described in subsection (a);

9 (2) a detailed description of the estimated costs
10 of procuring, maintaining, and training members of
11 the Coast Guard at such units to use snowmobiles;
12 and

13 (3) an assessment of—

14 (A) the degree to which snowmobiles may
15 improve ice rescue response times while main-
16 taining the safety of Coast Guard personnel en-
17 gaged in ice search and rescue;

18 (B) the operational capabilities of a snow-
19 mobile, as compared to an airboat, and a force
20 laydown assessment with respect to the assets
21 needed for effective operations at Coast Guard
22 units conducting ice search and rescue activi-
23 ties; and

24 (C) the potential risks to members of the
25 Coast Guard and members of the public posed

1 by the use of snowmobiles by members of the
2 Coast Guard for ice search and rescue activi-
3 ties.

4 (c) PUBLIC AVAILABILITY.—Not later than 1 year
5 after the date of enactment of this Act, the Commandant
6 shall finalize the plan required under subsection (a) and
7 make the plan available on a publicly accessible website
8 of the Coast Guard.

9 **SEC. 11216. GREAT LAKES BARGE INSPECTION EXEMPTION.**

10 Section 3302(m) of title 46, United States Code, is
11 amended—

12 (1) in the matter preceding paragraph (1) by
13 inserting “or a Great Lakes barge” after “seagoing
14 barge”; and

15 (2) by striking “section 3301(6) of this title”
16 and inserting “paragraph (6) or (13) of section
17 3301 of this title”.

18 **SEC. 11217. STUDY ON SUFFICIENCY OF COAST GUARD**
19 **AVIATION ASSETS TO MEET MISSION DE-**
20 **MANDS.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of enactment of this Act, the Commandant shall sub-
23 mit to the Committee on Commerce, Science, and Trans-
24 portation of the Senate and the Committee on Transpor-

1 tation and Infrastructure of the House of Representatives
2 a report on—

3 (1) the force laydown of Coast Guard aviation
4 assets; and

5 (2) any geographic gaps in coverage by Coast
6 Guard assets in areas in which the Coast Guard has
7 search and rescue responsibilities.

8 (b) ELEMENTS.—The report required under sub-
9 section (a) shall include the following:

10 (1) The distance, time, and weather challenges
11 that MH-65 and MH-60 units may face in reaching
12 the outermost limits of the area of operation of
13 Coast Guard District 8 and Coast Guard District 9
14 for which such units are responsible.

15 (2) An assessment of the advantages that Coast
16 Guard fixed-wing assets, or an alternate rotary wing
17 asset, would offer to the outermost limits of any
18 area of operation for purposes of search and rescue,
19 law enforcement, ice operations, and logistical mis-
20 sions.

21 (3) A comparison of advantages and disadvan-
22 tages of the manner in which each of the Coast
23 Guard fixed-wing aircraft would operate in the out-
24 ermost limits of any area of operation.

1 (4) A specific assessment of the coverage gaps,
2 including gaps in fixed-wing coverage, and potential
3 solutions to address such gaps in the area of oper-
4 ation of Coast Guard District 8 and Coast Guard
5 District 9, including the eastern region of such area
6 of operation with regard to Coast Guard District 9
7 and the southern region of such area of operation
8 with regard to Coast Guard District 8.

9 **Subtitle C—Arctic**

10 **SEC. 11218. ESTABLISHMENT OF MEDIUM ICEBREAKER** 11 **PROGRAM OFFICE.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of enactment of this Act, the Commandant, in con-
14 sultation with the heads of the other Federal agencies as
15 appropriate, shall submit to the Committee on Commerce,
16 Science, and Transportation of the Senate and the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives a report to establish a fleet mix anal-
19 ysis with respect to polar icebreakers and icebreaking
20 tugs.

21 (b) CONTENTS.—The report required under sub-
22 section (a) shall include—

23 (1) a full fleet mix of heavy and medium ice-
24 breaker and 140-foot icebreaking tug replacements,

1 including cost and timelines for the acquisition of
2 such vessels;

3 (2) a revised time table showing the construc-
4 tion, commissioning, and acceptance of planned
5 Polar Security Cutters 1 through 3, as of the date
6 of report;

7 (3) a comparison and alternatives analysis of
8 the costs and timeline of constructing 2 Polar Secu-
9 rity Cutters beyond the construction of 3 such ves-
10 sels rather than constructing 3 Arctic Security Cut-
11 ters, including the cost of planning, design, and en-
12 gineering of a new class of ships, which shall include
13 the increased costs resulting from the delays in
14 building a new class of cutters rather than building
15 2 additional cutters from an ongoing production line;

16 (4) the operational benefits, limitations, and
17 risks of a common hull design for polar icebreaking
18 cutters for operation in the polar regions;

19 (5) the operational benefits, limitations, and
20 risks of a common hull design for icebreaking tugs
21 for operation in the Northeastern United States; and

22 (6) the cost and timetable for replacing the
23 Coast Guard Cutter *Healy* (WAGB 20) as—

24 (A) a Polar Security Cutter;

25 (B) an Arctic Security Cutter; or

1 (C) other platform as determined by the
2 Commandant.

3 (c) QUARTERLY BRIEFINGS.—As part of quarterly
4 acquisition briefings provided by the Commandant to the
5 Committee on Commerce, Science, and Transportation of
6 the Senate and the Committee on Transportation and In-
7 frastructure of the House of Representatives, the Com-
8 mandant shall include an update on the status of—

9 (1) all acquisition activities related to the Polar
10 Security Cutter;

11 (2) the performance of the entity which the
12 Coast Guard has contracted with for detailed design
13 and construction of the Polar Security Cutter; and

14 (3) the requirements for the planning, detailed
15 design, engineering, and construction of the—

16 (A) Arctic Security Cutter; and

17 (B) Great Lakes Icebreaker.

18 (d) LIMITATION.—The report required to be sub-
19 mitted under subsection (a) shall not include an analysis
20 of the Great Lakes Icebreaker authorized under section
21 11104.

22 (e) ESTABLISHMENT OF THE ARCTIC SECURITY CUT-
23 TER PROGRAM OFFICE.—

24 (1) DETERMINATION.—Not later than 90 days
25 after the submission of the report under subsection

1 (a), the Commandant shall determine if constructing
2 additional Polar Security Cutters is more cost effective
3 and efficient than constructing 3 Arctic Security
4 Cutters.

5 (2) ESTABLISHMENT.—If the Commandant de-
6 termines under paragraph (1) that it is more cost ef-
7 fective to build 3 Arctic Security Cutters than to
8 build additional Polar Security Cutters or if the
9 Commandant fails to make a determination under
10 paragraph (1) by June 1, 2024, the Commandant
11 shall establish a program office for the acquisition of
12 the Arctic Security Cutter not later than January 1,
13 2025.

14 (3) REQUIREMENTS AND DESIGN PHASE.—Not
15 later than 270 days after the date on which the
16 Commandant establishes a program office under
17 paragraph (2), the Commandant shall complete the
18 evaluation of requirements for the Arctic Security
19 Cutter and initiate the design phase of the Arctic
20 Security Cutter vessel class.

21 (f) QUARTERLY BRIEFINGS.—Not less frequently
22 than quarterly until the date on which a contract for ac-
23 quisition of the Arctic Security Cutter is awarded under
24 chapter 11 of title 14, United States Code, the Com-
25 mandant shall provide to the Committee on Commerce,

1 Science, and Transportation of the Senate and the Com-
2 mittee on Transportation and Infrastructure of the House
3 of Representatives a briefing on the status of requirements
4 evaluations, design of the vessel, and schedule of the pro-
5 gram.

6 **SEC. 11219. ARCTIC ACTIVITIES.**

7 (a) ARCTIC OPERATIONAL IMPLEMENTATION RE-
8 PORT.—Not later than 1 year after the date of enactment
9 of this Act, the Secretary shall submit to the appropriate
10 committees of Congress a report that describes the ability
11 and timeline to conduct a transit of the Northern Sea
12 Route and periodic transits of the Northwest Passage.

13 (b) DEFINITIONS.—In this section:

14 (1) APPROPRIATE COMMITTEES OF CON-
15 GRESS.—The term “appropriate committees of Con-
16 gress” means—

17 (A) the Committee on Commerce, Science,
18 and Transportation of the Senate; and

19 (B) the Committee on Transportation and
20 Infrastructure of the House of Representatives.

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

1 **SEC. 11220. STUDY ON ARCTIC OPERATIONS AND INFRA-**
2 **STRUCTURE.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Comptroller General
5 of the United States shall commence a study on the Arctic
6 operations and infrastructure of the Coast Guard.

7 (b) ELEMENTS.—The study required under sub-
8 section (a) shall assess the following:

9 (1) The extent of the collaboration between the
10 Coast Guard and the Department of Defense to as-
11 sess, manage, and mitigate security risks in the Arc-
12 tic region.

13 (2) Actions taken by the Coast Guard to man-
14 age risks to Coast Guard operations, infrastructure,
15 and workforce planning in the Arctic.

16 (3) The plans the Coast Guard has in place for
17 managing and mitigating the risks to commercial
18 maritime operations and the environment in the Arc-
19 tic region.

20 (c) REPORT.—Not later than 1 year after com-
21 mencing the study required under subsection (a), the
22 Comptroller General shall submit to the Committee on
23 Commerce, Science, and Transportation of the Senate and
24 the Committee on Transportation and Infrastructure of
25 the House of Representatives a report on the findings of
26 the study.

1 **SEC. 11221. PRIBILOF ISLAND TRANSITION COMPLETION**
2 **ACTIONS.**

3 (a) **ACTUAL USE AND OCCUPANCY REPORTS.**—Not
4 later than 90 days after enactment of this Act, and quar-
5 terly thereafter, the Secretary shall submit to the Com-
6 mittee on Transportation and Infrastructure of the House
7 of Representatives and the Committee on Commerce,
8 Science, and Transportation of the Senate a report de-
9 scribing—

10 (1) the degree to which Coast Guard personnel
11 and equipment are deployed to St. Paul Island,
12 Alaska, in actual occupancy of the facilities, as re-
13 quired under section 524 of the Pribilof Island
14 Transition Completion Act of 2016 (Public Law
15 114–120); and

16 (2) the status of the activities described in sub-
17 sections (c) and (d) until such activities have been
18 completed.

19 (b) **AIRCRAFT HANGER.**—The Secretary may—

20 (1) enter into a lease for a hangar to house de-
21 ployed Coast Guard aircraft if such hanger was pre-
22 viously under lease by the Coast Guard for purposes
23 of housing such aircraft; and

24 (2) enter into an agreement with the lessor of
25 such a hanger in which the Secretary may carry out
26 repairs necessary to support the deployment of such

1 aircraft and the cost of such repairs may be offset
2 under the terms of the lease.

3 (c) FUEL TANK.—

4 (1) IN GENERAL.—Not later than 30 days after
5 the date of enactment of this Act, the Commandant
6 shall notify the Alaska Native Village Corporation
7 for St. Paul Island, Alaska of the availability of any
8 fuel tank—

9 (A) which is located on property on St.
10 Paul Island, Alaska, which is leased by the
11 Coast Guard for the purpose of housing such a
12 fuel tank; and

13 (B) for which the Commandant has deter-
14 mined that the Coast Guard no longer has an
15 operational need.

16 (2) TRANSFER.—If not later than 30 days after
17 a notification under subsection (a), the Alaska Na-
18 tive Village Corporation for St. Paul Island, Alaska
19 requests that the ownership of the tank be trans-
20 ferred to such corporation then the Commandant
21 shall—

22 (A) after conducting any necessary envi-
23 ronmental remediation pursuant to the lease re-
24 ferred to in paragraph (1)(A), transfer owner-
25 ship of such fuel tank to such corporation; and

1 (B) upon the date of such transfer, termi-
2 nate the lease referred to in paragraph (1)(A).

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

10 **SEC. 11222. REPORT ON SHIPYARDS OF FINLAND AND SWE-**
11 **DEN.**

12 Not later than 2 years after the date of enactment
13 of this Act, the Commandant, in consultation with the
14 Comptroller General of the United States, shall submit to
15 Congress a report that analyzes the shipyards of Finland
16 and Sweden to assess future opportunities for technical
17 assistance related to engineering to aid the Coast Guard
18 in fulfilling its future mission needs.

19 **SEC. 11223. ACQUISITION OF ICEBREAKER.**

20 (a) IN GENERAL.—The Commandant may acquire or
21 procure 1 United States built available icebreaker.

22 (b) EXEMPTIONS FROM REQUIREMENTS.—

23 (1) IN GENERAL.—Sections 1131, 1132(a)(2),
24 1132(c), 1133, and 1171 of title 14, United States

1 Code, shall not apply to an acquisition or procure-
2 ment under subsection (a).

3 (2) ADDITIONAL EXCEPTIONS.—Paragraphs
4 (1), (3), (4), and (5) of subsection (a) and sub-
5 sections (b), (d), and (e) of section 1132 of title 14,
6 United States Code, shall apply to an acquisition or
7 procurement under subsection (a) until the first
8 phase of the initial acquisition or procurement is
9 complete and initial operating capacity is achieved.

10 (c) SCIENCE MISSION REQUIREMENTS.—For any
11 available icebreaker acquired or procured under subsection
12 (a), the Commandant shall ensure scientific research ca-
13 pacity comparable to the Coast Guard Cutter *Healy*
14 (WAGB 20), for the purposes of hydrographic, bathy-
15 metric, oceanographic, weather, atmospheric, climate, fish-
16 eries, marine mammals, genetic and other data related to
17 the Arctic, and other research as the Under Secretary de-
18 termines appropriate.

19 (d) OPERATIONS AND AGREEMENTS.—

20 (1) COAST GUARD.—With respect to any avail-
21 able icebreaker acquired or procured under sub-
22 section (a), the Secretary shall be responsible for
23 any acquisition, retrofitting, operation, and mainte-
24 nance costs necessary to achieve full operational ca-
25 pability, including testing, installation, and acquisi-

1 tion, including for the suite of hull-mounted, ship-
2 provided scientific instrumentation and equipment
3 for data collection.

4 (2) NATIONAL OCEANIC AND ATMOSPHERIC AD-
5 MINISTRATION.—The Under Secretary shall not be
6 responsible for the costs of retrofitting any available
7 icebreaker acquired or procured under subsection
8 (a), including costs relating to—

9 (A) vessel maintenance, construction, oper-
10 ations, and crewing other than the science
11 party; and

12 (B) making such icebreaker capable of con-
13 ducting the research described in subsection (c),
14 including design, procurement of laboratory
15 space and equipment, and modification of living
16 quarters.

17 (3) RESPONSIBILITY OF UNDER SECRETARY.—
18 The Under Secretary shall be responsible for costs
19 related to—

20 (A) the science party;

21 (B) the scientific mission; and

22 (C) other scientific assets and equipment
23 that augment such icebreaker beyond full oper-
24 ational capacity as determined by the Under
25 Secretary and Commandant.

1 (4) MEMORANDUM OF AGREEMENT.—The Com-
2 mandant and the Under Secretary shall enter into a
3 memorandum of agreement to facilitate science ac-
4 tivities, data collection, and other procedures nec-
5 essary to meet the requirements of this section.

6 (e) RESTRICTION AND BRIEFING.—Not later than 60
7 days after the date of enactment of this Act, the Com-
8 mandant shall brief the appropriate congressional commit-
9 tees with respect to available icebreaker acquired or pro-
10 cured under subsection (a) on—

11 (1) a proposed concept of operations of such
12 icebreaker;

13 (2) a detailed cost estimate for such icebreaker,
14 including estimated costs for acquisition, modifica-
15 tion, shoreside infrastructure, crewing, and main-
16 taining such an icebreaker by year for the estimated
17 service life of such icebreaker; and

18 (3) the expected capabilities of such icebreaker
19 as compared to the capabilities of a fully operational
20 Coast Guard built Polar Security Cutter for each
21 year in which such an icebreaker is anticipated to
22 serve in lieu of such a cutter and the projected an-
23 nual costs to achieve such anticipated capabilities.

24 (f) INTERIM REPORT.—Not later than 30 days after
25 the date of enactment of this Act, and not later than every

1 90 days thereafter until any available icebreaker acquired
2 or procured under subsection (a) has reached full oper-
3 ational capability, the Commandant shall provide to the
4 appropriate Committees of Congress an interim report of
5 the status and progress of all elements under subsection
6 (d).

7 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
8 tion shall effect acquisitions of vessels by the Under Sec-
9 retary.

10 (h) SAVINGS CLAUSE.—

11 (1) IN GENERAL.—Any operations necessary for
12 the saving of life or property at sea, response to en-
13 vironmental pollution, national security, defense
14 readiness, or other missions as determined by the
15 Commandant shall take priority over any scientific
16 or economic missions under subsection (c).

17 (2) AUGMENTATION.—Any available icebreaker
18 acquired or procured under subsection (a) shall aug-
19 ment the Coast Guard mission in the Arctic, includ-
20 ing by conducting operations and missions that are
21 in addition to missions conducted by the Coast
22 Guard Cutter *Healy* (WAGB 20) in the region.

23 (i) DEFINITIONS.—In this section:

24 (1) APPROPRIATE CONGRESSIONAL COMMIT-
25 TEES.—The term “appropriate congressional com-

1 mittees” means the Committee on Transportation
2 and Infrastructure and the Committee on Appro-
3 priations of the House of Representatives and the
4 Committee on Commerce, Science, and Transpor-
5 tation and the Committee on Appropriations of the
6 Senate.

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

10 (3) AVAILABLE ICEBREAKER.—The term
11 “available icebreaker” means a vessel that—

12 (A) is capable of—

13 (i) supplementing United States Coast
14 Guard polar icebreaking capabilities in the
15 Arctic region of the United States;

16 (ii) projecting United States sov-
17 ereignty;

18 (iii) ensuring a continuous operational
19 capability in the Arctic region of the
20 United States;

21 (iv) carrying out the primary duty of
22 the Coast Guard described in section
23 103(7) of title 14, United States Code; and

24 (v) collecting hydrographic, environ-
25 mental, and climate data; and

1 (B) is documented with a coastwise en-
2 dorsement under chapter 121 of title 46,
3 United States Code.

4 (4) UNDER SECRETARY.—The term “Under
5 Secretary” means the Under Secretary of Commerce
6 for Oceans and Atmosphere.

7 (j) SUNSET.—The authority under subsections (a)
8 through (e) shall expire on the date that is 3 years after
9 the date of enactment of this Act.

10 **Subtitle D—Maritime Cyber and** 11 **Artificial Intelligence**

12 **SEC. 11224. ENHANCING MARITIME CYBERSECURITY.**

13 (a) DEFINITIONS.—In this section:

14 (1) CYBER INCIDENT.—The term “cyber inci-
15 dent” means an occurrence that actually or immi-
16 nently jeopardizes, without lawful authority, the in-
17 tegrity, confidentiality, or availability of information
18 on an information system, or actually or imminently
19 jeopardizes, without lawful authority, an information
20 system.

21 (2) MARITIME OPERATORS.—The term “mari-
22 time operators” means the owners or operators of
23 vessels engaged in commercial service, the owners or
24 operators of facilities, and port authorities.

1 (3) FACILITIES.—The term “facilities” has the
2 meaning given the term “facility” in section 70101
3 of title 46, United States Code.

4 (b) PUBLIC AVAILABILITY OF CYBERSECURITY
5 TOOLS AND RESOURCES.—

6 (1) IN GENERAL.—Not later than 2 years after
7 the date of enactment of this Act, the Commandant,
8 in coordination with the Administrator of the Mari-
9 time Administration, the Director of the Cybersecu-
10 rity and Infrastructure Security Agency, and the Di-
11 rector of the National Institute of Standards and
12 Technology, shall identify and make available to the
13 public a list of tools and resources, including the re-
14 sources of the Coast Guard and the Cybersecurity
15 and Infrastructure Security Agency, designed to as-
16 sist maritime operators in identifying, detecting, pro-
17 tecting against, mitigating, responding to, and recov-
18 ering from cyber incidents.

19 (2) IDENTIFICATION.—In carrying out para-
20 graph (1), the Commandant, the Administrator of
21 the Maritime Administration, the Director of the Cy-
22 bersecurity and Infrastructure Security Agency, and
23 the Director of the National Institute of Standards
24 and Technology shall identify tools and resources
25 that—

1 (A) comply with the cybersecurity frame-
2 work for improving critical infrastructure estab-
3 lished by the National Institute of Standards
4 and Technology; or

5 (B) use the guidelines on maritime cyber
6 risk management issued by the International
7 Maritime Organization on July 5, 2017 (or suc-
8 cessor guidelines).

9 (3) CONSULTATION.—The Commandant, the
10 Administrator of the Maritime Administration, the
11 Director of the Cybersecurity and Infrastructure Se-
12 curity Agency, and the Director of the National In-
13 stitute of Standards and Technology may consult
14 with maritime operators, other Federal agencies, in-
15 dustry stakeholders, and cybersecurity experts to
16 identify tools and resources for purposes of this sec-
17 tion.

18 **SEC. 11225. ESTABLISHMENT OF UNMANNED SYSTEM PRO-**
19 **GRAM AND AUTONOMOUS CONTROL AND**
20 **COMPUTER VISION TECHNOLOGY PROJECT.**

21 (a) IN GENERAL.—Section 319 of title 14, United
22 States Code, is amended to read as follows:

1 **“§ 319. Unmanned system program and autonomous**
2 **control and computer vision technology**
3 **project**

4 “(a) UNMANNED SYSTEM PROGRAM.—Not later than
5 2 years after the date of enactment of this section, the
6 Secretary shall establish, under the control of the Com-
7 mandant, an unmanned system program for the use by
8 the Coast Guard of land-based, cutter-based, and aircraft-
9 based unmanned systems for the purpose of increasing ef-
10 fectiveness and efficiency of mission execution.

11 “(b) AUTONOMOUS CONTROL AND COMPUTER VI-
12 SION TECHNOLOGY PROJECT.—

13 “(1) IN GENERAL.—The Commandant shall
14 conduct a project to retrofit 2 or more existing
15 Coast Guard small boats deployed at operational
16 units with—

17 “(A) commercially available autonomous
18 control and computer vision technology; and

19 “(B) such sensors and methods of commu-
20 nication as are necessary to control, and tech-
21 nology to assist in conducting, search and res-
22 cue, surveillance, and interdiction missions.

23 “(2) DATA COLLECTION.—As part of the
24 project required under paragraph (1), the Com-
25 mandant shall collect and evaluate field-collected

1 operational data from the retrofit described in such
2 paragraph to inform future requirements.

3 “(3) BRIEFING.—Not later than 180 days after
4 the date on which the project required under para-
5 graph (1) is completed, the Commandant shall pro-
6 vide to the Committee on Commerce, Science, and
7 Transportation of the Senate and the Committee on
8 Transportation and Infrastructure of the House of
9 Representatives a briefing on the project that in-
10 cludes an evaluation of the data collected from the
11 project.

12 “(c) UNMANNED SYSTEM DEFINED.—In this section,
13 the term ‘unmanned system’ means—

14 “(1) an unmanned aircraft system (as such
15 term is defined in section 44801 of title 49);

16 “(2) an unmanned marine surface system; and

17 “(3) an unmanned marine subsurface system.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
19 ter 3 of title 14, United States Code, is amended by strik-
20 ing the item relating to section 319 and inserting the fol-
21 lowing:

“319. Unmanned system program and autonomous control and computer vision
technology project.”.

22 (c) SUBMISSION TO CONGRESS.—Not later than 180
23 days after the date of enactment of this Act, the Com-
24 mandant shall submit to the Committee on Transportation

1 and Infrastructure of the House of Representatives and
2 the Committee on Commerce, Science, and Transportation
3 of the Senate a detailed description of the strategy of the
4 Coast Guard to implement unmanned systems across mis-
5 sion areas, including—

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

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

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

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

22 (d) COST ASSESSMENT.—Not later than 1 year after
23 the date of the enactment of this Act, the Commandant
24 shall provide to Congress an estimate of the costs associ-

1 ated with implementing the amendments made by this sec-
2 tion.

3 **SEC. 11226. ARTIFICIAL INTELLIGENCE STRATEGY.**

4 (a) COORDINATION OF DATA AND ARTIFICIAL INTEL-
5 LIGENCE ACTIVITIES RELATING TO IDENTIFYING, DEM-
6 ONSTRATING, AND WHERE APPROPRIATE TRANSITIONING
7 TO OPERATIONAL USE.—

8 (1) IN GENERAL.—The Commandant shall co-
9 ordinate data and artificial intelligence activities re-
10 lating to identifying, demonstrating and where ap-
11 propriate transitioning to operational use of artificial
12 intelligence technologies when such technologies en-
13 hance mission capability or performance.

14 (2) EMPHASIS.—The set of activities estab-
15 lished under paragraph (1) shall—

16 (A) apply data analytics, artificial intel-
17 ligence, and machine-learning solutions to oper-
18 ational and mission-support problems; and

19 (B) coordinate activities involving artificial
20 intelligence and artificial intelligence-enabled
21 capabilities within the Coast Guard.

22 (b) DESIGNATED OFFICIAL.—

23 (1) IN GENERAL.—Not later than 1 year after
24 the date of enactment of this Act, the Commandant
25 shall designate a senior official of the Coast Guard

1 (referred to in this section as the “designated offi-
2 cial”) with the principal responsibility for the coordi-
3 nation of data and artificial intelligence activities re-
4 lating to identifying, demonstrating, and, where ap-
5 propriate, transitioning to operational use artificial
6 intelligence and machine learning for the Coast
7 Guard.

8 (2) GOVERNANCE AND OVERSIGHT OF ARTIFI-
9 CIAL INTELLIGENCE AND MACHINE LEARNING POL-
10 ICY.—The designated official shall regularly convene
11 appropriate officials of the Coast Guard—

12 (A) to integrate the functional activities of
13 the Coast Guard with respect to data, artificial
14 intelligence, and machine learning;

15 (B) to ensure that there are efficient and
16 effective data, artificial intelligence, and ma-
17 chine-learning capabilities throughout the Coast
18 Guard, where appropriate; and

19 (C) to develop and continuously improve
20 research, innovation, policy, joint processes, and
21 procedures to facilitate the coordination of data
22 and artificial intelligence activities relating to
23 identification, demonstration, and, where appro-
24 priate, transition into operational use artificial

1 intelligence and machine learning throughout
2 the Coast Guard.

3 (c) STRATEGIC PLAN.—

4 (1) IN GENERAL.—The designated official shall
5 develop a strategic plan to coordinate activities relat-
6 ing to identifying, demonstrating, and transitioning
7 artificial intelligence technologies into operational
8 use where appropriate.

9 (2) ELEMENTS.—The plan required by para-
10 graph (1) shall include the following:

11 (A) A strategic roadmap for the coordina-
12 tion of data and artificial intelligence activities
13 for the identification, demonstration, and tran-
14 sition to operational use, where appropriate, ar-
15 tificial intelligence technologies and key ena-
16 bling capabilities.

17 (B) The continuous identification, evalua-
18 tion, and adaptation of relevant artificial intel-
19 ligence capabilities adopted by the Coast Guard
20 and developed and adopted by other organiza-
21 tions for military missions and business oper-
22 ations.

23 (C) Consideration of the identification,
24 adoption, and procurement of artificial intel-

1 intelligence technologies for use in operational and
2 mission support activities.

3 (3) SUBMISSION TO COMMANDANT.—Not later
4 than 2 years after the date of enactment of this Act,
5 the designated official shall submit to the Com-
6 mandant the plan developed under paragraph (1).

7 (4) SUBMISSION TO CONGRESS.—Not later than
8 2 years after the date of enactment of this Act, the
9 Commandant shall submit to the Committee on
10 Commerce, Science, and Transportation of the Sen-
11 ate and the Committee on Transportation and Infra-
12 structure of the House of Representatives the plan
13 developed under paragraph (1).

14 **SEC. 11227. REVIEW OF ARTIFICIAL INTELLIGENCE APPLI-**
15 **CATIONS AND ESTABLISHMENT OF PER-**
16 **FORMANCE METRICS.**

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

19 (1) review the potential applications of artificial
20 intelligence and digital technology to the platforms,
21 processes, and operations of the Coast Guard;

22 (2) identify the resources necessary to improve
23 the use of artificial intelligence and digital tech-
24 nology in such platforms, processes, and operations;
25 and

1 (3) establish performance objectives and accom-
2 panying metrics for the incorporation of artificial in-
3 telligence and digital readiness into such platforms,
4 processes, and operations.

5 (b) PERFORMANCE OBJECTIVES AND ACCOMPANYING
6 METRICS.—

7 (1) SKILL GAPS.—In carrying out subsection
8 (a), the Commandant shall—

9 (A) conduct a comprehensive review and
10 assessment of—

11 (i) skill gaps in the fields of software
12 development, software engineering, data
13 science, and artificial intelligence;

14 (ii) the qualifications of civilian per-
15 sonnel needed for both management and
16 specialist tracks in such fields; and

17 (iii) the qualifications of military per-
18 sonnel (officer and enlisted) needed for
19 both management and specialist tracks in
20 such fields; and

21 (B) establish recruiting, training, and tal-
22 ent management performance objectives and ac-
23 companying metrics for achieving and maintain-
24 ing staffing levels needed to fill identified gaps

1 and meet the needs of the Coast Guard for
2 skilled personnel.

3 (2) AI MODERNIZATION ACTIVITIES.—In car-
4 rying out subsection (a), the Commandant shall—

5 (A) assess investment by the Coast Guard
6 in artificial intelligence innovation, science and
7 technology, and research and development;

8 (B) assess investment by the Coast Guard
9 in test and evaluation of artificial intelligence
10 capabilities;

11 (C) assess the integration of, and the re-
12 sources necessary to better use artificial intel-
13 ligence in wargames, exercises, and experimen-
14 tation;

15 (D) assess the application of, and the re-
16 sources necessary to better use, artificial intel-
17 ligence in logistics and sustainment systems;

18 (E) assess the integration of, and the re-
19 sources necessary to better use, artificial intel-
20 ligence for administrative functions;

21 (F) establish performance objectives and
22 accompanying metrics for artificial intelligence
23 modernization activities of the Coast Guard;
24 and

1 (G) identify the resources necessary to ef-
2 fectively use artificial intelligence to carry out
3 the missions of the Coast Guard.

4 (c) REPORT TO CONGRESS.—Not later than 180 days
5 after the completion of the review required under sub-
6 section (a)(1), the Commandant shall submit to the Com-
7 mittee on Commerce, Science, and Transportation and the
8 Committee on Appropriations of the Senate and the Com-
9 mittee on Transportation and Infrastructure and the
10 Committee on Appropriations of the House of Representa-
11 tives a report on—

12 (1) the findings of the Commandant with re-
13 spect to such review and any action taken or pro-
14 posed to be taken by the Commandant, and the re-
15 sources necessary to address such findings;

16 (2) the performance objectives and accom-
17 panying metrics established under subsections (a)(3)
18 and (b)(1)(B); and

19 (3) any recommendation with respect to pro-
20 posals for legislative change necessary to successfully
21 implement artificial intelligence applications within
22 the Coast Guard.

1 **SEC. 11228. CYBER DATA MANAGEMENT.**

2 (a) IN GENERAL.—The Commandant and the Direc-
3 tor of the Cybersecurity and Infrastructure Security Agen-
4 cy shall—

5 (1) develop policies, processes, and operating
6 procedures governing—

7 (A) access to and the ingestion, structure,
8 storage, and analysis of information and data
9 relevant to the Coast Guard Cyber Mission, in-
10 cluding—

11 (i) intelligence data relevant to Coast
12 Guard missions;

13 (ii) internet traffic, topology, and ac-
14 tivity data relevant to such missions; and

15 (iii) cyber threat information relevant
16 to such missions; and

17 (B) data management and analytic plat-
18 forms relating to such missions; and

19 (2) evaluate data management platforms re-
20 ferred to in paragraph (1)(B) to ensure that such
21 platforms operate consistently with the Coast Guard
22 Data Strategy.

23 (b) REPORT.—Not later than 1 year after the date
24 of enactment of this Act, the Commandant shall submit
25 to the Committee on Commerce, Science, and Transpor-
26 tation and the Committee on Homeland Security and Gov-

1 ernmental Affairs of the Senate and the Committee on
2 Transportation and Infrastructure and the Committee on
3 Homeland Security of the House of Representatives a re-
4 port that includes—

5 (1) an assessment of the progress on the activi-
6 ties required by subsection (a); and

7 (2) any recommendation with respect to fund-
8 ing or additional authorities necessary, including
9 proposals for legislative change, to improve Coast
10 Guard cyber data management.

11 **SEC. 11229. DATA MANAGEMENT.**

12 Section 504(a) of title 14, United States Code, is
13 amended—

14 (1) in paragraph (24) by striking “; and” and
15 inserting a semicolon;

16 (2) in paragraph (25) by striking the period
17 and inserting “; and”; and

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

19 “(26) develop data workflows and processes for
20 the leveraging of mission-relevant data by the Coast
21 Guard to enhance operational effectiveness and effi-
22 ciency.”.

1 **SEC. 11230. STUDY ON CYBER THREATS TO UNITED STATES**
2 **MARINE TRANSPORTATION SYSTEM.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Comptroller General
5 of the United States shall commence a study on cyber
6 threats to the United States marine transportation sys-
7 tem.

8 (b) ELEMENTS.—The study required under para-
9 graph (1) shall assess the following:

10 (1) The extent to which the Coast Guard, in
11 collaboration with other Federal agencies, sets
12 standards for the cybersecurity of facilities and ves-
13 sels regulated under part 104, 105, or 106 of title
14 33, Code of Federal Regulations, as in effect on the
15 date of enactment of this Act.

16 (2) The manner in which the Coast Guard en-
17 sures cybersecurity standards are followed by port,
18 vessel, and facility owners and operators.

19 (3) The extent to which maritime sector-specific
20 planning addresses cybersecurity, particularly for
21 vessels and offshore platforms.

22 (4) The manner in which the Coast Guard,
23 other Federal agencies, and vessel and offshore plat-
24 form operators exchange information regarding
25 cyber risks.

1 **“§ 509. Space-available travel on Coast Guard aircraft**

2 “(a) ESTABLISHMENT.—

3 “(1) IN GENERAL.—The Commandant may es-
4 tablish a program to provide transportation on Coast
5 Guard aircraft on a space-available basis to the cat-
6 egories of eligible individuals described in subsection
7 (c) (in this section referred to as the ‘program’).

8 “(2) POLICY DEVELOPMENT.—Not later than 1
9 year after the date on which the program is estab-
10 lished, the Commandant shall develop a policy for
11 the operation of the program.

12 “(b) OPERATION OF PROGRAM.—

13 “(1) IN GENERAL.—The Commandant shall op-
14 erate the program in a budget-neutral manner.

15 “(2) LIMITATIONS.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), no additional funds may be
18 used, or flight hours performed, for the purpose
19 of providing transportation under the program.

20 “(B) DE MINIMIS EXPENDITURES.—The
21 Commandant may make de minimis expendi-
22 tures of resources required for the administra-
23 tive aspects of the program.

24 “(3) REIMBURSEMENT NOT REQUIRED.—Eligi-
25 ble individuals described in subsection (c) shall not

1 be required to reimburse the Coast Guard for travel
2 provided under this section.

3 “(c) CATEGORIES OF ELIGIBLE INDIVIDUALS.—Sub-
4 ject to subsection (d), the categories of eligible individuals
5 described in this subsection are the following:

6 “(1) Members of the armed forces on active
7 duty.

8 “(2) Members of the Selected Reserve who hold
9 a valid Uniformed Services Identification and Privi-
10 lege Card.

11 “(3) Retired members of a regular or reserve
12 component of the armed forces, including retired
13 members of reserve components who, but for being
14 under the eligibility age applicable under section
15 12731 of title 10, would be eligible for retired pay
16 under chapter 1223 of title 10.

17 “(4) Subject to subsection (f), veterans with a
18 permanent service-connected disability rated as total.

19 “(5) Such categories of dependents of individ-
20 uals described in paragraphs (1) through (3) as the
21 Commandant shall specify in the policy under sub-
22 section (a)(2), under such conditions and cir-
23 cumstances as the Commandant shall specify in such
24 policy.

1 “(6) Such other categories of individuals as the
2 Commandant considers appropriate.

3 “(d) REQUIREMENTS.—In operating the program,
4 the Commandant shall—

5 “(1) in the sole discretion of the Commandant,
6 establish an order of priority for transportation for
7 categories of eligible individuals that is based on
8 considerations of military necessity, humanitarian
9 concerns, and enhancement of morale;

10 “(2) give priority in consideration of transpor-
11 tation to the demands of members of the armed
12 forces in the regular components and in the reserve
13 components on active duty and to the need to pro-
14 vide such members, and their dependents, a means
15 of respite from such demands; and

16 “(3) implement policies aimed at ensuring cost
17 control (as required under subsection (b)) and the
18 safety, security, and efficient processing of travelers,
19 including limiting the benefit under the program to
20 1 or more categories of otherwise eligible individuals,
21 as the Commandant considers necessary.

22 “(e) TRANSPORTATION.—

23 “(1) IN GENERAL.—Notwithstanding subsection
24 (d)(1), in establishing space-available transportation
25 priorities under the program, the Commandant shall

1 provide transportation for an individual described in
2 paragraph (2), and a single dependent of the indi-
3 vidual if needed to accompany the individual, at a
4 priority level in the same category as the priority
5 level for an unaccompanied dependent over the age
6 of 18 years traveling on environmental and morale
7 leave.

8 “(2) INDIVIDUALS COVERED.—Subject to para-
9 graph (3), paragraph (1) applies with respect to an
10 individual described in subsection (c)(3) who—

11 “(A) resides in or is located in a Common-
12 wealth or possession of the United States; and

13 “(B) is referred by a military or civilian
14 primary care provider located in that Common-
15 wealth or possession to a specialty care provider
16 for services to be provided outside of such Com-
17 monwealth or possession.

18 “(3) APPLICATION TO CERTAIN RETIRED INDI-
19 VIDUALS.—If an individual described in subsection
20 (c)(3) is a retired member of a reserve component
21 who is ineligible for retired pay under chapter 1223
22 of title 10 by reason of being under the eligibility
23 age applicable under section 12731 of title 10, para-
24 graph (1) applies to the individual only if the indi-
25 vidual is also enrolled in the TRICARE program for

1 certain members of the Retired Reserve authorized
2 under section 1076e of title 10.

3 “(4) PRIORITY.—The priority for space-avail-
4 able transportation required by this subsection ap-
5 plies with respect to—

6 “(A) the travel from the Commonwealth or
7 possession of the United States to receive the
8 specialty care services; and

9 “(B) the return travel.

10 “(5) PRIMARY CARE PROVIDER AND SPECIALTY
11 CARE PROVIDER DEFINED.—In this subsection, the
12 terms ‘primary care provider’ and ‘specialty care
13 provider’ refer to a medical or dental professional
14 who provides health care services under chapter 55
15 of title 10.

16 “(f) LIMITATIONS ON TRAVEL.—

17 “(1) IN GENERAL.—Travel may not be provided
18 under this section to a veteran eligible for travel
19 pursuant to paragraph (4) of subsection (c) in pri-
20 ority over any member eligible for travel under para-
21 graph (1) of that subsection or any dependent of
22 such a member eligible for travel under this section.

23 “(2) RULE OF CONSTRUCTION.—Subsection
24 (c)(4) may not be construed as—

1 “(A) affecting or in any way imposing on
2 the Coast Guard, any armed force, or any com-
3 mercial entity with which the Coast Guard or
4 an armed force contracts, an obligation or ex-
5 pectation that the Coast Guard or such armed
6 force will retrofit or alter, in any way, military
7 aircraft or commercial aircraft, or related
8 equipment or facilities, used or leased by the
9 Coast Guard or such armed force to accommo-
10 date passengers provided travel under such au-
11 thority on account of disability; or

12 “(B) preempting the authority of an air-
13 craft commander to determine who boards the
14 aircraft and any other matters in connection
15 with safe operation of the aircraft.

16 “(g) APPLICATION OF SECTION.—The authority to
17 provide transportation under the program is in addition
18 to any other authority under law to provide transportation
19 on Coast Guard aircraft on a space-available basis.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 5 of title 14, United States Code, is amended by insert-
22 ing after the item relating to section 508 the following:

“509. Space-available travel on Coast Guard aircraft.”.

1 **SEC. 11232. REPORT ON COAST GUARD AIR STATION BAR-**
2 **BERS POINT HANGAR.**

3 (a) IN GENERAL.—Not later than 180 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 facilities require-
10 ments for constructing a hangar at Coast Guard Air Sta-
11 tion Barbers Point at Oahu, Hawaii.

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

14 (1) A description of the—

15 (A) \$45,000,000 phase one design for the
16 hangar at Coast Guard Air Station Barbers
17 Point funded by the Consolidated Appropria-
18 tions Act, 2021 (Public Law 116–260; 134
19 Stat. 1132); and

20 (B) phase two facility improvements ref-
21 erenced in the U.S. Coast Guard Unfunded Pri-
22 ority List for fiscal year 2023.

23 (2) An evaluation of the full facilities require-
24 ments for such hangar and maintenance facility im-
25 provements to house, maintain, and operate the
26 MH–65 and HC–130J, including—

1 (A) storage and provision of fuel; and

2 (B) maintenance and parts storage faci-
3 ties.

4 (3) An evaluation of facilities growth require-
5 ments for possible future basing of the MH-60 with
6 the C-130J at Coast Guard Air Station Barbers
7 Point.

8 (4) A description of and cost estimate for each
9 project phase for the construction of such hangar
10 and maintenance facility improvements.

11 (5) A description of the plan for sheltering in
12 the hangar during extreme weather events aircraft
13 of the Coast Guard and partner agencies, such as
14 the National Oceanic and Atmospheric Administra-
15 tion.

16 (6) A description of the risks posed to oper-
17 ations at Coast Guard Air Station Barbers Point if
18 future project phases for the construction of such
19 hangar are not funded.

20 **SEC. 11233. STUDY ON OPERATIONAL AVAILABILITY OF**
21 **COAST GUARD AIRCRAFT AND STRATEGY**
22 **FOR COAST GUARD AVIATION.**

23 (a) STUDY.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this Act, the Comptroller

1 General of the United States shall commence a
2 study on the operational availability of Coast Guard
3 aircraft.

4 (2) ELEMENTS.—The study required under
5 paragraph (1) shall include the following:

6 (A) An assessment of—

7 (i) the extent to which the fixed-wing
8 and rotary-wing aircraft of the Coast
9 Guard have met annual operational avail-
10 ability targets in recent years;

11 (ii) the challenges the Coast Guard
12 may face with respect to such aircraft
13 meeting operational availability targets,
14 and the effects of such challenges on the
15 ability of the Coast Guard to meet mission
16 requirements; and

17 (iii) the status of Coast Guard efforts
18 to upgrade or recapitalize its fleet of such
19 aircraft to meet growth in future mission
20 demands globally, such as in the Western
21 Hemisphere, the Arctic region, and the
22 Western Pacific region.

23 (B) Any recommendation with respect to
24 the operational availability of Coast Guard air-
25 craft.

1 (C) The resource and workforce require-
2 ments necessary for Coast Guard Aviation to
3 meet current and future mission demands spe-
4 cific to each rotary-wing and fixed-wing air-
5 frame type in the current inventory of the
6 Coast Guard.

7 (3) REPORT.—On completion of the study re-
8 quired under paragraph (1), the Comptroller Gen-
9 eral shall submit to the Commandant a report on
10 the findings of the study.

11 (b) COAST GUARD AVIATION STRATEGY.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date on which the study under subsection
14 (a) is completed, the Commandant shall develop a
15 comprehensive strategy for Coast Guard Aviation
16 that is informed by the relevant recommendations
17 and findings of the study.

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

20 (A) With respect to aircraft of the Coast
21 Guard—

22 (i) an analysis of—

23 (I) the current and future oper-
24 ations and future resource needs, in-
25 cluding the potential need for a sec-

1 ond rotary wing airframe to carry out
2 cutter-based operations and National
3 Capital Region air interdiction mis-
4 sion; and

5 (II) the manner in which such fu-
6 ture needs are integrated with the Fu-
7 ture Vertical Lift initiatives of the De-
8 partment of Defense; and

9 (ii) an estimated timeline with respect
10 to when such future needs will arise.

11 (B) The projected number of aviation as-
12 sets, the locations at which such assets are to
13 be stationed, the cost of operation and mainte-
14 nance of such assets, and an assessment of the
15 capabilities of such assets as compared to the
16 missions they are expected to execute, at the
17 completion of major procurement and mod-
18 ernization plans.

19 (C) A procurement plan, including an esti-
20 mated timetable and the estimated appropria-
21 tions necessary for all platforms, including un-
22 manned aircraft.

23 (D) A training plan for pilots and aircrew
24 that addresses—

1 (i) the use of simulators owned and
2 operated by the Coast Guard, and simula-
3 tors that are not owned or operated by the
4 Coast Guard, including any such simula-
5 tors based outside the United States; and

6 (ii) the costs associated with attending
7 training courses.

8 (E) Current and future requirements for
9 cutter and land-based deployment of aviation
10 assets globally, including in the Arctic, the
11 Eastern Pacific, the Western Pacific, the Carib-
12 bean, the Atlantic Basin, and any other area
13 the Commandant considers appropriate.

14 (F) A description of the feasibility of de-
15 ploying, and the resource requirements nec-
16 essary to deploy, rotary-winged assets onboard
17 all future Arctic cutter patrols.

18 (G) An evaluation of current and future
19 facilities needs for Coast Guard aviation units.

20 (H) An evaluation of pilot and aircrew
21 training and retention needs, including aviation
22 career incentive pay, retention bonuses, and any
23 other workforce tools the Commandant con-
24 siders necessary.

1 (3) BRIEFING.—Not later than 180 days after
2 the date on which the strategy required under para-
3 graph (1) is completed, the Commandant shall pro-
4 vide to the Committee on Commerce, Science, and
5 Transportation of the Senate and the Committee on
6 Transportation and Infrastructure of the House of
7 Representatives a briefing on the strategy.

8 **Subtitle F—Workforce Readiness**

9 **SEC. 11234. AUTHORIZED STRENGTH.**

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

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

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

1 **SEC. 11235. CONTINUATION OF OFFICERS WITH CERTAIN**
2 **CRITICAL SKILLS ON ACTIVE DUTY.**

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

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

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

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

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

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

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

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

5 **SEC. 11236. NUMBER AND DISTRIBUTION OF OFFICERS ON**
6 **ACTIVE DUTY PROMOTION LIST.**

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

10 “(a) MAXIMUM TOTAL NUMBER.—

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

15 “(A) 7,100 in fiscal year 2022;

16 “(B) 7,200 in fiscal year 2023;

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

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

20 “(2) TEMPORARY INCREASE.—Notwithstanding
21 paragraph (1), the Commandant may temporarily
22 increase the total number of commissioned officers
23 permitted under such paragraph by up to 4 percent

1 for not more than 60 days after the date of the com-
2 missioning of a Coast Guard Academy class.

3 “(3) NOTIFICATION.—Not later than 30 days
4 after exceeding the total number of commissioned of-
5 ficers permitted under paragraphs (1) and (2), and
6 each 30 days thereafter until the total number of
7 commissioned officers no longer exceeds the number
8 of such officers permitted under paragraphs (1) and
9 (2), the Commandant shall notify the Committee on
10 Transportation and Infrastructure of the House of
11 Representatives and the Committee on Commerce,
12 Science, and Transportation of the Senate of the
13 number of officers on the active duty promotion list
14 on the last day of the preceding 30-day period.”.

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

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

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

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

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

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

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

10 **SEC. 11237. CAREER INCENTIVE PAY FOR MARINE INSPEC-**
11 **TORS.**

12 (a) AUTHORITY TO PROVIDE ASSIGNMENT PAY OR
13 SPECIAL DUTY PAY.—The Secretary may provide assign-
14 ment pay or special duty pay under section 352 of title
15 37, United States Code, to a member of the Coast Guard
16 serving in a prevention position and assigned as a marine
17 inspector or marine investigator pursuant to section 312
18 of title 14, United States Code.

19 (b) ANNUAL BRIEFING.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of enactment of this Act, and annually
22 thereafter, the Secretary shall provide to the Com-
23 mittee on Commerce, Science, and Transportation of
24 the Senate and the Committee on Transportation
25 and Infrastructure of the House of Representatives

1 a briefing on any uses of the authority under sub-
2 section (a) during the preceding year.

3 (2) ELEMENTS.—Each briefing required under
4 paragraph (1) shall include the following:

5 (A) The number of members of the Coast
6 Guard serving as marine inspectors or marine
7 investigators pursuant to section 312 of title
8 14, United States Code, who are receiving as-
9 signment pay or special duty pay under section
10 352 of title 37, United States Code.

11 (B) An assessment of the impact of the
12 use of the authority under this section on the
13 effectiveness and efficiency of the Coast Guard
14 in administering the laws and regulations for
15 the promotion of safety of life and property on
16 and under the high seas and waters subject to
17 the jurisdiction of the United States.

18 (C) An assessment of the effects of assign-
19 ment pay and special duty pay on retention of
20 marine inspectors and investigators.

21 (D) If the authority provided in subsection
22 (a) is not exercised, a detailed justification for
23 not exercising such authority, including an ex-
24 planation of the efforts the Secretary is taking
25 to ensure that the Coast Guard workforce con-

1 tains an adequate number of qualified marine
2 inspectors.

3 (c) STUDY.—

4 (1) IN GENERAL.—Not later than 2 years after
5 the date of enactment of this Act, the Secretary, in
6 coordination with the Director of the National Insti-
7 tute for Occupational Safety and Health, shall con-
8 duct a study on the health of marine inspectors and
9 marine investigators who have served as such inspec-
10 tors or investigators for a period of not less than 10
11 years.

12 (2) ELEMENTS.—The study required under
13 paragraph (1) shall include the following:

14 (A) An evaluation of—

15 (i) the daily vessel inspection duties of
16 marine inspectors and marine investiga-
17 tors, including the examination of internal
18 cargo tanks and voids and new construc-
19 tion activities;

20 (ii) major incidents to which marine
21 inspectors and marine investigators have
22 had to respond, and any other significant
23 incident, such as a vessel casualty, that
24 has resulted in the exposure of marine in-

1 spectors and marine investigators to haz-
2 ardous chemicals or substances; and

3 (iii) the types of hazardous chemicals
4 or substances to which marine inspectors
5 and marine investigators have been ex-
6 posed relative to the effects such chemicals
7 or substances have had on marine inspec-
8 tors and marine investigators.

9 (B) A review and analysis of the current
10 Coast Guard health and safety monitoring sys-
11 tems, and recommendations for improving such
12 systems, specifically with respect to the expo-
13 sure of members of the Coast Guard to haz-
14 ardous substances while carrying out inspec-
15 tions and investigation duties.

16 (C) Any other element the Secretary con-
17 siders appropriate.

18 (3) REPORT.—Upon completion of the study re-
19 quired under paragraph (1), the Secretary shall sub-
20 mit to the Committee on Commerce, Science, and
21 Transportation of the Senate and the Committee on
22 Transportation and Infrastructure of the House of
23 Representatives a report on the findings of the study
24 and recommendations for actions the Commandant

1 should take to improve the health and exposure of
2 marine inspectors and marine investigators.

3 (d) TERMINATION.—The authority provided by sub-
4 section (a) shall terminate on December 31, 2028.

5 **SEC. 11238. EXPANSION OF ABILITY FOR SELECTION BOARD**
6 **TO RECOMMEND OFFICERS OF PARTICULAR**
7 **MERIT FOR PROMOTION.**

8 Section 2116(c)(1) of title 14, United States Code,
9 is amended, in the second sentence, by inserting “three
10 times” after “may not exceed”.

11 **SEC. 11239. MODIFICATION TO EDUCATION LOAN REPAY-**
12 **MENT PROGRAM.**

13 (a) IN GENERAL.—Section 2772 of title 14, United
14 States Code, is amended to read as follows:

15 **“§ 2772. Education loan repayment program for mem-**
16 **bers on active duty in specified military**
17 **specialties**

18 “(a) IN GENERAL.—

19 “(1) REPAYMENT.—Subject to the provisions of
20 this section, the Secretary may repay—

21 “(A) any loan made, insured, or guar-
22 anteed under part B of title IV of the
23 Higher Education Act of 1965 (20 U.S.C.
24 1071 et seq.);

1 “(B) any loan made under part D of
2 such title (the William D. Ford Federal
3 Direct Loan Program, 20 U.S.C. 1087a et
4 seq.);

5 “(C) any loan made under part E of
6 such title (20 U.S.C. 1087aa et seq.); or

7 “(D) any loan incurred for edu-
8 cational purposes made by a lender that
9 is—

10 “(i) an agency or instrumentality
11 of a State;

12 “(ii) a financial or credit institu-
13 tion (including an insurance company)
14 that is subject to examination and su-
15 pervision by an agency of the United
16 States or any State;

17 “(iii) a pension fund approved by
18 the Secretary for purposes of this sec-
19 tion; or

20 “(iv) a nonprofit private entity
21 designated by a State, regulated by
22 such State, and approved by the Sec-
23 retary for purposes of this section.

1 “(2) REQUIREMENT.—Repayment of any such
2 loan shall be made on the basis of each complete
3 year of service performed by the borrower.

4 “(3) ELIGIBILITY.—The Secretary may repay
5 loans described in paragraph (1) in the case of any
6 person for service performed on active duty as a
7 member in an officer program or military specialty
8 specified by the Secretary.

9 “(b) AMOUNT.—The portion or amount of a loan that
10 may be repaid under subsection (a) is $33\frac{1}{3}$ percent or
11 \$1,500, whichever is greater, for each year of service.

12 “(c) INTEREST ACCRUAL.—If a portion of a loan is
13 repaid under this section for any year, interest on the re-
14 mainder of such loan shall accrue and be paid in the same
15 manner as is otherwise required.

16 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to authorize refunding any repay-
18 ment of a loan.

19 “(e) FRACTIONAL CREDIT FOR TRANSFER.—An indi-
20 vidual who transfers from service making the individual
21 eligible for repayment of loans under this section (as de-
22 scribed in subsection (a)(3)) to service making the indi-
23 vidual eligible for repayment of loans under section 16301
24 of title 10 (as described in subsection (a)(2) or (g) of that
25 section) during a year shall be eligible to have repaid a

1 portion of such loan determined by giving appropriate
2 fractional credit for each portion of the year so served,
3 in accordance with regulations of the Secretary concerned.

4 “(f) SCHEDULE FOR ALLOCATION.—The Secretary
5 shall prescribe a schedule for the allocation of funds made
6 available to carry out the provisions of this section and
7 section 16301 of title 10 during any year for which funds
8 are not sufficient to pay the sum of the amounts eligible
9 for repayment under subsection (a) and section 16301(a)
10 of title 10.

11 “(g) FAILURE TO COMPLETE PERIOD OF SERVICE.—
12 Except an individual described in subsection (e) who
13 transfers to service making the individual eligible for re-
14 payment of loans under section 16301 of title 10, a mem-
15 ber of the Coast Guard who fails to complete the period
16 of service required to qualify for loan repayment under
17 this section shall be subject to the repayment provisions
18 of section 303a(e) or 373 of title 37.

19 “(h) AUTHORITY TO ISSUE REGULATIONS.—The
20 Secretary may prescribe procedures for implementing this
21 section, including standards for qualified loans and au-
22 thorized payees and other terms and conditions for mak-
23 ing loan repayments. Such regulations may include excep-
24 tions that would allow for the payment as a lump sum
25 of any loan repayment due to a member under a written

1 agreement that existed at the time of a member's death
2 or disability.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 27 of title 14, United States Code, is amended by
5 striking the item relating to section 2772 and inserting
6 the following:

“2772. Education loan repayment program for members on active duty in speci-
fied military specialties.”.

7 **SEC. 11240. RETIREMENT OF VICE COMMANDANT.**

8 Section 303 of title 14, United States Code, is
9 amended—

10 (1) by amending subsection (a)(2) to read as
11 follows:

12 “(2) A Vice Commandant who is retired while serving
13 as Vice Commandant, after serving not less than 2 years
14 as Vice Commandant, shall be retired with the grade of
15 admiral, except as provided in section 306(d).”; and

16 (2) in subsection (c) by striking “or Vice Com-
17 mandant” and inserting “or as an officer serving as
18 Vice Commandant who has served less than 2 years
19 as Vice Commandant”.

20 **SEC. 11241. REPORT ON RESIGNATION AND RETIREMENT**
21 **PROCESSING TIMES AND DENIAL.**

22 (a) IN GENERAL.—Not later than 30 days after the
23 date of enactment of this Act, and annually thereafter,
24 the Commandant shall submit to the Committee on Com-

1 merce, Science, and Transportation of the Senate and the
2 Committee on Transportation and Infrastructure of the
3 House of Representatives a report that evaluates resigna-
4 tion and retirement processing timelines.

5 (b) ELEMENTS.—The report required under sub-
6 section (a) shall include, for the preceding calendar year—

7 (1) statistics on the number of resignations, re-
8 tirements, and other separations that occurred;

9 (2) the processing time for each action de-
10 scribed in paragraph (1);

11 (3) the percentage of requests for such actions
12 that had a command endorsement;

13 (4) the percentage of requests for such actions
14 that did not have a command endorsement; and

15 (5) for each denial of a request for a command
16 endorsement and each failure to take action on such
17 a request, a detailed description of the rationale for
18 such denial or failure to take such action.

19 **SEC. 11242. CALCULATION OF ACTIVE SERVICE.**

20 (a) IN GENERAL.—Subchapter I of chapter 25 of title
21 14, United States Code, is amended by adding at the end
22 the following:

23 **“§ 2515. Calculation of active service**

24 “Any service described, including service described
25 prior to the date of enactment of the Don Young Coast

1 Guard Authorization Act of 2022, in writing, including by
2 electronic communication, by a representative of the Coast
3 Guard Personnel Service Center as service that counts to-
4 ward total active service for regular retirement under sec-
5 tion 2152 or section 2306 shall be considered by the Presi-
6 dent as active service for purposes of applying section
7 2152 or section 2306 with respect to the determination
8 of the retirement qualification for any officer or enlisted
9 member to whom a description was provided.”.

10 (b) CLERICAL AMENDMENT.—The analysis for chap-
11 ter 25 of title 14, United States Code, is amended by in-
12 serting after the item relating to section 2515 the fol-
13 lowing:

“2515. Calculation of active service.”.

14 (c) RULE OF CONSTRUCTION.—The amendment
15 made by subsection (a)—

16 (1) shall only apply to officers of the Coast
17 Guard that entered active service after January 1,
18 1997, temporarily separated for a period of time,
19 and have retired from the Coast Guard before Janu-
20 ary 1, 2024; and

21 (2) shall not apply to any member of any other
22 uniformed service, or to any Coast Guard member
23 regarding active service of the member in any other
24 uniformed service.

1 **SEC. 11243. PHYSICAL DISABILITY EVALUATION SYSTEM**
2 **PROCEDURE REVIEW.**

3 (a) STUDY.—

4 (1) IN GENERAL.—Not later than 3 years after
5 the date of enactment of this Act, the Comptroller
6 General of the United States shall complete a study
7 on the Coast Guard Physical Disability Evaluation
8 System and medical retirement procedures.

9 (2) ELEMENTS.—In completing the study re-
10 quired under paragraph (1), the Comptroller Gen-
11 eral shall review, and provide recommendations to
12 address, the following:

13 (A) Coast Guard compliance with all appli-
14 cable laws, regulations, and policies relating to
15 the Physical Disability Evaluation System and
16 the Medical Evaluation Board.

17 (B) Coast Guard compliance with timelines
18 set forth in—

19 (i) the instruction of the Commandant
20 entitled “Physical Disability Evaluation
21 System” issued on May 19, 2006
22 (COMDTNST M1850.2D); and

23 (ii) the Physical Disability Evaluation
24 System Transparency Initiative
25 (ALCGPSC 030/20).

1 (C) An evaluation of Coast Guard proc-
2 esses in place to ensure the availability, consist-
3 ency, and effectiveness of counsel appointed by
4 the Coast Guard Office of the Judge Advocate
5 General to represent members of the Coast
6 Guard undergoing an evaluation under the
7 Physical Disability Evaluation System.

8 (D) The extent to which the Coast Guard
9 has and uses processes to ensure that such
10 counsel may perform the functions of such
11 counsel in a manner that is impartial, including
12 being able to perform such functions without
13 undue pressure or interference by the command
14 of the affected member of the Coast Guard, the
15 Personnel Service Center, and the Coast Guard
16 Office of the Judge Advocate General.

17 (E) The frequency, including the frequency
18 aggregated by member pay grade, with which
19 members of the Coast Guard seek private coun-
20 sel in lieu of counsel appointed by the Coast
21 Guard Office of the Judge Advocate General.

22 (F) The timeliness of determinations, guid-
23 ance, and access to medical evaluations nec-
24 essary for retirement or rating determinations

1 and overall well-being of the affected member of
2 the Coast Guard.

3 (G) The guidance, formal or otherwise,
4 provided by the Personnel Service Center and
5 the Coast Guard Office of the Judge Advocate
6 General, other than the counsel directly rep-
7 resenting affected members of the Coast Guard,
8 in communication with medical personnel exam-
9 ining members.

10 (H) The guidance, formal or otherwise,
11 provided by the medical professionals reviewing
12 cases within the Physical Disability Evaluation
13 System to affected members of the Coast
14 Guard, and the extent to which such guidance
15 is disclosed to the commanders, commanding
16 officers, or other members of the Coast Guard
17 in the chain of command of such affected mem-
18 bers.

19 (I) The feasibility of establishing a pro-
20 gram to allow members of the Coast Guard to
21 select an expedited review to ensure completion
22 of the Medical Evaluation Board report not
23 later than 180 days after the date on which
24 such review was initiated.

1 (b) REPORT.—The Comptroller General shall submit
2 to the Committee on Commerce, Science, and Transpor-
3 tation of the Senate and the Committee on Transportation
4 and Infrastructure of the House of Representatives a re-
5 port on the findings of the study conducted under sub-
6 section (a) and recommendations for improving the Phys-
7 ical Disability Evaluation System process.

8 (c) UPDATED POLICY GUIDANCE.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date on which the report under subsection
11 (b) is submitted, the Commandant shall issue up-
12 dated policy guidance in response to the findings
13 and recommendations contained in the report.

14 (2) ELEMENTS.—The updated policy guidance
15 required under paragraph (1) shall include the fol-
16 lowing:

17 (A) A requirement that a member of the
18 Coast Guard, or the counsel of such a member,
19 shall be informed of the contents of, and af-
20 farded the option to be present for, any commu-
21 nication between the member's command and
22 the Personnel Service Center, or other Coast
23 Guard entity, with respect to the duty status of
24 the member.

1 (B) An exception to the requirement de-
2 scribed in subparagraph (A) that such a mem-
3 ber, or the counsel of the member, is not re-
4 quired to be informed of the contents of such
5 a communication if it is demonstrated that
6 there is a legitimate health or safety need for
7 the member to be excluded from such commu-
8 nications, supported by a medical opinion that
9 such exclusion is necessary for the health or
10 safety of the member, command, or any other
11 individual.

12 (C) An option to allow a member of the
13 Coast Guard to initiate an evaluation by a Med-
14 ical Evaluation Board if a Coast Guard
15 healthcare provider, or other military healthcare
16 provider, has raised a concern about the ability
17 of the member to continue serving in the Coast
18 Guard, in accordance with existing medical and
19 physical disability policy.

20 (D) An updated policy to remove the com-
21 mand endorsement requirement for retirement
22 or separation unless absolutely necessary for
23 the benefit of the United States.

1 **SEC. 11244. EXPANSION OF AUTHORITY FOR MULTIRATER**
2 **ASSESSMENTS OF CERTAIN PERSONNEL.**

3 (a) IN GENERAL.—Section 2182(a) of title 14,
4 United States Code, is amended by striking paragraph (2)
5 and inserting the following:

6 “(2) OFFICERS.—Each officer of the Coast
7 Guard shall undergo a multirater assessment before
8 promotion to—

9 “(A) the grade of O-4;

10 “(B) the grade of O-5; and

11 “(C) the grade of O-6.

12 “(3) ENLISTED MEMBERS.—Each enlisted
13 member of the Coast Guard shall undergo a
14 multirater assessment before advancement to—

15 “(A) the grade of E-7;

16 “(B) the grade of E-8;

17 “(C) the grade of E-9; and

18 “(D) the grade of E-10.

19 “(4) SELECTION.—An individual assessed shall
20 not be permitted to select the peers and subordi-
21 nates who provide opinions for the multirater assess-
22 ment of such individual.

23 “(5) POST-ASSESSMENT ELEMENTS.—

24 “(A) IN GENERAL.—Following an assess-
25 ment of an individual pursuant to paragraphs
26 (1) through (3), the individual shall be provided

1 appropriate post-assessment counseling and
2 leadership coaching.

3 “(B) AVAILABILITY OF RESULTS.—The su-
4 pervisor of the individual assessed shall be pro-
5 vided with the results of the multirater assess-
6 ment.”.

7 (b) COST ASSESSMENT.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of enactment of this Act, the Commandant
10 shall provide to the appropriate committees of Con-
11 gress an estimate of the costs associated with imple-
12 menting the amendment made by subsection (a).

13 (2) APPROPRIATE COMMITTEES OF CONGRESS
14 DEFINED.—In this subsection, the term “appro-
15 priate committees of Congress” means—

16 (A) the Committee on Commerce, Science,
17 and Transportation and the Committee on Ap-
18 propriations of the Senate; and

19 (B) the Committee on Transportation and
20 Infrastructure and the Committee on Appro-
21 priations of the House of Representatives.

22 **SEC. 11245. PROMOTION PARITY.**

23 (a) INFORMATION TO BE FURNISHED.—Section
24 2115(a) of title 14, United States Code, is amended—

1 (1) in paragraph (1) by striking “; and” and in-
2 serting a semicolon;

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

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

6 “(3) in the case of an eligible officer considered
7 for promotion to a rank above lieutenant, any cred-
8 ible information of an adverse nature, including any
9 substantiated adverse finding or conclusion from an
10 officially documented investigation or inquiry and
11 any information placed in the personnel service
12 record of the officer under section 1745(a) of the
13 National Defense Authorization Act for Fiscal Year
14 2014 (Public Law 113–66; 10 U.S.C. 1561 note),
15 shall be furnished to the selection board in accord-
16 ance with standards and procedures set out in the
17 regulations prescribed by the Secretary.”.

18 (b) SPECIAL SELECTION REVIEW BOARDS.—

19 (1) IN GENERAL.—Subchapter I of chapter 21
20 of title 14, United States Code, is amended by in-
21 serting after section 2120 the following:

22 **“§ 2120a. Special selection review boards**

23 “(a) IN GENERAL.—(1) If the Secretary determines
24 that a person recommended by a promotion board for pro-
25 motion to a grade at or below the grade of rear admiral

1 is the subject of credible information of an adverse nature,
2 including any substantiated adverse finding or conclusion
3 described in section 2115(a)(3) of this title that was not
4 furnished to the promotion board during its consideration
5 of the person for promotion as otherwise required by such
6 section, the Secretary shall convene a special selection re-
7 view board under this section to review the person and
8 recommend whether the recommendation for promotion of
9 the person should be sustained.

10 “(2) If a person and the recommendation for pro-
11 motion of the person is subject to review under this section
12 by a special selection review board convened under this
13 section, the name of the person—

14 “(A) shall not be disseminated or publicly re-
15 leased on the list of officers recommended for pro-
16 motion by the promotion board recommending the
17 promotion of the person; and

18 “(B) shall not be forwarded to the President or
19 the Senate, as applicable, or included on a pro-
20 motion list under section 2121 of this title.

21 “(b) CONVENING.—(1) Any special selection review
22 board convened under this section shall be convened in ac-
23 cordance with the provisions of section 2120(e) of this
24 title.

1 “(2) Any special selection review board convened
2 under this section may review such number of persons,
3 and recommendations for promotion of such persons, as
4 the Secretary shall specify in convening such special selec-
5 tion review board.

6 “(c) INFORMATION CONSIDERED.—(1) In reviewing
7 a person and recommending whether the recommendation
8 for promotion of the person should be sustained under this
9 section, a special selection review board convened under
10 this section shall be furnished and consider the following:

11 “(A) The record and information concerning
12 the person furnished in accordance with section
13 2115 of this title to the promotion board that rec-
14 ommended the person for promotion.

15 “(B) Any credible information of an adverse na-
16 ture on the person, including any substantiated ad-
17 verse finding or conclusion from an officially docu-
18 mented investigation or inquiry described in section
19 2115(a)(3) of this title.

20 “(2) The furnishing of information to a special selec-
21 tion review board under paragraph (1)(B) shall be gov-
22 erned by the standards and procedures referred to in sec-
23 tion 2115 of this title.

24 “(3)(A) Before information on a person described in
25 paragraph (1)(B) is furnished to a special selection review

1 board for purposes of this section, the Secretary shall en-
2 sure that—

3 “(i) such information is made available to the
4 person; and

5 “(ii) subject to subparagraphs (C) and (D), the
6 person is afforded a reasonable opportunity to sub-
7 mit comments on such information to the special se-
8 lection review board before its review of the person
9 and the recommendation for promotion of the person
10 under this section.

11 “(B) If information on a person described in para-
12 graph (1)(B) is not made available to the person as other-
13 wise required by subparagraph (A)(i) due to the classifica-
14 tion status of such information, the person shall, to the
15 maximum extent practicable, be furnished a summary of
16 such information appropriate to the person’s authorization
17 for access to classified information.

18 “(C)(i) An opportunity to submit comments on infor-
19 mation is not required for a person under subparagraph
20 (A)(ii) if—

21 “(I) such information was made available to the
22 person in connection with the furnishing of such in-
23 formation under section 2115(a) of this title to the
24 promotion board that recommended the promotion of
25 the person subject to review under this section; and

1 “(II) the person submitted comments on such
2 information to that promotion board.

3 “(ii) The comments on information of a person de-
4 scribed in clause (i)(II) shall be furnished to the special
5 selection review board.

6 “(D) A person may waive either or both of the fol-
7 lowing:

8 “(i) The right to submit comments to a special
9 selection review board under subparagraph (A)(ii).

10 “(ii) The furnishing of comments to a special
11 selection review board under subparagraph (C)(ii).

12 “(d) CONSIDERATION.—(1) In considering the record
13 and information on a person under this section, the special
14 selection review board shall compare such record and in-
15 formation with an appropriate sampling of the records of
16 those officers who were recommended for promotion by the
17 promotion board that recommended the person for pro-
18 motion, and an appropriate sampling of the records of
19 those officers who were considered by and not rec-
20 ommended for promotion by that promotion board.

21 “(2) Records and information shall be presented to
22 a special selection review board for purposes of paragraph
23 (1) in a manner that does not indicate or disclose the per-
24 son or persons for whom the special selection review board
25 was convened.

1 “(3) In considering whether the recommendation for
2 promotion of a person should be sustained under this sec-
3 tion, a special selection review board shall, to the greatest
4 extent practicable, apply standards used by the promotion
5 board that recommended the person for promotion.

6 “(4) The recommendation for promotion of a person
7 may be sustained under this section only if the special se-
8 lection review board determines that the person—

9 “(A) ranks on an order of merit created by the
10 special selection review board as better qualified for
11 promotion than the sample officer highest on the
12 order of merit list who was considered by and not
13 recommended for promotion by the promotion board
14 concerned; and

15 “(B) is comparable in qualification for pro-
16 motion to those sample officers who were rec-
17 ommended for promotion by that promotion board.

18 “(5) A recommendation for promotion of a person
19 may be sustained under this section only by a vote of a
20 majority of the members of the special selection review
21 board.

22 “(6) If a special selection review board does not sus-
23 tain a recommendation for promotion of a person under
24 this section, the person shall be considered to have failed
25 of selection for promotion.

1 “(e) REPORTS.—(1) Each special selection review
2 board convened under this section shall submit to the Sec-
3 retary a written report, signed by each member of the
4 board, containing the name of each person whose rec-
5 ommendation for promotion it recommends for
6 sustainment and certifying that the board has carefully
7 considered the record and information of each person
8 whose name was referred to it.

9 “(2) The provisions of sections 2117(a) of this title
10 apply to the report and proceedings of a special selection
11 review board convened under this section in the same man-
12 ner as they apply to the report and proceedings of a pro-
13 motion board convened under section 2106 of this title.

14 “(f) APPOINTMENT OF PERSONS.—(1) If the report
15 of a special selection review board convened under this sec-
16 tion recommends the sustainment of the recommendation
17 for promotion to the next higher grade of a person whose
18 name was referred to it for review under this section, and
19 the President approves the report, the person shall, as
20 soon as practicable, be appointed to that grade in accord-
21 ance with section 2121 of this title.

22 “(2) A person who is appointed to the next higher
23 grade as described in paragraph (1) shall, upon that ap-
24 pointment, have the same date of rank, the same effective
25 date for the pay and allowances of that grade, and the

1 same position on the active-duty list as the person would
2 have had pursuant to the original recommendation for
3 promotion of the promotion board concerned.

4 “(g) REGULATIONS.—The Secretary shall prescribe
5 regulations to carry out this section.

6 “(h) PROMOTION BOARD DEFINED.—In this section,
7 the term ‘promotion board’ means a selection board con-
8 vened by the Secretary under section 2106 of this title.”.

9 (2) CLERICAL AMENDMENT.—The analysis for
10 chapter 21 of title 14, United States Code, is
11 amended by inserting after the item relating to sec-
12 tion 2120 the following:

“2120a. Special selection review boards.”.

13 (c) AVAILABILITY OF INFORMATION.—Section 2118
14 of title 14, United States Code, is amended by adding at
15 the end the following:

16 “(e) If the Secretary makes a recommendation under
17 this section that the name of an officer be removed from
18 a report of a selection board and the recommendation is
19 accompanied by information that was not presented to
20 that selection board, that information shall be made avail-
21 able to that officer. The officer shall then be afforded a
22 reasonable opportunity to submit comments on that infor-
23 mation to the officials making the recommendation and
24 the officials reviewing the recommendation. If an eligible
25 officer cannot be given access to such information because

1 of its classification status, the officer shall, to the max-
2 imum extent practicable, be provided with an appropriate
3 summary of the information.”.

4 (d) DELAY OF PROMOTION.—Section 2121(f) of title
5 14, United States Code, is amended to read as follows:

6 “(f)(1) The promotion of an officer may be delayed
7 without prejudice if any of the following applies:

8 “(A) The officer is under investigation or pro-
9 ceedings of a court-martial or a board of officers are
10 pending against the officer.

11 “(B) A criminal proceeding in a Federal or
12 State court is pending against the officer.

13 “(C) The Secretary determines that credible in-
14 formation of an adverse nature, including a substan-
15 tiated adverse finding or conclusion described in sec-
16 tion 2115(a)(3), with respect to the officer will re-
17 sult in the convening of a special selection review
18 board under section 2120a of this title to review the
19 officer and recommend whether the recommendation
20 for promotion of the officer should be sustained.

21 “(2)(A) Subject to subparagraph (B), a promotion
22 may be delayed under this subsection until, as applica-
23 ble—

24 “(i) the completion of the investigation or pro-
25 ceedings described in subparagraph (A);

1 (1) seek to enter into 1 or more partnerships
2 with eligible institutions—

3 (A) to increase the visibility of Coast
4 Guard careers;

5 (B) to promote curriculum development—

6 (i) to enable acceptance into the Coast
7 Guard; and

8 (ii) to improve success on relevant
9 exams, such as the Armed Services Voca-
10 tional Aptitude Battery; and

11 (C) to provide mentoring for students en-
12 tering and beginning Coast Guard careers; and

13 (2) enter into a partnership with an existing
14 Junior Reserve Officers' Training Corps for the pur-
15 pose of promoting Coast Guard careers.

16 (c) DEFINITIONS.—In this section:

17 (1) ELIGIBLE INSTITUTION.—The term “eligi-
18 ble institution” means an institution—

19 (A) that is—

20 (i) an institution of higher education
21 (as such term is defined in section 101 of
22 the Higher Education Act of 1965 (20
23 U.S.C. 1001)); or

24 (ii) a junior or community college (as
25 such term is defined in section 312 of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1058); and

3 (B) that is—

4 (i) a part B institution (as such term
5 is defined in section 322 of the Higher
6 Education Act of 1965 (20 U.S.C. 1061));

7 (ii) a Tribal College or University (as
8 such term is defined in section 316(b) of
9 such Act (20 U.S.C. 1059c(b)));

10 (iii) a Hispanic-serving institution (as
11 such term is defined in section 502 of such
12 Act (20 U.S.C. 1101a));

13 (iv) an Alaska Native-serving institu-
14 tion or a Native Hawaiian-serving institu-
15 tion (as such term is defined in section
16 317(b) of such Act (20 U.S.C. 1059d(b)));

17 (v) a Predominantly Black institution
18 (as such term is defined in section 371(c)
19 of that Act (20 U.S.C. 1067q(e)));

20 (vi) an Asian American and Native
21 American Pacific Islander-serving institu-
22 tion (as defined in section 320(b) of such
23 Act (20 U.S.C. 1059g(b))); or

1 (vii) a Native American-serving non-
2 tribal institution (as defined in section
3 319(b) of such Act (20 U.S.C. 1059f(b)).

4 (2) RURAL AREA.—The term “rural area”
5 means an area that is outside of an urbanized area,
6 as determined by the Bureau of the Census.

7 **SEC. 11247. EXPANSION OF COAST GUARD JUNIOR RE-**
8 **SERVE OFFICERS’ TRAINING CORPS.**

9 (a) IN GENERAL.—Section 320 of title 14, United
10 States Code, is amended—

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

13 (2) in subsection (b) by striking “subsection
14 (c)” and inserting “subsection (d)”; and

15 (3) by inserting after subsection (b) the fol-
16 lowing:

17 “(c) SCOPE.—Beginning on December 31, 2025, the
18 Secretary of the department in which the Coast Guard is
19 operating shall maintain at all times a Junior Reserve Of-
20 ficers’ Training Corps program with not fewer than 1 such
21 program established in each Coast Guard district.”.

22 (b) COST ASSESSMENT.—Not later than 1 year after
23 the date of enactment of this Act, the Secretary shall pro-
24 vide to Congress an estimate of the costs associated with
25 implementing the amendments made by this section.

1 **SEC. 11248. IMPROVING REPRESENTATION OF WOMEN AND**
2 **RACIAL AND ETHNIC MINORITIES AMONG**
3 **COAST GUARD ACTIVE-DUTY MEMBERS.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, in consultation with the Ad-
6 visory Board on Women at the Coast Guard Academy es-
7 tablished under section 1904 of title 14, United States
8 Code, and the minority outreach team program established
9 by section 1905 of such title, the Commandant shall—

10 (1) determine which recommendations in the
11 RAND representation report may practicably be im-
12 plemented to promote improved representation in the
13 Coast Guard of—

14 (A) women; and

15 (B) racial and ethnic minorities; and

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

22 (b) CURRICULUM AND TRAINING.—In the case of any
23 action the Commandant plans to take to implement rec-
24 ommendations described in subsection (a)(1) that relate
25 to modification or development of curriculum and training,

1 such modified curriculum and trainings shall be provided
2 at—

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

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

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

12 (c) DEFINITION OF RAND REPRESENTATION RE-
13 PORT.—In this section, the term “RAND representation
14 report” means the report of the Homeland Security Oper-
15 ational Analysis Center of the RAND Corporation entitled
16 “Improving the Representation of Women and Racial/Eth-
17 nic Minorities Among U.S. Coast Guard Active-Duty
18 Members”, issued on August 11, 2021.

19 **SEC. 11249. STRATEGY TO ENHANCE DIVERSITY THROUGH**
20 **RECRUITMENT AND ACCESSION.**

21 (a) IN GENERAL.—The Commandant shall develop a
22 10-year strategy to enhance Coast Guard diversity
23 through recruitment and accession—

24 (1) at educational institutions at the high
25 school and higher education levels; and

1 (2) for the officer and enlisted ranks.

2 (b) REPORT.—

3 (1) IN GENERAL.—Not later than 180 days
4 after the date of enactment of this Act, the Com-
5 mandant shall submit to the Committee on Com-
6 merce, Science, and Transportation of the Senate
7 and the Committee on Transportation and Infra-
8 structure of the House of Representatives a report
9 on the strategy developed under subsection (a).

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

12 (A) A description of existing Coast Guard
13 recruitment and accession programs at edu-
14 cational institutions at the high school and
15 higher education levels.

16 (B) An explanation of the manner in which
17 the strategy supports the overall diversity and
18 inclusion action plan of the Coast Guard.

19 (C) A description of the manner in which
20 existing programs and partnerships will be
21 modified or expanded to enhance diversity in re-
22 cruiting in high school and institutions of high-
23 er education (as such term is defined in section
24 101 of the Higher Education Act of 1965 (20
25 U.S.C. 1001)) and accession.

1 **SEC. 11250. SUPPORT FOR COAST GUARD ACADEMY.**

2 (a) IN GENERAL.—Subchapter II of chapter 9 of title
3 14, United States Code, is amended by adding at the end
4 the following:

5 **“§ 953. Support for Coast Guard Academy**

6 “(a) AUTHORITY.—

7 “(1) CONTRACTS AND COOPERATIVE AGREE-
8 MENTS.—

9 “(A) IN GENERAL.—The Commandant
10 may enter contract and cooperative agreements
11 with 1 or more qualified organizations for the
12 purpose of supporting the athletic programs of
13 the Coast Guard Academy.

14 “(B) AUTHORITY.—Notwithstanding sec-
15 tion 3201(e) of title 10, the Commandant may
16 enter into such contracts and cooperative agree-
17 ments on a sole source basis pursuant to sec-
18 tion 3204(a) of title 10.

19 “(C) ACQUISITIONS.—Notwithstanding
20 chapter 63 of title 31, a cooperative agreement
21 under this section may be used to acquire prop-
22 erty or services for the direct benefit or use of
23 the Coast Guard Academy.

24 “(2) FINANCIAL CONTROLS.—

25 “(A) IN GENERAL.—Before entering into a
26 contract or cooperative agreement under para-

1 graph (1), the Commandant shall ensure that
2 the contract or agreement includes appropriate
3 financial controls to account for the resources
4 of the Coast Guard Academy and the qualified
5 organization concerned in accordance with ac-
6 cepted accounting principles.

7 “(B) CONTENTS.—Any such contract or
8 cooperative agreement shall contain a provision
9 that allows the Commandant to review, as the
10 Commandant considers necessary, the financial
11 accounts of the qualified organization to deter-
12 mine whether the operations of the qualified or-
13 ganization—

14 “(i) are consistent with the terms of
15 the contract or cooperative agreement; and

16 “(ii) would compromise the integrity
17 or appearance of integrity of any program
18 of the Department of Homeland Security.

19 “(3) LEASES.—For the purpose of supporting
20 the athletic programs of the Coast Guard Academy,
21 the Commandant may, consistent with section
22 504(a)(13), rent or lease real property located at the
23 Coast Guard Academy to a qualified organization,
24 except that proceeds from such a lease shall be re-

1 tained and expended in accordance with subsection
2 (f).

3 “(b) SUPPORT SERVICES.—

4 “(1) AUTHORITY.—To the extent required by a
5 contract or cooperative agreement under subsection
6 (a), the Commandant may provide support services
7 to a qualified organization while the qualified organi-
8 zation conducts support activities at the Coast
9 Guard Academy only if the Commandant determines
10 that the provision of such services is essential for the
11 support of the athletic programs of the Coast Guard
12 Academy.

13 “(2) NO LIABILITY OF THE UNITED STATES.—

14 Support services may only be provided without any
15 liability of the United States to a qualified organiza-
16 tion.

17 “(3) SUPPORT SERVICES DEFINED.—In this

18 subsection, the term ‘support services’ includes utili-
19 ties, office furnishings and equipment, communica-
20 tions services, records staging and archiving, audio
21 and video support, and security systems, in conjunc-
22 tion with the leasing or licensing of property.

23 “(c) TRANSFERS FROM NONAPPROPRIATED FUND
24 OPERATION.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the Commandant may, subject to the ac-
3 ceptance of the qualified organization concerned,
4 transfer to the qualified organization all title to and
5 ownership of the assets and liabilities of the Coast
6 Guard nonappropriated fund instrumentality, the
7 function of which includes providing support for the
8 athletic programs of the Coast Guard Academy, in-
9 cluding bank accounts and financial reserves in the
10 accounts of such fund instrumentality, equipment,
11 supplies, and other personal property.

12 “(2) LIMITATION.—The Commandant may not
13 transfer under paragraph (1) any interest in real
14 property.

15 “(d) ACCEPTANCE OF SUPPORT FROM QUALIFIED
16 ORGANIZATION.—

17 “(1) IN GENERAL.—Notwithstanding section
18 1342 of title 31, the Commandant may accept from
19 a qualified organization funds, supplies, and services
20 for the support of the athletic programs of the Coast
21 Guard Academy.

22 “(2) EMPLOYEES OF QUALIFIED ORGANIZA-
23 TION.—For purposes of this section, employees or
24 personnel of the qualified organization may not be
25 considered to be employees of the United States.

1 “(3) FUNDS RECEIVED FROM NCAA.—The Com-
2 mandant may accept funds from the National Colle-
3 giate Athletic Association to support the athletic
4 programs of the Coast Guard Academy.

5 “(4) LIMITATION.—The Commandant shall en-
6 sure that contributions under this subsection and ex-
7 penditure of funds pursuant to subsection (f) do
8 not—

9 “(A) reflect unfavorably on the ability of
10 the Coast Guard, any employee of the Coast
11 Guard, or any member of the armed forces (as
12 such term is defined in section 101(a) of title
13 10) to carry out any responsibility or duty in a
14 fair and objective manner; or

15 “(B) compromise the integrity or appear-
16 ance of integrity of any program of the Coast
17 Guard, or any individual involved in such a pro-
18 gram.

19 “(e) TRADEMARKS AND SERVICE MARKS.—

20 “(1) LICENSING, MARKETING, AND SPONSOR-
21 SHIP AGREEMENTS.—An agreement under sub-
22 section (a) may, consistent with section 2260 of title
23 10 (other than subsection (d) of such section), au-
24 thorize a qualified organization to enter into licens-
25 ing, marketing, and sponsorship agreements relating

1 to trademarks and service marks identifying the
2 Coast Guard Academy, subject to the approval of
3 the Commandant.

4 “(2) LIMITATIONS.—A licensing, marketing, or
5 sponsorship agreement may not be entered into
6 under paragraph (1) if—

7 “(A) such agreement would reflect unfa-
8 vorably on the ability of the Coast Guard, any
9 employee of the Coast Guard, or any member of
10 the armed forces to carry out any responsibility
11 or duty in a fair and objective manner; or

12 “(B) the Commandant determines that the
13 use of the trademark or service mark would
14 compromise the integrity or appearance of in-
15 tegrity of any program of the Coast Guard or
16 any individual involved in such a program.

17 “(f) RETENTION AND USE OF FUNDS.—Funds re-
18 ceived by the Commandant under this section may be re-
19 tained for use to support the athletic programs of the
20 Coast Guard Academy and shall remain available until ex-
21 pended.

22 “(g) CONDITIONS.—The authority provided in this
23 section with respect to a qualified organization is available
24 only so long as the qualified organization continues—

1 “(1) to operate in accordance with this section,
2 the law of the State of Connecticut, and the con-
3 stitution and bylaws of the qualified organization;
4 and

5 “(2) to operate exclusively to support the ath-
6 letic programs of the Coast Guard Academy.

7 “(h) QUALIFIED ORGANIZATION DEFINED.—In this
8 section, the term ‘qualified organization’ means an organi-
9 zation—

10 “(1) that operates as an organization under
11 subsection (c)(3) of section 501 of the Internal Rev-
12 enue Code of 1986 and exempt from taxation under
13 subsection (a) of that section;

14 “(2) for which authorization under sections
15 1033(a) and 1589(a) of title 10 may be provided;
16 and

17 “(3) established by the Coast Guard Academy
18 Alumni Association solely for the purpose of sup-
19 porting Coast Guard athletics.

20 **“§ 954. Mixed-funded athletic and recreational extra-
21 curricular programs**

22 “(a) AUTHORITY.—In the case of a Coast Guard
23 Academy mixed-funded athletic or recreational extra-
24 curricular program, the Commandant may designate
25 funds appropriated to the Coast Guard and available for

1 that program to be treated as nonappropriated funds and
2 expended for that program in accordance with laws appli-
3 cable to the expenditure of nonappropriated funds. Appro-
4 priated funds so designated shall be considered to be non-
5 appropriated funds for all purposes and shall remain avail-
6 able until expended.

7 “(b) COVERED PROGRAMS.—In this section, the term
8 ‘Coast Guard Academy mixed-funded athletic or rec-
9 reational extracurricular program’ means an athletic or
10 recreational extracurricular program of the Coast Guard
11 Academy to which each of the following applies:

12 “(1) The program is not considered a morale,
13 welfare, or recreation program.

14 “(2) The program is supported through appro-
15 priated funds.

16 “(3) The program is supported by a non-
17 appropriated fund instrumentality.

18 “(4) The program is not a private organization
19 and is not operated by a private organization.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 9 of title 14, United States Code, is amended by insert-
22 ing after the item relating to section 952 the following:

“953. Support for Coast Guard Academy.

“954. Mixed-funded athletic and recreational extracurricular programs.”.

1 **SEC. 11251. TRAINING FOR CONGRESSIONAL AFFAIRS PER-**
2 **SONNEL.**

3 (a) IN GENERAL.—Section 315 of title 14, United
4 States Code, is amended to read as follows:

5 **“§ 315. Training for congressional affairs personnel**

6 “(a) IN GENERAL.—The Commandant shall develop
7 a training course, which shall be administered in person,
8 on the workings of Congress for any member of the Coast
9 Guard selected for a position as a fellow, liaison, counsel,
10 or administrative staff for the Coast Guard Office of Con-
11 gressional and Governmental Affairs or as any Coast
12 Guard district or area governmental affairs officer.

13 “(b) COURSE SUBJECT MATTER.—

14 “(1) IN GENERAL.—The training course re-
15 quired under this section shall provide an overview
16 and introduction to Congress and the Federal legis-
17 lative process, including—

18 “(A) the congressional budget process;

19 “(B) the congressional appropriations
20 process;

21 “(C) the congressional authorization proc-
22 ess;

23 “(D) the Senate advice and consent proc-
24 ess for Presidential nominees;

25 “(E) the Senate advice and consent proc-
26 ess for treaty ratification;

1 “(F) the roles of Members of Congress and
2 congressional staff in the legislative process;

3 “(G) the concept and underlying purposes
4 of congressional oversight within the governance
5 framework of separation of powers;

6 “(H) the roles of Coast Guard fellows, liai-
7 sons, counsels, governmental affairs officers,
8 the Coast Guard Office of Program Review, the
9 Coast Guard Headquarters program offices,
10 and any other entity the Commandant considers
11 relevant; and

12 “(I) the roles and responsibilities of Coast
13 Guard public affairs and external communica-
14 tions personnel with respect to Members of
15 Congress and the staff of such Members nec-
16 essary to enhance communication between
17 Coast Guard units, sectors, and districts and
18 Member offices and committees of jurisdiction
19 so as to ensure visibility of Coast Guard activi-
20 ties.

21 “(2) DETAIL WITHIN COAST GUARD OFFICE OF
22 BUDGET AND PROGRAMS.—

23 “(A) IN GENERAL.—At the written request
24 of a receiving congressional office, the training
25 course required under this section shall include

1 a multi-day detail within the Coast Guard Of-
2 fice of Budget and Programs to ensure ade-
3 quate exposure to Coast Guard policy, over-
4 sight, and requests from Congress.

5 “(B) NONCONSECUTIVE DETAIL PER-
6 MITTED.—A detail under this paragraph is not
7 required to be consecutive with the balance of
8 the training.

9 “(c) COMPLETION OF REQUIRED TRAINING.—A
10 member of the Coast Guard selected for a position de-
11 scribed in subsection (a) shall complete the training re-
12 quired by this section before the date on which such mem-
13 ber reports for duty for such position.”.

14 (b) CLERICAL AMENDMENT.—The analysis for chap-
15 ter 3 of title 14, United States Code, is amended by strik-
16 ing the item relating to section 315 and inserting the fol-
17 lowing:

“315. Training for congressional affairs personnel.”.

18 **SEC. 11252. STRATEGY FOR RETENTION OF CUTTERMEN.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of enactment of this Act, the Commandant shall pub-
21 lish a strategy to improve incentives to attract and retain
22 a qualified workforce serving on Coast Guard cutters that
23 includes underrepresented minorities, and servicemembers
24 from rural areas, as such term is defined in section
25 54301(a)(12)(C) of title 46, United States Code.

1 (b) ELEMENTS.—The strategy required by subsection
2 (a) shall include the following:

3 (1) Policies to improve flexibility in the afloat
4 career path, including a policy that enables members
5 of the Coast Guard serving on Coast Guard cutters
6 to transition between operations afloat and oper-
7 ations ashore assignments without detriment to the
8 career progression of a member.

9 (2) A review of current officer requirements for
10 afloat assignments at each pay grade, and an assess-
11 ment as to whether such requirements are appro-
12 priate or present undue limitations.

13 (3) Strategies to improve crew comfort afloat,
14 such as berthing modifications to accommodate all
15 crewmembers.

16 (4) Actionable steps to improve access to
17 highspeed internet capable of video conference for
18 the purposes of medical, educational, and personal
19 use by members of the Coast Guard serving on
20 Coast Guard cutters.

21 (5) An assessment of the effectiveness of bo-
22 nuses to attract members to serve at sea and retain
23 talented members of the Coast Guard serving on
24 Coast Guard cutters to serve as leaders in senior en-

1 listed positions, department head positions, and com-
2 mand positions.

3 (6) Policies to ensure that high-performing
4 members of the Coast Guard serving on Coast
5 Guard cutters are competitive for special assign-
6 ments, postgraduate education, senior service
7 schools, and other career-enhancing positions.

8 (c) **RULE OF CONSTRUCTION.**—The Commandant
9 shall ensure that the elements described in subsection (b)
10 do not result in discrimination based on race, color, reli-
11 gion, sexual orientation, national origin, or gender.

12 **SEC. 11253. STUDY ON PERFORMANCE OF COAST GUARD**
13 **FORCE READINESS COMMAND.**

14 (a) **IN GENERAL.**—Not later than 1 year after the
15 date of enactment of this Act, the Comptroller General
16 of the United States shall commence a study on the per-
17 formance of the Coast Guard Force Readiness Command.

18 (b) **ELEMENTS.**—The study required under sub-
19 section (a) shall include an assessment of the following:

20 (1) The actions the Force Readiness Command
21 has taken to develop and implement training for the
22 Coast Guard workforce.

23 (2) The extent to which the Force Readiness
24 Command—

1 (A) has made an assessment of perform-
2 ance, policy, and training compliance across
3 Force Readiness Command headquarters and
4 field units, and the results of any such assess-
5 ment; and

6 (B) is modifying and expanding Coast
7 Guard training to match the future demands of
8 the Coast Guard with respect to growth in
9 workforce numbers, modernization of assets and
10 infrastructure, and increased global mission de-
11 mands relating to the Arctic and Western Pa-
12 cific regions and cyberspace.

13 (c) REPORT.—Not later than 1 year after the study
14 required by subsection (a) commences, the Comptroller
15 General shall submit to the Committee on Commerce,
16 Science, and Transportation of the Senate and the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives a report on the findings of the study.

19 **SEC. 11254. STUDY ON FREQUENCY OF WEAPONS TRAINING**
20 **FOR COAST GUARD PERSONNEL.**

21 (a) IN GENERAL.—The Commandant shall conduct
22 a study to assess whether current weapons training re-
23 quired for Coast Guard law enforcement and other rel-
24 evant personnel is sufficient.

1 (b) ELEMENTS.—The study required under sub-
2 section (a) shall—

3 (1) assess whether there is a need to improve
4 weapons training for Coast Guard law enforcement
5 and other relevant personnel; and

6 (2) identify—

7 (A) the frequency of such training most
8 likely to ensure adequate weapons training, pro-
9 ficiency, and safety among such personnel;

10 (B) Coast Guard law enforcement and
11 other applicable personnel who should be
12 prioritized to receive such improved training;
13 and

14 (C) any challenge posed by a transition to
15 improving such training and offering such
16 training more frequently, and the resources nec-
17 essary to address such a challenge.

18 (c) REPORT.—Not later than 1 year after the date
19 of enactment of this Act, the Commandant shall submit
20 to the Committee on Commerce, Science, and Transpor-
21 tation of the Senate and the Committee on Transportation
22 and Infrastructure of the House of Representatives a re-
23 port on the findings of the study conducted under sub-
24 section (a).

1 **Subtitle G—Miscellaneous**
2 **Provisions**

3 **SEC. 11255. MODIFICATION OF PROHIBITION ON OPER-**
4 **ATION OR PROCUREMENT OF FOREIGN-MADE**
5 **UNMANNED AIRCRAFT SYSTEMS.**

6 Section 8414 of the William M. (Mac) Thornberry
7 National Defense Authorization Act for Fiscal Year 2021
8 (Public Law 116–283; 14 U.S.C. 1156 note) is amend-
9 ed—

10 (1) by amending subsection (b) to read as fol-
11 lows:

12 “(b) EXEMPTION.—The Commandant is exempt from
13 the restriction under subsection (a) if the operation or pro-
14 curement is for the purposes of—

15 “(1) counter-UAS system surrogate testing and
16 training; or

17 “(2) intelligence, electronic warfare, and infor-
18 mation warfare operations, testing, analysis, and
19 training.”;

20 (2) by amending subsection (c) to read as fol-
21 lows:

22 “(c) WAIVER.—The Commandant may waive the re-
23 striction under subsection (a) on a case-by-case basis by
24 certifying in writing not later than 15 days after exer-
25 cising such waiver to the Department of Homeland Secu-

1 rity, the Committee on Commerce, Science, and Transpor-
2 tation of the Senate, and the Committee on Transpor-
3 tation and Infrastructure of the House of Representatives
4 that the operation or procurement of a covered unmanned
5 aircraft system is required in the national interest of the
6 United States.”;

7 (3) in subsection (d)—

8 (A) by amending paragraph (1) to read as
9 follows:

10 “(1) COVERED FOREIGN COUNTRY.—The term
11 ‘covered foreign country’ means any of the following:

12 “(A) The People’s Republic of China.

13 “(B) The Russian Federation.

14 “(C) The Islamic Republic of Iran.

15 “(D) The Democratic People’s Republic of
16 Korea.”;

17 (B) by redesignating paragraphs (2) and
18 (3) as paragraphs (3) and (4), respectively;

19 (C) by inserting after paragraph (1) the
20 following:

21 “(2) COVERED UNMANNED AIRCRAFT SYS-
22 TEM.—The term ‘covered unmanned aircraft system’
23 means an unmanned aircraft system described in
24 paragraph (1) of subsection (a).”; and

1 (D) in paragraph (4), as so redesignated,
2 by inserting “, and any related services and
3 equipment” after “United States Code”; and
4 (4) by adding at the end the following:

5 “(e) REPLACEMENT.—Not later than 90 days after
6 the date of the enactment of the Don Young Coast Guard
7 Authorization Act of 2022, the Commandant shall replace
8 covered unmanned aircraft systems of the Coast Guard
9 with unmanned aircraft systems manufactured in the
10 United States or an allied country (as that term is defined
11 in section 2350f(d)(1) of title 10, United States Code).”.

12 **SEC. 11256. BUDGETING OF COAST GUARD RELATING TO**
13 **CERTAIN OPERATIONS.**

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

17 **“§ 5114. Expenses of performing and executing de-**
18 **fense readiness missions**

19 “Not later than 1 year after the date of enactment
20 of this section, and every February 1 thereafter, the Com-
21 mandant shall submit to the Committee on Commerce,
22 Science, and Transportation of the Senate and the Com-
23 mittee on Transportation and Infrastructure of the House
24 of Representatives a report that adequately represents a
25 calculation of the annual costs and expenditures of per-

1 forming and executing all defense readiness mission activi-
2 ties, including—

3 “(1) all expenses related to the Coast Guard’s
4 coordination, training, and execution of defense
5 readiness mission activities in the Coast Guard’s ca-
6 pacity as an armed force (as such term is defined in
7 section 101 of title 10) in support of Department of
8 Defense national security operations and activities or
9 for any other military department or Defense Agen-
10 cy (as such terms are defined in such section);

11 “(2) costs associated with Coast Guard detach-
12 ments assigned in support of the defense readiness
13 mission of the Coast Guard; and

14 “(3) any other related expenses, costs, or mat-
15 ters the Commandant considers appropriate or oth-
16 erwise of interest to Congress.”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 51 of title 14, United States Code, as amended by sec-
19 tion 252(b), is further amended by adding at the end the
20 following:

“5114. Expenses of performing and executing defense readiness missions.”.

21 **SEC. 11257. REPORT ON SAN DIEGO MARITIME DOMAIN**
22 **AWARENESS.**

23 Not later than 180 days after the date of enactment
24 of this Act, the Commandant shall submit to the Com-
25 mittee on Transportation and Infrastructure of the House

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

4 (1) an overview of the maritime domain aware-
5 ness in the area of responsibility of the Coast Guard
6 sector responsible for San Diego, California, includ-
7 ing—

8 (A) the average volume of known maritime
9 traffic that transited the area during fiscal
10 years 2020 through 2022;

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

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

17 (D) an estimate of the volume of traffic
18 engaged in illicit activity at sea in such area
19 and the type and description of any vessels used
20 to carry out illicit activities that such sector re-
21 sponded to during fiscal years 2020 through
22 2022; and

23 (E) the maritime domain awareness re-
24 quirements to effectively meet the mission of
25 such sector;

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

5 (3) a description of any gaps in maritime do-
6 main awareness within the area of responsibility of
7 such sector resulting from an inability to meet the
8 enduring maritime domain awareness requirements
9 of the sector or adequately respond to maritime dis-
10 order;

11 (4) an identification of current technology and
12 assets the Coast Guard has to mitigate the gaps
13 identified in paragraph (3);

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

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

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

1 **SEC. 11258. CONVEYANCE OF COAST GUARD VESSELS FOR**
2 **PUBLIC PURPOSES.**

3 (a) TRANSFER.—Section 914 of the Coast Guard Au-
4 thorization Act of 2010 (14 U.S.C. 501 note; Public Law
5 111–281) is—

6 (1) transferred to subchapter I of chapter 5 of
7 title 14, United States Code;

8 (2) added at the end so as to follow section 509
9 of such title, as added by this Act;

10 (3) redesignated as section 510 of such title;
11 and

12 (4) amended so that the enumerator, the sec-
13 tion heading, typeface, and typestyle conform to
14 those appearing in other sections of title 14, United
15 States Code.

16 (b) CLERICAL AMENDMENTS.—

17 (1) COAST GUARD AUTHORIZATION ACT OF
18 2010.—The table of contents in section 1(b) of the
19 Coast Guard Authorization Act of 2010 (Public Law
20 111–281) is amended by striking the item relating
21 to section 914.

22 (2) TITLE 14.—The analysis for subchapter I of
23 chapter 5 of title 14, United States Code, is further
24 amended by adding at the end the following:

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

1 (c) CONVEYANCE OF COAST GUARD VESSELS FOR
2 PUBLIC PURPOSES.—Section 510 of title 14, United
3 States Code, as transferred and redesignated by sub-
4 section (a), is amended—

5 (1) by amending subsection (a) to read as fol-
6 lows:

7 “(a) IN GENERAL.—On request by the Commandant,
8 the Administrator of the General Services Administration
9 may transfer ownership of a Coast Guard vessel or aircraft
10 to an eligible entity for educational, cultural, historical,
11 charitable, recreational, or other public purposes if such
12 transfer is authorized by law.”; and

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) by inserting “as if the request were
16 being processed” after “vessels”; and

17 (ii) by inserting “, as in effect on the
18 date of the enactment of the Don Young
19 Coast Guard Authorization Act of 2022”
20 after “Code of Federal Regulations”;

21 (B) in paragraph (2) by inserting “, as in
22 effect on the date of the enactment of the Don
23 Young Coast Guard Authorization Act of 2022”
24 after “such title”; and

1 (C) in paragraph (3) by striking “of the
2 Coast Guard”.

3 **SEC. 11259. NATIONAL COAST GUARD MUSEUM FUNDING**
4 **PLAN.**

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

10 **SEC. 11260. REPORT ON COAST GUARD EXPLOSIVE ORD-**
11 **NANCE DISPOSAL.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the Commandant shall sub-
14 mit to the Committee on Transportation and Infrastruc-
15 ture of the House of Representatives and the Committee
16 on Commerce, Science, and Transportation of the Senate
17 a report on the viability of establishing an explosive ord-
18 nance disposal program (in this section referred to as the
19 “Program”) in the Coast Guard.

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

23 (1) Where within the organizational structure
24 of the Coast Guard the Program would be located,

1 including a discussion of whether the Program
2 should reside in—

3 (A) Maritime Safety and Security Teams;

4 (B) Maritime Security Response Teams;

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

7 (D) elsewhere within the Coast Guard.

8 (2) The vehicles and dive craft that are Coast
9 Guard airframe and vessel transportable that would
10 be required for the transportation of explosive ord-
11 nance disposal elements.

12 (3) The Coast Guard stations at which—

13 (A) portable explosives storage magazines
14 would be available for explosive ordnance dis-
15 posal elements; and

16 (B) explosive ordnance disposal elements
17 equipment would be pre-positioned.

18 (4) How the Program would support other ele-
19 ments within the Department of Homeland Security,
20 the Department of Justice, and, in wartime, the De-
21 partment of Defense to—

22 (A) counter improvised explosive devices;

23 (B) counter unexploded ordnance;

24 (C) combat weapons of destruction;

1 (D) provide service in support of the Presi-
2 dent; and

3 (E) support national security special
4 events.

5 (5) The career progression of members of the
6 Coast Guard participating in the Program from—

7 (A) Seaman Recruit to Command Master
8 Chief Petty Officer;

9 (B) Chief Warrant Officer 2 to that of
10 Chief Warrant Officer 4; and

11 (C) Ensign to that of Rear Admiral.

12 (6) Initial and annual budget justification esti-
13 mates on a single program element of the Program
14 for—

15 (A) civilian and military pay with details
16 on military pay, including special and incentive
17 pays such as—

18 (i) officer responsibility pay;

19 (ii) officer SCUBA diving duty pay;

20 (iii) officer demolition hazardous duty
21 pay;

22 (iv) enlisted SCUBA diving duty pay;

23 (v) enlisted demolition hazardous duty
24 pay;

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

20 **SEC. 11261. TRANSFER AND CONVEYANCE.**

21 (a) IN GENERAL.—

22 (1) REQUIREMENT.—In accordance with section
23 120(h) of the Comprehensive Environmental Re-
24 sponse, Compensation, and Liability Act (42 U.S.C.
25 9620(h)), the Commandant shall, without consider-

1 ation, transfer in accordance with subsection (b) and
2 convey in accordance with subsection (c) a parcel of
3 the real property described in paragraph (2), includ-
4 ing any improvements thereon.

5 (2) PROPERTY.—The property described in this
6 paragraph is real property at Dauphin Island, Ala-
7 bama, located at 100 Agassiz Street, and consisting
8 of a total of approximately 35.63 acres. The exact
9 acreage and legal description of the parcel of such
10 property to be transferred or conveyed in accordance
11 with subsection (b) or (c), respectively, shall be de-
12 termined by a survey satisfactory to the Com-
13 mandant.

14 (b) TO THE SECRETARY OF HEALTH AND HUMAN
15 SERVICES.—The Commandant shall transfer, as described
16 in subsection (a), to the Secretary of Health and Human
17 Services (in this section referred to as the “Secretary”),
18 for use by the Food and Drug Administration, custody
19 and control of a portion, consisting of approximately 4
20 acres, of the parcel of real property described in such sub-
21 section, to be identified by agreement between the Com-
22 mandant and the Secretary.

23 (c) TO THE STATE OF ALABAMA.—The Commandant
24 shall convey, as described in subsection (a), to the Marine
25 Environmental Sciences Consortium, a unit of the govern-

1 ment of the State of Alabama, located at Dauphin Island,
2 Alabama, all rights, title, and interest of the United States
3 in and to such portion of the parcel described in such sub-
4 section that is not transferred to the Secretary under sub-
5 section (b).

6 (d) PAYMENTS AND COSTS OF TRANSFER AND CON-
7 VEYANCE.—

8 (1) PAYMENTS.—

9 (A) IN GENERAL.—The Secretary shall pay
10 costs to be incurred by the Coast Guard, or re-
11 imburse the Coast Guard for such costs in-
12 curred by the Coast Guard, to carry out the
13 transfer and conveyance required by this sec-
14 tion, including survey costs, appraisal costs,
15 costs for environmental documentation related
16 to the transfer and conveyance, and any other
17 necessary administrative costs related to the
18 transfer and conveyance.

19 (B) FUNDS.—Notwithstanding section 780
20 of division B of the Further Consolidated Ap-
21 propriations Act, 2020 (Public Law 116–94),
22 any amounts that are made available to the
23 Secretary under such section and not obligated
24 on the date of enactment of this Act shall be

1 available to the Secretary for the purpose de-
2 scribed in subparagraph (A).

3 (2) TREATMENT OF AMOUNTS RECEIVED.—

4 Amounts received by the Commandant as reimburse-
5 ment under paragraph (1) shall be credited to the
6 Coast Guard Housing Fund established under sec-
7 tion 2946 of title 14, United States Code, or the ac-
8 count that was used to pay the costs incurred by the
9 Coast Guard in carrying out the transfer or convey-
10 ance under this section, as determined by the Com-
11 mandant, and shall be made available until ex-
12 pended. Amounts so credited shall be merged with
13 amounts in such fund or account and shall be avail-
14 able for the same purposes, and subject to the same
15 conditions and limitations, as amounts in such fund
16 or account.

17 **SEC. 11262. TRANSPARENCY AND OVERSIGHT.**

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

21 **“§ 5115. Major grants, contracts, or other trans-**
22 **actions**

23 “(a) NOTIFICATION.—

24 “(1) IN GENERAL.—Subject to subsection (b),
25 the Commandant shall notify the appropriate com-

1 mittees of Congress and the Coast Guard Office of
2 Congressional and Governmental Affairs not later
3 than 3 full business days in advance of the Coast
4 Guard—

5 “(A) making or awarding a grant alloca-
6 tion or grant in excess of \$1,000,000;

7 “(B) making or awarding a contract, other
8 transaction agreement, or task or delivery order
9 for the Coast Guard on the multiple award con-
10 tract, or issuing a letter of intent totaling more
11 than \$4,000,000;

12 “(C) awarding a task or delivery order re-
13 quiring an obligation of funds in an amount
14 greater than \$10,000,000 from multi-year
15 Coast Guard funds;

16 “(D) making a sole-source grant award; or

17 “(E) announcing publicly the intention to
18 make or award an item described in subpara-
19 graph (A), (B), (C), or (D), including a con-
20 tract covered by the Federal Acquisition Regu-
21 lation.

22 “(2) ELEMENT.—A notification under this sub-
23 section shall include—

24 “(A) the amount of the award;

1 “(B) the fiscal year for which the funds for
2 the award were appropriated;

3 “(C) the type of contract;

4 “(D) an identification of the entity award-
5 ed the contract, such as the name and location
6 of the entity; and

7 “(E) the account from which the funds are
8 to be drawn.

9 “(b) EXCEPTION.—If the Commandant determines
10 that compliance with subsection (a) would pose a substan-
11 tial risk to human life, health, or safety, the Com-
12 mandant—

13 “(1) may make an award or issue a letter de-
14 scribed in such subsection without the notification
15 required under such subsection; and

16 “(2) shall notify the appropriate committees of
17 Congress not later than 5 full business days after
18 such an award is made or letter issued.

19 “(c) APPLICABILITY.—Subsection (a) shall not apply
20 to funds that are not available for obligation.

21 “(d) APPROPRIATE COMMITTEES OF CONGRESS DE-
22 FINED.—In this section, the term ‘appropriate committees
23 of Congress’ means—

1 “(1) the Committee on Commerce, Science, and
2 Transportation and the Committee on Appropria-
3 tions of the Senate; and

4 “(2) the Committee on Transportation and In-
5 frastructure and the Committee on Appropriations
6 of the House of Representatives.”.

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

 “5115. Major grants, contracts, or other transactions.”.

10 **SEC. 11263. STUDY ON SAFETY INSPECTION PROGRAM FOR**
11 **CONTAINERS AND FACILITIES.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the Commandant shall com-
14 plete a study on the safety inspection program for con-
15 tainers (as such term is defined in section 80501 of title
16 46, United States Code) and designated waterfront facili-
17 ties receiving containers.

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

20 (1) An evaluation and review of such safety in-
21 spection program.

22 (2) A determination of—

23 (A) the number of container inspections
24 conducted annually by the Coast Guard during
25 the preceding 10-year period, as compared to

1 the number of containers moved through United
2 States ports annually during such period; and

3 (B) the number of qualified Coast Guard
4 container and facility inspectors, and an assess-
5 ment as to whether, during the preceding 10-
6 year period, there have been a sufficient num-
7 ber of such inspectors to carry out the mission
8 of the Coast Guard.

9 (3) An evaluation of the training programs
10 available to such inspectors and the adequacy of
11 such training programs during the preceding 10-year
12 period.

13 (4) An identification of areas of improvement
14 for such program in the interest of commerce and
15 national security, and the costs associated with such
16 improvements.

17 (c) REPORT TO CONGRESS.—Not later than 180 days
18 after the completion of the study required under sub-
19 section (a), the Commandant shall submit to the Com-
20 mittee on Commerce, Science, and Transportation of the
21 Senate and the Committee on Transportation and Infra-
22 structure of the House of Representatives a report on the
23 findings of the study required by subsection (a), including
24 the personnel and resource requirements necessary for
25 such program.

1 **SEC. 11264. OPERATIONAL DATA SHARING CAPABILITY.**

2 (a) IN GENERAL.—Not later than 18 months after
3 the date of enactment of this Act, the Secretary shall, con-
4 sistent with the ongoing Integrated Multi-Domain Enter-
5 prise joint effort by the Department of Homeland Security
6 and the Department of Defense, establish a secure, cen-
7 tralized capability to allow real-time, or near real-time,
8 data and information sharing between Customs and Bor-
9 der Protection and the Coast Guard for purposes of mari-
10 time boundary domain awareness and enforcement activi-
11 ties along the maritime boundaries of the United States,
12 including the maritime boundaries in the northern and
13 southern continental United States and Alaska.

14 (b) PRIORITY.—In establishing the capability under
15 subsection (a), the Secretary shall prioritize enforcement
16 areas experiencing the highest levels of enforcement activi-
17 ty.

18 (c) REQUIREMENTS.—The capability established
19 under subsection (a) shall be sufficient for the secure shar-
20 ing of data, information, and surveillance necessary for
21 operational missions, including data from governmental
22 assets, irrespective of whether an asset located in or
23 around mission operation areas belongs to the Coast
24 Guard, Customs and Border Protection, or any other part-
25 ner agency.

1 (d) ELEMENTS.—The Commissioner of Customs and
2 Border Protection and the Commandant shall jointly—

3 (1) assess and delineate the types of data and
4 quality of data sharing needed to meet the respective
5 operational missions of Customs and Border Protec-
6 tion and the Coast Guard, including video surveil-
7 lance, seismic sensors, infrared detection, space-
8 based remote sensing, and any other data or infor-
9 mation necessary;

10 (2) develop appropriate requirements and proc-
11 esses for the credentialing of personnel of Customs
12 and Border Protection and personnel of the Coast
13 Guard to access and use the capability established
14 under subsection (a); and

15 (3) establish a cost-sharing agreement for the
16 long-term operation and maintenance of the capa-
17 bility and the assets that provide data to the capa-
18 bility.

19 (e) REPORT.—Not later than 2 years after the date
20 of enactment of this Act, the Secretary shall submit to
21 the Committee on Commerce, Science, and Transportation
22 and the Committee on Homeland Security and Govern-
23 mental Affairs of the Senate and the Committee on Trans-
24 portation and Infrastructure and the Committee on
25 Homeland Security of the House of Representatives a re-

1 port on the establishment of the capability under this sec-
2 tion.

3 (f) **RULE OF CONSTRUCTION.**—Nothing in this sec-
4 tion may be construed to authorize the Coast Guard, Cus-
5 toms and Border Protection, or any other partner agency
6 to acquire, share, or transfer personal information relating
7 to an individual in violation of any Federal or State law
8 or regulation.

9 **SEC. 11265. FEASIBILITY STUDY ON CONSTRUCTION OF**
10 **COAST GUARD STATION AT PORT MANS-**
11 **FIELD.**

12 (a) **STUDY.**—

13 (1) **IN GENERAL.**—Not later than 180 days
14 after the date of the enactment of this Act, the
15 Commandant shall commence a feasibility study on
16 construction of a Coast Guard station at Port Mans-
17 field, Texas.

18 (2) **ELEMENTS.**—The study required under
19 paragraph (1) shall include the following:

20 (A) An assessment of the resources and
21 workforce requirements necessary for a new
22 Coast Guard station at Port Mansfield.

23 (B) An identification of the enhancements
24 to the missions and capabilities of the Coast

1 Guard that a new Coast Guard station at Port
2 Mansfield would provide.

3 (C) An estimate of the life-cycle costs of
4 such a facility, including the costs of construc-
5 tion, maintenance costs, and staffing costs.

6 (D) A cost-benefit analysis of the enhance-
7 ments and capabilities provided, as compared to
8 the costs of construction, maintenance, and
9 staffing.

10 (b) REPORT.—Not later than 180 days after com-
11 mencing the study required by subsection (a), the Com-
12 mandant shall submit to the Committee on Commerce,
13 Science, and Transportation of the Senate and the Com-
14 mittee on Transportation and Infrastructure of the House
15 of Representatives a report on the findings of the study.

16 **SEC. 11266. PROCUREMENT OF TETHERED AEROSTAT**
17 **RADAR SYSTEM FOR COAST GUARD STATION**
18 **SOUTH PADRE ISLAND.**

19 Subject to the availability of appropriations, the Sec-
20 retary shall procure not fewer than 1 tethered aerostat
21 radar system, or similar technology, for use by the Coast
22 Guard at and around Coast Guard Station South Padre
23 Island.

1 **SEC. 11267. PROHIBITION ON MAJOR ACQUISITION CON-**
2 **TRACTS WITH ENTITIES ASSOCIATED WITH**
3 **CHINESE COMMUNIST PARTY.**

4 (a) IN GENERAL.—The Commandant may not award
5 any major acquisition contract until the Commandant re-
6 ceives a certification from the party that it has not, during
7 the 10-year period preceding the planned date of award,
8 directly or indirectly held an economic interest in an entity
9 that is—

10 (1) owned or controlled by the People’s Repub-
11 lic of China; and

12 (2) part of the defense industry of the Chinese
13 Communist Party.

14 (b) INAPPLICABILITY TO TAIWAN.—Subsection (a)
15 shall not apply with respect to an economic interest in an
16 entity owned or controlled by Taiwan.

17 **SEC. 11268. REVIEW OF DRUG INTERDICTION EQUIPMENT**
18 **AND STANDARDS; TESTING FOR FENTANYL**
19 **DURING INTERDICTION OPERATIONS.**

20 (a) REVIEW.—

21 (1) IN GENERAL.—The Commandant, in con-
22 sultation with the Administrator of the Drug En-
23 forcement Administration and the Secretary of
24 Health and Human Services, shall—

25 (A) conduct a review of—

1 (i) the equipment, testing kits, and
2 rescue medications used to conduct Coast
3 Guard drug interdiction operations; and

4 (ii) the safety and training standards,
5 policies, and procedures with respect to
6 such operations; and

7 (B) determine whether the Coast Guard is
8 using the latest equipment and technology and
9 up-to-date training and standards for recog-
10 nizing, handling, testing, and securing illegal
11 drugs, fentanyl and other synthetic opioids, and
12 precursor chemicals during such operations.

13 (2) REPORT.—Not later than 180 days after
14 the date of enactment of this Act, the Commandant
15 shall submit to the appropriate committees of Con-
16 gress a report on the results of the review conducted
17 under paragraph (1).

18 (3) APPROPRIATE COMMITTEES OF CONGRESS
19 DEFINED.—In this subsection, the term “appro-
20 priate committees of Congress” means—

21 (A) the Committee on Commerce, Science,
22 and Transportation and the Committee on Ap-
23 propriations of the Senate; and

1 (B) the Committee on Transportation and
2 Infrastructure and the Committee on Appro-
3 priations of the House of Representatives.

4 (b) REQUIREMENT.—If, as a result of the review re-
5 quired by subsection (a), the Commandant determines
6 that the Coast Guard is not using the latest equipment
7 and technology and up-to-date training and standards for
8 recognizing, handling, testing, and securing illegal drugs,
9 fentanyl and other synthetic opioids, and precursor chemi-
10 cals during drug interdiction operations, the Commandant
11 shall ensure that the Coast Guard acquires and uses such
12 equipment and technology, carries out such training, and
13 implements such standards.

14 (c) TESTING FOR FENTANYL.—The Commandant
15 shall ensure that Coast Guard drug interdiction operations
16 include the testing of substances encountered during such
17 operations for fentanyl, as appropriate.

18 **SEC. 11269. PUBLIC AVAILABILITY OF INFORMATION ON**
19 **MONTHLY MIGRANT INTERDICTIONS.**

20 Not later than the 15th day of each month, the Com-
21 mandant shall make available to the public on the website
22 of the Coast Guard the number of migrant interdictions
23 carried out by the Coast Guard during the preceding
24 month.

1 **SEC. 11270. CARGO WAITING TIME REDUCTION.**

2 Not later than 90 days after the date of enactment
3 of this Act, the Commandant shall submit to the Com-
4 mittee on Transportation and Infrastructure of the House
5 of Representatives and the Committee on Commerce,
6 Science, and Transportation of the Senate a report that
7 includes—

8 (1) an explanation of the extent to which ves-
9 sels carrying cargo are complying with the require-
10 ments of chapter 700 of title 46, United States
11 Code;

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

18 (3) with respect to such vessels, a summary of
19 actions taken or planned to be taken by the Com-
20 mandant to provide additional protections against oil
21 spills or other hazardous discharges caused by an-
22 chor strikes.

23 **SEC. 11271. STUDY ON COAST GUARD OVERSIGHT AND IN-**
24 **VESTIGATIONS.**

25 (a) **IN GENERAL.**—Not later than 2 years after the
26 date of enactment of this Act, the Comptroller General

1 of the United States shall commence a study to assess the
2 oversight over Coast Guard activities, including investiga-
3 tions, personnel management, whistleblower protection,
4 and other activities carried out by the Department of
5 Homeland Security Office of Inspector General.

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

8 (1) An analysis of the ability of the Department
9 of Homeland Security Office of Inspector General to
10 ensure timely, thorough, complete, and appropriate
11 oversight over the Coast Guard, including oversight
12 over both civilian and military activities.

13 (2) An assessment of—

14 (A) the best practices with respect to such
15 oversight; and

16 (B) the ability of the Department of
17 Homeland Security Office of Inspector General
18 and the Commandant to identify and achieve
19 such best practices.

20 (3) An analysis of the methods, standards, and
21 processes employed by the Department of Defense
22 Office of Inspector General and the inspectors gen-
23 erals of the armed forces (as such term is defined
24 in section 101 of title 10, United States Code), other

1 than the Coast Guard, to conduct oversight and in-
2 vestigation activities.

3 (4) An analysis of the methods, standards, and
4 processes of the Department of Homeland Security
5 Office of Inspector General with respect to oversight
6 over the civilian and military activities of the Coast
7 Guard, as compared to the methods, standards, and
8 processes described in paragraph (3).

9 (5) An assessment of the extent to which the
10 Coast Guard Investigative Service completes inves-
11 tigations or other disciplinary measures after refer-
12 ral of complaints from the Department of Homeland
13 Security Office of Inspector General.

14 (6) A description of the staffing, expertise,
15 training, and other resources of the Department of
16 Homeland Security Office of Inspector General, and
17 an assessment as to whether such staffing, expertise,
18 training, and other resources meet the requirements
19 necessary for meaningful, timely, and effective over-
20 sight over the activities of the Coast Guard.

21 (c) REPORT.—Not later than 1 year after com-
22 mencing the study required under subsection (a), the
23 Comptroller General shall submit to the Committee on
24 Commerce, Science, and Transportation of the Senate and
25 the Committee on Transportation and Infrastructure of

1 the House of Representatives a report on the findings of
2 the study, including recommendations with respect to
3 oversight over Coast Guard activities.

4 (d) OTHER REVIEWS.—The study required under
5 subsection (a) may rely upon recently completed or ongo-
6 ing reviews by the Comptroller General or other entities,
7 as applicable.

8 **Subtitle H—Sexual Assault and**
9 **Sexual Harassment Response**
10 **and Prevention**

11 **SEC. 11272. ADMINISTRATION OF SEXUAL ASSAULT FOREN-**
12 **SIC EXAMINATION KITS.**

13 (a) IN GENERAL.—Subchapter IV of chapter 5 of
14 title 14, United States Code, is amended by adding at the
15 end the following:

16 **“§ 564. Administration of sexual assault forensic ex-**
17 **amination kits**

18 **“(a) SEXUAL ASSAULT FORENSIC EXAM PROCE-**
19 **DURE.—**

20 **“(1) IN GENERAL.—**Before embarking on any
21 prescheduled voyage, a Coast Guard vessel shall
22 have in place a written operating procedure that en-
23 sures that an embarked victim of sexual assault
24 shall have access to a sexual assault forensic exam-
25 ination—

1 “(A) as soon as possible after the victim
2 requests an examination; and

3 “(B) that is treated with the same level of
4 urgency as emergency medical care.

5 “(2) REQUIREMENTS.—The written operating
6 procedure required by paragraph (1), shall, at a
7 minimum, account for—

8 “(A) the health, safety, and privacy of a
9 victim of sexual assault;

10 “(B) the proximity of ashore or afloat
11 medical facilities, including coordination as nec-
12 essary with the Department of Defense, includ-
13 ing other military departments (as defined in
14 section 101 of title 10);

15 “(C) the availability of aeromedical evacu-
16 ation;

17 “(D) the operational capabilities of the
18 vessel concerned;

19 “(E) the qualifications of medical per-
20 sonnel onboard;

21 “(F) coordination with law enforcement
22 and the preservation of evidence;

23 “(G) the means of accessing a sexual as-
24 sult forensic examination and medical care
25 with a restricted report of sexual assault;

1 “(H) the availability of nonprescription
2 pregnancy prophylactics; and

3 “(I) other unique military considerations.”.

4 (b) CLERICAL AMENDMENT.—The analysis for chap-
5 ter 5 of title 14, United States Code, is amended by insert-
6 ing after the item relating to section 563 the following:

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

7 (c) STUDY.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of the enactment of this Act, the Secretary
10 shall seek to enter into an agreement with the Na-
11 tional Academy of Sciences under which the Na-
12 tional Academy of Sciences shall conduct a study to
13 assess challenges and prospective solutions associ-
14 ated with sexual assault at sea, to include the provi-
15 sion of survivor care, forensic examination of the vic-
16 tim, and evidence collection.

17 (2) CONTENTS.—The study under paragraph
18 (1) shall, at a minimum, address the feasibility of
19 crisis response services and physical evaluation
20 through telemedicine and other options concerning
21 immediate access to care whether onboard the vessel
22 or at the nearest shore side facility, including best
23 practices for administering sexual assault forensic
24 examinations.

1 (3) ELEMENTS.—The study under paragraph

2 (1) shall—

3 (A) take into account—

4 (i) the safety and security of the al-
5 leged victim of sexual assault;

6 (ii) the ability to properly identify,
7 document, and preserve any evidence rel-
8 evant to the allegation of sexual assault;

9 (iii) the applicable criminal procedural
10 laws relating to authenticity, relevance,
11 preservation of evidence, chain of custody,
12 and any other matter relating to evi-
13 dentiary admissibility; and

14 (iv) best practices of conducting sex-
15 ual assault forensic examinations, as such
16 term is defined in section 40723 of title
17 34, United States Code;

18 (B) provide any appropriate recommenda-
19 tion for changes to existing laws, regulations, or
20 employer policies;

21 (C) solicit public stakeholder input from
22 individuals and organizations with relevant ex-
23 pertise in sexual assault response including
24 healthcare, advocacy services, law enforcement,
25 and prosecution;

1 (D) evaluate the operational capabilities of
2 the Coast Guard since 2013 in providing al-
3 leged victims of sexual assault immediate access
4 to care onboard a vessel undertaking a
5 prescheduled voyage that, at any point during
6 such voyage, would require the vessel to travel
7 3 consecutive days or longer to reach a land-
8 based or afloat medical facility, including—
9 (i) the average of and range in the re-
10 ported hours taken to evacuate an indi-
11 vidual with any medical emergency to a
12 land-based or afloat medical facility; and
13 (ii) the number of alleged victims,
14 subjects, and total incidents of sexual as-
15 sault and sexual harassment occurring
16 while underway reported annually; and
17 (E) summarize the financial cost, required
18 operational adjustments, and potential benefits
19 to the Coast Guard to provide sexual assault fo-
20 rensic examination kits onboard Coast Guard
21 vessels undertaking a prescheduled voyage that,
22 at any point during such voyage, would require
23 the vessel to travel 3 consecutive days or longer
24 to reach a land-based or afloat medical facility.

1 (4) REPORT.—Upon completion of the study
2 under paragraph (1), the National Academy of
3 Sciences shall submit to the Committee on Com-
4 merce, Science, and Transportation of the Senate,
5 the Committee on Transportation and Infrastructure
6 of the House of Representatives, and the Secretary
7 a report on the findings of the study.

8 (5) ANNUAL REPORT.—The Commandant shall
9 submit to the Transportation and Infrastructure
10 Committee of the House and the Commerce,
11 Science, and Transportation Committee of the Sen-
12 ate a report containing the number of sexual assault
13 forensic examinations that were requested by, but
14 not administered within 3 days to, alleged victims of
15 sexual assault when such victims were onboard a
16 vessel.

17 (6) SAVINGS CLAUSE.—In collecting the infor-
18 mation required under paragraphs (2) and (3), the
19 Commandant shall collect such information in a
20 manner which protects the privacy rights of individ-
21 uals who are subjects of such information.

1 **SEC. 11273. POLICY ON REQUESTS FOR PERMANENT**
2 **CHANGES OF STATION OR UNIT TRANSFERS**
3 **BY PERSONS WHO REPORT BEING THE VIC-**
4 **TIM OF SEXUAL ASSAULT.**

5 (a) INTERIM UPDATE.—Not later than 30 days after
6 the date of enactment of this Act, the Commandant, in
7 consultation with the Director of the Health, Safety, and
8 Work Life Directorate, shall issue an interim update to
9 Coast Guard policy guidance to allow a member of the
10 Coast Guard who has reported being the victim of a sexual
11 assault, or any other offense covered by section 920, 920c,
12 or 930 of title 10, United States Code (article 120, 120c,
13 or 130 of the Uniform Code of Military Justice), to re-
14 quest an immediate change of station or an immediate
15 unit transfer.

16 (b) FINAL POLICY.—The Commandant shall issue a
17 final policy based on the interim updates issued under the
18 preceding sentence not later than 1 year after the date
19 of enactment of this Act.

20 **SEC. 11274. SEX OFFENSES AND PERSONNEL RECORDS.**

21 Not later than 180 days after the date of enactment
22 of this Act, the Commandant shall issue final regulations
23 or policy guidance required to fully implement section
24 1745 of the National Defense Authorization Act for Fiscal
25 Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note)
26 with respect to members of the Coast Guard.

1 **SEC. 11275. STUDY ON SPECIAL VICTIMS' COUNSEL PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of enactment of this Act, the Secretary shall enter
5 into an agreement with a federally funded research and
6 development center for the conduct of a study on—

7 (1) the Special Victims' Counsel program of the
8 Coast Guard;

9 (2) Coast Guard investigations of sexual assault
10 offenses for cases in which the subject of the inves-
11 tigation is no longer under jeopardy for the alleged
12 misconduct for reasons including the death of the
13 accused, a lapse in the statute of limitations for the
14 alleged offense, and a fully adjudicated criminal trial
15 of the alleged offense in which all appeals have been
16 exhausted; and

17 (3) legal support and representation provided to
18 members of the Coast Guard who are victims of sex-
19 ual assault, including in instances in which the ac-
20 cused is a member of the Army, Navy, Air Force,
21 Marine Corps, or Space Force.

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

24 (1) The Special Victims' Counsel program of
25 the Coast Guard, including training, effectiveness,
26 capacity to handle the number of cases referred, and

1 experience with cases involving members of the
2 Coast Guard or members of another armed force (as
3 defined in section 101 of title 10, United States
4 Code).

5 (2) The experience of Special Victims' Counsels
6 in representing members of the Coast Guard during
7 a court-martial.

8 (3) Policies concerning the availability and de-
9 tailing of Special Victims' Counsels for sexual as-
10 sult allegations, in particular such allegations in
11 which the accused is a member of another armed
12 force (as defined in section 101 of title 10, United
13 States Code), and the impact that the cross-service
14 relationship had on—

15 (A) the competence and sufficiency of serv-
16 ices provided to the alleged victim; and

17 (B) the interaction between—

18 (i) the investigating agency and the
19 Special Victims' Counsels; and

20 (ii) the prosecuting entity and the
21 Special Victims' Counsels.

22 (4) Training provided to, or made available for,
23 Special Victims' Counsels and paralegals with re-
24 spect to Department of Defense processes for con-
25 ducting sexual assault investigations and Special

1 Victims' Counsel representation of sexual assault
2 victims.

3 (5) The ability of Special Victims' Counsels to
4 operate independently without undue influence from
5 third parties, including the command of the accused,
6 the command of the victim, the Judge Advocate
7 General of the Coast Guard, and the Deputy Judge
8 Advocate General of the Coast Guard.

9 (6) The skill level and experience of Special Vic-
10 tims' Counsels, as compared to special victims' coun-
11 sels available to members of the Army, Navy, Air
12 Force, Marine Corps, and Space Force.

13 (7) Policies regarding access to an alternate
14 Special Victims' Counsel, if requested by the mem-
15 ber of the Coast Guard concerned, and potential im-
16 provements for such policies.

17 (c) REPORT.—Not later than 180 days after entering
18 into an agreement under subsection (a), the federally
19 funded research and development center shall submit to
20 the Committee on Commerce, Science, and Transportation
21 of the Senate and the Committee on Transportation and
22 Infrastructure of the House of Representatives a report
23 that includes—

24 (1) the findings of the study required by such
25 subsection;

1 (2) recommendations to improve the coordina-
2 tion, training, and experience of Special Victims’
3 Counsels of the Coast Guard so as to improve out-
4 comes for members of the Coast Guard who have re-
5 ported sexual assault; and

6 (3) any other recommendation the federally
7 funded research and development center considers
8 appropriate.

9 **TITLE CXIII—ENVIRONMENT**

10 **Subtitle A—Marine Mammals**

11 **SEC. 11301. DEFINITIONS.**

12 In this subtitle:

13 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
14 **TEES.**—The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Commerce, Science,
17 and Transportation of the Senate; and

18 (B) the Committees on Transportation and
19 Infrastructure and Natural Resources of the
20 House of Representatives.

21 (2) **CORE FORAGING HABITATS.**—The term
22 “core foraging habitats” means areas—

23 (A) with biological and physical oceano-
24 graphic features that aggregate *Calanus*
25 *finmarchicus*; and

1 (B) where North Atlantic right whales for-
2 aging aggregations have been well documented.

3 (3) 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 (4) INSTITUTION OF HIGHER EDUCATION.—The
8 term “institution of higher education” has the
9 meaning given that term in section 101(a) of the
10 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

11 (5) LARGE CETACEAN.—The term “large ceta-
12 cean” means all endangered or threatened species
13 within—

14 (A) the suborder Mysticeti;

15 (B) the genera *Physeter*; or

16 (C) the genera *Orcinus*.

17 (6) NEAR REAL-TIME.—The term “near real-
18 time”, with respect to monitoring of whales, means
19 that visual, acoustic, or other detections of whales
20 are processed, transmitted, and reported as close to
21 the time of detection as is technically feasible.

22 (7) NONPROFIT ORGANIZATION.—The term
23 “nonprofit organization” means an organization that
24 is described in section 501(c) of the Internal Rev-

1 enue Code of 1986 and exempt from tax under sec-
2 tion 501(a) of such Code.

3 (8) PUGET SOUND REGION.—The term “Puget
4 Sound region” means the Vessel Traffic Service
5 Puget Sound area described in section 161.55 of
6 title 33, Code of Federal Regulations (as of the date
7 of enactment of this Act).

8 (9) TRIBAL GOVERNMENT.—The term “Tribal
9 government” means the recognized governing body
10 of any Indian or Alaska Native Tribe, band, nation,
11 pueblo, village, community, component band, or com-
12 ponent reservation, individually identified (including
13 parenthetically) in the list published most recently as
14 of the date of enactment of this Act pursuant to sec-
15 tion 104 of the Federally Recognized Indian Tribe
16 List Act of 1994 (25 U.S.C. 5131).

17 (10) UNDER SECRETARY.—The term “Under
18 Secretary” means the Under Secretary of Commerce
19 for Oceans and Atmosphere.

20 **SEC. 11302. ASSISTANCE TO PORTS TO REDUCE IMPACTS**
21 **OF VESSEL TRAFFIC AND PORT OPERATIONS**
22 **ON MARINE MAMMALS.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of enactment of this Act, the Under Secretary, in con-
25 sultation with the Director of the United States Fish and

1 Wildlife Service, the Secretary, the Secretary of Defense,
2 and the Administrator of the Maritime Administration,
3 shall establish a grant program to provide assistance to
4 eligible entities to develop and implement mitigation meas-
5 ures that will lead to a quantifiable reduction in threats
6 to marine mammals from vessel traffic, including shipping
7 activities and port operations.

8 (b) ELIGIBLE USES.—Assistance provided under sub-
9 section (a) may be used to develop, assess, and carry out
10 activities that reduce threats to marine mammals by—

11 (1) reducing underwater stressors related to
12 marine traffic;

13 (2) reducing mortality and serious injury from
14 vessel strikes and other physical disturbances;

15 (3) monitoring sound;

16 (4) reducing vessel interactions with marine
17 mammals;

18 (5) conducting other types of monitoring that
19 are consistent with reducing the threats to, and en-
20 hancing the habitats of, marine mammals; or

21 (6) supporting State agencies and Tribal gov-
22 ernments in developing the capacity to receive assist-
23 ance under this section through education, training,
24 information sharing, and collaboration to participate
25 in the grant program under this section.

1 (c) PRIORITY.—The Under Secretary shall prioritize
2 providing assistance under subsection (a) for projects
3 that—

4 (1) are based on the best available science with
5 respect to methods to reduce threats to marine
6 mammals;

7 (2) collect data on the effects of such methods
8 and the reduction of such threats;

9 (3) assist ports that pose a higher relative
10 threat to marine mammals listed as threatened or
11 endangered under the Endangered Species Act of
12 1973 (16 U.S.C. 1531 et seq.);

13 (4) are in close proximity to areas in which
14 threatened or endangered cetaceans are known to
15 experience other stressors; or

16 (5) allow eligible entities to conduct risk assess-
17 ments and to track progress toward threat reduc-
18 tion.

19 (d) OUTREACH.—The Under Secretary, in coordina-
20 tion with the Secretary, the Administrator of the Maritime
21 Administration, and the Director of the United States
22 Fish and Wildlife Service, as appropriate, shall conduct
23 coordinated outreach to ports to provide information with
24 respect to—

1 (1) how to apply for assistance under sub-
2 section (a);

3 (2) the benefits of such assistance; and

4 (3) facilitation of best practices and lessons, in-
5 cluding the best practices and lessons learned from
6 activities carried out using such assistance.

7 (e) REPORT REQUIRED.—Not less frequently than
8 annually, the Under Secretary shall make available to the
9 public on a publicly accessible website of the National Oce-
10 anic and Atmospheric Administration a report that in-
11 cludes the following information:

12 (1) The name and location of each entity to
13 which assistance was awarded under subsection (a)
14 during the year preceding submission of the report.

15 (2) The amount of each such award.

16 (3) A description of the activities carried out
17 with each such award.

18 (4) An estimate of the likely impact of such ac-
19 tivities on the reduction of threats to marine mam-
20 mals.

21 (f) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
22 tion, the term “eligible entity” means—

23 (1) a port authority for a port;

24 (2) a State, regional, local, or Tribal govern-
25 ment, or an Alaska Native or Native Hawaiian enti-

1 ty that has jurisdiction over a maritime port author-
2 ity or a port;

3 (3) an academic institution, research institu-
4 tion, or nonprofit organization working in partner-
5 ship with a port; or

6 (4) a consortium of entities described in para-
7 graphs (1) through (3).

8 (g) FUNDING.—From funds otherwise appropriated
9 to the Under Secretary, \$10,000,000 is authorized to
10 carry out this section for each of fiscal years 2023 through
11 2028.

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

17 **SEC. 11303. NEAR REAL-TIME MONITORING AND MITIGA-**
18 **TION PROGRAM FOR LARGE CETACEANS.**

19 (a) ESTABLISHMENT.—The Under Secretary, in co-
20 ordination with the heads of other relevant Federal agen-
21 cies, shall design and deploy a cost-effective, efficient, and
22 results-oriented near real-time monitoring and mitigation
23 program (referred to in this section as the “Program”)
24 for threatened or endangered cetaceans.

1 (b) PURPOSE.—The purpose of the Program shall be
2 to reduce the risk to large cetaceans posed by vessel colli-
3 sions and to minimize other impacts on large cetaceans
4 through the use of near real-time location monitoring and
5 location information.

6 (c) REQUIREMENTS.—The Program shall—

7 (1) prioritize species of large cetaceans for
8 which impacts from vessel collisions are of particular
9 concern;

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

12 (3) be capable of detecting and alerting ocean
13 users and enforcement agencies of the probable loca-
14 tion of large cetaceans on an actionable real-time
15 basis, including through real-time data whenever
16 possible;

17 (4) inform sector-specific mitigation protocols
18 to effectively reduce takes (as defined in section
19 216.3 of title 50, Code of Federal Regulations, or
20 successor regulations) of large cetaceans;

21 (5) integrate technology improvements; and

22 (6) be informed by technologies, monitoring
23 methods, and mitigation protocols developed under
24 the pilot project required under subsection (d).

25 (d) PILOT PROJECT.—

1 (1) ESTABLISHMENT.—In carrying out the Pro-
2 gram, the Under Secretary shall first establish a
3 pilot monitoring and mitigation project (referred to
4 in this section as the “pilot project”) for North At-
5 lantic right whales for the purposes of informing the
6 Program.

7 (2) REQUIREMENTS.—In designing and deploy-
8 ing the pilot project, the Under Secretary, in coordi-
9 nation with the heads of other relevant Federal
10 agencies, shall, using the best available scientific in-
11 formation, identify and ensure coverage of—

12 (A) core foraging habitats; and

13 (B) important feeding, breeding, calving,
14 rearing, or migratory habitats of North Atlantic
15 right whales that co-occur with areas of high
16 risk of mortality or serious injury of such
17 whales from vessels, vessel strikes, or disturb-
18 ance.

19 (3) COMPONENTS.—Not later than 3 years
20 after the date of enactment of this Act, the Under
21 Secretary, in consultation with relevant Federal
22 agencies and Tribal governments, and with input
23 from affected stakeholders, shall design and deploy
24 a near real-time monitoring system for North Atlan-
25 tic right whales that—

1 (A) comprises the best available detection
2 power, spatial coverage, and survey effort to de-
3 tect and localize North Atlantic right whales
4 within habitats described in paragraph (2);

5 (B) is capable of detecting North Atlantic
6 right whales, including visually and acoustically;

7 (C) uses dynamic habitat suitability models
8 to inform the likelihood of North Atlantic right
9 whale occurrence habitats described in para-
10 graph (2) at any given time;

11 (D) coordinates with the Integrated Ocean
12 Observing System of the National Oceanic and
13 Atmospheric Administration and Regional
14 Ocean Partnerships to leverage monitoring as-
15 sets;

16 (E) integrates historical data;

17 (F) integrates new near real-time moni-
18 toring methods and technologies as such meth-
19 ods and technologies become available;

20 (G) accurately verifies and rapidly commu-
21 nicates detection data to appropriate ocean
22 users;

23 (H) creates standards for contributing,
24 and allows ocean users to contribute, data to

1 the monitoring system using comparable near
2 real-time monitoring methods and technologies;

3 (I) communicates the risks of injury to
4 large cetaceans to ocean users in a manner that
5 is most likely to result in informed decision-
6 making regarding the mitigation of those risks;
7 and

8 (J) minimizes additional stressors to large
9 cetaceans as a result of the information avail-
10 able to ocean users.

11 (4) REPORTS.—

12 (A) PRELIMINARY REPORT.—

13 (i) IN GENERAL.—Not later than 2
14 years after the date of enactment of this
15 Act, the Under Secretary shall submit to
16 the Committee on Commerce, Science, and
17 Transportation of the Senate and the
18 Committee on Natural Resources of the
19 House of Representatives, and make avail-
20 able to the public, a preliminary report on
21 the pilot project.

22 (ii) ELEMENTS.—The report required
23 under clause (i) shall include the following:

24 (I) A description of the moni-
25 toring methods and technology in use

1 or planned for deployment under the
2 pilot project.

3 (II) An analysis of the efficacy of
4 the methods and technology in use or
5 planned for deployment for detecting
6 North Atlantic right whales.

7 (III) An assessment of the man-
8 ner in which the monitoring system
9 designed and deployed under this sub-
10 section is directly informing and im-
11 proving the management, health, and
12 survival of North Atlantic right
13 whales.

14 (IV) A prioritized identification
15 of technology or research gaps.

16 (V) A plan to communicate the
17 risks of injury to large cetaceans to
18 ocean users in a manner that is most
19 likely to result in informed decision
20 making regarding the mitigation of
21 such risks.

22 (VI) Any other information on
23 the potential benefits and efficacy of
24 the pilot project the Under Secretary
25 considers appropriate.

1 (B) FINAL REPORT.—

2 (i) IN GENERAL.—Not later than 6
3 years after the date of enactment of this
4 Act, the Under Secretary, in coordination
5 with the heads of other relevant Federal
6 agencies, shall submit to the Committee on
7 Commerce, Science, and Transportation of
8 the Senate and the Committee on Natural
9 Resources of the House of Representatives,
10 and make available to the public, a final
11 report on the pilot project.

12 (ii) ELEMENTS.—The report required
13 under clause (i) shall—

14 (I) address the preliminary re-
15 port required under subparagraph
16 (A); and

17 (II) include—

18 (aa) an assessment of the
19 benefits and efficacy of the pilot
20 project;

21 (bb) a strategic plan to ex-
22 pand the pilot project to provide
23 near real-time monitoring and
24 mitigation measures—

1 (AA) to additional large
2 cetaceans of concern for
3 which such measures would
4 reduce risk of serious injury
5 or death; and

6 (BB) in important feed-
7 ing, breeding, calving,
8 rearing, or migratory habi-
9 tats of large cetaceans that
10 co-occur with areas of high
11 risk of mortality or serious
12 injury from vessel strikes or
13 disturbance;

14 (cc) a budget and descrip-
15 tion of funds necessary to carry
16 out such plan;

17 (dd) a prioritized plan for
18 acquisition, deployment, and
19 maintenance of monitoring tech-
20 nologies; and

21 (ee) the locations or species
22 to which such plan would apply.

23 (e) MITIGATION PROTOCOLS.—The Under Secretary,
24 in consultation with the Secretary, the Secretary of De-
25 fense, the Secretary of Transportation, and the Secretary

1 of the Interior, and with input from affected stakeholders,
2 shall develop and deploy mitigation protocols that make
3 use of any monitoring system designed and deployed under
4 this section to direct sector-specific mitigation measures
5 that avoid and significantly reduce risk of serious injury
6 and mortality to North Atlantic right whales.

7 (f) ACCESS TO DATA.—The Under Secretary shall
8 provide access to data generated by any monitoring system
9 designed and deployed under this section for purposes of
10 scientific research and evaluation and public awareness
11 and education, including through the Right Whale Sight-
12 ing Advisory System of the National Oceanic and Atmos-
13 pheric Administration and WhaleMap or other successor
14 public website portals, subject to review for national secu-
15 rity considerations.

16 (g) ADDITIONAL AUTHORITY.—The Under Secretary
17 may enter into and perform such contracts, leases, grants,
18 or cooperative agreements as may be necessary to carry
19 out this section on such terms as the Under Secretary con-
20 siders appropriate, consistent with the Federal Acquisition
21 Regulation.

22 (h) SAVINGS CLAUSE.—An activity may not be car-
23 ried out under this section if the Secretary of Defense,
24 in consultation with the Under Secretary, determines that

1 the activity would negatively impact the defense readiness
2 or the national security of the United States.

3 (i) FUNDING.—From funds otherwise appropriated
4 to the Under Secretary \$5,000,000 is authorized to sup-
5 port development, deployment, application, and ongoing
6 maintenance of the Program and to otherwise carry out
7 this section for each of fiscal years 2023 through 2027.

8 **SEC. 11304. PILOT PROGRAM TO ESTABLISH A CETACEAN**
9 **DESK FOR PUGET SOUND REGION.**

10 (a) ESTABLISHMENT.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, the Secretary,
13 with the concurrence of the Under Secretary, shall
14 carry out a pilot program to establish a Cetacean
15 Desk, which shall be—

16 (A) located and manned within the Puget
17 Sound Vessel Traffic Service; and

18 (B) designed—

19 (i) to improve coordination with the
20 maritime industry to reduce the risk of
21 vessel impacts on large cetaceans, includ-
22 ing impacts from vessel strikes, disturb-
23 ances, and other sources; and

24 (ii) to monitor the presence and loca-
25 tion of large cetaceans during the months

1 during which such large cetaceans are
2 present in Puget Sound, the Strait of Juan
3 de Fuca, and the United States portion of
4 the Salish Sea.

5 (2) DURATION AND STAFFING.—The pilot pro-
6 gram required under paragraph (1)—

7 (A) shall—

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

9 (ii) require not more than 1 full-time
10 equivalent position, who shall also con-
11 tribute to other necessary Puget Sound
12 Vessel Traffic Service duties and respon-
13 sibilities as needed; and

14 (B) may be supported by other existing
15 Federal employees, as appropriate.

16 (b) ENGAGEMENT WITH VESSEL OPERATORS.—

17 (1) IN GENERAL.—In carrying out the pilot
18 program required under subsection (a), the Sec-
19 retary shall require personnel of the Cetacean Desk
20 to engage with vessel operators in areas where large
21 cetaceans have been seen or could reasonably be
22 present to ensure compliance with applicable laws,
23 regulations, and voluntary guidance, to reduce the
24 impact of vessel traffic on large cetaceans.

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

5 (c) MEMORANDUM OF UNDERSTANDING.—The Sec-
6 retary and the Under Secretary may enter into a memo-
7 randum of understanding to facilitate real-time sharing of
8 data relating to large cetaceans between the Quiet Sound
9 program of the State of Washington, the National Oceanic
10 and Atmospheric Administration, the Puget Sound Vessel
11 Traffic Service, and other relevant entities, as appropriate.

12 (d) DATA.—The Under Secretary shall leverage exist-
13 ing data collection methods, the program required by sec-
14 tion 11303, and public data to ensure accurate and timely
15 information on the sighting of large cetaceans.

16 (e) CONSULTATIONS.—

17 (1) IN GENERAL.—In carrying out the pilot
18 program required under subsection (a), the Sec-
19 retary shall consult with Tribal governments, the
20 State of Washington, institutions of higher edu-
21 cation, the maritime industry, ports in the Puget
22 Sound region, and nongovernmental organizations.

23 (2) COORDINATION WITH CANADA.—When ap-
24 propriate, the Secretary shall coordinate with the
25 Government of Canada, consistent with policies and

1 agreements relating to management of vessel traffic
2 in Puget Sound.

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

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

11 (2) may enter into cooperative agreements, in
12 accordance with subsection (d) of such section, with
13 Federal, State, Tribal, and local officials to reduce
14 the likelihood of vessel interactions with protected
15 large cetaceans, which may include—

16 (A) communicating marine mammal pro-
17 tection guidance to vessels;

18 (B) training on requirements imposed by
19 local, State, Tribal, and Federal laws and regu-
20 lations and guidelines concerning—

21 (i) vessel buffer zones;

22 (ii) vessel speed;

23 (iii) seasonal no-go zones for vessels;

1 (iv) protected areas, including areas
2 designated as critical habitat, as applicable
3 to marine operations; and

4 (v) any other activities to reduce the
5 direct and indirect impact of vessel traffic
6 on large cetaceans;

7 (C) training to understand, utilize, and
8 communicate large cetacean location data; and

9 (D) training to understand and commu-
10 nicate basic large cetacean detection, identifica-
11 tion, and behavior, including—

12 (i) cues of the presence of large
13 cetaceans such as spouts, water disturb-
14 ances, breaches, or presence of prey;

15 (ii) important feeding, breeding,
16 calving, and rearing habitats that co-occur
17 with areas of high risk of vessel strikes;

18 (iii) seasonal large cetacean migration
19 routes that co-occur with areas of high risk
20 of vessel strikes; and

21 (iv) areas designated as critical habi-
22 tat for large cetaceans.

23 (g) REPORT REQUIRED.—Not later than 1 year after
24 the date of enactment of this Act, and every 2 years there-
25 after for the duration of the pilot program, the Com-

1 mandant, in coordination with the Under Secretary and
2 the Administrator of the Maritime Administration, shall
3 submit to the appropriate congressional committees a re-
4 port that—

5 (1) evaluates the functionality, utility, reli-
6 ability, responsiveness, and operational status of the
7 Cetacean Desk established under this section, in-
8 cluding a quantification of reductions in vessel
9 strikes to large cetaceans as a result of the pilot pro-
10 gram;

11 (2) assesses the efficacy of communication be-
12 tween the Cetacean Desk and the maritime industry
13 and provides recommendations for improvements;

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

17 (4) assesses the efficacy of collaboration and
18 stakeholder engagement with Tribal governments,
19 the State of Washington, institutions of higher edu-
20 cation, the maritime industry, ports in the Puget
21 Sound region, and nongovernmental organizations;
22 and

23 (5) evaluates the progress, performance, and
24 implementation of guidance and training procedures

1 for Puget Sound Vessel Traffic Service personnel, as
2 required under subsection (f).

3 **SEC. 11305. MONITORING OCEAN SOUNDSCAPES.**

4 (a) IN GENERAL.—The Under Secretary shall main-
5 tain and expand an ocean soundscape development pro-
6 gram to—

7 (1) award grants to expand the deployment of
8 Federal and non-Federal observing and data man-
9 agement systems capable of collecting measurements
10 of underwater sound for purposes of monitoring and
11 analyzing baselines and trends in the underwater
12 soundscape to protect and manage marine life;

13 (2) continue to develop and apply standardized
14 forms of measurements to assess sounds produced
15 by marine animals, physical processes, and anthro-
16 pogenic activities; and

17 (3) after coordinating with the Secretary of De-
18 fense, coordinate and make accessible to the public
19 the datasets, modeling and analysis, and user-driven
20 products and tools resulting from observations of
21 underwater sound funded through grants awarded
22 under paragraph (1).

23 (b) COORDINATION.—The program described in sub-
24 section (a) shall—

1 “(C) In any case in which the President or the
2 Federal On-Scene Coordinator authorizes a deviation
3 from the salvor as part of a deviation under sub-
4 paragraph (B) from the applicable response plan re-
5 quired under subsection (j), the Commandant of the
6 Coast Guard shall submit to the Committee on
7 Transportation and Infrastructure of the House of
8 Representatives and the Committee on Commerce,
9 Science, and Transportation of the Senate a report
10 describing the deviation and the reasons for such de-
11 viation not less than 3 days after such deviation is
12 authorized.”.

13 **SEC. 11307. LIMITED INDEMNITY PROVISIONS IN STANDBY**
14 **OIL SPILL RESPONSE CONTRACTS.**

15 (a) IN GENERAL.—Subject to subsections (b) and (c),
16 a contract with the Coast Guard for the containment or
17 removal of a discharge entered into by the President under
18 section 311(c) of the Federal Water Pollution Control Act
19 (33 U.S.C. 1321(c)) shall contain a provision to indemnify
20 a contractor for liabilities and expenses incidental to the
21 containment or removal arising out of the performance of
22 the contract that is substantially identical to the terms
23 contained in subsections (d) through (h) of section H.4
24 (except for paragraph (1) of subsection (d)) of the con-
25 tract offered by the Coast Guard in the solicitation num-

1 bered DTCG89-98- A-68F953, dated November 17,
2 1998.

3 (b) REQUIREMENTS.—

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

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

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

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

1 **SEC. 11308. IMPROVING OIL SPILL PREPAREDNESS.**

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

9 **SEC. 11309. WESTERN ALASKA OIL SPILL PLANNING CRI-**
10 **TERIA.**

11 (a) ALASKA OIL SPILL PLANNING CRITERIA PRO-
12 GRAM.—

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

16 **“§ 323. Western Alaska Oil Spill Planning Criteria**
17 **Program**

18 “(a) ESTABLISHMENT.—There is established within
19 the Coast Guard a Western Alaska Oil Spill Planning Cri-
20 teria Program (referred to in this section as the ‘Pro-
21 gram’) to develop and administer the Western Alaska oil
22 spill planning criteria.

23 “(b) PROGRAM MANAGER.—

24 “(1) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this section, the Com-
26 mandant shall select a permanent civilian career em-

1 ployee through a competitive search process for a
2 term of not less than 5 years to serve as the West-
3 ern Alaska Oil Spill Criteria Program Manager (re-
4 ferred to in this section as the ‘Program Man-
5 ager’)—

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

8 “(B) who shall not be subject to frequent
9 or routine reassignment.

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

14 “(3) DUTIES.—

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

17 “(i) approval, drills, and testing relat-
18 ing to the Western Alaska oil spill plan-
19 ning criteria; and

20 “(ii) gathering input concerning such
21 planning criteria from Federal agencies,
22 State and local governments, Tribes, and
23 relevant industry and nongovernmental en-
24 tities.

1 “(B) ASSESSMENTS.—Not less frequently
2 than once every 5 years, the Program Manager
3 shall—

4 “(i) assess whether such existing plan-
5 ning criteria adequately meet the needs of
6 vessels operating in the geographic area;
7 and

8 “(ii) identify methods for advancing
9 response capability so as to achieve, with
10 respect to a vessel, compliance with na-
11 tional planning criteria.

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

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

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

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

1 “(i) the national planning criteria de-
2 scribed in part 155 of title 33, Code of
3 Federal Regulations (as in effect on the
4 date of enactment of this section);

5 “(ii) alternative planning criteria;

6 “(iii) Western Alaska oil spill plan-
7 ning criteria;

8 “(iv) Captain of the Port and Federal
9 On-Scene Coordinator authorities related
10 to activation of a vessel response plan;

11 “(v) the responsibilities of vessel own-
12 ers and operators in preparing a vessel re-
13 sponse plan for submission; and

14 “(vi) responsibilities of the Area Com-
15 mittee, including risk analysis, response
16 capability, and development of alternative
17 planning criteria;

18 “(B) explains the approval processes of
19 vessel response plans that involve alternative
20 planning criteria or Western Alaska oil spill
21 planning criteria; and

22 “(C) provides instruction on the processes
23 involved in carrying out the actions described in
24 paragraphs (9)(D) and (9)(F) of section 311(j)
25 of the Federal Water Pollution Control Act (33

1 U.S.C. 1321(j)), including instruction on car-
2 rying out such actions—

3 “(i) in any geographic area in the
4 United States; and

5 “(ii) specifically in the Seventeenth
6 Coast Guard District; and

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

9 “(d) DEFINITIONS.—In this section:

10 “(1) ALTERNATIVE PLANNING CRITERIA.—The
11 term ‘alternative planning criteria’ means criteria
12 submitted under section 155.1065 or 155.5067 of
13 title 33, Code of Federal Regulations (as in effect on
14 the date of enactment of this section), for vessel re-
15 sponse plans.

16 “(2) TRIBE.—The term ‘Tribe’ has the mean-
17 ing given the term ‘Indian Tribe’ in section 4 of the
18 Indian Self-Determination and Education Assistance
19 Act (25 U.S.C. 5304).

20 “(3) VESSEL RESPONSE PLAN.—The term ‘ves-
21 sel response plan’ means a plan required to be sub-
22 mitted by the owner or operator of a tank vessel or
23 a nontank vessel under regulations issued by the
24 President under section 311(j)(5) of the Federal
25 Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

1 “(4) WESTERN ALASKA OIL SPILL PLANNING
2 CRITERIA.—The term ‘Western Alaska oil spill plan-
3 ning criteria’ means the criteria required to be es-
4 tablished under paragraph (9) of section 311(j) of
5 the Federal Water Pollution Control Act (33 U.S.C.
6 1321(j)).”.

7 (2) CLERICAL AMENDMENT.—The analysis for
8 chapter 3 of title 14, United States Code, is amend-
9 ed by adding at the end the following:

 “323. Western Alaska Oil Spill Planning Criteria Program.”.

10 (b) WESTERN ALASKA OIL SPILL PLANNING CRI-
11 TERIA.—

12 (1) AMENDMENT.—Section 311(j) of the Fed-
13 eral Water Pollution Control Act (33 U.S.C.
14 1321(j)) is amended by adding at the end the fol-
15 lowing:

16 “(9) WESTERN ALASKA OIL SPILL PLANNING
17 CRITERIA PROGRAM.—

18 “(A) DEFINITIONS.—In this paragraph:

19 “(i) ALTERNATIVE PLANNING CRI-
20 TERIA.—The term ‘alternative planning
21 criteria’ means criteria submitted under
22 section 155.1065 or 155.5067 of title 33,
23 Code of Federal Regulations (as in effect
24 on the date of enactment of this para-
25 graph), for vessel response plans.

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

7 “(iii) SECRETARY.—The term ‘Sec-
8 retary’ means the Secretary of the depart-
9 ment in which the Coast Guard is oper-
10 ating.

11 “(iv) VESSEL RESPONSE PLAN.—The
12 term ‘vessel response plan’ means a plan
13 required to be submitted by the owner or
14 operator of a tank vessel or a nontank ves-
15 sel under regulations issued by the Presi-
16 dent under paragraph (5).

17 “(v) WESTERN ALASKA CAPTAIN OF
18 THE PORT ZONE.—The term ‘Western
19 Alaska Captain of the Port Zone’ means
20 the area described in section 3.85–15(a) of
21 title 33, Code of Federal Regulations (as
22 in effect on the date of enactment of this
23 paragraph).

24 “(B) REQUIREMENT.—Except as provided
25 in subparagraph (I), for any part of the area of

1 responsibility of the Western Alaska Captain of
2 the Port Zone or the Prince William Sound
3 Captain of the Port Zone for which the Sec-
4 retary has determined that the national plan-
5 ning criteria established pursuant to this sub-
6 section are inappropriate for a vessel operating
7 in such area, a vessel response plan with re-
8 spect to a discharge of oil for such a vessel shall
9 comply with the Western Alaska oil spill plan-
10 ning criteria established under subparagraph
11 (D)(i).

12 “(C) RELATION TO NATIONAL PLANNING
13 CRITERIA.—The Western Alaska oil spill plan-
14 ning criteria established under subparagraph
15 (D)(i) shall, with respect to a discharge of oil
16 from a vessel described in subparagraph (B),
17 apply in lieu of any alternative planning criteria
18 accepted for vessels operating, prior to the date
19 on which the Western Alaska oil spill planning
20 criteria are established, in any part of the area
21 of responsibility of the Western Alaska Captain
22 of the Port Zone or the Prince William Sound
23 Captain of the Port Zone for which the Sec-
24 retary has determined that the national plan-
25 ning criteria established pursuant to this sub-

1 section are inappropriate for a vessel operating
2 in such area.

3 “(D) ESTABLISHMENT OF WESTERN ALAS-
4 KA OIL SPILL PLANNING CRITERIA.—

5 “(i) IN GENERAL.—The President,
6 acting through the Commandant, in con-
7 sultation with the Western Alaska Oil Spill
8 Criteria Program Manager selected under
9 section 323 of title 14, United States
10 Code, shall establish—

11 “(I) Western Alaska oil spill
12 planning criteria for a worst case dis-
13 charge of oil, and a substantial threat
14 of such a discharge, within any part
15 of the area of responsibility of the
16 Western Alaska Captain of the Port
17 Zone or Prince William Sound Cap-
18 tain of the Port Zone for which the
19 Secretary has determined that the na-
20 tional planning criteria established
21 pursuant to this subsection are inap-
22 propriate for a vessel operating in
23 such area; and

24 “(II) standardized submission,
25 review, approval, and compliance

1 verification processes for the Western
2 Alaska oil spill planning criteria es-
3 tablished under this clause, including
4 the quantity and frequency of drills
5 and on-site verifications of vessel re-
6 sponse plans approved pursuant to
7 such planning criteria.

8 “(ii) DEVELOPMENT OF SUB-
9 REGIONS.—

10 “(I) DEVELOPMENT.—After es-
11 tablishing the Western Alaska oil spill
12 planning criteria under clause (i), and
13 if necessary to adequately reflect the
14 needs and capabilities of various loca-
15 tions within the Western Alaska Cap-
16 tain of the Port Zone, the President,
17 acting through the Commandant, and
18 in consultation with the Western Alas-
19 ka Oil Spill Criteria Program Man-
20 ager selected under section 323 of
21 title 14, United States Code, may de-
22 velop subregions for which planning
23 criteria may differ from planning cri-
24 teria for other subregions in the West-
25 ern Alaska Captain of the Port Zone.

1 “(II) LIMITATION.—Any plan-
2 ning criteria for a subregion developed
3 under this clause may not be less
4 stringent than the Western Alaska oil
5 spill planning criteria established
6 under clause (i).

7 “(iii) ASSESSMENT.—

8 “(I) IN GENERAL.—Prior to de-
9 veloping a subregion, the President,
10 acting through the Commandant, shall
11 conduct an assessment on any poten-
12 tial impacts to the entire Western
13 Alaska Captain of the Port Zone to
14 include quantity and availability of re-
15 sponse resources in the proposed sub-
16 region and in surrounding areas and
17 any changes or impacts to sur-
18 rounding areas resulting in the devel-
19 opment of a subregion with different
20 standards.

21 “(II) CONSULTATION.—In con-
22 ducting an assessment under this
23 clause, the President, acting through
24 the Commandant, shall consult with
25 State and local governments, Tribes

1 (as defined in section 323 of title 14,
2 United States Code), the owners and
3 operators that would operate under
4 the proposed subregions, oil spill re-
5 moval organizations, Alaska Native
6 organizations, and environmental non-
7 governmental organizations, and shall
8 take into account any experience with
9 the prior use of subregions within the
10 State of Alaska.

11 “(III) SUBMISSION.—The Presi-
12 dent, acting through the Com-
13 mandant, shall submit the results of
14 an assessment conducted under this
15 clause to the Committee on Transpor-
16 tation and Infrastructure of the
17 House of Representatives and the
18 Committee on Commerce, Science,
19 and Transportation of the Senate.

20 “(E) INCLUSIONS.—

21 “(i) REQUIREMENTS.—The Western
22 Alaska oil spill planning criteria estab-
23 lished under subparagraph (D)(i) shall in-
24 clude planning criteria for the following:

1 “(I) Mechanical oil spill response
2 resources that are required to be lo-
3 cated within any part of the area of
4 responsibility of the Western Alaska
5 Captain of the Port Zone or the
6 Prince William Sound Captain of the
7 Port Zone for which the Secretary has
8 determined that the national planning
9 criteria established pursuant to this
10 subsection are inappropriate for a ves-
11 sel operating in such area.

12 “(II) Response times for mobili-
13 zation of oil spill response resources
14 and arrival on the scene of a worst
15 case discharge of oil, or substantial
16 threat of such a discharge, occurring
17 within such part of such area.

18 “(III) Pre-identified vessels for
19 oil spill response that are capable of
20 operating in the ocean environment.

21 “(IV) Ensuring the availability of
22 at least 1 oil spill removal organiza-
23 tion that is classified by the Coast
24 Guard and that—

1 “(aa) is capable of respond-
2 ing in all operating environments
3 in such part of such area;

4 “(bb) controls oil spill re-
5 sponse resources of dedicated and
6 nondedicated resources within
7 such part of such area, through
8 ownership, contracts, agreements,
9 or other means approved by the
10 President, sufficient—

11 “(AA) to mobilize and
12 sustain a response to a
13 worst case discharge of oil;
14 and

15 “(BB) to contain, re-
16 cover, and temporarily store
17 discharged oil;

18 “(cc) has pre-positioned oil
19 spill response resources in stra-
20 tegic locations throughout such
21 part of such area in a manner
22 that ensures the ability to sup-
23 port response personnel, marine
24 operations, air cargo, or other re-
25 lated logistics infrastructure;

1 “(dd) has temporary storage
2 capability using both dedicated
3 and non-dedicated assets located
4 within such part of such area;

5 “(ee) has non-mechanical oil
6 spill response resources capable
7 of responding to a discharge of
8 persistent oil and a discharge of
9 nonpersistent oil, whether the
10 discharged oil was carried by a
11 vessel as fuel or cargo; and

12 “(ff) has wildlife response
13 resources for primary, secondary,
14 and tertiary responses to support
15 carcass collection, sampling, de-
16 terrence, rescue, and rehabilita-
17 tion of birds, sea turtles, marine
18 mammals, fishery resources, and
19 other wildlife.

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 ves-

1 sel response plan under this para-
2 graph is 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 Western Alaska oil spill
9 planning criteria established under sub-
10 paragraph (D)(i) may include planning cri-
11 teria for the following:

12 “(I) Vessel routing measures con-
13 sistent with international routing
14 measure deviation protocols.

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

20 “(F) REQUIREMENT FOR APPROVAL.—The
21 President may approve a vessel response plan
22 for a vessel under this paragraph only if the
23 owner or operator of the vessel demonstrates
24 the availability of the oil spill response re-
25 sources required to be included in the vessel re-

1 sponse plan under the Western Alaska oil spill
2 planning criteria established under subpara-
3 graph (D)(i).

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

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

22 “(I) VESSELS IN COOK INLET.—Unless
23 otherwise authorized by the Secretary, a vessel
24 may only operate in Cook Inlet, Alaska, under
25 a vessel response plan approved under para-

1 graph (5) that meets the requirements of the
2 national planning criteria established pursuant
3 to this subsection.

4 “(J) SAVINGS PROVISIONS.—Nothing in
5 this paragraph affects—

6 “(i) the requirements under this sub-
7 section applicable to vessel response plans
8 for vessels operating within the area of re-
9 sponsibility of the Western Alaska Captain
10 of the Port Zone, within Cook Inlet, Alas-
11 ka;

12 “(ii) the requirements under this sub-
13 section applicable to vessel response plans
14 for vessels operating within the area of re-
15 sponsibility of the Prince William Sound
16 Captain of the Port Zone that are subject
17 to section 5005 of the Oil Pollution Act of
18 1990 (33 U.S.C. 2735); or

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

22 (2) ESTABLISHMENT OF WESTERN ALASKA OIL
23 SPILL PLANNING CRITERIA.—

24 (A) DEADLINE.—Not later than 2 years
25 after the date of enactment of this Act, the

1 President shall establish the Western Alaska oil
2 spill planning criteria required to be established
3 under paragraph (9)(D)(i) of section 311(j) of
4 the Federal Water Pollution Control Act (33
5 U.S.C. 1321(j)).

6 (B) CONSULTATION.—In establishing the
7 Western Alaska oil spill planning criteria de-
8 scribed in subparagraph (A), the President
9 shall consult with the Federal agencies, State
10 and local governments, Tribes (as defined in
11 section 323 of title 14, United States Code),
12 the owners and operators that would be subject
13 to such planning criteria, oil spill removal orga-
14 nizations, Alaska Native organizations, and en-
15 vironmental nongovernmental organizations.

16 (C) CONGRESSIONAL REPORT.—Not later
17 than 2 years after the date of enactment of this
18 Act, the Secretary shall submit to Congress a
19 report describing the status of implementation
20 of paragraph (9) of section 311(j) of the Fed-
21 eral Water Pollution Control Act (33 U.S.C.
22 1321(j)).

23 **SEC. 11310. COAST GUARD CLAIMS PROCESSING COSTS.**

24 Section 1012(a)(4) of the Oil Pollution Act of 1990
25 (33 U.S.C. 2712(a)(4)) is amended by striking “dam-

1 ages;” and inserting “damages, including, in the case of
2 a spill of national significance that results in extraordinary
3 Coast Guard claims processing activities, the administra-
4 tive and personnel costs of the Coast Guard to process
5 such claims (including the costs of commercial claims
6 processing, expert services, training, and technical serv-
7 ices), subject to the condition that the Coast Guard shall
8 submit to Congress a report describing each spill of na-
9 tional significance not later than 30 days after the date
10 on which the Coast Guard determines it necessary to proc-
11 ess such claims;”.

12 **SEC. 11311. CALCULATION OF INTEREST ON DEBT OWED TO**
13 **NATIONAL POLLUTION FUND.**

14 Section 1005(b)(4) of the Oil Pollution Act of 1990
15 (33 U.S.C. 2705(b)(4)) is amended—

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

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

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

22 “(B) FEDERAL COST RECOVERY CLAIMS.—
23 The interest paid for Federal Government cost
24 recovery claims under this section shall be cal-

1 culated in accordance with section 3717 of title
2 31, United States Code.”.

3 **SEC. 11312. PER-INCIDENT LIMITATION.**

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

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

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

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

12 **SEC. 11313. ACCESS TO OIL SPILL LIABILITY TRUST FUND.**

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

16 “(b) EXCEPTIONS.—

17 “(1) IN GENERAL.—Subsection (a) shall not
18 apply to—

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

20 or

21 “(B) an amount, which may not exceed
22 \$50,000,000 in any fiscal year, made available
23 by the President from the Fund—

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

4 “(ii) to initiate the assessment of nat-
5 ural resources damages required under sec-
6 tion 1006.

7 “(2) FUND ADVANCES.—

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

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

23 “(i) the amount advanced; and

24 “(ii) the facts and circumstances that
25 necessitated the advance.

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

7 “(3) AVAILABILITY.—Amounts to which this
8 subsection applies shall remain available until ex-
9 pended.”.

10 **SEC. 11314. COST-REIMBURSABLE AGREEMENTS.**

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

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

18 (2) by striking subsections (d) and (e) and in-
19 serting the following:

20 “(d) COST-REIMBURSABLE AGREEMENT.—

21 “(1) IN GENERAL.—In carrying out section
22 311(c) of the Federal Water Pollution Control Act
23 (33 U.S.C. 1321(c)), the President may enter into
24 cost-reimbursable agreements with a State, a polit-
25 ical subdivision of a State, or an Indian tribe to obli-

1 gate the Fund for the payment of removal costs con-
2 sistent with the National Contingency Plan.

3 “(2) INAPPLICABILITY.—Chapter 63 and sec-
4 tion 1535 of title 31, United States Code shall not
5 apply to a cost-reimbursable agreement entered into
6 under this subsection.”; and

7 (3) by redesignating subsections (f), (h), (i), (j),
8 (k), and (l) as subsections (e), (f), (g), (h), (i), and
9 (j), respectively.

10 **SEC. 11315. OIL SPILL RESPONSE REVIEW.**

11 (a) IN GENERAL.—Subject to the availability of ap-
12 propriations, the Commandant shall develop and carry out
13 a program—

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

18 (A) Coast Guard-approved vessel response
19 plans, including vessel response plan audits and
20 assessments;

21 (B) oil spill response drills conducted
22 under section 311(j)(7) of the Federal Water
23 Pollution Control Act (33 U.S.C. 1321(j)(7))
24 that occur within the Marine Transportation
25 System; and

1 (C) responses to oil spill incidents that re-
2 quire mobilization of contracted response re-
3 sources;

4 (2) to improve the effectiveness of vessel re-
5 sponse plans by—

6 (A) systematically reviewing the capacity
7 of an oil spill response organization identified in
8 a vessel response plan to provide the specific re-
9 sponse resources, such as private personnel,
10 equipment, other vessels identified in such ves-
11 sel response plan; and

12 (B) approving a vessel response plan only
13 after confirming the identified oil spill response
14 organization has the capacity to provide such
15 response resources;

16 (3) to update, not less frequently than annually,
17 information contained in the Coast Guard Response
18 Resource Inventory and other Coast Guard tools
19 used to document the availability and status of oil
20 spill response equipment, so as to ensure that such
21 information remains current; and

22 (4) subject to section 552 of title 5, United
23 States Code (commonly known as the “Freedom of
24 Information Act”), to make data collected under
25 paragraph (1) available to the public.

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

4 (1) to establish processes to maintain the pro-
5 gram under subsection (a) and support Coast Guard
6 oil spill prevention and response activities, including
7 by incorporating oil spill incident data from after-ac-
8 tion oil spill reports and data ascertained from vessel
9 response plan exercises and audits into—

10 (A) review and approval process standards
11 and metrics;

12 (B) alternative planning criteria review
13 processes;

14 (C) Area Contingency Plan development;

15 (D) risk assessments developed under sec-
16 tion 70001 of title 46, United States Code, in-
17 cluding lessons learned from reportable marine
18 casualties;

19 (E) processes and standards which miti-
20 gate the impact of military personnel rotations
21 in Coast Guard field units on knowledge and
22 awareness of vessel response plan requirements,
23 including knowledge relating to the evaluation
24 of proposed alternatives to national planning re-
25 quirements; and

1 (F) processes and standards which evalu-
2 ate the consequences of reporting inaccurate
3 data in vessel response plans submitted to the
4 Commandant pursuant to part 300 of title 40,
5 Code of Federal Regulations, and submitted for
6 storage in the Marine Information for Safety
7 and Law Enforcement database pursuant to
8 section 300.300 of such title (or any successor
9 regulation);

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

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

22 (4) to increase Federal Government engage-
23 ment with State, local, and Tribal governments and
24 stakeholders so as to strengthen coordination and ef-
25 ficiency of oil spill responses.

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

5 (1) incident data on oil spill location and re-
6 sponse quality;

7 (2) oil spill risk assessments;

8 (3) oil spill response effectiveness and the ef-
9 fects of such response on the environment;

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

13 (5) marine casualties reported to the Coast
14 Guard; and

15 (6) near miss incidents documented by a vessel
16 traffic service center (as such terms are defined in
17 sections 70001(m) of title 46, United States Code).

18 (d) REPORT.—

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

1 and planned efforts to improve the effectiveness and
2 oversight of the program established under sub-
3 section (a) and vessel response plan approvals.

4 (2) PUBLIC AVAILABILITY.—The Commandant
5 shall publish the briefing required under paragraph
6 (1) on a publicly accessible website of the Coast
7 Guard.

8 **SEC. 11316. ADDITIONAL EXCEPTIONS TO REGULATIONS**
9 **FOR TOWING VESSELS.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of enactment of this Act, the Secretary shall review
12 existing Coast Guard policies with respect to exceptions
13 to the applicability of subchapter M of chapter I of title
14 46, Code of Federal Regulations (or successor regula-
15 tions), for—

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

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

19 (B) participating in an oil response exer-
20 cise; and

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

23 (b) POLICY.—Not later than 180 days after the con-
24 clusion of the review required under subsection (a), the
25 Secretary shall revise or issue any necessary policy to clar-

1 ify the applicability of subchapter M of chapter I of title
2 46, Code of Federal Regulations (or successor regulations)
3 to the vessels described in subsection (a). Such a policy
4 shall ensure safe and effective operation of such vessels.

5 (c) DEFINITIONS.—In this section:

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

10 (2) VESSEL OF OPPORTUNITY.—The term “ves-
11 sel of opportunity” means a vessel engaged in spill
12 response activities that is normally and substantially
13 involved in activities other than spill response and
14 not a vessel carrying oil as a primary cargo.

15 **SEC. 11317. PORT COORDINATION COUNCIL FOR POINT**
16 **SPENCER.**

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

19 (1) in subsection (b)(2) by striking “BSNC”
20 and inserting the following: “BSNC (to serve as
21 Council Chair).

22 “(3) The Denali Commission.

23 “(4) An oil spill removal organization that
24 serves the area in which such Port is located.

1 “(5) A salvage and marine firefighting organi-
2 zation that serves the area in which such Port is lo-
3 cated.”; and

4 (2) in subsection (c)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (B) by striking
7 the semicolon and inserting “; and”;

8 (ii) by striking “; and” and inserting
9 the following: “at Point Spencer in support
10 of the activities for which Congress finds a
11 compelling need in section 531 of this sub-
12 title.”; and

13 (iii) by striking subparagraph (D);
14 and

15 (B) by striking paragraph (3) and insert-
16 ing the following:

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

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

3 **SEC. 11318. PROVIDING REQUIREMENTS FOR VESSELS AN-**
4 **CHORED IN ESTABLISHED ANCHORAGE**
5 **GROUNDS.**

6 (a) IN GENERAL.—Subchapter I of chapter 700 of
7 title 46, United States Code, is amended by adding at the
8 end the following:

9 **“§ 70007. Anchorage grounds**

10 “(a) ANCHORAGE GROUNDS.—

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

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

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

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

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

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

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

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

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

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

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

25 (b) REGULATORY REVIEW.—

1 (1) REVIEW REQUIRED.—Not later than 1 year
2 after the date of enactment of this Act, the Sec-
3 retary shall review existing policies, final agency ac-
4 tions, regulations, or other rules relating to anchor-
5 age promulgated under section 70006 of title 46,
6 United States Code and—

7 (A) identify any such regulations or rules
8 that may need modification or repeal—

9 (i) in the interest of marine safety, se-
10 curity, and environmental concerns, taking
11 into account undersea pipelines, cables, or
12 other infrastructure; or

13 (ii) to implement the amendments
14 made by this section; and

15 (B) complete a cost-benefit analysis for
16 any modification or repeal identified under
17 paragraph (1).

18 (2) BRIEFING.—Upon completion of the review
19 under paragraph (1), but not later than 2 years
20 after the date of enactment of this Act, the Sec-
21 retary shall provide a briefing to the Committee on
22 Commerce, Science, and Transportation of the Sen-
23 ate and the Committee on Transportation and Infra-
24 structure of the House of Representatives that sum-
25 marizes such review.

1 (c) SAVINGS CLAUSE.—Nothing in this section shall
2 limit any authority available, as of the date of enactment
3 of this Act, to the captain of a port with respect to safety
4 measures or any other authority as necessary for the safe-
5 ty of vessels located in anchorage grounds in the navigable
6 waters of the United States.

7 (d) CLERICAL AMENDMENT.—The analysis for chap-
8 ter 700 of title 46, United States Code, is amended by
9 inserting after the item relating to section 70006 the fol-
10 lowing:

“70007. Anchorage grounds.”.

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

18 **SEC. 11319. STUDY ON IMPACTS ON SHIPPING AND COM-**
19 **MERCIAL, TRIBAL, AND RECREATIONAL FISH-**
20 **ERIES FROM DEVELOPMENT OF RENEWABLE**
21 **ENERGY ON WEST COAST.**

22 (a) STUDY.—Not later than 180 days after the date
23 of enactment of this Act, the Secretary, the Secretary of
24 the Interior, and the Under Secretary of Commerce for
25 Oceans and Atmosphere, shall seek to enter into an agree-

1 ment with the National Academies of Science, Engineer-
2 ing, and Medicine under which the National Academy of
3 Sciences, Engineering, and Medicine shall carry out a
4 study to—

5 (1) identify, document, and analyze—

6 (A) historic and current, as of the date of
7 the study, Tribal, commercial, and recreational
8 fishing grounds, as well as areas where fish
9 stocks are likely to shift in the future in all cov-
10 ered waters;

11 (B) usual and accustomed fishing areas in
12 all covered waters;

13 (C) historic, current, and potential future
14 shipping lanes, based on projected growth in
15 shipping traffic in all covered waters;

16 (D) current and expected Coast Guard op-
17 erations relevant to commercial fishing activi-
18 ties, including search and rescue, radar, naviga-
19 tion, communications, and safety within and
20 near renewable energy sites; and

21 (E) key types of data needed to properly
22 site renewable energy sites on the West Coast,
23 with regard to assessing and mitigating con-
24 flicts;

25 (2) analyze—

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

3 (B) potential future interactions between
4 such activities and the placement of renewable
5 energy infrastructure and the associated con-
6 struction, maintenance, and operation of such
7 infrastructure, including potential benefits and
8 methods of mitigating adverse impacts; and

9 (3) review the current decision-making process
10 for offshore wind in covered waters, and outline rec-
11 ommendations for governmental consideration of all
12 impacted coastal communities, particularly Tribal
13 governments and fisheries communities, in the deci-
14 sion-making process for offshore wind in covered
15 waters, including recommendations for—

16 (A) ensuring the appropriate governmental
17 consideration of potential benefits of offshore
18 wind in covered waters; and

19 (B) risk reduction and mitigation of ad-
20 verse impacts on Coast Guard operations rel-
21 evant to commercial fishing activities.

22 (b) SUBMISSION.—Not later than 1 year after com-
23 mencing the study under subsection (a), the Secretary
24 shall—

1 (1) submit the study to the Committees on
2 Commerce, Science, and Transportation, and Energy
3 and Natural Resources of the Senate and the Com-
4 mittees on Transportation and Infrastructure, Nat-
5 ural Resources, and Energy and Commerce of the
6 House of Representatives, including the review and
7 outline provided under subsection (a)(3); and

8 (2) make the study publicly available.

9 (c) DEFINITIONS.—In this section:

10 (1) COVERED WATERS.—The term “covered
11 waters” means Federal or State waters off of the
12 Canadian border and out to the furthest extent of
13 the exclusive economic zone along the West Coast of
14 the United States.

15 (2) EXCLUSIVE ECONOMIC ZONE.—The term
16 “exclusive economic zone” has the meaning given
17 such term in section 107 of title 46, United States
18 Code.

19 **SEC. 11320. USE OF DEVICES BROADCASTING ON AIS FOR**
20 **PURPOSES OF MARKING FISHING GEAR.**

21 The Secretary shall, within the Eleventh Coast Guard
22 District, Thirteenth Coast Guard District, Fourteenth
23 Coast Guard District, and Seventeenth Coast Guard Dis-
24 trict, suspend enforcement of individuals using automatic
25 identification systems devices to mark fishing equipment

1 during the period beginning on the date of enactment of
2 this Act and ending on the earlier of—

3 (1) the date that is 2 years after such date of
4 enactment; or

5 (2) the date on which the Federal Communica-
6 tions Commission promulgates a final rule to author-
7 ize a device used to mark fishing equipment to oper-
8 ate in radio frequencies assigned for Automatic
9 Identification System stations.

10 **Subtitle D—Environmental Issues**

11 **SEC. 11321. NOTIFICATION OF COMMUNICATION OUTAGES.**

12 (a) **UPGRADES TO RESCUE 21 SYSTEM IN ALASKA.**—
13 Not later than August 30, 2023, the Commandant shall
14 ensure the timely upgrade of the Rescue 21 system in
15 Alaska so as to achieve 98 percent operational availability
16 of remote fixed facility sites.

17 (b) **PLAN TO REDUCE OUTAGES.**—

18 (1) **IN GENERAL.**—Not later than 180 days
19 after the date of enactment of this Act, the Com-
20 mandant shall develop an operations and mainte-
21 nance plan for the Rescue 21 system in Alaska that
22 anticipates maintenance needs so as to reduce Res-
23 cue 21 system outages to the maximum extent prac-
24 ticable.

1 (2) PUBLIC AVAILABILITY.—The plan required
2 under paragraph (1) shall be made available to the
3 public on a publicly accessible website.

4 (c) REPORT REQUIRED.—Not later than 180 days
5 after the date of enactment of this Act, the Commandant
6 shall submit to the Committee on Commerce, Science, and
7 Transportation of the Senate and the Committee on
8 Transportation and Infrastructure of the House of Rep-
9 resentatives a report that—

10 (1) contains a plan for the Coast Guard to no-
11 tify mariners of radio outages for towers owned and
12 operated by the Seventeenth Coast Guard District;

13 (2) addresses in such plan how the Seventeenth
14 Coast Guard will—

15 (A) disseminate updates regarding outages
16 on social media not less frequently than every
17 48 hours;

18 (B) provide updates on a publicly acces-
19 sible website not less frequently than every 48
20 hours;

21 (C) develop methods for notifying mariners
22 in areas in which cellular connectivity does not
23 exist; and

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

4 (3) identifies technology gaps that need to be
5 mitigated in order to implement the plan and pro-
6 vides a budgetary assessment necessary to imple-
7 ment the plan.

8 (d) CONTINGENCY PLAN.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of enactment of this Act, the Com-
11 mandant shall, in collaboration with relevant Fed-
12 eral, State, Tribal, and other relevant entities (in-
13 cluding the North Pacific Fishery Management
14 Council, the National Oceanic and Atmospheric Ad-
15 ministration Weather Service, the National Oceanic
16 and Atmospheric Administration Fisheries Service,
17 agencies of the State of Alaska, local radio stations,
18 and stakeholders), establish a contingency plan to
19 ensure that notifications of an outage of the Rescue
20 21 system in Alaska are broadly disseminated in ad-
21 vance of such an outage.

22 (2) ELEMENTS.—The contingency plan re-
23 quired under paragraph (1) shall require the Coast
24 Guard to—

1 (A) disseminate updates regarding outages
2 of the Rescue 21 system in Alaska on social
3 media not less frequently than every 48 hours
4 during an outage;

5 (B) provide updates on a publicly acces-
6 sible website not less frequently than every 48
7 hours during an outage;

8 (C) notify mariners in areas in which cel-
9 lular connectivity does not exist;

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

13 (E) identify technology gaps necessary to
14 implement the plan and provides a budgetary
15 assessment necessary to implement the plan.

16 **SEC. 11322. IMPROVEMENTS TO COMMUNICATION WITH**
17 **FISHING INDUSTRY AND RELATED STAKE-**
18 **HOLDERS.**

19 (a) IN GENERAL.—The Commandant, in coordina-
20 tion with the National Commercial Fishing Safety Advi-
21 sory Committee established by section 15102 of title 46,
22 United States Code, shall develop a publicly accessible
23 website that contains all information related to fishing in-
24 dustry activities, including vessel safety, inspections, en-
25 forcement, hazards, training, regulations (including pro-

1 posed regulations), outages of the Rescue 21 system in
2 Alaska and similar outages, and any other fishing-related
3 activities.

4 (b) **AUTOMATIC COMMUNICATIONS.**—The Com-
5 mandant shall provide methods for regular and automatic
6 email communications with stakeholders who elect,
7 through the website developed under subsection (a), to re-
8 ceive such communications.

9 **SEC. 11323. ADVANCE NOTIFICATION OF MILITARY OR**
10 **OTHER EXERCISES.**

11 In consultation with the Secretary of Defense, the
12 Secretary of State, and commercial fishing industry par-
13 ticipants, the Commandant shall develop and publish on
14 a publicly available website a plan for notifying United
15 States mariners and the operators of United States fishing
16 vessels in advance of—

17 (1) military exercises in the exclusive economic
18 zone (as defined in section 3 of the Magnuson-Ste-
19 vens Fishery Conservation and Management Act (16
20 U.S.C. 1802)); or

21 (2) other military activities that will impact rec-
22 reational or commercial activities.

1 **SEC. 11324. MODIFICATIONS TO SPORT FISH RESTORATION**
2 **AND BOATING TRUST FUND ADMINISTRA-**
3 **TION.**

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

6 (1) AVAILABLE AMOUNTS.—Section
7 4(b)(1)(B)(i) of the Dingell-Johnson Sport Fish
8 Restoration Act (16 U.S.C. 777e(b)(1)(B)(i)) is
9 amended to read as follows:

10 “(i) for the fiscal year that includes
11 November 15, 2021, the product obtained
12 by multiplying—

13 “(I) \$12,786,434; and

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

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

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

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

1 (b) PITTMAN-ROBERTSON WILDLIFE RESTORATION
2 ACT AMENDMENTS.—

3 (1) AVAILABLE AMOUNTS.—Section
4 4(a)(1)(B)(i) of the Pittman-Robertson Wildlife Res-
5 toration Act (16 U.S.C. 669c(a)(1)(B)(i)) is amend-
6 ed to read as follows:

7 “(i) for the fiscal year that includes
8 November 15, 2021, the product obtained
9 by multiplying—

10 “(I) \$12,786,434; and

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

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

19 (A) in paragraph (7) by striking “full-
20 time”; and

21 (B) in paragraph (9) by striking “on a
22 full-time basis”.

23 **SEC. 11325. LOAD LINES.**

24 (a) APPLICATION TO CERTAIN VESSELS.—During
25 the period beginning on the date of enactment of this Act

1 and ending on the date that is 3 years after the date on
2 which the report required under subsection (b) is sub-
3 mitted, the load line requirements of chapter 51 of title
4 46, United States Code, shall not apply to covered fishing
5 vessels.

6 (b) GAO REPORT.—

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

14 (A) a report on the safety and seaworthi-
15 ness of vessels described in section 5102(b)(5)
16 of title 46, United States Code; and

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

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

22 (A) An assessment of stability require-
23 ments of vessels referenced in section
24 5102(b)(5) of title 46, United States Code.

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

5 (C) An assessment of any other safety in-
6 formation as the Comptroller General deter-
7 mines appropriate.

8 (D) A list of all vessels that, as of the date
9 of the report—

10 (i) are covered under section
11 5102(b)(5) of title 46, United States Code;

12 (ii) are acting as part-time fish tender
13 vessels; and

14 (iii) are subject to any captain of the
15 port zone subject to the oversight of the
16 Commandant.

17 (3) CONSULTATION.—In preparing the report
18 required under paragraph (1), the Comptroller Gen-
19 eral shall consider consultation with, at a minimum,
20 the maritime industry, including—

21 (A) relevant Federal, State, and Tribal
22 maritime associations and groups; and

23 (B) relevant federally funded research in-
24 stitutions, nongovernmental organizations, and
25 academia.

1 (c) SAVINGS CLAUSE.—Nothing in this section shall
2 limit any authority available, as of the date of enactment
3 of this Act, to the captain of a port with respect to safety
4 measures or any other authority as necessary for the safe-
5 ty of covered fishing vessels.

6 (d) DEFINITION OF COVERED FISHING VESSEL.—In
7 this section, the term “covered fishing vessel” means a
8 vessel that operates exclusively in one, or both, of the
9 Thirteenth and Seventeenth Coast Guard Districts and
10 that—

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

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

16 (A) has a valid stability letter issued in ac-
17 cordance with regulations prescribed under
18 chapter 51 of title 46, United States Code; and

19 (B) the hull and internal structure of the
20 vessel has been verified as suitable for intended
21 service as examined by a marine surveyor of an
22 organization accepted by the Secretary two
23 times in the past five years with no interval of
24 more than three years between such examina-
25 tions; or

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

3 **SEC. 11326. ACTIONS BY NATIONAL MARINE FISHERIES**
4 **SERVICE TO INCREASE ENERGY PRODUC-**
5 **TION.**

6 (a) **IN GENERAL.**—The National Marine Fisheries
7 Service shall, immediately upon the enactment of this Act,
8 take action to address the outstanding backlog of letters
9 of authorization for the Gulf of Mexico.

10 (b) **SENSE OF CONGRESS.**—It is the sense of Con-
11 gress that the National Marine Fisheries Service should—

12 (1) take immediate action to issue a rule that
13 allows the Service to approve outstanding and future
14 applications for letters of authorization consistent
15 with the permitting activities of the Service; and

16 (2) on or after the effective date of such rule,
17 prioritize the consideration of applications in a man-
18 ner that is consistent with applicable Federal law.

19 **SEC. 11327. AQUATIC NUISANCE SPECIES TASK FORCE.**

20 (a) **RECREATIONAL VESSEL DEFINED.**—Section
21 1003 of the Nonindigenous Aquatic Nuisance Prevention
22 and Control Act of 1990 (16 U.S.C. 4702) is amended—

23 (1) by redesignating paragraphs (13) through
24 (17) as paragraphs (15) through (19), respectively;
25 and

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

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

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

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

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

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

22 (1) in paragraph (6) by striking “and” at the
23 end;

24 (2) by redesignating paragraph (7) as para-
25 graph (10); and

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

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

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

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

7 (d) AQUATIC NUISANCE SPECIES PROGRAM.—Sec-
8 tion 1202 of the Nonindigenous Aquatic Nuisance Preven-
9 tion and Control Act of 1990 (16 U.S.C. 4722) is amend-
10 ed—

11 (1) in subsection (e) by adding at the end the
12 following:

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

18 “(A) effectively managing and controlling
19 the movement of aquatic nuisance species into,
20 within, or out of water of the United States;
21 and

22 “(B) inspecting recreational vessels in a
23 manner that minimizes disruptions to public ac-
24 cess for boating and recreation in non-contami-
25 nated vessels.

1 “(5) CONSULTATION AND INPUT.—In carrying
2 out paragraph (4), including the development of rec-
3 ommendations, the Task Force may consult with In-
4 dian Tribes and solicit input from—

5 “(A) State and Tribal fish and wildlife
6 management agencies;

7 “(B) other State and Tribal agencies that
8 manage fishery resources of the State or sus-
9 tain fishery habitat; and

10 “(C) relevant nongovernmental entities.”;

11 and

12 (2) in subsection (k) by adding at the end the
13 following:

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

22 (e) TECHNICAL CORRECTIONS AND CONFORMING
23 AMENDMENTS.—The Nonindigenous Aquatic Nuisance
24 Prevention and Control Act of 1990 (16 U.S.C. 4701 et
25 seq.) is further amended—

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

3 (2) in section 1003 in paragraph (7) by striking
4 “Canandian” and inserting “Canadian”;

5 (3) in section 1203(a)—

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

8 (B) in paragraph (3) by striking “encour-
9 age” and inserting “encouraged”;

10 (4) in section 1204(b)(4) in the paragraph
11 heading by striking “ADMINISRATIVE” and inserting
12 “ADMINISTRATIVE”; and

13 (5) in section 1209 by striking “subsection (a)”
14 and inserting “section 1202(a)”.

15 **SEC. 11328. SAFETY STANDARDS.**

16 (a) IN GENERAL.—Section 4502 of title 46, United
17 States Code, is amended—

18 (1) in subsection (i)(4) by striking “each of fis-
19 cal years 2018 through 2021” and inserting “fiscal
20 year 2023”; and

21 (2) in subsection (j)(4) by striking “each of fis-
22 cal years 2018 through 2021” and inserting “fiscal
23 year 2023”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 9 of the Maritime Debris Act (33 U.S.C. 1958) is amend-
3 ed—

4 (1) in subsection (a) by striking “each of fiscal
5 years 2018 through 2022” and inserting “fiscal year
6 2023”; and

7 (2) in subsection (b) by striking “2702(1)” and
8 inserting “4902(1)”.

9 **Subtitle E—Illegal Fishing and**
10 **Forced Labor Prevention**

11 **SEC. 11329. DEFINITIONS.**

12 In this subtitle:

13 (1) **FORCED LABOR.**—The term “forced labor”
14 means any labor or service provided for or obtained
15 by any means described in section 1589(a) of title
16 18, United States Code.

17 (2) **HUMAN TRAFFICKING.**—The term “human
18 trafficking” has the meaning given the term “severe
19 forms of trafficking in persons” in section 103 of
20 the Trafficking Victims Protection Act of 2000 (22
21 U.S.C. 7102).

22 (3) **ILLEGAL, UNREPORTED, OR UNREGULATED**
23 **FISHING.**—The term “illegal, unreported, or unregu-
24 lated fishing” has the meaning given such term in
25 the implementing regulations or any subsequent reg-

1 ulations issued pursuant to section 609(e) of the
2 High Seas Driftnet Fishing Moratorium Protection
3 Act (16 U.S.C. 1826j(e)).

4 (4) OPPRESSIVE CHILD LABOR.—The term “op-
5 pressive child labor” has the meaning given such
6 term in section 3 of the Fair Labor Standards Act
7 of 1938 (29 U.S.C. 203).

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

13 (6) SEAFOOD IMPORT MONITORING PROGRAM.—
14 The term “Seafood Import Monitoring Program”
15 means the Seafood Traceability Program established
16 in subpart Q of part 300 of title 50, Code of Federal
17 Regulations (or any successor regulation).

18 (7) SECRETARY.—The term “Secretary” means
19 the Secretary of Commerce, acting through the
20 Under Secretary of Commerce for Oceans and At-
21 mosphere.

1 **CHAPTER 1—COMBATING HUMAN TRAF-**
2 **FICKING THROUGH SEAFOOD IMPORT**
3 **MONITORING**

4 **SEC. 11330. ENHANCEMENT OF SEAFOOD IMPORT MONI-**
5 **TORING PROGRAM MESSAGE SET IN AUTO-**
6 **MATED COMMERCIAL ENVIRONMENT SYS-**
7 **TEM.**

8 The Secretary, in coordination with the Commis-
9 sioner of U.S. Customs and Border Protection, shall, not
10 later than 6 months after the date of enactment of this
11 Act, develop a strategy to improve the quality and
12 verifiability of already collected Seafood Import Moni-
13 toring Program Message Set data elements in the Auto-
14 mated Commercial Environment system. Such strategy
15 shall prioritize the use of enumerated data types, such as
16 checkboxes, dropdown menus, or radio buttons, and any
17 additional elements the Administrator of the National
18 Oceanic and Atmospheric Administration finds appro-
19 priate.

20 **SEC. 11331. DATA SHARING AND AGGREGATION.**

21 (a) INTERAGENCY WORKING GROUP ON ILLEGAL,
22 UNREPORTED, OR UNREGULATED FISHING.—Section
23 3551(c) of the Maritime SAFE Act (16 U.S.C. 8031(c))
24 is amended—

1 (1) by redesignating paragraphs (4) through
2 (13) as paragraphs (5) through (14), respectively;
3 and

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

6 “(4) maximizing the utility of the import data
7 collected by the members of the Working Group by
8 harmonizing data standards and entry fields;”.

9 (b) PROHIBITION ON AGGREGATED CATCH DATA
10 FOR CERTAIN SPECIES.—Beginning not later than 1 year
11 after the date of enactment of this Act, for the purposes
12 of compliance with respect to Northern red snapper under
13 the Seafood Import Monitoring Program, the Secretary
14 may not allow an aggregated harvest report of such spe-
15 cies, regardless of vessel size.

16 **SEC. 11332. IMPORT AUDITS.**

17 (a) AUDIT PROCEDURES.—The Secretary shall, not
18 later than 1 year after the date of enactment of this Act,
19 implement procedures to audit information and supporting
20 records of sufficient numbers of imports of seafood and
21 seafood products subject to the Seafood Import Moni-
22 toring Program to support statistically robust conclusions
23 that the samples audited are representative of all seafood
24 imports covered by the Seafood Import Monitoring Pro-
25 gram with respect to a given year.

1 (b) EXPANSION OF MARINE FORENSICS LABORA-
2 TORY.—The Secretary shall, not later than 1 year after
3 the date of enactment of this Act, begin the process of
4 expanding the National Oceanic and Atmospheric Admin-
5 istration’s Marine Forensics Laboratory, including by es-
6 tablishing sufficient capacity for the development and de-
7 ployment of rapid, and follow-up, analysis of field-based
8 tests focused on identifying Seafood Import Monitoring
9 Program species, and prioritizing such species at high risk
10 of illegal, unreported, or unregulated fishing and seafood
11 fraud.

12 (c) ANNUAL REVISION.—In developing the proce-
13 dures required in subsection (a), the Secretary shall use
14 predictive analytics to inform whether to revise such pro-
15 cedures to prioritize for audit those imports originating
16 from nations—

17 (1) identified pursuant to section 609(a) or
18 610(a) of the High Seas Driftnet Fishing Morato-
19 rium Protection Act (16 U.S.C. 1826j(a) or
20 1826k(a)) that have not yet received a subsequent
21 positive certification pursuant to section 609(d) or
22 610(c) of such Act, respectively;

23 (2) identified by an appropriate regional fishery
24 management organization as being the flag state or
25 landing location of vessels identified by other nations

1 or regional fisheries management organizations as
2 engaging in illegal, unreported, or unregulated fish-
3 ing;

4 (3) identified as having human trafficking or
5 forced labor in any part of the seafood supply chain,
6 including on vessels flagged in such nation, and in-
7 cluding feed for cultured production, in the most re-
8 cent Trafficking in Persons Report issued by the
9 Department of State in accordance with the Traf-
10 ficking Victims Protection Act of 2000 (22 U.S.C.
11 7101 et seq.);

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

18 (5) identified as at risk for human trafficking,
19 including forced labor, in their seafood catching and
20 processing industries by the report required under
21 section 3563 of the Maritime SAFE Act (Public
22 Law 116–92).

1 **SEC. 11333. AVAILABILITY OF FISHERIES INFORMATION.**

2 Section 402(b)(1) of the Magnuson-Stevens Fishery
3 Conservation and Management Act (16 U.S.C.
4 1881a(b)(1)) is amended—

5 (1) in subparagraph (G) by striking “or” after
6 the semicolon;

7 (2) in subparagraph (H) by striking the period
8 at the end of such subparagraph and inserting “;
9 or”; and

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

11 “(I) to Federal agencies, to the extent nec-
12 essary and appropriate, to administer Federal
13 programs established to combat illegal, unre-
14 ported, or unregulated fishing or forced labor
15 (as such terms are defined in section 11329 of
16 the Don Young Coast Guard Authorization Act
17 of 2022), which shall not include an authoriza-
18 tion for such agencies to release data to the
19 public unless such release is related to enforce-
20 ment.”.

21 **SEC. 11334. REPORT ON SEAFOOD IMPORT MONITORING**
22 **PROGRAM.**

23 (a) **REPORT TO CONGRESS AND PUBLIC AVAIL-**
24 **ABILITY OF REPORTS.**—The Secretary shall, not later
25 than 120 days after the end of each fiscal year, submit
26 to the Committee on Commerce, Science, and Transpor-

1 tation and the Committee on Finance of the Senate and
2 the Committee on Natural Resources and the Committee
3 on Financial Services of the House of Representatives a
4 report that summarizes the National Marine Fisheries
5 Service's efforts to prevent the importation of seafood har-
6 vested through illegal, unreported, or unregulated fishing,
7 particularly with respect to seafood harvested, produced,
8 processed, or manufactured by forced labor. Each such re-
9 port shall be made publicly available on the website of the
10 National Oceanic and Atmospheric Administration.

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

13 (1) the volume and value of seafood species sub-
14 ject to the Seafood Import Monitoring Program, re-
15 ported by 10-digit Harmonized Tariff Schedule of
16 the United States codes, imported during the pre-
17 vious fiscal year;

18 (2) the enforcement activities and priorities of
19 the National Marine Fisheries Service with respect
20 to implementing the requirements under the Seafood
21 Import Monitoring Program;

22 (3) the percentage of import shipments subject
23 to the Seafood Import Monitoring Program selected
24 for inspection or the information or records sup-
25 porting entry selected for audit, as described in sec-

1 tion 300.324(d) of title 50, Code of Federal Regula-
2 tions;

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

6 (5) the number and types of instances of viola-
7 tions of State or Federal law discovered through the
8 Seafood Import Monitoring Program;

9 (6) the seafood species with respect to which
10 violations described in paragraphs (4) and (5) were
11 most prevalent;

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

15 (8) the additional tools, such as high perform-
16 ance computing and associated costs, that the Sec-
17 retary needs to improve the efficacy of the Seafood
18 Import Monitoring Program; and

19 (9) such other information as the Secretary
20 considers appropriate with respect to monitoring and
21 enforcing compliance with the Seafood Import Moni-
22 toring Program.

23 **SEC. 11335. AUTHORIZATION OF APPROPRIATIONS.**

24 There is authorized to be appropriated to the Com-
25 missioner of U.S. Customs and Border Protection to carry

1 out enforcement actions pursuant to section 307 of the
2 Tariff Act of 1930 (19 U.S.C. 1307) \$20,000,000 for each
3 of fiscal years 2023 through 2027.

4 **CHAPTER 2—STRENGTHENING INTER-**
5 **NATIONAL FISHERIES MANAGEMENT**
6 **TO COMBAT HUMAN TRAFFICKING**

7 **SEC. 11336. DENIAL OF PORT PRIVILEGES.**

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

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

14 “(A) withhold or revoke the clearance re-
15 quired by section 60105 of title 46, United
16 States Code, for any large-scale driftnet fishing
17 vessel of a nation that receives a negative cer-
18 tification under section 609(d) or 610(c) of the
19 High Seas Driftnet Fishing Moratorium Protec-
20 tion Act (16 U.S.C. 1826j(d) or 1826k(c)), or
21 fishing vessels of a nation that has been listed
22 pursuant to section 609(b) or section 610(a) of
23 such Act (16 U.S.C. 1826j(b) or 1826k(a)) in
24 2 or more consecutive reports for the same type
25 of fisheries activity, as described under section

1 607 of such Act (16 U.S.C. 1826h), until a
2 positive certification has been received;

3 “(B) withhold or revoke the clearance re-
4 quired by section 60105 of title 46, United
5 States Code, for fishing vessels of a nation that
6 has been listed pursuant to section 609(a) or
7 610(a) of the High Seas Driftnet Fishing Mor-
8 atorium Protection Act (16 U.S.C. 1826j(a) or
9 1826k(a)) in 2 or more consecutive reports as
10 described under section 607 of such Act (16
11 U.S.C. 1826h); and

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

18 **SEC. 11337. IDENTIFICATION AND CERTIFICATION CRI-**
19 **TERIA.**

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

23 (1) by striking paragraph (2) and inserting the
24 following:

1 “(2) FOR ACTIONS OF A NATION.—The Sec-
2 retary shall identify, and list in such report, a nation
3 engaging in or endorsing illegal, unreported, or un-
4 regulated fishing. In determining which nations to
5 list in such report, the Secretary shall consider the
6 following:

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

15 “(B) Any nation that is failing, or has
16 failed in the 3-year period preceding the date of
17 the determination, to effectively address or reg-
18 ulate illegal, unreported, or unregulated fishing
19 within its fleets in any areas where its vessels
20 are fishing.

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

1 “(D) Any nation that has been identified
2 as producing for export to the United States
3 seafood-related goods through forced labor or
4 oppressive child labor (as those terms are de-
5 fined in section 11329 of the Don Young Coast
6 Guard Authorization Act of 2022) in the most
7 recent List of Goods Produced by Child Labor
8 or Forced Labor in accordance with the Traf-
9 ficking Victims Protection Act of 2000 (22
10 U.S.C. 7101 et seq.)”; and

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

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

16 (b) ILLEGAL, UNREPORTED, OR UNREGULATED CER-
17 TIFICATION DETERMINATION.—Section 609 of the High
18 Seas Driftnet Fishing Moratorium Protection Act (16
19 U.S.C. 1826j) is amended—

20 (1) in subsection (d) by striking paragraph (3)
21 and inserting the following:

22 “(3) EFFECT OF CERTIFICATION DETERMINA-
23 TION.—

24 “(A) EFFECT OF NEGATIVE CERTIFI-
25 CATION.—The provisions of subsection (a) and

1 paragraphs (3) and (4) of subsection (b) of sec-
2 tion 101 of the High Seas Driftnet Fisheries
3 Enforcement Act (16 U.S.C. 1826a(a) and
4 (b)(3) and (4)) shall apply to any nation that,
5 after being identified and notified under sub-
6 section (b) has failed to take the appropriate
7 corrective actions for which the Secretary has
8 issued a negative certification under this sub-
9 section.

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

19 (2) by redesignating subsections (e) and (f) as
20 subsections (f) and (g), respectively; and

21 (3) by inserting after subsection (d) the fol-
22 lowing:

23 “(e) RECORDKEEPING REQUIREMENTS.—The Sec-
24 retary shall ensure that seafood or seafood products au-
25 thorized for entry under this section are imported con-

1 sistent with the reporting and the recordkeeping require-
2 ments of the Seafood Import Monitoring Program de-
3 scribed in part 300.324(b) of title 50, Code of Federal
4 Regulations (or any successor regulation).”.

5 **SEC. 11338. EQUIVALENT CONSERVATION MEASURES.**

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

9 “(a) IDENTIFICATION.—

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

12 “(A) a nation if—

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

21 “(ii) the vessel’s flag state has not
22 adopted, implemented, and enforced a reg-
23 ulatory program governing such fishing de-
24 signed to end or reduce such bycatch that
25 is comparable in effectiveness to the regu-

1 latory program of the United States, tak-
2 ing into account differing conditions; and

3 “(B) a nation if—

4 “(i) any fishing vessel of that nation
5 is engaged, or has engaged during the 3
6 years preceding the date of the determina-
7 tion, in fishing activities on the high seas
8 or within the exclusive economic zone of
9 another nation that target or incidentally
10 catch sharks; and

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

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

23 (b) CONSULTATION AND NEGOTIATION.—Section
24 610(b) of the High Seas Driftnet Fishing Moratorium

1 Protection Act (16 U.S.C. 1826k(b)) is amended to read
2 as follows:

3 “(b) CONSULTATION AND NEGOTIATION.—The Sec-
4 retary of State, acting in consultation with the Secretary,
5 shall—

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

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

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

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

6 (c) CONSERVATION CERTIFICATION PROCEDURE.—

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

9 (1) in paragraph (2) by inserting “the public
10 and” after “comment by”;

11 (2) in paragraph (4)—

12 (A) in subparagraph (A) by striking “and”
13 after the semicolon;

14 (B) in subparagraph (B) by striking the
15 period at the end and inserting “; and”; and

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

17 “(C) ensure that any such fish or fish
18 products authorized for entry under this section
19 are imported consistent with the reporting and
20 the recordkeeping requirements of the Seafood
21 Import Monitoring Program established in sub-
22 part Q of part 300 of title 50, Code of Federal
23 Regulations (or any successor regulation).”;
24 and

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

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

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

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

17 “(B) the Endangered Species Act of 1973
18 (16 U.S.C. 1531 et seq.);

19 “(C) the Shark Finning Prohibition Act
20 (16 U.S.C. 1822 note); and

21 “(D) the Convention on International
22 Trade in Endangered Species of Wild Fauna
23 and Flora, done at Washington March 3, 1973
24 (27 UST 1087; TIAS 8249); but”.

1 **SEC. 11339. CAPACITY BUILDING IN FOREIGN FISHERIES.**

2 (a) IN GENERAL.—The Secretary, in consultation
3 with the heads of other Federal agencies, as appropriate,
4 shall develop and carry out with partner governments and
5 civil society—

6 (1) multi-year international environmental co-
7 operation agreements and projects; and

8 (2) multi-year capacity-building projects for im-
9 plementing measures to address illegal, unreported,
10 or unregulated fishing, fraud, forced labor, bycatch,
11 and other conservation measures.

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

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

16 (2) in paragraph (3) by striking “as appro-
17 priate” and inserting “for all priority regions identi-
18 fied by the Working Group”.

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

21 (1) in paragraph (7) by striking “and” after
22 the semicolon;

23 (2) in paragraph (8) by striking the period at
24 the end and inserting “; and”; and

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

1 “(9) the status of work with global enforcement
2 partners.”.

3 **SEC. 11340. TRAINING OF UNITED STATES OBSERVERS.**

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

7 (1) in paragraph (3) by striking “and” after
8 the semicolon;

9 (2) by redesignating paragraph (4) as para-
10 graph (5); and

11 (3) by inserting after paragraph (3) the fol-
12 lowing:

13 “(4) ensure that each observer has received
14 training to identify indicators of forced labor and
15 human trafficking (as such terms are defined in sec-
16 tion 11329 of the Don Young Coast Guard Author-
17 ization Act of 2022) and refer this information to
18 appropriate authorities; and”.

19 **SEC. 11341. REGULATIONS.**

20 Not later than 1 year after the date of enactment
21 of this Act, the Secretary shall promulgate such regula-
22 tions as may be necessary to carry out this subtitle and
23 the amendments made by this subtitle.

1 **TITLE CXIV—SUPPORT FOR**
2 **COAST GUARD WORKFORCE**
3 **Subtitle A—Support for Coast**
4 **Guard Members and Families**

5 **SEC. 11401. COAST GUARD CHILD CARE IMPROVEMENTS.**

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

9 “(D) In the case of an active duty member with two
10 or more children attending a Coast Guard child develop-
11 ment center, the Commandant may modify the fees to be
12 charged for attendance for the second and any subsequent
13 child of such member by an amount that is 15 percent
14 less than the amount of the fee otherwise chargeable for
15 the attendance of the first such child enrolled at the cen-
16 ter, or another fee as the Commandant determines appro-
17 priate, consistent with multiple children.”.

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

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

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

4 “(2) necessary for accreditation by an appro-
5 priate national early childhood programs accrediting
6 entity.”.

7 (c) CHILD CARE SUBSIDY PROGRAM.—

8 (1) AUTHORIZATION.—

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

12 **“§ 2927. Child care subsidy program**

13 “(a) IN GENERAL.—

14 “(1) AUTHORITY.—The Commandant may op-
15 erate a child care subsidy program to provide finan-
16 cial assistance to eligible providers that provide child
17 care services or youth program services to members
18 of the Coast Guard, members of the Coast Guard
19 with dependents who are participating in the child
20 care subsidy program, and any other individual the
21 Commandant considers appropriate, if—

22 “(A) providing such financial assistance—

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

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

6 “(B) the Commandant ensures, to the ex-
7 tent practicable, that the eligible provider is
8 able to comply, and does comply, with the regu-
9 lations, policies, and standards applicable to
10 Coast Guard child care services.

11 “(2) ELIGIBLE PROVIDERS.—A provider of
12 child care services or youth program services is eligi-
13 ble for financial assistance under this section if the
14 provider—

15 “(A) is licensed to provide such services
16 under applicable State and local law or meets
17 all applicable State and local health and safety
18 requirements if licensure is not required;

19 “(B) is either—

20 “(i) is a family home daycare; or

21 “(ii) is a provider of family child care
22 services that—

23 “(I) otherwise provides federally
24 funded or federally sponsored child
25 development services;

1 “(II) provides such services in a
2 child development center owned and
3 operated by a private, not-for-profit
4 organization;

5 “(III) provides a before-school or
6 after-school child care program in a
7 public school facility;

8 “(IV) conducts an otherwise fed-
9 erally funded or federally sponsored
10 school-age child care or youth services
11 program; or

12 “(V) conducts a school-age child
13 care or youth services program oper-
14 ated by a not-for-profit organization;
15 or

16 “(C) is a provider of another category of
17 child care services or youth program services
18 the Commandant considers appropriate for
19 meeting the needs of members or civilian em-
20 ployees of the Coast Guard.

21 “(3) FINANCIAL ASSISTANCE FOR IN-HOME
22 CHILD CARE.—

23 “(A) IN GENERAL.—The Commandant
24 may provide financial assistance to members of

1 the Coast Guard who pay for services provided
2 by in-home child care providers.

3 “(B) REQUIREMENTS.—In carrying out
4 such program, the Commandant shall establish
5 a policy and procedures to—

6 “(i) support the needs of families who
7 request services provided by in-home
8 childcare providers;

9 “(ii) provide the appropriate amount
10 of financial assistance to provide to fami-
11 lies described in paragraph, that is at min-
12 imum consistent with the program author-
13 ized in subsection (a)(1); and

14 “(iii) ensure the appropriate qualifica-
15 tions for such in-home child care provider,
16 which shall at minimum—

17 “(I) take into consideration
18 qualifications for available in-home
19 child care providers in the private sec-
20 tor; and

21 “(II) ensure that the qualifica-
22 tions the Commandant determines ap-
23 propriate under this paragraph are
24 comparable to the qualifications for a
25 provider of child care services in a

1 Coast Guard child development center
2 or family home day care.

3 “(b) DIRECT PAYMENT.—

4 “(1) IN GENERAL.—In carrying out a child care
5 subsidy program under subsection (a)(1), subject to
6 paragraph (3), the Commandant shall provide finan-
7 cial assistance under the program to an eligible
8 member or individual the Commandant considers ap-
9 propriate by direct payment to such eligible member
10 or individual through monthly pay, direct deposit, or
11 other direct form of payment.

12 “(2) POLICY.—Not later than 180 days after
13 the date of the enactment of this section, the Com-
14 mandant shall establish a policy to provide direct
15 payment as described in paragraph (1).

16 “(3) ELIGIBLE PROVIDER FUNDING CONTINU-
17 ATION.—With the approval of an eligible member or
18 an individual the Commandant considers appro-
19 priate, which shall include the written consent of
20 such member or individual, the Commandant may
21 continue to provide financial assistance under the
22 child care subsidy program directly to an eligible
23 provider on behalf of such member or individual.

24 “(4) RULE OF CONSTRUCTION.—Nothing in
25 this subsection may be construed to affect any pre-

1 existing reimbursement arrangement between the
2 Coast Guard and a qualified provider.”.

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

“2927. Child care subsidy program.”.

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

9 (A) IN GENERAL.—The Commandant
10 shall—

11 (i) evaluate potential eligible uses for
12 the child care subsidy program established
13 under section 2927 of title 14, United
14 States Code (referred to in this paragraph
15 as the “program”);

16 (ii) expand the eligible uses of funds
17 for the program to accommodate the child
18 care needs of members of the Coast Guard
19 (including such members with nonstandard
20 work hours and surge or other deployment
21 cycles), including in-home care as de-
22 scribed in section 2927(a)(3) of title 14,
23 United States Code, and including by pro-
24 viding funds directly to such members in-
25 stead of care providers; and

1 (iii) streamline enrollment policies,
2 practices, paperwork, and requirements for
3 eligible child care providers to reduce bar-
4 riers for members to enroll in such pro-
5 viders.

6 (B) CONSIDERATIONS.—In evaluating po-
7 tential eligible uses under subparagraph (A),
8 the Commandant shall consider in-home child
9 care services, care services such as supple-
10 mental care for children with disabilities, and
11 any other child care delivery method the Com-
12 mandant considers appropriate.

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

16 (i) are in the best interests of the
17 Coast Guard;

18 (ii) provide flexibility for members of
19 the Coast Guard, including such members
20 and employees with nonstandard work
21 hours; and

22 (iii) ensure a safe environment for de-
23 pendants of such members and employees.

24 (D) PUBLICATION.—Not later than 18
25 months after the date of the enactment of this

1 Act, the Commandant shall publish an updated
2 Commandant Instruction Manual (referred to
3 in this paragraph as the “manual”) that de-
4 scribes the expanded eligible uses of the pro-
5 gram.

6 (E) REPORT.—

7 (i) IN GENERAL.—Not later than 18
8 months after the date of the enactment of
9 this Act, the Commandant shall submit to
10 the Committee on Commerce, Science, and
11 Transportation of the Senate and the
12 Committee on Transportation and Infra-
13 structure of the House of Representatives
14 a report outlining the expansion of the pro-
15 gram.

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

18 (I) An analysis of the consider-
19 ations described in subparagraph (B).

20 (II) A description of the analysis
21 used to identify eligible uses that were
22 evaluated and incorporated into the
23 manual under subparagraph (D).

24 (III) A full analysis and justifica-
25 tion with respect to the forms of care

1 that were ultimately not included in
2 the manual.

3 (IV) Any recommendation with
4 respect to funding or additional au-
5 thorities necessary, including pro-
6 posals for legislative change, to meet
7 the current and anticipated future
8 child care subsidy demands of the
9 Coast Guard.

10 (V) A description of the steps
11 taken to streamline enrollment poli-
12 cies, practices, and requirements for
13 eligible child care providers in accord-
14 ance with paragraph (2)(A)(iii).

15 **SEC. 11402. ARMED FORCES ACCESS TO COAST GUARD**
16 **CHILD DEVELOPMENT SERVICES.**

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

19 “(a)(1) The Commandant may make child develop-
20 ment services available, in such priority as the Com-
21 mandant considers to be appropriate and consistent with
22 readiness and resources and in the best interests of de-
23 pendants of members and civilian employees of the Coast
24 Guard, for—

1 “(A) members and civilian employees of the
2 Coast Guard;

3 “(B) surviving dependents of service members
4 who have died on active duty, if such dependents
5 were beneficiaries of a Coast Guard child develop-
6 ment service at the time of the death of such mem-
7 bers;

8 “(C) members of the armed forces (as defined
9 in section 101(a) of title 10); and

10 “(D) Federal civilian employees.

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

14 **SEC. 11403. CADET PREGNANCY POLICY IMPROVEMENTS.**

15 (a) REGULATIONS REQUIRED.—Not later than 18
16 months after the date of enactment of this Act, the Sec-
17 retary, in consultation with the Secretary of Defense, shall
18 prescribe regulations for the Coast Guard Academy con-
19 sistent with regulations required to be promulgated by sec-
20 tion 559(a) of the National Defense Authorization Act of
21 2022 (Public Law 117–81).

22 (b) BRIEFING.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary shall pro-
24 vide to the Committee on Commerce, Science, and Trans-
25 portation of the Senate and the Committee on Transpor-

1 tation and Infrastructure of the House of Representatives
2 a briefing on the development of the regulations required
3 by subsection (a).

4 **SEC. 11404. COMBAT-RELATED SPECIAL COMPENSATION.**

5 (a) REPORT AND BRIEFING.—Not later than 90 days
6 after the date of enactment of this Act, and every 180
7 days thereafter until the date that is 5 years after the
8 date on which the initial report is submitted under this
9 subsection, the Commandant shall submit a report and
10 provide an in-person briefing to the Committee on Com-
11 merce, Science, and Transportation of the Senate and the
12 Committee on Transportation and Infrastructure of the
13 House of Representatives on the implementation of section
14 221 of the Coast Guard Authorization Act of 2016 (Public
15 Law 114–120; 10 U.S.C. 1413a note).

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

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

21 (2) Statistics regarding enrollment in such pro-
22 gram for members of the Coast Guard and Coast
23 Guard retirees.

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

1 (A) Activities carried out relating to the
2 education of members of the Coast Guard par-
3 ticipating in the Transition Assistance Program
4 with respect to the combat-related special com-
5 pensation program.

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

15 (C) Activities carried out relating to train-
16 ing physicians and physician assistants em-
17 ployed by the Coast Guard, or otherwise sta-
18 tioned in Coast Guard clinics, sickbays, or other
19 locations at which medical care is provided to
20 members of the Coast Guard, for the purpose
21 of ensuring, during medical examinations, ap-
22 propriate counseling and documentation of
23 symptoms, injuries, and the associated incident
24 that resulted in such injuries.

1 (D) Activities relating to the notification of
2 heath service officers with respect to the com-
3 bat-related special compensation program.

4 (4) The written guidance provided to members
5 of the Coast Guard regarding necessary record-
6 keeping to ensure eligibility for benefits under such
7 program.

8 (5) Any other matter relating to combat-related
9 special compensation the Commandant considers ap-
10 propriate.

11 (c) DISABILITY DUE TO CHEMICAL OR HAZARDOUS
12 MATERIAL EXPOSURE.—Section 221(a) of the Coast
13 Guard Authorization Act of 2016 (Public Law 114–120;
14 10 U.S.C. 1413a note) is amended—

15 (1) in paragraph (1) by striking “department
16 is” and inserting “department in”; and

17 (2) in paragraph (2)—

18 (A) in the matter preceding subparagraph

19 (A)—

20 (i) by striking “and hazardous” and
21 inserting “hazardous”; and

22 (ii) by inserting “, or a duty in which
23 chemical or other hazardous material expo-
24 sure has occurred (such as during marine

1 inspections or pollution response activi-
2 ties)” after “surfman)”); and

3 (B) in subparagraph (B)—

4 (i) by striking “paragraph (1) or para-
5 graph (2) of”; and

6 (ii) by striking “, including—” and all
7 that follows through “search and rescue;
8 or” and inserting “; or”.

9 **SEC. 11405. STUDY ON FOOD SECURITY.**

10 (a) STUDY.—

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

14 (2) ELEMENTS.—The study required under
15 paragraph (1) shall include the following:

16 (A) An analysis of the impact of food
17 deserts on members of the Coast Guard and
18 their dependents who live in areas with high
19 costs of living, including areas with high-density
20 populations and rural areas.

21 (B) A comparison of—

22 (i) the current method used by the
23 Commandant to determine which areas are
24 considered to be high cost-of-living areas;

1 (ii) local-level indicators used by the
2 Bureau of Labor Statistics to determine a
3 cost of living that indicates buying power
4 and consumer spending in specific geo-
5 graphic areas; and

6 (iii) indicators of the cost of living
7 used by the Department of Agriculture in
8 market basket analyses and other meas-
9 ures of the local or regional cost of food.

10 (C) An assessment of the accuracy of the
11 method and indicators described in subpara-
12 graph (B) in quantifying high cost of living in
13 low-data and remote areas.

14 (D) An assessment of the manner in which
15 data accuracy and availability affect the accu-
16 racy of cost-of-living allowance calculations and
17 other benefits, as the Commandant considers
18 appropriate.

19 (E) Recommendations—

20 (i) to improve access to high-quality,
21 affordable food within a reasonable dis-
22 tance of Coast Guard units located in
23 areas identified as food deserts;

24 (ii) to reduce transit costs for mem-
25 bers of the Coast Guard and their depend-

1 ents who are required to travel to access
2 high-quality, affordable food; and

3 (iii) for improving the accuracy of the
4 calculations referred to in subparagraph
5 (D).

6 (F) The estimated costs of implementing
7 each recommendation made under subpara-
8 graph (E).

9 (b) PLAN.—

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

13 (2) REPORT.—Not later than 1 year after date
14 of the enactment of this Act, the Commandant shall
15 provide to the Committee on Commerce, Science,
16 and Transportation of the Senate and the Com-
17 mittee on Transportation and Infrastructure of the
18 House of Representatives a briefing on the plan re-
19 quired under paragraph (1), including the cost of
20 implementation, proposals for legislative change, and
21 any other result of the study the Commandant con-
22 siders appropriate.

23 (c) FOOD DESERT DEFINED.—In this section, the
24 term “food desert” means an area, as determined by the
25 Commandant, in which it is difficult, even with a vehicle

1 or an otherwise-available mode of transportation, to obtain
2 affordable, high-quality fresh food in the immediate area
3 in which members of the Coast Guard serve and reside.

4 **Subtitle B—Healthcare**

5 **SEC. 11406. DEVELOPMENT OF MEDICAL STAFFING STAND-** 6 **ARDS FOR COAST GUARD.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, the Commandant, in con-
9 sultation with the Defense Health Agency and any
10 healthcare expert the Commandant considers appropriate,
11 shall develop medical staffing standards for the Coast
12 Guard that are consistent with the recommendations of
13 the Comptroller General of the United States set forth in
14 the report titled “Coast Guard Health Care: Improve-
15 ments Needed for Determining Staffing Needs and Moni-
16 toring Access to Care” and published in February 2022.

17 (b) INCLUSIONS.—In developing the standards under
18 subsection (a), the Commandant shall address and take
19 into consideration the following:

20 (1) Current and future operations of healthcare
21 personnel in support of Department of Homeland
22 Security missions, including surge deployments for
23 incident response.

1 (2) Staffing standards for specialized providers,
2 including flight surgeons, dentists, behavioral health
3 specialists, and physical therapists.

4 (3) Staffing levels of medical, dental, and be-
5 havioral health providers for the Coast Guard who
6 are—

7 (A) members of the Coast Guard;

8 (B) assigned to the Coast Guard from the
9 Public Health Service;

10 (C) Federal civilian employees; or

11 (D) contractors hired by the Coast Guard
12 to fill vacancies.

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

15 (5) Any discrepancy between medical staffing
16 standards of the Department of Defense and medical
17 staffing standards of the Coast Guard.

18 (c) REVIEW BY COMPTROLLER GENERAL.—Not later
19 than 90 days after the Commandant completes the staff-
20 ing standards required by subsection (a), the Com-
21 mandant shall submit the standards to the Comptroller
22 General, who shall review the standards and provide rec-
23 ommendations to the Commandant.

24 (d) REPORT TO CONGRESS.—Not later than 180 days
25 after developing the standards developed under subsection

1 (a), the Commandant shall submit to the Committee on
2 Commerce, Science, and Transportation of the Senate and
3 the Committee on Transportation and Infrastructure of
4 the House of Representatives a report on the standards
5 developed under subsection (a) and the recommendations
6 provided under subsection (c) that includes a plan and a
7 description of the resources and budgetary needs required
8 to implement the standards.

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

11 (1) modify such standards, as necessary, based
12 on the recommendations under subsection (c);

13 (2) implement the standards; and

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

16 **SEC. 11407. HEALTHCARE SYSTEM REVIEW AND STRATEGIC**
17 **PLAN.**

18 (a) IN GENERAL.—Not later than 270 days after the
19 completion of the studies conducted by the Comptroller
20 General of the United States under sections 8259 and
21 8260 of the William M. (Mac) Thornberry National De-
22 fense Authorization Act of Fiscal Year 2021 (Public Law
23 116–283; 134 Stat. 4679), the Commandant shall—

24 (1) conduct a comprehensive review of the
25 Coast Guard healthcare system; and

1 (2) develop a strategic plan for improvements
2 to, and the modernization of, such system to ensure
3 access to high-quality, timely healthcare for mem-
4 bers of the Coast Guard, their dependents, and ap-
5 plicable Coast Guard retirees.

6 (b) PLAN.—

7 (1) IN GENERAL.—The strategic plan developed
8 under subsection (a) shall seek to—

9 (A) maximize the medical readiness of
10 members of the Coast Guard;

11 (B) optimize delivery of healthcare bene-
12 fits;

13 (C) ensure high-quality training of Coast
14 Guard medical personnel; and

15 (D) prepare for the future needs of the
16 Coast Guard.

17 (2) ELEMENTS.—The plan shall address, at a
18 minimum, the following:

19 (A) Improving access to healthcare for
20 members of the Coast Guard, their dependents,
21 and applicable Coast Guard retirees.

22 (B) Quality of healthcare.

23 (C) The experience and satisfaction of
24 members of the Coast Guard and their depend-
25 ents with the Coast Guard healthcare system.

1 (D) The readiness of members of the Coast
2 Guard and Coast Guard medical personnel.

3 (c) REVIEW COMMITTEE.—

4 (1) ESTABLISHMENT.—The Commandant shall
5 establish a review committee to conduct a com-
6 prehensive analysis of the Coast Guard healthcare
7 system (referred to in this section as the “Review
8 Committee”).

9 (2) MEMBERSHIP.—The Review Committee
10 shall be composed of members selected by the Com-
11 mandant, including—

12 (A) 1 or more members of the uniformed
13 services (as defined in section 101 of title 10,
14 United States Code) or Federal employees, ei-
15 ther of which have expertise in—

16 (i) the medical, dental, pharmacy, or
17 behavioral health fields; or

18 (ii) any other field the Commandant
19 considers appropriate;

20 (B) 1 representative of the Defense Health
21 Agency; and

22 (C) 1 medical representative from each
23 Coast Guard district.

24 (3) CHAIRPERSON.—The chairperson of the Re-
25 view Committee shall be the Director of the Health,

1 Safety, and Work Life Directorate of the Coast
2 Guard.

3 (4) STAFF.—The Review Committee shall be
4 staffed by employees of the Coast Guard.

5 (5) REPORT TO COMMANDANT.—Not later than
6 1 year after the Review Committee is established,
7 the Review Committee shall submit to the Com-
8 mandant a report that—

9 (A) assesses, taking into consideration the
10 medical staffing standards developed under sec-
11 tion 11406, the recommended medical staffing
12 standards set forth in the Comptroller General
13 study required by section 8260 of the William
14 M. (Mac) Thornberry National Defense Author-
15 ization Act for Fiscal Year 2021 (Public Law
16 116–283; 134 Stat. 4679), and compares such
17 standards to the medical staffing standards of
18 the Department of Defense and the private sec-
19 tor;

20 (B) addresses improvements needed to en-
21 sure continuity of care for members of the
22 Coast Guard, including by evaluating the feasi-
23 bility of having a dedicated primary care man-
24 ager for each such member while the member is
25 stationed at a duty station;

1 (C) evaluates the effects of increased surge
2 deployments of medical personnel on staffing
3 needs at Coast Guard clinics;

4 (D) identifies ways to improve access to
5 care for members of the Coast Guard and their
6 dependents who are stationed in remote areas,
7 including methods to expand access to providers
8 in the available network;

9 (E) identifies ways the Coast Guard may
10 better use Department of Defense Military
11 Health System resources for members of the
12 Coast Guard, their dependents, and applicable
13 Coast Guard retirees;

14 (F) identifies barriers to participation in
15 the Coast Guard healthcare system and ways
16 the Coast Guard may better use patient feed-
17 back to improve quality of care at Coast Guard-
18 owned facilities, military treatment facilities,
19 and specialist referrals;

20 (G) includes recommendations to improve
21 the Coast Guard healthcare system; and

22 (H) any other matter the Commandant or
23 the Review Committee considers appropriate.

24 (6) TERMINATION.—The Review Committee
25 shall terminate on the date that is 1 year after the

1 date on which the Review Committee submits the re-
2 port required under paragraph (5).

3 (7) INAPPLICABILITY OF FEDERAL ADVISORY
4 COMMITTEE ACT.—The Federal Advisory Committee
5 Act (5 U.S.C. App.) shall not apply to the Review
6 Committee.

7 (d) REPORT TO CONGRESS.—Not later than 2 years
8 after the date of enactment of this Act, the Commandant
9 shall submit to the Committee on Commerce, Science, and
10 Transportation of the Senate and the Committee on
11 Transportation and Infrastructure of the House of Rep-
12 resentatives—

13 (1) the strategic plan for the Coast Guard med-
14 ical system required under subsection (a);

15 (2) the report of the Review Committee sub-
16 mitted to the Commandant under subsection (c)(5);
17 and

18 (3) a description of the manner in which the
19 Commandant plans to implement the recommenda-
20 tions of the Review Committee.

21 **SEC. 11408. DATA COLLECTION AND ACCESS TO CARE.**

22 (a) IN GENERAL.—Not later than 180 days after the
23 date of enactment of this Act, the Commandant, in con-
24 sultation with the Defense Health Agency and any
25 healthcare expert the Commandant considers appropriate,

1 shall develop, and make publicly available, a policy to re-
2 quire the collection of data regarding access by members
3 of the Coast Guard and their dependents to medical, den-
4 tal, and behavioral healthcare as recommended by the
5 Comptroller General of the United States in the report
6 entitled “Coast Guard Health Care: Improvements Needed
7 for Determining Staffing Needs and Monitoring Access to
8 Care”, published in February 2022.

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

11 (1) Methods to collect data on access to care
12 for—

13 (A) routine annual physical health assess-
14 ments;

15 (B) flight physicals for aviators or prospec-
16 tive aviators;

17 (C) sick call;

18 (D) injuries;

19 (E) dental health; and

20 (F) behavioral health conditions.

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

23 (3) Collection of data on access to care for
24 members of the Coast Guard stationed at remote

1 units, aboard Coast Guard cutters, and on deploy-
2 ments.

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

5 (5) Use of data for addressing the standards of
6 care, including time between requests for appoint-
7 ments and actual appointments, including appoint-
8 ments made with referral services.

9 (c) PUBLICATION AND REPORT TO CONGRESS.—Not
10 later than 90 days after the policy under subsection (a)
11 is completed, or any subsequent updates to such policy,
12 the Commandant shall—

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

15 (2) submit to the Committee on Commerce,
16 Science, and Transportation of the Senate and the
17 Committee on Transportation and Infrastructure of
18 the House of Representatives a report on the policy
19 and the manner in which the Commandant plans to
20 address access-to-care deficiencies.

21 (d) PERIODIC UPDATES.—Not less frequently than
22 every 5 years, the Commandant shall review and update
23 the policy required under subsection (a).

24 **SEC. 11409. BEHAVIORAL HEALTH POLICY.**

25 (a) INTERIM BEHAVIORAL HEALTH POLICY.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of enactment of this Act, the Com-
3 mandant shall establish an interim behavioral health
4 policy for members of the Coast Guard that is in
5 parity with section 5.28 (relating to behavioral
6 health) of Department of Defense Instruction
7 6130.03, volume 2, “Medical Standards for Military
8 Service: Retention”.

9 (2) TERMINATION.—The interim policy estab-
10 lished under paragraph (1) shall remain in effect
11 until the date on which the Commandant issues a
12 permanent behavioral health policy for members of
13 the Coast Guard.

14 (b) PERMANENT POLICY.—In developing a perma-
15 nent policy with respect to retention and behavioral health,
16 the Commandant shall ensure that, to the extent prac-
17 ticable, the policy of the Coast Guard is in parity with
18 section 5.28 (relating to behavioral health) of Department
19 of Defense Instruction 6130.03, volume 2, “Medical
20 Standards for Military Service: Retention”.

1 **SEC. 11410. MEMBERS ASSERTING POST-TRAUMATIC**
2 **STRESS DISORDER OR TRAUMATIC BRAIN IN-**
3 **JURY.**

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

7 **“§ 2516. Members asserting post-traumatic stress dis-**
8 **order or traumatic brain injury**

9 “(a) MEDICAL EXAMINATION REQUIRED.—

10 “(1) IN GENERAL.—The Secretary shall ensure
11 that a member of the Coast Guard who has per-
12 formed Coast Guard operations or has been sexually
13 assaulted during the preceding 2-year period, and
14 who is diagnosed by an appropriate licensed or cer-
15 tified healthcare professional as experiencing post-
16 traumatic stress disorder or traumatic brain injury
17 or who otherwise alleges, based on the service of the
18 member or based on such sexual assault, the influ-
19 ence of such a condition, receives a medical examina-
20 tion to evaluate a diagnosis of post-traumatic stress
21 disorder or traumatic brain injury.

22 “(2) RESTRICTION ON ADMINISTRATIVE SEPA-
23 RATION.—A member described in paragraph (1)
24 shall not be administratively separated under condi-
25 tions other than honorable, including an administra-
26 tive separation in lieu of a court-martial, until the

1 results of the medical examination have been re-
2 viewed by appropriate authorities responsible for
3 evaluating, reviewing, and approving the separation
4 case, as determined by the Secretary.

5 “(3) POST-TRAUMATIC STRESS DISORDER.—In
6 a case involving post-traumatic stress disorder under
7 this subsection, a medical examination shall be—

8 “(A) performed by—

9 “(i) a board-certified or board-eligible
10 psychiatrist; or

11 “(ii) a licensed doctorate-level psychol-
12 ogist; or

13 “(B) performed under the close supervision
14 of—

15 “(i) a board-certified or board-eligible
16 psychiatrist; or

17 “(ii) a licensed doctorate-level psychol-
18 ogist, a doctorate-level mental health pro-
19 vider, a psychiatry resident, or a clinical or
20 counseling psychologist who has completed
21 a 1-year internship or residency.

22 “(4) TRAUMATIC BRAIN INJURY.—In a case in-
23 volving traumatic brain injury under this subsection,
24 a medical examination shall be performed by a

1 physiatrist, psychiatrist, neurosurgeon, or neurolo-
2 gist.

3 “(b) PURPOSE OF MEDICAL EXAMINATION.—The
4 medical examination required under subsection (a) shall
5 assess whether the effects of mental or neurocognitive dis-
6 orders, including post-traumatic stress disorder and trau-
7 matic brain injury, constitute matters in extenuation that
8 relate to the basis for administrative separation under con-
9 ditions other than honorable or the overall characteriza-
10 tion of the service of the member as other than honorable.

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

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

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 25 of title 14, United States Code, is amended by in-
22 serting after the item relating to section 2515 (as added
23 by this Act) the following:

“2516. Members asserting post-traumatic stress disorder or traumatic brain in-
jury.”.

1 **SEC. 11411. IMPROVEMENTS TO PHYSICAL DISABILITY**
2 **EVALUATION SYSTEM AND TRANSITION PRO-**
3 **GRAM.**

4 (a) TEMPORARY POLICY.—Not later than 60 days
5 after the date of enactment of this Act, the Commandant
6 shall develop a temporary policy that—

7 (1) improves timeliness, communication, and
8 outcomes for members of the Coast Guard under-
9 going the Physical Disability Evaluation System, or
10 a related formal or informal process;

11 (2) affords maximum career transition benefits
12 to members of the Coast Guard determined by a
13 Medical Evaluation Board to be unfit for retention
14 in the Coast Guard; and

15 (3) maximizes the potential separation and ca-
16 reer transition benefits for members of the Coast
17 Guard undergoing the Physical Disability Evaluation
18 System, or a related formal or informal process.

19 (b) ELEMENTS.—The policy required under sub-
20 section (a) shall include the following:

21 (1) A requirement that any member of the
22 Coast Guard who is undergoing the Physical Dis-
23 ability Evaluation System, or a related formal or in-
24 formal process, shall be placed in a duty status that
25 allows the member the opportunity to attend nec-
26 essary medical appointments and other activities re-

1 lating to the Physical Disability Evaluation System,
2 including completion of any application of the De-
3 partment of Veterans Affairs and career transition
4 planning.

5 (2) In the case of a Medical Evaluation Board
6 report that is not completed not later than 120 days
7 after the date on which an evaluation by the Medical
8 Evaluation Board was initiated, the option for such
9 a member to enter permissive duty status.

10 (3) A requirement that the date of initiation of
11 an evaluation by a Medical Evaluation Board shall
12 include the date on which any verbal or written af-
13 firmation is made to the member, command, or med-
14 ical staff that the evaluation by the Medical Evalua-
15 tion Board has been initiated.

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

24 (5) A requirement that not less than 21 days
25 notice shall be provided to such a member for any

1 such medical appointment, to the maximum extent
2 practicable, to ensure that the appointment timeline
3 is in the best interests of the immediate health of
4 the member.

5 (6) A requirement that the Coast Guard shall
6 provide such a member with a written separation
7 date upon the completion of a Medical Evaluation
8 Board report that finds the member unfit to con-
9 tinue active duty.

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

12 (A) that accountability measures are in
13 place with respect to Coast Guard delays
14 throughout the Physical Disability Evaluation
15 System, including—

16 (i) placement of the member in an ex-
17 cess leave status after 270 days have
18 elapsed since the date of initiation of an
19 evaluation by a Medical Evaluation Board
20 by any competent authority; and

21 (ii) a calculation of the costs to retain
22 the member on active duty, including the
23 pay, allowances, and other associated bene-
24 fits of the member, for the period begin-
25 ning on the date that is 90 days after the

1 date of initiation of an evaluation by a
2 Medical Evaluation Board by any com-
3 petent authority and ending on the date on
4 which the member is separated from the
5 Coast Guard; and

6 (B) the availability of administrative solu-
7 tions to any such delay.

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

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

22 (10) A requirement that, not later than 7 days
23 after receipt of a report of a delay described in para-
24 graph (9), the Personnel Service Center shall take
25 corrective action, which shall ensure that the Coast

1 Guard exercises maximum discretion to continue the
2 Physical Disability Evaluation System of such a
3 member in a timely manner, unless such delay is
4 caused by the member.

5 (11) A requirement that—

6 (A) a member of the Coast Guard shall be
7 allowed to make a request for a reasonable
8 delay in the Physical Disability Evaluation Sys-
9 tem to obtain additional input and consultation
10 from a medical or legal professional; and

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

14 (c) REPORT ON TEMPORARY POLICY.—Not later
15 than 60 days after the date of enactment of this Act, the
16 Commandant shall submit 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 a copy of the policy developed
20 under subsection (a).

21 (d) PERMANENT POLICY.—Not later than 180 days
22 after the date of enactment of this Act, the Commandant
23 shall publish a Commandant Instruction making the policy
24 developed under subsection (a) a permanent policy of the
25 Coast Guard.

1 (e) BRIEFING.—Not later than 1 year after the date
2 of enactment of this Act, the Commandant shall provide
3 to the Committee on Commerce, Science, and Transpor-
4 tation of the Senate and the Committee on Transportation
5 and Infrastructure of the House of Representatives a
6 briefing on, and a copy of, the permanent policy.

7 (f) ANNUAL REPORT ON COSTS.—

8 (1) IN GENERAL.—Not less frequently than an-
9 nually, the Commandant shall submit to the Com-
10 mittee on Commerce, Science, and Transportation of
11 the Senate and the Committee on Transportation
12 and Infrastructure of the House of Representatives
13 a report that, for the preceding fiscal year—

14 (A) details the total aggregate service-wide
15 costs described in subsection (b)(7)(A)(ii) for
16 members of the Coast Guard whose Physical
17 Disability Evaluation System process has ex-
18 ceeded 90 days; and

19 (B) includes for each such member—

20 (i) an accounting of such costs; and

21 (ii) the number of days that elapsed
22 between the initiation and completion of
23 the Physical Disability Evaluation System
24 process.

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

5 **SEC. 11412. EXPANSION OF ACCESS TO COUNSELING.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of enactment of this Act, the Commandant shall hire,
8 train, and deploy not fewer than an additional 5 behavioral
9 health specialists.

10 (b) REQUIREMENT.—Through the hiring process re-
11 quired under subsection (a), the Commandant shall ensure
12 that at least 35 percent of behavioral health specialists
13 employed by the Coast Guard have experience in behav-
14 ioral healthcare for the purpose of supporting members
15 of the Coast Guard with needs for perinatal mental health
16 care and counseling service for miscarriage, child loss, and
17 postpartum depression.

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

20 (1) may include care delivered via telemedicine;
21 and

22 (2) shall be made widely available to members
23 of the Coast Guard.

1 **SEC. 11413. EXPANSION OF POSTGRADUATE OPPORTUNI-**
2 **TIES FOR MEMBERS OF 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) APPLICATION OF LAW.—Individuals who receive
10 assistance pursuant to subsection (a) shall be subject to
11 the service obligations required under section 2114 of title
12 10, United States Code.

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

16 **SEC. 11414. STUDY ON COAST GUARD MEDICAL FACILITIES**
17 **NEEDS.**

18 (a) IN GENERAL.—Not later than 270 days after the
19 date of enactment of this Act, the Comptroller General
20 of the United States shall commence a study on Coast
21 Guard medical facilities needs.

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

24 (1) A list of Coast Guard medical facilities, in-
25 cluding clinics, sickbays, and shipboard facilities.

1 (2) A summary of capital needs for Coast
2 Guard medical facilities, including construction and
3 repair.

4 (3) A summary of equipment upgrade backlogs
5 of Coast Guard medical facilities.

6 (4) An assessment of improvements to Coast
7 Guard medical facilities, including improvements to
8 information technology infrastructure, required to
9 enable the Coast Guard to fully use telemedicine and
10 implement other modernization initiatives.

11 (5) An evaluation of the process used by the
12 Coast Guard to identify, monitor, and construct
13 Coast Guard medical facilities.

14 (6) A description of the resources necessary to
15 fully address all Coast Guard medical facilities
16 needs.

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

1 **SEC. 11415. STUDY ON COAST GUARD TELEMEDICINE PRO-**
2 **GRAM.**

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

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

9 (1) An assessment of—

10 (A) the current capabilities and limitations
11 of the Coast Guard telemedicine program;

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

14 (C) the capability and accessibility of such
15 program, as compared to the capability and ac-
16 cessibility of the telemedicine programs of the
17 Department of Defense and commercial medical
18 providers;

19 (D) the manner in which the Coast Guard
20 telemedicine program may be expanded to pro-
21 vide better clinical and behavioral medical serv-
22 ices to members of the Coast Guard, including
23 such members stationed at remote units or on-
24 board Coast Guard cutters at sea; and

25 (E) the costs savings associated with the
26 provision of—

- 1 (i) care through telemedicine; and
2 (ii) preventative care.

3 (2) An identification of barriers to full use or
4 expansion of such program.

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

7 (c) REPORT.—Not later than 1 year after com-
8 mencing the study required by subsection (a), the Comp-
9 troller General 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 report on the findings of the
13 study.

14 **Subtitle C—Housing**

15 **SEC. 11416. STUDY ON COAST GUARD HOUSING ACCESS,** 16 **COST, AND CHALLENGES.**

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

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

- 24 (1) An assessment of—
25 (A) the extent to which—

1 (i) the Commandant has evaluated the
2 sufficiency, availability, and affordability of
3 housing options for members of the Coast
4 Guard and their dependents; and

5 (ii) the Coast Guard owns and leases
6 housing for members of the Coast Guard
7 and their dependents;

8 (B) the methods used by the Commandant
9 to manage housing data, and the manner in
10 which the Commandant uses such data—

11 (i) to inform Coast Guard housing
12 policy; and

13 (ii) to guide investments in Coast
14 Guard-owned housing capacity and other
15 investments in housing, such as long-term
16 leases and other housing options; and

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

23 (2) An assessment as to whether the Depart-
24 ment of Defense basic allowance for housing is suffi-
25 cient for members of the Coast Guard.

1 (3) Recommendations for actions the Com-
2 mandant should take to improve the availability and
3 affordability of housing for members of the Coast
4 Guard and their dependents who are stationed in—

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

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

11 (c) REPORT.—Not later than 1 year after com-
12 mencing the study required under subsection (a), the
13 Comptroller General shall submit to the Committee on
14 Commerce, Science, and Transportation of the Senate and
15 the Committee on Transportation and Infrastructure of
16 the House of Representatives a report on the findings of
17 the study.

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

23 (1) address housing inventory shortages and af-
24 fordability; and

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

3 **SEC. 11417. AUDIT OF CERTAIN MILITARY HOUSING CONDI-**
4 **TIONS OF ENLISTED MEMBERS OF COAST**
5 **GUARD IN KEY WEST, FLORIDA.**

6 (a) IN GENERAL.—Not later than 30 days after the
7 date of enactment of this Act, the Commandant, in coordi-
8 nation with the Secretary of the Navy, shall commence
9 an audit to assess—

10 (1) the conditions of housing units of enlisted
11 members of the Coast Guard located at Naval Air
12 Station Key West Sigsbee Park Annex;

13 (2) the percentage of such units that are con-
14 sidered unsafe or unhealthy housing units for en-
15 listed members of the Coast Guard and their fami-
16 lies;

17 (3) the process used by enlisted members of the
18 Coast Guard and their families to report housing
19 concerns;

20 (4) the extent to which enlisted members of the
21 Coast Guard and their families experience unsafe or
22 unhealthy housing units, relocate, receive a per
23 diem, or expend similar expenses as a direct result
24 of displacement that are not covered by a landlord,
25 insurance, or claims process;

1 (5) the feasibility of providing reimbursement
2 for uncovered expenses described in paragraph (4);
3 and

4 (6) what resources are needed to provide appro-
5 priate and safe housing for enlisted members of the
6 Coast Guard and their families in Key West, Flor-
7 ida.

8 (b) REPORT.—Not later than 120 days after the date
9 of enactment of this section , the Commandant shall sub-
10 mit to the appropriate committees of Congress a report
11 on the results of the audit.

12 (c) DEFINITIONS.—In this section:

13 (1) APPROPRIATE COMMITTEES OF CON-
14 GRESS.—The term “appropriate committees of Con-
15 gress” means—

16 (A) the Committee on Commerce, Science,
17 and Transportation and the Committee on
18 Homeland Security and Governmental Affairs
19 of the Senate; and

20 (B) the Committee on Transportation and
21 Infrastructure and the Committee on Homeland
22 Security of the House of Representatives.

23 (2) UNSAFE OR UNHEALTHY HOUSING UNIT.—
24 The term “unsafe or unhealthy housing unit” means
25 a unit of housing unit in which is present, at levels

1 exceeding relevant governmental health or housing
2 standards or guidelines, at least 1 of the following
3 hazards:

4 (A) Physiological hazards, including the
5 following:

6 (i) Dampness or microbial growth.

7 (ii) Lead-based paint.

8 (iii) Asbestos or manmade fibers.

9 (iv) Ionizing radiation.

10 (v) Biocides.

11 (vi) Carbon monoxide.

12 (vii) Volatile organic compounds.

13 (viii) Infectious agents.

14 (ix) Fine particulate matter.

15 (B) Psychological hazards, including the
16 following:

17 (i) Ease of access by unlawful intrud-
18 ers.

19 (ii) Lighting issues.

20 (iii) Poor ventilation.

21 (iv) Safety hazards.

22 (v) Other hazards similar to the haz-
23 ards specified in clauses (i) through (iv).

1 **SEC. 11418. STUDY ON COAST GUARD HOUSING AUTHORI-**
2 **TIES AND PRIVATIZED HOUSING.**

3 (a) STUDY.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of enactment of this Act, the Comp-
6 troller General of the United States shall commence
7 a study that—

8 (A) evaluates the authorities of the Coast
9 Guard relating to construction, operation, and
10 maintenance of housing provided to members of
11 the Coast Guard and their dependents; and

12 (B) assesses other options to meet Coast
13 Guard housing needs in rural and urban hous-
14 ing markets, including public-private partner-
15 ships, long-term lease agreements, privately
16 owned housing, and any other housing option
17 the Comptroller General identifies.

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

20 (A) A review of authorities, regulations,
21 and policies available to the Secretary with re-
22 spect to construction, maintenance, and oper-
23 ation of housing for members of the Coast
24 Guard and their dependents, including unac-
25 companied member housing, that considers—

1 (i) housing that is owned and man-
2 aged by the Coast Guard;

3 (ii) long-term leasing or extended-
4 rental housing;

5 (iii) public-private partnerships or
6 other privatized housing options for which
7 the Secretary may enter into 1 or more
8 contracts with a private entity to build,
9 maintain, and manage privatized housing
10 for members of the Coast Guard and their
11 dependents;

12 (iv) on-installation and off-installation
13 housing options, and the availability of,
14 and authorities relating to, such options;
15 and

16 (v) housing availability near Coast
17 Guard units, readiness needs, and safety.

18 (B) A review of the housing-related au-
19 thorities, regulations, and policies available to
20 the Secretary of Defense, and an identification
21 of the differences between such authorities af-
22 farded to the Secretary of Defense and the
23 housing-related authorities, regulations, and
24 policies afforded to the Secretary.

1 (C) A description of lessons learned, or
2 recommendations for, the Coast Guard based
3 on the use of private housing by the Depart-
4 ment of Defense, including the recommenda-
5 tions set forth in the report of the Government
6 Accountability Office titled “Privatized Military
7 Housing: Update on DOD’s Efforts to Address
8 Oversight Challenges” (GAO–22–105866),
9 issued in March 2022.

10 (D) An assessment of the extent to which
11 the Secretary uses the authorities provided in
12 subchapter IV of chapter 169 of title 10,
13 United States Code.

14 (E) An analysis of immediate and long-
15 term costs associated with housing owned and
16 operated by the Coast Guard, as compared to
17 opportunities for long-term leases, private hous-
18 ing, and other public-private partnerships in
19 urban and remote locations.

20 (b) REPORT.—Not later than 1 year after the date
21 of enactment of this Act, the Comptroller General shall
22 submit to the appropriate committees of Congress a report
23 on the results of the study conducted under subsection (a).

24 (c) BRIEFING.—Not later than 180 days after the
25 date on which the report required under subsection (b)

1 is submitted, the Commandant or the Secretary shall pro-
2 vide a briefing to the appropriate committees of Congress
3 on—

4 (1) the actions the Commandant has, or has
5 not, taken with respect to the results of the study;

6 (2) a plan for addressing areas identified in the
7 report that present opportunities for improving the
8 housing options available to members of the Coast
9 Guard and their dependents; and

10 (3) the need for, or potential manner of use of,
11 any authorities the Coast Guard does not have with
12 respect to housing, as compared to the Department
13 of Defense.

14 (d) APPROPRIATE COMMITTEES OF CONGRESS.—In
15 this section, the term “appropriate committees of Con-
16 gress” means the Committee on Commerce, Science, and
17 Transportation of the Senate and the Committee on
18 Transportation and Infrastructure of the House of Rep-
19 resentatives.

20 **SEC. 11419. STRATEGY TO IMPROVE QUALITY OF LIFE AT**
21 **REMOTE UNITS.**

22 (a) IN GENERAL.—Not more than 180 days after the
23 date of enactment of this Act, the Commandant shall de-
24 velop a strategy to improve the quality of life for members

1 of the Coast Guard and their dependents who are sta-
2 tioned in remote units.

3 (b) ELEMENTS.—The strategy developed under sub-
4 section (a) shall address the following:

5 (1) Methods to improve the availability or af-
6 fordability of housing options for such members and
7 their dependents through—

8 (A) Coast Guard-owned housing; or

9 (B) Coast Guard-facilitated housing.

10 (2) A review of whether current methods for de-
11 termining the amount of basic housing allowances
12 received by such members of the Coast Guard accu-
13 rately reflect the costs of privately owned or pri-
14 vately rented housing in such areas.

15 (3) Methods to improve access by such mem-
16 bers and their dependents to—

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

18 and

19 (B) behavioral health care that is covered
20 under the TRICARE program (as defined in
21 section 1072 of title 10, United States Code).

22 (4) Methods to increase access to child care
23 services in such areas, including recommendations
24 for increasing child care capacity and opportunities

1 for care within the Coast Guard and in the private
2 sector.

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

5 (A) to improve communications between
6 members of the Coast Guard on active duty
7 who are assigned or attached to a remote unit
8 and the family members of such members who
9 are not located in the same location as such
10 member; and

11 (B) for other purposes such as education
12 and training.

13 (6) Methods to support spouses and other de-
14 pendents of members serving in such areas who face
15 challenges specific to remote locations.

16 (7) Any other matter the Commandant con-
17 siders appropriate.

18 (c) BRIEFING.—Not later than 180 days after the
19 strategy developed under subsection (a) is completed, the
20 Commandant shall provide 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 briefing on the strategy.

24 (d) REMOTE UNIT DEFINED.—In this section, the
25 term “remote unit” means a unit located in an area in

1 which members of the Coast Guard and their dependents
2 are eligible for TRICARE Prime Remote.

3 **Subtitle D—Other Matters**

4 **SEC. 11420. REPORT ON AVAILABILITY OF EMERGENCY**

5 **SUPPLIES FOR COAST GUARD PERSONNEL.**

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

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

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

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

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

23 (2) A description of any challenge the Com-
24 mandant faces in planning for and maintaining ade-

1 (B) to address—

2 (i) national security threats; and

3 (ii) the global deployment of the Coast

4 Guard to counter great power competitors.

5 (2) REPORT.—Not later than 1 year after the
6 date of enactment of this Act, the Commandant
7 shall submit to Congress a report on the results of
8 the updated fleet mix analysis required under para-
9 graph (1).

10 (b) SHORE INFRASTRUCTURE INVESTMENT PLAN.—

11 (1) IN GENERAL.—The Commandant shall de-
12 velop an updated shore infrastructure investment
13 plan that includes—

14 (A) the construction of additional facilities
15 to accommodate the updated fleet mix described
16 in subsection (a)(1);

17 (B) improvements necessary to ensure that
18 existing facilities meet requirements and remain
19 operational for the lifespan of such fleet mix,
20 including necessary improvements to informa-
21 tion technology infrastructure;

22 (C) a timeline for the construction and im-
23 provement of the facilities described in subpara-
24 graphs (A) and (B); and

1 (D) a cost estimate for construction and
2 life-cycle support of such facilities, including for
3 necessary personnel.

4 (2) REPORT.—Not later than 1 year after the
5 date on which the report under subsection (a)(2) is
6 submitted, the Commandant shall submit to Con-
7 gress a report on the plan required under paragraph
8 (1).

9 **TITLE CXV—MARITIME**
10 **Subtitle A—Vessel Safety**

11 **SEC. 11501. RESPONSES TO SAFETY RECOMMENDATIONS.**

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

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

16 “(a) IN GENERAL.—Not later than 90 days after the
17 National Transportation Safety Board submits to the
18 Commandant a recommendation, and supporting justifica-
19 tion for such recommendation, relating to transportation
20 safety, the Commandant shall submit to the National
21 Transportation Safety Board a written response to the
22 recommendation, including whether the Commandant—

23 “(1) concurs with the recommendation;

24 “(2) partially concurs with the recommendation;

25 or

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

2 “(b) EXPLANATION OF CONCURRENCE.—The Com-
3 mandant shall include in a response submitted under sub-
4 section (a)—

5 “(1) with respect to a recommendation with
6 which the Commandant concurs or partially concurs,
7 an explanation of the actions the Commandant in-
8 tends to take to implement such recommendation or
9 part of such recommendation; and

10 “(2) with respect to a recommendation with
11 which the Commandant does not concur, the reasons
12 the Commandant does not concur.

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

22 (b) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 7 of title 14, United States Code, is amended by add-
24 ing at the end the following:

“721. Responses to safety recommendations.”.

1 **SEC. 11502. REQUIREMENTS FOR DUKW AMPHIBIOUS PAS-**
2 **SENGER VESSELS.**

3 (a) RULEMAKING REQUIRED.—

4 (1) IN GENERAL.—Not later than 6 months
5 after the date of enactment of this Act, the Com-
6 mandant shall initiate a rulemaking to establish ad-
7 ditional safety standards for DUKW amphibious
8 passenger vessels.

9 (2) DEADLINE FOR REGULATIONS.—The regu-
10 lations issued under paragraph (1) shall take effect
11 not later than 18 months after the Commandant
12 promulgates a final rule pursuant to such para-
13 graph.

14 (b) REQUIREMENTS.—The regulations required
15 under subsection (a) shall include the following:

16 (1) A requirement that operators of DUKW
17 amphibious passenger vessels provide reserve buoy-
18 ancy for such vessels through passive means, includ-
19 ing watertight compartmentalization, built-in flota-
20 tion, or such other means as determined appropriate
21 by the Commandant, in order to ensure that such
22 vessels remain afloat and upright in the event of
23 flooding, including when carrying a full complement
24 of passengers and crew.

25 (2) An identification, in consultation with the
26 Under Secretary of Commerce for Oceans and At-

1 mosphere, of limiting environmental conditions, such
2 as weather, in which DUKW amphibious passenger
3 vessels may safely operate and a requirement that
4 such limiting conditions be described in the certifi-
5 cate of inspection of each DUKW amphibious pas-
6 senger vessel.

7 (3) Requirements that an operator of a DUKW
8 amphibious passenger vessel—

9 (A) proceed to the nearest harbor or safe
10 refuge in any case in which a watch or warning
11 is issued for wind speeds exceeding the wind
12 speed equivalent used to certify the stability of
13 such DUKW amphibious passenger vessel; and

14 (B) maintain and monitor a weather mon-
15 itor radio receiver at the operator station of the
16 vessel that is automatically activated by the
17 warning alarm device of the National Weather
18 Service.

19 (4) A requirement that—

20 (A) operators of DUKW amphibious pas-
21 senger vessels inform passengers that seat belts
22 may not be worn during waterborne operations;

23 (B) before the commencement of water-
24 borne operations, a crew member shall visually

1 check that the seatbelt of each passenger is un-
2 buckled; and

3 (C) operators or crew maintain a log re-
4 cording the actions described in subparagraphs
5 (A) and (B).

6 (5) A requirement for annual training for oper-
7 ators and crew of DUKW amphibious passenger ves-
8 sels, including—

9 (A) training for personal flotation and seat
10 belt requirements, verifying the integrity of the
11 vessel at the onset of each waterborne depart-
12 ure, identification of weather hazards, and use
13 of National Weather Service resources prior to
14 operation; and

15 (B) training for crew to respond to emer-
16 gency situations, including flooding, engine
17 compartment fires, man-overboard situations,
18 and in water emergency egress procedures.

19 (c) CONSIDERATION.—In issuing the regulations re-
20 quired under subsection (a), the Commandant shall con-
21 sider whether personal flotation devices should be required
22 for the duration of the waterborne transit of a DUKW
23 amphibious passenger vessel.

24 (d) WAIVER.—The Commandant may waive the re-
25 serve buoyancy requirements described in subsection

1 (b)(1) for a DUKW amphibious passenger vessel if the
2 Commandant certifies in writing, using the best available
3 science, to the appropriate congressional committees that
4 such requirement is not practicable or technically or prac-
5 tically achievable for such vessel.

6 (e) NOTICE TO PASSENGERS.—A DUKW amphibious
7 passenger vessel that receives a waiver under subsection
8 (d) shall provide a prominently displayed notice on its
9 website, ticket counter, and each ticket for passengers that
10 the vessel is exempt from meeting Coast Guard safety
11 compliance standards concerning reserve buoyancy.

12 (f) INTERIM REQUIREMENTS.—Prior to issuing final
13 regulations pursuant to subsection (a) and not later than
14 180 days after the date of enactment of this Act, the Com-
15 mandant shall require that operators of DUKW amphib-
16 ious passenger vessels implement the following require-
17 ments:

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

23 (2) If a canopy and window coverings are re-
24 moved from any such vessel pursuant to paragraph
25 (1), require that all passengers wear a personal flo-

1 tation device approved by the Coast Guard before
2 the onset of waterborne operations of such vessel.

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

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

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

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

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

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

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

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

3 (g) IMPLEMENTATION.—The Commandant shall im-
4 plement the interim requirements under subsection (f)
5 without regard to chapters 5 and 6 of title 5, United
6 States Code, and Executive Order Nos. 12866 and 13563
7 (5 U.S.C. 601 note).

8 (h) DEFINITIONS.—In this section:

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

15 (2) DUKW AMPHIBIOUS PASSENGER VESSEL.—
16 The term “DUKW amphibious passenger vessel”
17 means a vessel that uses, modifies, or is derived
18 from the GMC DUKW–353 design, and which is op-
19 erating as a small passenger vessel in waters subject
20 to the jurisdiction of the United States, as defined
21 in section 2.38 of title 33, Code of Federal Regula-
22 tions (or a successor regulation).

1 **SEC. 11503. 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 to read as follows:

15 **“§ 30502. Application**

16 “(a) IN GENERAL.—Except as otherwise provided,
17 this chapter (except section 30521) applies to seagoing
18 vessels and vessels used on lakes or rivers or in inland
19 navigation, including canal boats, barges, and lighters.

20 “(b) EXCEPTION.—This chapter (except for section
21 30526) shall not apply to covered small passenger ves-
22 sels.”.

23 (d) PROVISIONS REQUIRING NOTICE OF CLAIM OR
24 LIMITING TIME FOR BRINGING ACTION.—Section

1 30526(b) of title 46, United States Code, as redesignated
2 by subsection (a), is amended—

3 (1) in paragraph (1)—

4 (A) by inserting “, in the case of seagoing
5 vessels,” after “personal injury or death”; and

6 (B) by inserting “, or in the case of cov-
7 ered small passenger vessels, to less than two
8 years after the date of the injury or death”
9 after “date of the injury or death”; and

10 (2) in paragraph (2)—

11 (A) by inserting “, in the case of seagoing
12 vessels,” after “personal injury or death”; and

13 (B) by inserting “, or in the case of cov-
14 ered small passenger vessels, to less than two
15 years after the date of the injury or death”
16 after “date of the injury or death”.

17 (e) CHAPTER ANALYSIS.—The analysis for chapter
18 305 of title 46, United States Code, is amended—

19 (1) by inserting before the item relating to sec-
20 tion 30501 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

21 (2) by inserting after the item relating to sec-
22 tion 30502 the following:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

1 (3) by striking the item relating to section
2 30501 and inserting the following:

“30501. Definitions.”;

3 and

4 (4) by redesignating the items relating to sec-
5 tions 30503 through 30512 as items relating to sec-
6 tions 30521 through 30530, respectively.

7 (f) CONFORMING AMENDMENTS.—Title 46, United
8 States Code, is further amended—

9 (1) in section 14305(a)(5) by striking “section
10 30506” and inserting “section 30524”;

11 (2) in section 30523(a), as redesignated by sub-
12 section (a), by striking “section 30506” and insert-
13 ing “section 30524”;

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

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

19 (A) in the matter preceding paragraph (1)
20 by striking “sections 30505 and 30506” and in-
21 serting “sections 30523 and 30524”;

22 (B) in paragraph (1) by striking “section
23 30505” and inserting “section 30523”; and

24 (C) in paragraph (2) by striking “section
25 30506(b)” and inserting “section 30524(b)”.

1 **SEC. 11504. AT-SEA RECOVERY OPERATIONS PILOT PRO-**
2 **GRAM.**

3 (a) **IN GENERAL.**—The Secretary shall conduct a
4 pilot program to evaluate the potential use of remotely
5 controlled or autonomous operation and monitoring of cer-
6 tain vessels for the purposes of—

7 (1) better understanding the complexities of
8 such at-sea operations and potential risks to naviga-
9 tion safety, vessel security, maritime workers, the
10 public, and the environment;

11 (2) gathering observational and performance
12 data from monitoring the use of remotely-controlled
13 or autonomous vessels; and

14 (3) assessing and evaluating regulatory require-
15 ments necessary to guide the development of future
16 occurrences of such operations and monitoring ac-
17 tivities.

18 (b) **DURATION AND EFFECTIVE DATE.**—The dura-
19 tion of the pilot program established under this section
20 shall be not more than 5 years beginning on the date on
21 which the pilot program is established, which shall be not
22 later than 180 days after the date of enactment of this
23 Act.

24 (c) **AUTHORIZED ACTIVITIES.**—The activities author-
25 ized under this section include—

1 (1) remote over-the-horizon monitoring oper-
2 ations related to the active at-sea recovery of
3 spaceflight components on an unmanned vessel or
4 platform;

5 (2) procedures for the unaccompanied operation
6 and monitoring of an unmanned spaceflight recovery
7 vessel or platform; and

8 (3) unmanned vessel transits and testing oper-
9 ations without a physical tow line related to space
10 launch and recovery operations, except within 12
11 nautical miles of a port.

12 (d) INTERIM AUTHORITY.—In recognition of poten-
13 tial risks to navigation safety, vessel security, maritime
14 workers, the public, and the environment, and the unique
15 circumstances requiring the use of remotely operated or
16 autonomous vessels, the Secretary, in the pilot program
17 established under subsection (a), may—

18 (1) allow remotely controlled or autonomous
19 vessel operations to proceed consistent to the extent
20 practicable under the proposed title 33, United
21 States Code, and 46, United States Code, including
22 navigation and manning laws and regulations;

23 (2) modify or waive applicable regulations and
24 guidance as the Secretary considers appropriate to—

1 (A) allow remote and autonomous vessel
2 at-sea operations and activities to occur while
3 ensuring navigation safety; and

4 (B) ensure the reliable, safe, and secure
5 operation of remotely-controlled or autonomous
6 vessels; and

7 (3) require each remotely operated or autono-
8 mous vessel to be at all times under the supervision
9 of 1 or more individuals—

10 (A) holding a merchant mariner credential
11 which is suitable to the satisfaction of the Coast
12 Guard; and

13 (B) who shall practice due regard for the
14 safety of navigation of the autonomous vessel,
15 to include collision avoidance.

16 (e) **RULE OF CONSTRUCTION.**—Nothing in this sec-
17 tion shall be construed to authorize the Secretary to—

18 (1) permit foreign vessels to participate in the
19 pilot program established under subsection (a);

20 (2) waive or modify applicable laws and regula-
21 tions under the proposed title 33, United States
22 Code, and title 46, United States Code, except to the
23 extent authorized under subsection (d)(2);

1 (3) waive or modify applicable laws and regula-
2 tions under titles 49 and 51 of the United States
3 Code; or

4 (4) waive or modify any regulations arising
5 under international conventions.

6 (f) SAVINGS PROVISION.—Nothing in this section
7 may be construed to authorize the employment in the
8 coastwise trade of a vessel or platform that does not meet
9 the requirements of sections 12112, 55102, 55103, and
10 55111 of title 46, United States Code.

11 (g) AUTHORITY UNAFFECTED.—Nothing in this sec-
12 tion shall be construed to affect, impinge, or alter any au-
13 thority of the Secretary of Transportation under titles 49
14 and 51, United States Code.

15 (h) BRIEFINGS.—The Secretary or the designee of
16 the Secretary shall brief the Committee on Commerce,
17 Science, and Transportation of the Senate and the Com-
18 mittee on Transportation and Infrastructure and the
19 Committee on Science, Space, and Technology of the
20 House of Representatives on the program established
21 under subsection (a) on a quarterly basis.

22 (i) REPORT.—Not later than 180 days after the expi-
23 ration of the pilot program established under subsection
24 (a), the Secretary shall submit to the Committee on Com-
25 merce, Science, and Transportation of the Senate and the

1 Committee on Transportation and Infrastructure and the
2 Committee on Science, Space, and Technology of the
3 House of Representatives a final report regarding an as-
4 sessment of the execution of the pilot program and impli-
5 cations for maintaining navigation safety, the safety of
6 maritime workers, and the preservation of the environ-
7 ment.

8 (j) GAO REPORT.—

9 (1) IN GENERAL.—Not later than 18 months
10 after the date of enactment of this section, the
11 Comptroller General of the United States shall sub-
12 mit to the Committee on Commerce, Science, and
13 Transportation of the Senate and the Committee on
14 Transportation and Infrastructure of the House of
15 Representatives a report on the state of autonomous
16 and remote technologies in the operation of ship-
17 board equipment and the safe and secure navigation
18 of vessels in Federal waters of the United States.

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

21 (A) An assessment of commercially avail-
22 able autonomous and remote technologies in the
23 operation of shipboard equipment and the safe
24 and secure navigation of vessels during the 10

1 years immediately preceding the date of the re-
2 port.

3 (B) An analysis of the safety, physical se-
4 curity, cybersecurity, and collision avoidance
5 risks and benefits associated with autonomous
6 and remote technologies in the operation of
7 shipboard equipment and the safe and secure
8 navigation of vessels, including environmental
9 considerations.

10 (C) An assessment of the impact of such
11 autonomous and remote technologies, and all
12 associated technologies, on labor, including—

13 (i) roles for credentialed and
14 noncredentialed workers regarding such
15 autonomous, remote, and associated tech-
16 nologies; and

17 (ii) training and workforce develop-
18 ment needs associated with such tech-
19 nologies.

20 (D) An assessment and evaluation of regu-
21 latory requirements necessary to guide the de-
22 velopment of future autonomous, remote, and
23 associated technologies in the operation of ship-
24 board equipment and safe and secure naviga-
25 tion of vessels.

1 (E) An assessment of the extent to which
2 such technologies are being used in other coun-
3 tries and how such countries have regulated
4 such technologies.

5 (F) Recommendations regarding authoriza-
6 tion, infrastructure, and other requirements
7 necessary for the implementation of such tech-
8 nologies in the United States.

9 (3) CONSULTATION.—The report required
10 under paragraph (1) shall include, at a minimum,
11 consultation with the maritime industry including—

12 (A) vessel operators, including commercial
13 carriers, entities engaged in exploring for, de-
14 veloping, or producing resources, including non-
15 mineral energy resources in its offshore areas,
16 and supporting entities in the maritime indus-
17 try;

18 (B) shipboard personnel impacted by any
19 change to autonomous vessel operations, in
20 order to assess the various benefits and risks
21 associated with the implementation of autono-
22 mous, remote, and associated technologies in
23 the operation of shipboard equipment and safe
24 and secure navigation of vessels and the impact

1 such technologies would have on maritime jobs
2 and maritime manpower;

3 (C) relevant federally funded research in-
4 stitutions, non-governmental organizations, and
5 academia; and

6 (D) the commercial space industry.

7 (k) **MERCHANT MARINER CREDENTIAL DEFINED.**—

8 In this section, the term “merchant mariner credential”
9 means a merchant mariner license, certificate, or docu-
10 ment that the Secretary is authorized to issue pursuant
11 to title 46, United States Code.

12 **SEC. 11505. HISTORIC WOOD SAILING VESSELS.**

13 (a) **REPORT ON HISTORIC WOOD SAILING VES-**
14 **SELS.**—

15 (1) **IN GENERAL.**—Not later than 1 year after
16 the date of enactment of this Act, the Comptroller
17 General of the United States shall submit to the
18 Committee on Commerce, Science, and Transpor-
19 tation of the Senate and the Committee on Trans-
20 portation and Infrastructure of the House of Rep-
21 resentatives a report evaluating the practicability of
22 the application of section 3306(n)(3)(A)(v) of title
23 46, United States Code, to historic wood sailing ves-
24 sels.

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

3 (A) An assessment of the compliance, as of
4 the date on which the report is submitted under
5 paragraph (1), of historic wood sailing vessels
6 with section 3306(n)(3)(A)(v) of title 46,
7 United States Code.

8 (B) An assessment of the safety record of
9 historic wood sailing vessels.

10 (C) An assessment of any risk that modi-
11 fying the requirements under such section
12 would have on the safety of passengers and
13 crew of historic wood sailing vessels.

14 (D) An evaluation of the economic prac-
15 ticability of requiring the compliance of historic
16 wood sailing vessels with such section and
17 whether such compliance would meaningfully
18 improve safety of passengers and crew in a
19 manner that is both feasible and economically
20 practicable.

21 (E) Any recommendations to improve safe-
22 ty in addition to, or in lieu of, applying such
23 section to historic wood sailing vessels.

24 (F) Any other recommendations as the
25 Comptroller General determines are appropriate

1 with respect to the applicability of such section
2 to historic wood sailing vessels.

3 (G) An assessment to determine if historic
4 wood sailing vessels could be provided an ex-
5 emption to such section and the changes to leg-
6 islative or rulemaking requirements, including
7 modifications to section 177.500(q) of title 46,
8 Code of Federal Regulations (as in effect on the
9 date of enactment of this Act), that are nec-
10 essary to provide the Commandant the author-
11 ity to make such exemption or to otherwise pro-
12 vide for such exemption.

13 (b) CONSULTATION.—In completing the report re-
14 quired under subsection (a), the Comptroller General may
15 consult with—

- 16 (1) the National Transportation Safety Board;
- 17 (2) the Coast Guard; and
- 18 (3) the maritime industry, including relevant
19 federally funded research institutions, nongovern-
20 mental organizations, and academia.

21 (c) WAIVER FOR COVERED HISTORIC VESSELS.—
22 The captain of a port may waive the requirements of sec-
23 tion 3306(n)(3)(A)(v) of title 46, United States Code, with
24 respect to covered historic vessels for not more than 2

1 years after the date on which the report required under
2 subsection (a) is submitted.

3 (d) WAIVER FOR OTHER HISTORIC WOOD SAILING
4 VESSELS.—

5 (1) IN GENERAL.—The captain of a port may,
6 upon the request of the owner or operator of a his-
7 toric wood sailing vessel that is not a covered his-
8 toric vessel, waive the requirements of section
9 3306(n)(3)(A)(v) of title 46, United States Code,
10 with respect to the historic wood sailing vessel for
11 not more than 2 years after date on which the re-
12 port required under subsection (a) is submitted, if
13 the captain of the port—

14 (A) determines that it is technically infea-
15 sible for the historic wood sailing vessel to com-
16 ply with the requirements described in section
17 3306(n)(3)(A)(v) of title 46, United States
18 Code, due to its age; and

19 (B) approves the alternative arrangements
20 proposed for the historic wood sailing vessel in
21 accordance with paragraph (2).

22 (2) REQUEST AND ALTERNATIVE ARRANGE-
23 MENTS.—An owner or operator of a historic wood
24 sailing vessel requesting a waiver under paragraph
25 (1) shall submit such a request to the captain of a

1 port that includes the alternative arrangements the
2 owner or operator will take to ensure an equivalent
3 level of safety, to the maximum extent practicable,
4 to the requirements under section 3306(n)(3)(A)(v)
5 of title 46, United States Code.

6 (e) SAVINGS CLAUSE.—Nothing in this section shall
7 limit any authority available, as of the date of enactment
8 of this Act, to the captain of a port with respect to safety
9 measures or any other authority as necessary for the safe-
10 ty of historic wood sailing vessels.

11 (f) NOTICE TO PASSENGERS.—Any vessel that re-
12 ceives a waiver under subsection (c) or subsection (d)
13 shall, beginning on the date on which the requirements
14 under section 3306(n)(3)(v) of title 46, United States
15 Code, take effect, provide a prominently displayed notice
16 on its website, ticket counter, and each ticket for a pas-
17 senger that the vessel is exempt from meeting the Coast
18 Guard safety compliance standards concerning egress as
19 described under such section.

20 (g) DEFINITIONS.—In this section:

21 (1) COVERED HISTORIC VESSELS.—The term
22 “covered historic vessels” means each of the fol-
23 lowing:

24 (A) Adventuress (Official Number
25 210877).

- 1 (B) American Eagle (Official Number
2 229913).
- 3 (C) Angelique (Official Number 623562).
- 4 (D) Heritage (Official Number 649561).
- 5 (E) J & E Riggan (Official Number
6 226422).
- 7 (F) Ladona (Official Number 222228).
- 8 (G) Lady Washington (Official Number
9 944970).
- 10 (H) Lettie G. Howard (Official Number
11 222838).
- 12 (I) Lewis R. French (Official Number
13 015801).
- 14 (J) Mary Day (Official Number 288714).
- 15 (K) Stephen Taber (Official Number
16 115409).
- 17 (L) Victory Chimes (Official Number
18 136784).
- 19 (M) Grace Bailey (Official Number
20 085754).
- 21 (N) Mercantile (Official Number 214388).
- 22 (O) Mistress (Official Number 509004).
- 23 (P) Wendameen (Official Number
24 210173).

1 (2) HISTORIC WOOD SAILING VESSEL.—The
2 term “historic wood sailing vessel” means a covered
3 small passenger vessel, as defined in section
4 3306(n)(5) of title 46, United States Code, that—

5 (A) has overnight passenger accommoda-
6 tions;

7 (B) is a wood sailing vessel;

8 (C) has a hull constructed of wood;

9 (D) is principally equipped for propulsion
10 by sail, even if the vessel has an auxiliary
11 means of production;

12 (E) has no fewer than three masts; and

13 (F) was constructed before 1986.

14 **SEC. 11506. CERTIFICATES OF NUMBERS FOR UNDOCU-**
15 **MENTED VESSELS.**

16 Section 12304(a) of title 46, United States Code, is
17 amended—

18 (1) by striking “shall be pocketsized,”; and

19 (2) by inserting “in hard copy or digital form.

20 Any certificate issued in hard copy under this sec-

21 tion shall be pocketsized. The certificate shall be”

22 after “and may be”.

1 **SEC. 11507. COMPTROLLER GENERAL REVIEW AND REPORT**
2 **ON COAST GUARD OVERSIGHT OF THIRD-**
3 **PARTY ORGANIZATIONS.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of enactment of this Act, the Comptroller General
6 of the United States shall initiate a review that assesses
7 the oversight of the Coast Guard of third-party organiza-
8 tions.

9 (b) ELEMENTS.—In carrying out the review required
10 under subsection (a), the Comptroller General shall ana-
11 lyze the following:

12 (1) Coast Guard use of third-party organiza-
13 tions in the prevention mission of the Coast Guard
14 and the extent to which the Coast Guard plans to
15 increase such use to enhance prevention mission per-
16 formance, including resource use and specialized ex-
17 pertise.

18 (2) The extent to which the Coast Guard has
19 assessed the potential risks and benefits of using
20 third-party organizations to support prevention mis-
21 sion activities.

22 (3) The extent to which the Coast Guard pro-
23 vides oversight of third-party organizations author-
24 ized to support prevention mission activities.

25 (c) REPORT.—Not later than 1 year after initiating
26 the review required under subsection (a), the Comptroller

1 General shall submit to the Committee on Commerce,
2 Science, and Transportation of the Senate and the Com-
3 mittee on Transportation and Infrastructure of the House
4 of Representatives the results of such review.

5 **SEC. 11508. ARTICULATED TUG-BARGE MANNING.**

6 (a) IN GENERAL.—Notwithstanding the watch set-
7 ting requirements set forth in section 8104 of title 46,
8 United States Code, the Secretary shall authorize an Offi-
9 cer in Charge, Marine Inspection to issue an amended cer-
10 tificate of inspection that does not require engine room
11 watch setting to inspected towing vessels certificated prior
12 to July 19, 2022, forming part of an articulated tug-barge
13 unit, provided that such vessels are equipped with engi-
14 neering control and monitoring systems of a type accepted
15 for no engine room watch setting under a previously ap-
16 proved minimum safe manning document or certificate of
17 inspection for articulated tug-barge units.

18 (b) DEFINITIONS.—In this section:

19 (1) CERTIFICATE OF INSPECTION.—The term
20 “certificate of inspection” means a certificate of in-
21 spection under subchapter M of chapter I of title 46,
22 Code of Federal Regulations.

23 (2) INSPECTED TOWING VESSEL.—The term
24 “inspected towing vessel” means a vessel issued a
25 certificate of inspection.

1 **SEC. 11509. FISHING VESSEL SAFETY.**

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

4 (1) in section 4502(f)(2) by striking “certain
5 vessels described in subsection (b) if requested by
6 the owner or operator; and” and inserting the fol-
7 lowing: “vessels described in subsection (b) if—

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

9 “(B) the vessel is—

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

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

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

13 (2) in section 4503(b) by striking “Except as
14 provided in section 4503a, subsection (a)” and in-
15 serting “Subsection (a)”; and

16 (3) by repealing section 4503a.

17 (b) ALTERNATIVE SAFETY COMPLIANCE AGREE-
18 MENTS.—Nothing in this section or the amendments made
19 by this section shall be construed to affect or apply to any
20 alternative compliance and safety agreement entered into
21 by the Coast Guard that is in effect on the date of enact-
22 ment of this Act.

23 (c) CONFORMING AMENDMENTS.—The analysis for
24 chapter 45 of title 46, United States Code, is amended
25 by striking the item relating to section 4503a.

1 **SEC. 11510. EXEMPTIONS FOR CERTAIN PASSENGER VES-**
2 **SELS.**

3 Notwithstanding any other provision of law, require-
4 ments authorized under sections 3508 and 3509 of title
5 46, United States Code, shall not apply to any passenger
6 vessel, as defined in section 2101 of such title —

7 (1) that carries in excess of 250 passengers;

8 (2) that is, or was, in operation exclusively
9 within the inland rivers and internal waters of the
10 United States on voyages inside the Boundary Line,
11 as defined in section 103 of such title, on or before
12 July 27, 2030; and

13 (3) the operators or charterers of which oper-
14 ated any documented vessels with a coastwise en-
15 dorsement prior to January 1, 2024.

16 **Subtitle B—Merchant Mariner**
17 **Credentialing**

18 **SEC. 11511. MODERNIZING MERCHANT MARINER**
19 **CREDENTIALING SYSTEM.**

20 (a) REPORT.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of enactment of this Act, the Commandant
23 shall submit to the Committees on Commerce,
24 Science, and Transportation and Appropriations of
25 the Senate, and the Committees on Transportation
26 and Infrastructure and Appropriations of the House

1 of Representatives, a report on the financial, human,
2 and information technology infrastructure resources
3 needed to establish an electronic merchant mariner
4 licensing and documentation system.

5 (2) LEGISLATIVE AND REGULATORY SUGGES-
6 TIONS.—In preparing the report described in para-
7 graph (1), the Commandant—

8 (A) shall include recommendations for any
9 legislative or administrative actions as the Com-
10 mandant determines necessary to establish the
11 electronic merchant mariner licensing and docu-
12 mentation system described in paragraph (1) as
13 soon as possible; and

14 (B) may include findings, conclusions, or
15 recommendations from the study conducted
16 under subsection (b).

17 (b) STUDY.—

18 (1) IN GENERAL.—In preparing the report re-
19 quired under subsection (a), the Commandant and
20 the Administrator of the Maritime Administration,
21 in coordination with the Commander of the United
22 States Transportation Command, shall conduct a
23 study on the feasibility of developing and maintain-
24 ing a database as part of an electronic merchant
25 mariner licensing and documentation system that—

1 (A) contains records with respect to each
2 credentialed mariner, including credential valid-
3 ity, drug and alcohol testing results, and infor-
4 mation on any final adjudicated agency action
5 involving a credentialed mariner or regarding
6 any involvement in a marine casualty; and

7 (B) maintains such records in a manner
8 that allows data to be readily accessed by the
9 Federal Government for the purpose of assess-
10 ing workforce needs and for the purpose of the
11 economic and national security of the United
12 States.

13 (2) CONTENTS.—The study required under
14 paragraph (1) shall—

15 (A) include an assessment of the resources,
16 including information technology, and authori-
17 ties necessary to develop and maintain the data-
18 base described in such paragraph;

19 (B) specifically address ways to protect the
20 privacy interests of any individual whose infor-
21 mation may be contained within such database,
22 which shall include limiting access to the data-
23 base or having access to the database be mon-
24 itored by, or accessed through, a member of the
25 Coast Guard; and

1 (C) address the feasibility of incorporating
2 in such database a reporting mechanism to
3 alert the Administrator of the Maritime Admin-
4 istration each time a mariner's credential is re-
5 instated upon completion of a period of suspen-
6 sion as the result of a suspension and revoca-
7 tion proceeding under section 7702 of title 46,
8 United States Code, with details about the vio-
9 lation that led to such suspension.

10 (c) **ELECTRONIC MERCHANT MARINER LICENSING**
11 **AND DOCUMENTATION SYSTEM.**—Notwithstanding any
12 other provision of law, not later than 2 years after the
13 date of enactment of this Act, the Secretary shall imple-
14 ment an electronic merchant mariner licensing and docu-
15 mentation system.

16 **SEC. 11512. ASSESSMENT REGARDING APPLICATION PROC-**
17 **ESS FOR MERCHANT MARINER CREDEN-**
18 **TIALS.**

19 (a) **IN GENERAL.**—The Secretary shall conduct an
20 assessment to determine the resources, including per-
21 sonnel and computing resources, required to reduce the
22 amount of time necessary to process an application for a
23 merchant mariner credential to not more than 2 weeks
24 after the date of receipt of such application.

1 (b) BRIEFING REQUIRED.—Not later than 180 days
2 after the date of enactment of this Act, the Secretary shall
3 provide a briefing 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 with the results of the assessment re-
7 quired under subsection (a).

8 **SEC. 11513. GAO REPORT.**

9 (a) IN GENERAL.—Not later than 180 days after the
10 date of enactment of this Act, the Comptroller General
11 of the United States shall prepare and submit a report
12 to Congress that evaluates the processes of the National
13 Maritime Center for processing and approving merchant
14 mariner credentials, as of the date of enactment of this
15 Act.

16 (b) CONTENTS.—In preparing the report required
17 under subsection (a), the Comptroller General shall—

18 (1) analyze the effectiveness of the merchant
19 mariner credentialing process, as of the date of en-
20 actment of this Act;

21 (2) analyze the backlogs relating to the mer-
22 chant mariner credentialing process and the reasons
23 for such backlogs; and

24 (3) provide recommendations for improving and
25 expediting the merchant mariner credentialing proc-

1 ess, including funding needed to support improved
2 processing times.

3 **SEC. 11514. MILITARY TO MARINERS ACT OF 2022.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Military to Mariners Act of 2022”.

6 (b) **MODIFICATION OF SEA SERVICE REQUIREMENTS**
7 **FOR MERCHANT MARINER CREDENTIALS FOR VETERANS**
8 **AND MEMBERS OF THE UNIFORMED SERVICES.**—

9 (1) **REVIEW AND REGULATIONS.**—Notwith-
10 standing any other provision of law, not later than
11 2 years after the date of enactment of this Act, the
12 Secretary shall—

13 (A) review and examine—

14 (i) the timeframes and impediments
15 for veterans and members of the uniformed
16 services to receive a merchant mariner cre-
17 dential;

18 (ii) the classifications of sea service
19 acquired through training and service as a
20 member of the Uniformed Services and
21 level of equivalence such service has with
22 respect to sea service on merchant vessels;
23 and

24 (iii) the amount of sea service, includ-
25 ing percent of the total time onboard for

1 purposes of equivalent underway service,
2 that will be accepted as required experience
3 for all endorsements for applicants for a
4 merchant mariner credential who are vet-
5 erans or members of the Uniformed Serv-
6 ices; and

7 (B) issue new regulations to—

8 (i) streamline, ensure the accuracy of,
9 and expedite the transfer, review and ac-
10 ceptance of information pertaining to
11 training and sea time for applicants for a
12 merchant mariner credential who are vet-
13 erans or members of the Uniformed Serv-
14 ices;

15 (ii) increase the acceptable percent-
16 ages of time equivalent to sea service for
17 such applicants pursuant to findings of the
18 review and examination conducted under
19 subparagraph (A); and

20 (iii) reduce burdens and create a
21 means of alternative compliance to dem-
22 onstrate instructor competency for Stand-
23 ards of Training, Certification and
24 Watchkeeping for Seafarers courses.

1 (2) CONSULTATION.—In carrying out para-
2 graph (2), the Secretary shall consult with the Na-
3 tional Merchant Marine Personnel Advisory Com-
4 mittee and shall take into account the present and
5 future needs of the United States Merchant Marine
6 labor workforce.

7 (3) REPORT.—Not later than 180 days after
8 the date of enactment of this Act, the United States
9 Committee on the Marine Transportation System
10 shall submit to the Committees on Commerce,
11 Science, and Transportation and Armed Services of
12 the Senate and the Committees on Transportation
13 and Infrastructure and Armed Services of the House
14 of Representatives, a report that contains an update
15 on the activities carried out to implement—

16 (A) the July 2020 report by the Com-
17 mittee on the Marine Transportation System to
18 the White House Office of Trade and Manufac-
19 turing Policy on the implementation of Execu-
20 tive Order 13860 (84 Fed. Reg. 8407; relating
21 to supporting the transition of active duty
22 servicemembers and military veterans into the
23 Merchant Marine); and

1 (B) section 3511 of the National Defense
2 Authorization Act for Fiscal Year 2020 (46
3 U.S.C. 3702 note).

4 (c) ASSESSMENT OF SKILLBRIDGE FOR EMPLOY-
5 MENT AS A MERCHANT MARINER.—The Secretary, in col-
6 laboration with the Secretary of Defense, shall assess the
7 use of the SkillBridge program of the Department of De-
8 fense as a means for transitioning active duty sea service
9 personnel to employment as merchant mariners.

10 **SEC. 11515. DEFINITIONS.**

11 In this subtitle:

12 (1) CREDENTIALLED MARINER.—The term
13 “credentialed mariner” means an individual with a
14 merchant mariner credential.

15 (2) MERCHANT MARINER CREDENTIAL.—The
16 term “merchant mariner credential” has the mean-
17 ing given such term in section 7510(d) of title 46,
18 United States Code.

19 (3) UNIFORMED SERVICES.—The term “uni-
20 formed services” has the meaning given the term
21 “uniformed services” in section 2101 of title 5,
22 United States Code.

1 **Subtitle C—Other Matters**

2 **SEC. 11516. NONOPERATING INDIVIDUAL.**

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

8 **SEC. 11517. OCEANOGRAPHIC RESEARCH VESSELS.**

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

19 (b) **CONTENTS.**—The report required under sub-
20 section (a) shall include the following elements:

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

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

6 **SEC. 11518. PORT ACCESS ROUTES BRIEFING.**

7 (a) ATLANTIC COAST PORT ACCESS ROUTE.—Not
8 later than 30 days after the date of enactment of this Act,
9 and not less than every 30 days thereafter until the re-
10 quirements of section 70003 of title 46, United States
11 Code, are fully executed with respect to the Atlantic Coast
12 Port Access Route, the Secretary shall brief the Com-
13 mittee on Transportation and Infrastructure of the House
14 of Representatives and the Committee on Commerce,
15 Science, and Transportation of the Senate on any progress
16 made to execute such requirements.

17 (b) OTHER COAST PORT ACCESS ROUTES.—Not
18 later than 180 days after the date of enactment of this
19 Act, and not less than every 180 days thereafter until the
20 requirements of section 70003 of title 46, United States
21 Code, are fully executed with respect to each of the Alas-
22 kan Arctic, Gulf of Mexico and Pacific Coast port access
23 route studies, the Secretary shall brief the Committee on
24 Transportation and Infrastructure of the House of Rep-
25 resentatives and the Committee on Commerce, Science,

1 and Transportation of the Senate on the status of each
2 study and the implementation of any recommendations
3 made in each such study.

4 **SEC. 11519. DEFINITION OF STATELESS VESSEL.**

5 Section 70502(d)(1) of title 46, United States Code,
6 is amended—

7 (1) in subparagraph (B) by striking “and”
8 after the semicolon;

9 (2) in subparagraph (C) by striking the period
10 at the end and inserting “; and”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(D) a vessel aboard which no individual,
14 on request of an officer of the United States
15 authorized to enforce applicable provisions of
16 United States law, claims to be the master or
17 is identified as the individual in charge, and
18 that has no other claim of nationality or reg-
19 istry under paragraph (1) or (2) of subsection
20 (e).”.

21 **SEC. 11520. LIMITATION ON RECOVERY FOR CERTAIN INJU-**
22 **RIES INCURRED IN AQUACULTURE ACTIVI-**
23 **TIES.**

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

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

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

4 “(b) LIMITATION ON RECOVERY BY AQUACULTURE
5 WORKERS.—

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

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

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

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

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

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

24 “(ii) the cultivation and harvesting of
25 shellfish; and

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

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

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

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

10 **SEC. 11521. REPORT ON SECURING VESSELS AND CARGO.**

11 (a) **IN GENERAL.**—Not later than 1 year after the
12 date of enactment of this Act, the Comptroller General
13 of the United States shall conduct a study that assesses
14 the efforts of the Coast Guard with respect to securing
15 vessels and maritime cargo bound for the United States
16 from national security related risks and threats.

17 (b) **ELEMENTS.**—In conducting the study under sub-
18 section (a), the Comptroller General shall assess the fol-
19 lowing:

20 (1) Programs of the Coast Guard to secure ves-
21 sels and maritime cargo bound for the United States
22 from national security related risks and threats and
23 the extent to which such programs cover the critical
24 components of the global supply chain.

1 tional Defense Authorization Act for Fiscal Year 2021
2 (Public Law 116–283).

3 **SEC. 11523. LAND CONVEYANCE, SHARPE ARMY DEPOT,**
4 **LATHROP, CALIFORNIA.**

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

11 **SEC. 11524. PROHIBITION ON ENTRY AND OPERATION.**

12 (a) PROHIBITION.—

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

22 (2) LIMITATIONS ON APPLICATION.—

23 (A) IN GENERAL.—The prohibition under
24 paragraph (1) shall not apply with respect to a

1 vessel described in subsection (b) if the Sec-
2 retary of State determines that—

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

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

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

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

24 (3) SAVINGS CLAUSE.—The prohibition under
25 paragraph (1) shall not apply with respect to vessels

1 engaged in passage permitted under international
2 law.

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

7 (c) INFORMATION AND PUBLICATION.—The Sec-
8 retary, with the concurrence of the Secretary of State,
9 shall—

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

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

18 (d) NOTIFICATION OF GOVERNMENTS.—

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

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

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

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

18 (2) the Secretary allows provisional entry of the
19 vessel, or transfer of cargo from the vessel, under
20 subsection (f).

21 (f) PROVISIONAL ENTRY OR CARGO TRANSFER.—
22 Notwithstanding any other provision of this section, the
23 Secretary may allow provisional entry of, or transfer of
24 cargo from, a vessel, if such entry or transfer is necessary
25 for the safety of the vessel or persons aboard.

1 **SEC. 11525. FLOATING DRY DOCKS.**

2 Section 55122(a) of title 46, United States Code, is
3 amended—

4 (1) in paragraph (1)(C)—

5 (A) by striking “2015; and” and inserting
6 “2015; or”;

7 (B) by striking “(C) was” and inserting
8 the following:

9 “(C)(i) was”; and

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

11 “(ii) had a letter of intent for purchase by
12 such shipyard or affiliate signed prior to such
13 date of enactment; and”; and

14 (2) in paragraph (2) by inserting “or, in the
15 case of a dry dock described in paragraph (1)(C)(ii),
16 occurs between Honolulu, Hawaii, and Pearl Har-
17 bor, Hawaii” before the period at the end.

18 **SEC. 11526. UPDATED REQUIREMENTS FOR FISHING CREW**
19 **AGREEMENTS.**

20 Section 10601(b) of title 46, United States Code, is
21 amended—

22 (1) in paragraph (2) by striking “and” after
23 the semicolon;

24 (2) by redesignating paragraph (3) as para-
25 graph (4); and

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

3 “(3) in the case of a seaman employed on a ves-
4 sel that is a catcher processor or fish processing ves-
5 sel that employs more than 25 crewmembers, include
6 a requirement that each crewmember shall be served
7 not less than three meals a day that—

8 “(A) total not less than 3,100 calories; and

9 “(B) include adequate water and minerals
10 in accordance with the United States Rec-
11 ommended Daily Allowances; and”.

12 **TITLE CXVI—SEXUAL ASSAULT**
13 **AND SEXUAL HARASSMENT**
14 **PREVENTION AND RESPONSE**

15 **SEC. 11601. DEFINITIONS.**

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

18 (1) by redesignating paragraphs (45) through
19 (54) as paragraphs (47) through (56), respectively;
20 and

21 (2) by inserting after paragraph (44) the fol-
22 lowing:

23 “(45) ‘sexual assault’ means any form of abuse
24 or contact as defined in chapter 109A of title 18, or

1 a substantially similar offense under State, local, or
2 Tribal law.

3 “(46) ‘sexual harassment’ means—

4 “(A) conduct that—

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

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

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

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

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

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

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

15 “(C) any intentional or repeated unwel-
16 come verbal comment or gesture of a sexual na-
17 ture towards or about an individual by the indi-
18 vidual’s supervisor, a supervisor in another
19 area, a coworker, or another credentialed mar-
20 iner.”.

21 (b) REPORT.—The Commandant shall submit to the
22 Committee on Transportation and Infrastructure of the
23 House of Representatives and the Committee on Com-
24 merce, Science, and Transportation of the Senate a report
25 describing any changes the Commandant may propose to

1 the definitions added by the amendments in subsection
2 (a).

3 (c) CONFORMING AMENDMENTS.—

4 (1) AUTHORITY TO EXEMPT CERTAIN VES-
5 SELS.—Section 2113(3) of title 46, United States
6 Code, is amended by striking “section 2101(51)(A)”
7 and inserting “section 2101(53)(A)”.

8 (2) UNINSPECTED PASSENGER VESSELS.—Sec-
9 tion 4105 of title 46, United States Code, is amend-
10 ed—

11 (A) in subsections (b)(1) and (c) by strik-
12 ing “section 2101(51)” each place it appears
13 and inserting “section 2101”; and

14 (B) in subsection (d) by striking “section
15 2101(51)(A)” and inserting “section
16 2101(53)(A)”.

17 (3) GENERAL AUTHORITY.—Section
18 1131(a)(1)(E) of title 49, United States Code, is
19 amended by striking “section 2101(46)” and insert-
20 ing “section 116”.

21 **SEC. 11602. CONVICTED SEX OFFENDER AS GROUNDS FOR**
22 **DENIAL.**

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

1 **“§ 7511. Convicted sex offender as grounds for denial**

2 “(a) **SEXUAL ABUSE.**—A license, certificate of reg-
3 istry, or merchant mariner’s document authorized to be
4 issued under this part shall be denied to an individual who
5 has been convicted of a sexual offense prohibited under—

6 “(1) chapter 109A of title 18, except for sub-
7 section (b) of section 2244 of title 18; or

8 “(2) a substantially similar offense under State,
9 local, or Tribal law.

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

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

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

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

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

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

14 “(2) ADMINISTRATIVE LAW JUDGE REVIEW.—

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

22 “(B) LEGAL PROCEEDING.—A determina-
23 tion under paragraph (1)(A) that an individual
24 committed sexual harassment or sexual assault

1 is conclusive in suspension and revocation pro-
2 ceedings.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-
4 ter 77 of title 46, United States Code, is amended by in-
5 serting after the item relating to section 7704 the fol-
6 lowing:

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

7 **SEC. 11604. ACCOMMODATION; NOTICES.**

8 Section 11101 of title 46, United States Code, is
9 amended—

10 (1) in subsection (a)(3) by striking “and” at
11 the end;

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

14 (3) in subsection (a) by adding at the end the
15 following:

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

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

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

1 “(i) on the telephone number, website
2 address, and email address for reporting
3 allegations of sexual assault and sexual
4 harassment to the Coast Guard;

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

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

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

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

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

1 assault and sexual harassment, retaliation, and drug
2 and alcohol usage.”.

3 **SEC. 11605. PROTECTION AGAINST DISCRIMINATION.**

4 Section 2114(a) of title 46, United States Code, is
5 amended—

6 (1) in paragraph (1)—

7 (A) by redesignating subparagraphs (B)
8 through (G) as subparagraphs (C) through (H),
9 respectively; and

10 (B) by inserting after subparagraph (A)
11 the following:

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

18 (2) in paragraphs (2) and (3) by striking
19 “paragraph (1)(B)” and inserting “paragraph
20 (1)(C)”.

21 **SEC. 11606. ALCOHOL AT SEA.**

22 (a) IN GENERAL.—The Commandant shall seek to
23 enter into an agreement with the National Academy of
24 Sciences not later than 1 year after the date of enactment
25 of this Act under which the National Academy of Sciences

1 shall prepare an assessment to determine safe levels of al-
2cohol consumption and possession by crew members
3 aboard vessels of the United States engaged in commercial
4 service, except when such possession is associated with the
5 commercial sale to individuals aboard the vessel who are
6 not crew members.

7 (b) ASSESSMENT.—The assessment prepared pursu-
8 ant to subsection (a) shall—

9 (1) take into account the safety and security of
10 every individual on the vessel;

11 (2) take into account reported incidences of sex-
12 ual harassment or sexual assault, as defined in sec-
13 tion 2101 of title 46, United States Code; and

14 (3) provide any appropriate recommendations
15 for any changes to laws, regulations, or employer
16 policies.

17 (c) SUBMISSION.—Upon completion of the assess-
18 ment under this section, the National Academy of Sciences
19 shall submit to the Committee on Commerce, Science, and
20 Transportation of the Senate, the Committee on Trans-
21 portation and Infrastructure of the House of Representa-
22 tives, the Commandant, and the Secretary the assessment
23 prepared pursuant to subsection (a).

24 (d) REGULATIONS.—The Commandant—

1 (1) shall, not later than 180 days after receiv-
2 ing the submission of the assessment under sub-
3 section (c), review the changes to regulations rec-
4 ommended in such assessment; and

5 (2) taking into account the safety and security
6 of every individual on vessels of the United States
7 engaged in commercial service, may issue regulations
8 relating to alcohol consumption on such vessels.

9 (e) SAVINGS CLAUSE.—To the extent the Com-
10 mandant issues regulations establishing safe levels of alco-
11 hol consumption in accordance with subsection (d), the
12 Commandant may not issue regulations which prohibit—

13 (1) the owner or operator of a vessel from im-
14 posing additional restrictions on the consumption of
15 alcohol, including the prohibition of the consumption
16 of alcohol on such vessels; and

17 (2) possession of alcohol associated with the
18 commercial sale to individuals aboard the vessel who
19 are not crew members.

20 (f) REPORT REQUIRED.—If, by the date that is 2
21 years after the receipt of the assessment under subsection
22 (c), the Commandant does not issue regulations under
23 subsection (d), the Commandant shall provide a report by
24 such date to the committees described in subsection (c)—

1 (1) containing the rationale for not issuing such
2 regulations; and

3 (2) providing other recommendations as nec-
4 essary to ensure safety at sea.

5 **SEC. 11607. SURVEILLANCE REQUIREMENTS.**

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

9 **“CHAPTER 49—OCEANGOING NON-**
10 **PASSENGER COMMERCIAL VESSELS**

“Sec.
“4901. Surveillance requirements.

11 **“§ 4901. Surveillance requirements**

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

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

17 “(1) documented vessels with overnight accom-
18 modations for at least 10 individuals on board that
19 are—

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

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

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

6 “(3) vessels with overnight accommodations for
7 at least 10 individuals on board that are operating
8 for no less than 72 hours on waters superjacent to
9 the outer Continental Shelf (as defined in section
10 2(a) of the Outer Continental Shelf Lands Act (43
11 U.S.C. 1331(a)).

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

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

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

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

6 “(e) ACCESS TO VIDEO AND AUDIO RECORDS.—The
7 owner of a vessel to which this section applies shall ensure
8 that access to records of video and audio surveillance is
9 not used as part of a labor action against a crew member
10 or employment dispute unless used in a criminal or civil
11 action.

12 “(f) RETENTION REQUIREMENTS.—The owner of a
13 vessel to which this section applies shall retain all records
14 of audio and video surveillance for not less than 1 year
15 after the footage is obtained. Any video and audio surveil-
16 lance found to be associated with an alleged incident
17 should be preserved for not less than 5 years from the
18 date of the alleged incident.

19 “(g) PERSONNEL TRAINING.—A vessel owner or em-
20 ployer of a seafarer shall provide training for all individ-
21 uals employed by the owner or employer for the purpose
22 of responding to incidents of sexual assault or sexual har-
23 assment, including—

24 “(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 “(g) 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 “(h) EXEMPTION.—Fishing vessels, fish processing
13 vessels, and fish tender vessels are exempt from this sec-
14 tion.”.

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

“49. Oceangoing Non-Passenger Commercial Vessels 4901”.

19 **SEC. 11608. MASTER KEY CONTROL.**

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

23 **“§ 3106. Master key control system**

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

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

7 “(2) establish a list of all crew, identified by po-
8 sition, allowed to access and use the master key and
9 maintain such list upon the vessel, within owner
10 records and included in the vessel safety manage-
11 ment system;

12 “(3) record in a log book information on all ac-
13 cess and use of the vessel’s master key, including—

14 “(A) dates and times of access;

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

16 “(C) the name and rank of the crew mem-
17 ber that used the master key; and

18 “(4) make the list under paragraph (2) and the
19 log book under paragraph (3) available upon request
20 to any agent of the Federal Bureau of Investigation,
21 any member of the Coast Guard, and any law en-
22 forcement officer performing official duties in the
23 course and scope of an investigation.

24 “(b) PROHIBITED USE.—Crew not included on the
25 list described in subsection (a)(2) shall not have access

1 to or use the master key unless in an emergency and shall
2 immediately notify the master and owner of the vessel fol-
3 lowing use of such key.

4 “(c) REQUIREMENTS FOR LOG BOOK.—The log book
5 described in subsection (a)(3) and required to be included
6 in a safety management system under section
7 3203(a)(6)—

8 “(1) may be electronic; and

9 “(2) shall be located in a centralized location
10 that is readily accessible to law enforcement per-
11 sonnel.

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

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

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

“3106. Master key control system.”.

1 **SEC. 11609. REQUIREMENT TO REPORT SEXUAL ASSAULT**
2 **AND HARASSMENT.**

3 Section 10104 of title 46, United States Code, is
4 amended by striking subsections (a) and (b) and inserting
5 the following:

6 “(a) **MANDATORY REPORTING BY RESPONSIBLE EN-**
7 **TITY OF A VESSEL.—**

8 “(1) **IN GENERAL.—**The responsible entity of a
9 vessel shall report to the Commandant any com-
10 plaint or incident of harassment, sexual harassment,
11 or sexual assault in violation of employer policy or
12 law, of which such entity is made aware.

13 “(2) **PENALTY.—**A responsible entity of a ves-
14 sel who knowingly fails to report in compliance with
15 paragraph (1) is liable to the United States Govern-
16 ment for a civil penalty of not more than \$50,000.

17 “(b) **REPORTING PROCEDURES.—**

18 “(1) **RESPONSIBLE ENTITY OF A VESSEL RE-**
19 **PORTING.—**A report required under subsection (a)
20 shall be made immediately after the responsible enti-
21 ty of a vessel gains knowledge of a sexual assault or
22 sexual harassment incident by the fastest tele-
23 communication channel available to—

24 “(A) a single entity in the Coast Guard
25 designated by the Commandant to receive such
26 reports; and

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

4 “(2) CONTENTS.—Such shall include, to the
5 best of the knowledge of the individual making the
6 report—

7 “(A) the name, official position or role in
8 relation to the vessel, and contact information
9 of such individual;

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 sexual
16 harassment or sexual assault being re-
17 ported.

18 “(3) RECEIVING REPORTS; COLLECTION OF IN-
19 FORMATION.—

20 “(A) RECEIVING REPORTS.—With respect
21 to reports submitted under subsection (a), the
22 Commandant—

23 “(i) may establish additional reporting
24 procedures, including procedures for re-
25 ceiving reports through—

1 “(I) a single telephone number
2 that is continuously manned at all
3 times; and

4 “(II) a single email address that
5 is continuously monitored; and

6 “(ii) shall use procedures that include
7 preserving evidence in such reports and
8 providing emergency service referrals.

9 “(B) COLLECTION OF INFORMATION.—
10 After receipt of the report made under sub-
11 section (a), the Coast Guard shall collect infor-
12 mation related to the identity of each alleged
13 victim, alleged perpetrator, and any witnesses
14 identified in the report through means designed
15 to protect, to the extent practicable, the per-
16 sonal identifiable information of such individ-
17 uals.

18 “(c) SUBPOENA AUTHORITY.—

19 “(1) IN GENERAL.—The Commandant may
20 compel the testimony of witnesses and the produc-
21 tion of any evidence by subpoena to determine com-
22 pliance with this section.

23 “(2) JURISDICTIONAL LIMITS.—The jurisdic-
24 tional limits of a subpoena issued under this section
25 are the same as, and are enforceable in the same

1 manner as, subpoenas issued under chapter 63 of
2 this title.

3 “(d) COMPANY AFTER-ACTION SUMMARY.—

4 “(1) A responsible entity of a vessel that makes
5 a report under subsection (a) shall—

6 “(A) submit to the Commandant a docu-
7 ment with detailed information to describe the
8 actions taken by such entity after becoming
9 aware of the sexual assault or sexual harass-
10 ment incident, including the results of any in-
11 vestigation into the complaint or incident and
12 any action taken against the offending indi-
13 vidual; and

14 “(B) make such submission not later than
15 10 days after such entity made the report
16 under subsection (a).

17 “(2) CIVIL PENALTY.—A responsible entity of a
18 vessel that fails to comply with paragraph (1) is lia-
19 ble to the United States Government for a civil pen-
20 alty of \$25,000 and \$500 shall be added for each
21 day of noncompliance, except that the total amount
22 of a penalty with respect to a complaint or incident
23 shall not exceed \$50,000 per violation.

24 “(e) INVESTIGATORY AUDIT.—The Commandant
25 shall periodically perform an audit or other systematic re-

1 view of the submissions made under this section to deter-
2 mine if there were any failures to comply with the require-
3 ments of this section.

4 “(f) APPLICABILITY; REGULATIONS.—

5 “(1) REGULATIONS.— The Secretary may issue
6 regulations to implement the requirements of this
7 section.

8 “(2) INTERIM REPORTS.—Any report required
9 to be made to the Commandant under this section
10 shall be made to the Coast Guard National Com-
11 mand Center, until regulations implementing the
12 procedures required by this section are issued.

13 “(g) DEFINITION OF RESPONSIBLE ENTITY OF A
14 VESSEL.—In this section, the term ‘responsible entity of
15 a vessel’ means—

16 “(1) the owner, master, or managing operator
17 of a documented vessel engaged in commercial serv-
18 ice; or

19 “(2) the employer of a seafarer on such a ves-
20 sel.”.

21 **SEC. 11610. SAFETY MANAGEMENT SYSTEM.**

22 (a) SAFETY MANAGEMENT SYSTEM.—Section 3203
23 of title 46, United States Code, is amended—

24 (1) in subsection (a)—

1 (A) by redesignating paragraphs (5) and
2 (6) as paragraphs (7) and (8); and

3 (B) by inserting after paragraph (4) the
4 following:

5 “(5) with respect to sexual harassment and sex-
6 ual assault, procedures for, and annual training re-
7 quirements for all responsible persons and vessels to
8 which this chapter applies on—

9 “(A) prevention;

10 “(B) bystander intervention;

11 “(C) reporting;

12 “(D) response; and

13 “(E) investigation;

14 “(6) the list required under section 3106(a)(2)
15 and the log book required under section
16 3106(a)(3);”;

17 (2) by redesignating subsections (b) and (c) as
18 subsections (d) and (e), respectively; and

19 (3) by inserting after subsection (a) the fol-
20 lowing:

21 “(b) PROCEDURES AND TRAINING REQUIRE-
22 MENTS.—In prescribing regulations for the procedures
23 and training requirements described in subsection (a)(5),
24 such procedures and requirements shall be consistent with

1 the requirements to report sexual harassment or sexual
2 assault under section 10104.

3 “(c) AUDITS.—

4 “(1) CERTIFICATES.—

5 “(A) SUSPENSION.—During an audit of a
6 safety management system of a vessel required
7 under section 10104(e), 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 section 10104(e), the Secretary
17 shall 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 “(2) DOCUMENTS OF COMPLIANCE.—

5 “(A) IN GENERAL.—Following an audit of
6 the safety management system of a vessel re-
7 quired under section 10104(e), the Secretary
8 may audit the safety management system of the
9 responsible 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 (b) VERIFICATION OF COMPLIANCE.—Section
8 3205(c)(1) of title 46, United States Code, is amended
9 by inserting “, or upon discovery from other sources of
10 information acquired by the Coast Guard, including a dis-
11 covery made during an audit or systematic review con-
12 ducted under section 10104(e) of a failure of a responsible
13 person or vessel to comply with a requirement of a safety
14 management system for which a Safety Management Cer-
15 tificate and a Document of compliance has been issued
16 under this section, including a failure to comply with regu-
17 lations prescribed under section 3203(a)(7) and (8),”
18 after “periodically”.

19 **SEC. 11611. REPORTS TO CONGRESS.**

20 (a) IN GENERAL.—Chapter 101 of title 46, United
21 States Code, is amended by adding at the end the fol-
22 lowing:

23 **“§ 10105. Reports to Congress**

24 “(a) IN GENERAL.—Not later than 1 year after the
25 date of enactment of the Don Young Coast Guard Author-

1 ization Act of 2022, and on an annual basis thereafter,
2 the Commandant shall submit to the Committee on Com-
3 merce, Science, and Transportation of the Senate and the
4 Committee on Transportation and Infrastructure of the
5 House of Representatives a report that includes—

6 “(1) the number of reports received under sec-
7 tion 10104;

8 “(2) the number of penalties issued under such
9 section;

10 “(3) the number of open investigations under
11 such section, completed investigations under such
12 section, and the outcomes of such open or completed
13 investigations;

14 “(4) the number of assessments or audits con-
15 ducted under section 3203 and the outcome of those
16 assessments or audits;

17 “(5) a statistical analysis of compliance with
18 the safety management system criteria under section
19 3203;

20 “(6) the number of credentials denied or re-
21 voked due to sexual harassment, sexual assault, or
22 related offenses; and

23 “(7) recommendations to support efforts of the
24 Coast Guard to improve investigations and oversight
25 of sexual harassment and sexual assault in the mari-

1 time sector, including funding requirements and leg-
2 islative change proposals necessary to ensure compli-
3 ance with title CXVI of the Don Young Coast Guard
4 Authorization Act of 2022 and the amendments
5 made by such title.

6 “(b) PRIVACY.—In collecting the information re-
7 quired under subsection (a), the Commandant shall collect
8 such information in a manner that protects the privacy
9 rights of individuals who are subjects of such informa-
10 tion.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-
12 ter 101 of title 46, United States Code, is amended by
13 adding at the end the following:

“10105. Reports to Congress.”.

14 **TITLE CXVII—NATIONAL OCE-**
15 **ANIC AND ATMOSPHERIC AD-**
16 **MINISTRATION**

17 **Subtitle A—National Oceanic and**
18 **Atmospheric Administration**
19 **Commissioned Officer Corps**

20 **SEC. 11701. DEFINITIONS.**

21 Section 212(b) of the National Oceanic and Atmos-
22 pheric Administration Commissioned Officer Corps Act of
23 2002 (33 U.S.C. 3002(b)) is amended by adding at the
24 end the following:

1 “(8) UNDER SECRETARY.—The term ‘Under
2 Secretary’ means the Under Secretary of Commerce
3 for Oceans and Atmosphere.”.

4 **SEC. 11702. REQUIREMENT FOR APPOINTMENTS.**

5 Section 221(c) of the National Oceanic and Atmos-
6 pheric Administration Commissioned Officer Corps Act of
7 2002 (33 U.S.C. 3021(c)) is amended by striking “may
8 not be given” and inserting the following: “may—

9 “(1) be given only to an individual who is a cit-
10 izen of the United States; and

11 “(2) not be given.”.

12 **SEC. 11703. REPEAL OF REQUIREMENT TO PROMOTE EN-**
13 **SIGNS AFTER 3 YEARS OF SERVICE.**

14 (a) IN GENERAL.—Section 223 of the National Oce-
15 anic and Atmospheric Administration Commissioned Offi-
16 cer Corps Act of 2002 (33 U.S.C. 3023) is amended to
17 read as follows:

18 **“SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY**
19 **QUALIFIED.**

20 “If an officer in the permanent grade of ensign is
21 at any time found not fully qualified, the officer’s commis-
22 sion shall be revoked and the officer shall be separated
23 from the commissioned service.”.

24 (b) CLERICAL AMENDMENT.—The table of contents
25 in section 1 of the Act entitled “An Act to reauthorize

1 the Hydrographic Services Improvement Act of 1998, and
2 for other purposes” (Public Law 107–372) is amended by
3 striking the item relating to section 223 and inserting the
4 following:

“Sec. 223. Separation of ensigns found not fully qualified.”.

5 **SEC. 11704. AUTHORITY TO PROVIDE AWARDS AND DECO-**
6 **RATIONS.**

7 (a) IN GENERAL.—Subtitle A of the National Oce-
8 anic and Atmospheric Administration Commissioned Offi-
9 cer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amend-
10 ed by adding at the end the following:

11 **“SEC. 220. AWARDS AND DECORATIONS.**

12 “The Under Secretary may provide ribbons, medals,
13 badges, trophies, and similar devices to members of the
14 commissioned officer corps of the Administration and to
15 members of other uniformed services for service and
16 achievement in support of the missions of the Administra-
17 tion.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 in section 1 of the Act entitled “An Act to reauthorize
20 the Hydrographic Services Improvement Act of 1998, and
21 for other purposes” (Public Law 107–372) is amended by
22 inserting after the item relating to section 219 the fol-
23 lowing:

“Sec. 220. Awards and decorations.”.

1 **SEC. 11705. RETIREMENT AND SEPARATION.**

2 (a) INVOLUNTARY RETIREMENT OR SEPARATION.—

3 Section 241(a)(1) of the National Oceanic and Atmos-
4 pheric Administration Commissioned Officer Corps Act of
5 2002 (33 U.S.C. 3041(a)(1)) is amended to read as fol-
6 lows:

7 “(1) an officer in the permanent grade of cap-
8 tain or commander may—

9 “(A) except as provided by subparagraph
10 (B), be transferred to the retired list; or

11 “(B) if the officer is not qualified for re-
12 tirement, be separated from service; and”.

13 (b) RETIREMENT FOR AGE.—Section 243(a) of that
14 Act (33 U.S.C. 3043(a)) is amended by striking “be re-
15 tired” and inserting “be retired or separated (as specified
16 in section 1251(e) of title 10, United States Code)”.

17 (c) RETIREMENT OR SEPARATION BASED ON YEARS
18 OF CREDITABLE SERVICE.—Section 261(a) of that Act
19 (33 U.S.C. 3071(a)) is amended—

20 (1) by redesignating paragraphs (17) through
21 (26) as paragraphs (18) through (27), respectively;
22 and

23 (2) by inserting after paragraph (16) the fol-
24 lowing:

25 “(17) Section 1251(e), relating to retirement or
26 separation based on years of creditable service.”.

1 **SEC. 11706. IMPROVING PROFESSIONAL MARINER STAFF-**
2 **ING.**

3 (a) IN GENERAL.—Subtitle E of the National Oce-
4 anic and Atmospheric Administration Commissioned Offi-
5 cer Corps Act of 2002 (33 U.S.C. 3071 et seq.) is amend-
6 ed by adding at the end the following:

7 **“SEC. 269B. SHORE LEAVE FOR PROFESSIONAL MARINERS.**

8 “(a) IN GENERAL.—The Under Secretary may pre-
9 scribe regulations relating to shore leave for professional
10 mariners without regard to the requirements of section
11 6305 of title 5, United States Code.

12 “(b) REQUIREMENTS.—The regulations prescribed
13 under subsection (a) shall—

14 “(1) require that a professional mariner serving
15 aboard an ocean-going vessel be granted a leave of
16 absence of 4 days per pay period; and

17 “(2) provide that a professional mariner serving
18 in a temporary promotion position aboard a vessel
19 may be paid the difference between such mariner’s
20 temporary and permanent rates of pay for leave ac-
21 crued while serving in the temporary promotion posi-
22 tion.

23 “(c) PROFESSIONAL MARINER DEFINED.—In this
24 section, the term ‘professional mariner’ means an indi-
25 vidual employed on a vessel of the Administration who has

1 the necessary expertise to serve in the engineering, deck,
2 steward, electronic technician, or survey department.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 in section 1 of the Act entitled “An Act to reauthorize
5 the Hydrographic Services Improvement Act of 1998, and
6 for other purposes” (Public Law 107–372) is amended by
7 inserting after the item relating to section 269A the fol-
8 lowing:

“Sec. 269B. Shore leave for professional mariners.”.

9 **SEC. 11707. LEGAL ASSISTANCE.**

10 Section 1044(a)(3) of title 10, United States Code,
11 is amended by inserting “or the commissioned officer
12 corps of the National Oceanic and Atmospheric Adminis-
13 tration” after “Public Health Service”.

14 **SEC. 11708. ACQUISITION OF AIRCRAFT FOR AGENCY AIR,**
15 **ATMOSPHERE, AND WEATHER RECONNAIS-**
16 **SANCE AND RESEARCH MISSION.**

17 (a) INCREASED FLEET CAPACITY.—

18 (1) IN GENERAL.—The Under Secretary of
19 Commerce for Oceans and Atmosphere shall acquire
20 adequate aircraft platforms with the necessary ob-
21 servation and modification requirements—

22 (A) to meet agency-wide air reconnaissance
23 and research mission requirements, particularly
24 with respect to hurricanes and tropical cyclones,
25 and also for atmospheric chemistry, climate, air

1 quality for public health, full-season fire weath-
2 er research and operations, full-season atmos-
3 pheric river air reconnaissance observations,
4 and other mission areas; and

5 (B) to ensure data and information col-
6 lected by the aircraft are made available to all
7 users for research and operations purposes.

8 (2) CONTRACTS.—In carrying out paragraph
9 (1), the Under Secretary shall negotiate and enter
10 into 1 or more contracts or other agreements, to the
11 extent practicable and necessary, with 1 or more
12 governmental or nongovernmental entities.

13 (b) ACQUISITION OF AIRCRAFT TO REPLACE WP-3D
14 AIRCRAFT.—Subject to the availability of appropriations,
15 the Under Secretary may enter into a contract for the ac-
16 quisition of up to 6 aircraft to replace the WP-3D aircraft
17 that provides for—

18 (1) the first newly acquired aircraft to be fully
19 operational before the retirement of the last WP-3D
20 aircraft operated by the National Oceanic and At-
21 mospheric Administration; and

22 (2) the second newly acquired aircraft to be
23 fully operational not later than 1 year after the first
24 such aircraft is required to be fully operational
25 under subparagraph (A).

1 (c) ACQUISITION OF AIRCRAFT TO REPLACE END OF
2 LIFE-CYCLE AIRCRAFT.—Subject to the availability of ap-
3 propriations, the Under Secretary shall maintain the abil-
4 ity of the National Oceanic and Atmospheric Administra-
5 tion to meet agency air reconnaissance and research mis-
6 sion requirements by acquiring new aircraft prior to the
7 end of the service life of the aircraft being replaced with
8 sufficient lead time that the replacement aircraft is fully
9 operation prior to the retirement of the aircraft it is re-
10 placing.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—For fis-
12 cal year 2023, there is authorized to be appropriated to
13 the Under Secretary \$800,000,000 for the acquisition of
14 aircraft under this section.

15 **SEC. 11709. REPORT ON PROFESSIONAL MARINER STAFF-**
16 **ING MODELS.**

17 (a) IN GENERAL.—Not later than 18 months after
18 the date of the enactment of this Act, the Comptroller
19 General of the United States shall submit to the Com-
20 mittee on Commerce, Science, and Transportation of the
21 Senate and the Committee on Transportation and Infra-
22 structure and the Committee on Natural Resources of the
23 House of Representatives a report on staffing issues relat-
24 ing to professional mariners within the Office of Marine

1 and Aviation Operations of the National Oceanic and At-
2 mospheric Administration.

3 (b) ELEMENTS.—In conducting the report required
4 under subsection (a), the Comptroller General shall con-
5 sider—

6 (1) the challenges the Office of Marine and
7 Aviation Operations faces in recruiting and retaining
8 qualified professional mariners;

9 (2) workforce planning efforts to address such
10 challenges; and

11 (3) other models or approaches that exist, or
12 are under consideration, to provide incentives for the
13 retention of qualified professional mariners.

14 (c) PROFESSIONAL MARINER DEFINED.—In this sec-
15 tion, the term “professional mariner” means an individual
16 employed on a vessel of the National Oceanic and Atmos-
17 pheric Administration who has the necessary expertise to
18 serve in the engineering, deck, steward, or survey depart-
19 ment.

20 **Subtitle B—Other Matters**

21 **SEC. 11710. CONVEYANCE OF CERTAIN PROPERTY OF NA-** 22 **TIONAL OCEANIC AND ATMOSPHERIC ADMIN-** 23 **ISTRATION IN JUNEAU, ALASKA.**

24 (a) DEFINITIONS.—In this section:

1 (1) CITY.—The term “City” means the City
2 and Borough of Juneau, Alaska.

3 (2) MASTER PLAN.—The term “Master Plan”
4 means the Juneau Small Cruise Ship Infrastructure
5 Master Plan released by the Docks and Harbors
6 Board and Port of Juneau for the City and dated
7 March 2021.

8 (3) PROPERTY.—The term “Property” means
9 the parcel of real property consisting of approxi-
10 mately 2.4 acres, including tidelands, owned by the
11 United States and under administrative custody and
12 control of the National Oceanic and Atmospheric
13 Administration and located at 250 Egan Drive, Ju-
14 neau, Alaska, including any improvements thereon
15 that are not authorized or required by another provi-
16 sion of law to be conveyed to a specific individual or
17 entity.

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of Commerce, acting through the
20 Under Secretary of Commerce for Oceans and At-
21 mosphere and the Administrator of the National
22 Oceanic and Atmospheric Administration.

23 (b) CONVEYANCE AUTHORIZED.—

24 (1) IN GENERAL.—The Secretary may convey,
25 at fair market value, all right, title, and interest of

1 the United States in and to the Property, subject to
2 the restrictions in subsections (b)(2) and (c) and the
3 requirements of this section.

4 (2) RESTRICTION.—The Secretary may not
5 take action under this section until the Commandant
6 notifies the Secretary in writing that the Coast
7 Guard does not have an interest in acquiring the
8 property, or a period of 180 calendar days expires
9 following the date of enactment of this section.

10 (3) NOTIFICATION EXPIRATION.—If, the Sec-
11 retary has not received notification under paragraph
12 (2) at the end of the 180 calendar day period, the
13 Secretary and the Commandant shall notify the
14 Committee on Transportation and Infrastructure
15 and the Committee on Appropriations of the House
16 of Representatives and the Committee on Commerce,
17 Science, and Transportation and the Committee on
18 Appropriations of the Senate in writing that no noti-
19 fication has been received.

20 (4) TERMINATION OF AUTHORITY.—The au-
21 thority provided under paragraph (1) shall terminate
22 on the date that is 3 years after the date of the en-
23 actment of this Act.

24 (c) TRANSFER OF PROPERTY TO COAST GUARD.—

1 (1) IN GENERAL.—If not later than 180 cal-
2 endar days after the date of enactment of this Act
3 the Commandant notifies the Secretary that the
4 Coast Guard has an interest in the Property, the
5 Secretary shall transfer the Property to the Coast
6 Guard.

7 (2) TRANSFER.—Any transfer performed pur-
8 suant to this subsection shall—

9 (A) occur not later than 1 year of any
10 written notification required under paragraph
11 (1);

12 (B) include within the transfer from the
13 Department of Commerce to the Coast Guard
14 all legal obligations attached to ownership or
15 administrative control of the Property, interest
16 therein, or improvements thereto, including en-
17 vironmental compliance and restoration liabil-
18 ities and historical preservation liabilities and
19 responsibilities;

20 (C) be at no cost to the Department of
21 Commerce, to include all land survey costs;

22 (D) not affect or limit any remaining real
23 property interests held by the Department of
24 Commerce on any real property subject to such
25 transfer; and

1 (E) be accompanied by a memorandum of
2 agreement between the Coast Guard and the
3 Department of Commerce to require the Com-
4 mandant to allow—

5 (i) future access to, and use of, the
6 Property, including use of available pier
7 space, to accommodate the reasonable ex-
8 pectations of the Secretary for future oper-
9 ational and logistical needs in southeast
10 Alaska; and

11 (ii) continued access to, and use of,
12 existing facilities on the Property, includ-
13 ing a warehouse and machine shop, unless
14 the Commandant determines that the
15 Property on which the facilities are located
16 is needed to support polar operations, at
17 which time the Coast Guard shall provide
18 the Department of Commerce access to
19 and use of comparable space in reasonable
20 proximity to the existing facilities.

21 (d) RIGHT OF FIRST REFUSAL.—If the Coast Guard
22 does not transfer the Property under subsection (c), the
23 City shall have the right of first refusal with respect to
24 the purchase, at fair market value, of the Property.

1 (e) SURVEY.—The exact acreage and legal descrip-
2 tion of the Property shall be determined by a survey satis-
3 factory to the Secretary.

4 (f) CONDITION; QUITCLAIM DEED.—If the Property
5 is conveyed under subsection (b)(1), the Property shall be
6 conveyed—

7 (1) in an “as is, where is” condition; and

8 (2) via a quitclaim deed.

9 (g) FAIR MARKET VALUE.—

10 (1) IN GENERAL.—The fair market value of the
11 Property shall be—

12 (A) determined by an appraisal that—

13 (i) is conducted by an independent ap-
14 praiser selected by the Secretary; and

15 (ii) meets the requirements of para-
16 graph (2); and

17 (B) adjusted, at the Secretary’s discretion,
18 based on the factors described in paragraph (3).

19 (2) APPRAISAL REQUIREMENTS.—An appraisal
20 conducted under paragraph (1)(A) shall be con-
21 ducted in accordance with nationally recognized ap-
22 praisal standards, including the Uniform Standards
23 of Professional Appraisal Practice.

24 (3) FACTORS.—The factors described in this
25 paragraph are—

1 (A) matters of equity and fairness;

2 (B) actions taken by the City regarding
3 the Property, if the City exercises the right of
4 first refusal under subsection (d), including—

5 (i) comprehensive waterfront plan-
6 ning, site development, and other redevelop-
7 ment activities supported by the City in
8 proximity to the Property in furtherance of
9 the Master Plan;

10 (ii) in-kind contributions made to fa-
11 cilitate and support use of the Property by
12 governmental agencies; and

13 (iii) any maintenance expenses, capital
14 improvement, or emergency expenditures
15 made necessary to ensure public safety and
16 access to and from the Property; and

17 (C) such other factors as the Secretary
18 considers appropriate.

19 (h) COSTS OF CONVEYANCE.—If the City exercises
20 the right of first refusal under subsection (d), all reason-
21 able and necessary costs, including real estate transaction
22 and environmental documentation costs, associated with
23 the conveyance of the Property to the City under this sec-
24 tion may be shared equitably by the Secretary and the
25 City, as determined by the Secretary, including with the

1 City providing in-kind contributions for any or all of such
2 costs.

3 (i) PROCEEDS.—Any proceeds from a conveyance of
4 the Property under subsection (b)(1) shall—

5 (1) be credited as discretionary offsetting collec-
6 tions to the applicable appropriations accounts or
7 funds of the National Oceanic and Atmospheric Ad-
8 ministration that exists as of the date of enactment
9 of this Act; and

10 (2) be used to cover costs associated with the
11 conveyance of the Property, related relocation ef-
12 forts, and other facility and infrastructure projects
13 in Alaska and shall be made available for such pur-
14 poses only to the extent and in the amounts provided
15 in advance in appropriations Acts.

16 (j) MEMORANDUM OF AGREEMENT.—If the City ex-
17 ercises the right of first refusal under subsection (d), be-
18 fore finalizing a conveyance to the City under this section,
19 the Secretary and the City shall enter into a memorandum
20 of agreement to establish the terms under which the Sec-
21 retary shall have future access to, and use of, the Property
22 to accommodate the reasonable expectations of the Sec-
23 retary for future operational and logistical needs in south-
24 east Alaska.

1 (k) RESERVATION OR EASEMENT FOR ACCESS AND
2 USE.—The conveyance authorized under subsection (b)(1)
3 shall be subject to a reservation providing, or an easement
4 granting, the Secretary, at no cost to the United States,
5 a right to access and use the Property that—

6 (1) is compatible with the Master Plan; and

7 (2) authorizes future operational access and use
8 by other Federal, State, and local government agen-
9 cies that have customarily used the Property.

10 (l) LIABILITY.—In the event that the Property is con-
11 veyed to the City of Juneau the following shall apply:

12 (1) AFTER CONVEYANCE.—An individual or en-
13 tity to which a conveyance is made under this sec-
14 tion shall hold the United States harmless from any
15 liability with respect to activities carried out on or
16 after the date and time of the conveyance of the
17 Property.

18 (2) BEFORE CONVEYANCE.—The United States
19 shall remain responsible for any liability the United
20 States incurred with respect to activities carried out
21 by the United States on the Property before the date
22 and time of the conveyance of the Property.

23 (m) ADDITIONAL TERMS AND CONDITIONS.—The
24 Secretary may require such additional terms and condi-
25 tions in connection with a conveyance under this section

1 as the Secretary considers appropriate and reasonable to
2 protect the interests of the United States.

3 (n) ENVIRONMENTAL COMPLIANCE.—Nothing in this
4 section shall be construed to affect or limit the application
5 of or obligation to comply with any applicable environ-
6 mental law, including—

7 (1) the National Environmental Policy Act of
8 1969 (42 U.S.C. 4321 et seq.); or

9 (2) section 120(h) of the Comprehensive Envi-
10 ronmental Response, Compensation, and Liability
11 Act of 1980 (42 U.S.C. 9620(h)).

12 (o) CONVEYANCE NOT A MAJOR FEDERAL AC-
13 TION.—A conveyance under this section shall not be con-
14 sidered a major Federal action for purposes of section
15 102(2) of the National Environmental Policy Act of 1969
16 (42 U.S.C. 4332(2)).

17 **TITLE CXVIII—TECHNICAL, CON-**
18 **FORMING, AND CLARIFYING**
19 **AMENDMENTS**

20 **SEC. 11801. TERMS AND VACANCIES.**

21 (a) IN GENERAL.—Section 46101(b) of title 46,
22 United States Code, is amended by—

23 (1) in paragraph (2)—

24 (A) by striking “one year” and inserting
25 “2 years”; and

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

3 (2) in paragraph (3)—

4 (A) by striking “of the individual being
5 succeeded” and inserting “to which such indi-
6 vidual is appointed”;

7 (B) by striking “2 terms” and inserting “3
8 terms”; and

9 (C) by striking “the predecessor of that”
10 and inserting “such”.

11 (b) APPLICABILITY.—The amendments made by this
12 section shall not apply to Commissioners to whom section
13 403(b) of the Howard Coble Coast Guard and Maritime
14 Transportation Act of 2014 (Public Law 113–281) ap-
15 plies.

16 **SEC. 11802. PASSENGER VESSEL SECURITY AND SAFETY RE-**
17 **QUIREMENTS.**

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

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

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

24 “(B) has overnight accommodations for
25 250 or more passengers; and”.

1 **SEC. 11803. TECHNICAL CORRECTIONS.**

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

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

10 **SEC. 11804. TRANSPORTATION WORKER IDENTIFICATION**
11 **CREDENTIAL TECHNICAL AMENDMENTS.**

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

14 (1) in the section heading by striking “**secu-**
15 **riety cards**” and inserting “**worker identifica-**
16 **tion credentials**”;

17 (2) by striking “transportation security card”
18 each place it appears and inserting “transportation
19 worker identification credential”;

20 (3) by striking “transportation security cards”
21 each place it appears and inserting “transportation
22 worker identification credentials”;

23 (4) by striking “card” each place it appears
24 and inserting “credential”;

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

1 (6) in subsection (g) by striking “Assistant Sec-
2 retary of Homeland Security for” and inserting “Ad-
3 ministrator of”;

4 (7) by striking subsection (i) and redesignating
5 subsections (j) and (k) as subsections (i) and (j), re-
6 spectively;

7 (8) by striking subsection (l) and redesignating
8 subsections (m) through (q) as subsections (k)
9 through (o), respectively;

10 (9) in subsection (j), as so redesignated—

11 (A) in the subsection heading by striking
12 “SECURITY CARD” and inserting “WORKER
13 IDENTIFICATION CREDENTIAL”; and

14 (B) in the heading for paragraph (2) by
15 striking “SECURITY CARDS” and inserting
16 “WORKER IDENTIFICATION CREDENTIAL”;

17 (10) in subsection (k)(1), as so redesignated, by
18 striking “subsection (k)(3)” and inserting “sub-
19 section (j)(3)”;

20 (11) by striking paragraph (4) of subsection
21 (k), as so redesignated; and

22 (12) in subsection (o), as so redesignated—

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

1 (B) in paragraph (1)—

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

4 (ii) by striking “This plan shall” and
5 inserting “Such receipt and activation
6 shall”; and

7 (C) in paragraph (2) by striking “on-site
8 activation capability” and inserting “on-site re-
9 ceipt and activation of transportation worker
10 identification credentials”.

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

“70105. Transportation worker identification credentials.”.

15 (c) LIMITATION ON IMPLEMENTATION.—The Sec-
16 retary may not implement the rule entitled “Transpor-
17 tation Worker Identification Credential (TWIC)—Reader
18 Requirements” (81 Fed. Reg. 57651) for covered facilities
19 before May 8, 2026.

20 (d) COVERED FACILITIES DEFINED.—In this section,
21 the term “covered facilities” means—

22 (1) facilities that handle Certain Dangerous
23 Cargoes in bulk and transfer such cargoes from or
24 to a vessel;

1 (2) facilities that handle Certain Dangerous
2 Cargoes in bulk, but do not transfer it from or to
3 a vessel; and

4 (3) facilities that receive vessels carrying Cer-
5 tain Dangerous Cargoes in bulk but, during the ves-
6 sel-to-facility interface, do not transfer it from or to
7 the vessel.

8 **SEC. 11805. REINSTATEMENT.**

9 (a) REINSTATEMENT.—The text of section 12(a) of
10 the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly
11 known as the “Truman-Hobbs Act”, is—

12 (1) reinstated as it appeared on the day before
13 the date of the enactment of section 8507(b) of the
14 William M. (Mac) Thornberry National Defense Au-
15 thorization Act for Fiscal Year 2021 (Public Law
16 116–283; 134 Stat. 4754); and

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

19 (b) EFFECTIVE DATE.—The provision reinstated
20 under subsection (a) shall be treated as if such section
21 8507(b) had never taken effect.

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

1 **SEC. 11806. DETERMINATION OF BUDGETARY EFFECTS.**

2 The budgetary effects of this Act, for the purpose of
3 complying with the Statutory Pay-As-You-Go Act of 2010,
4 shall be determined by reference to the latest statement
5 titled “Budgetary Effects of PAYGO Legislation for this
6 Act”, submitted for printing in the Congressional Record
7 by the Chairman of the House Budget Committee, pro-
8 vided that such statement has been submitted prior to the
9 vote on passage.

10 **SEC. 11807. TECHNICAL AMENDMENT.**

11 (a) IN GENERAL.—Section 6304 of title 46, United
12 States Code, is amended—

13 (1) by striking “subpena” and inserting “sub-
14 poena” each place it appears; and

15 (2) in subsection (d) by striking “subpenas”
16 and inserting “subpoenas”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 63 of title 46, United States Code, is amended by
19 striking the item relating to section 6304 and inserting
20 the following:

“6304. Subpoena authority.”.

21 **SEC. 11808. LIGHTHOUSE SERVICE AMENDMENTS.**

22 (a) REPEALS.—The following provisions are repealed:

23 (1) Sections 1, 2, and 3 of the Act of March
24 6, 1896 (33 U.S.C. 474).

1 (2) Section 4 of the Act of June 17, 1910 (33
2 U.S.C. 711; 721).

3 (3) The first sentence of section 2 of the Act
4 of July 27, 1912 (33 U.S.C. 712).

5 (4) Section 10 of the Act of June 17, 1910 (33
6 U.S.C. 713).

7 (5) Section 6 of the Act of June 17, 1910 (33
8 U.S.C. 714).

9 (6) Section 5 of the Act of June 17, 1910 (33
10 U.S.C. 715).

11 (7) Section 4679 of the Revised Statutes.

12 (8) Section 4 of the Act of May 14, 1908 (33
13 U.S.C. 737).

14 (9) The first sentence of the sixteenth para-
15 graph of the section entitled “Coast Guard” under
16 the heading “Treasury Department” of the Act of
17 June 5, 1920 (33 U.S.C. 738).

18 (10) Section 7 of the Act of June 20, 1918 (33
19 U.S.C. 744).

20 (11) Section 2 of the Act of May 13, 1938 (33
21 U.S.C. 748a).

22 (12) The Act of June 15, 1938 (33 U.S.C.
23 752b).

24 (13) The last proviso of the second paragraph
25 of the section entitled “Lighthouse Service” under

1 the heading “Department of Commerce” of the Act
2 of November 4, 1918 (33 U.S.C. 763).

3 (14) Section 7 of the Act of June 6, 1940 (33
4 U.S.C. 763a–2).

5 (15) The last paragraph of the section entitled
6 “Lighthouse Service” under the heading “Depart-
7 ment of Commerce” of the Act of March 4, 1921
8 (33 U.S.C. 764).

9 (16) Sections 1 and 2 of the Act of March 4,
10 1925 (33 U.S.C. 765; 766).

11 (17) Section 5 of the Act of August 19, 1950
12 (33 U.S.C. 775).

13 (18) Subchapter III of chapter 25 of title 14,
14 United States Code, and the items relating to such
15 subchapter in the analysis for chapter 25 of such
16 title.

17 (b) OPERATION OF REPEALS.—The repeals under
18 paragraphs (5) and (6) of subsection (a) shall not affect
19 the operation of section 103 of title 14, United States
20 Code.

21 (c) TRANSFER.—Chapter 313 of the Act of Sep-
22 tember 15, 1922 is transferred to appear at the end of
23 subchapter III of chapter 5 of title 14, United States
24 Code, redesignated as section 548 of such title, and
25 amended—

1 (1) by striking “That hereafter the Commis-
2 sioner of Lighthouses” and insert “The Com-
3 mandant of the Coast Guard”; and

4 (2) by striking “Lighthouse Service” and in-
5 serting “Coast Guard”.

