117TH CONGRESS
2D SESSION

H. R. _____

To authorize appropriations for the Coast Guard, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. DeFazio (for himself, Mr. Graves of Missouri, Mr. Carbacho, and Mr. Gibbs) introduced the following bill; which was referred to the Committee on

A BILL

To authorize appropriations for the Coast Guard, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) Short Title.—This Act may be cited as the
5 “Coast Guard Authorization Act of 2022”.

6 (b) Table of Contents.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

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

**TITLE II—COAST GUARD**

Subtitle A—Military Personnel Matters

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

Subtitle B—Operational Matters

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

Subtitle C—Other Matters

Sec. 212. Responses of Commandant of the Coast Guard to safety recommendations.
Sec. 213. Conveyance of Coast Guard vessels for public purposes.
Sec. 214. Acquisition life-cycle cost estimates.
Sec. 215. National Coast Guard Museum funding plan.
Sec. 216. Report on Coast Guard explosive ordnance disposal.
Sec. 217. Pribilof Island transition completion actions.
Sec. 218. Notification of communication outages.

**TITLE III—MARITIME**

Subtitle A—Shipping

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

Subtitle B—Vessel Safety

Sec. 304. Fishing vessel safety.
Sec. 305. Requirements for DUKW-type amphibious passenger vessels.
Sec. 306. Exoneration and limitation of liability for small passengers vessels.

Subtitle C—Shipbuilding Program

Sec. 307. Loans for retrofitting to qualify as a vessel of the United States.
Sec. 308. Qualified vessel.
Sec. 309. Establishing a capital construction fund.

**TITLE IV—MISCELLANEOUS**
**Subtitle A—Navigation**

Sec. 401. Restriction on changing salvors.
Sec. 402. Towing vessel inspection fees.
Sec. 403. Providing requirements for vessels anchored in established anchorage grounds.
Sec. 404. Aquatic Nuisance Species Task Force.
Sec. 405. Limitation on recovery for certain injuries incurred in aquaculture activities.

**Subtitle B—Other Matters**

Sec. 406. Information on type approval certificates.
Sec. 407. Passenger vessel security and safety requirements.
Sec. 408. Cargo waiting time reduction.
Sec. 409. Limited indemnity provisions in standby oil spill response contracts.
Sec. 410. Port Coordination Council For Point Spencer.
Sec. 411. Alaska oil spill planning criteria.
Sec. 412. Nonapplicability.

**TITLE V—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE**

Sec. 501. Definitions.
Sec. 502. Convicted sex offender as grounds for denial.
Sec. 503. Sexual harassment or sexual assault as grounds for suspension or revocation.
Sec. 504. Accommodation; notices.
Sec. 505. Protection against discrimination.
Sec. 506. Alcohol prohibition.
Sec. 507. Surveillance requirements.
Sec. 508. Master key control.
Sec. 509. Safety management systems.
Sec. 510. Requirement to report sexual assault and harassment.
Sec. 511. Civil actions for personal injury or death of seamen.
Sec. 512. Administration of sexual assault forensic examination kits.

**TITLE VI—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS**

Sec. 601. Technical corrections.
Sec. 602. Transportation worker identification credential technical amendments.
Sec. 603. Reinstatement.

**TITLE I—AUTHORIZATION**

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

Section 4902 of title 14, United States Code, is amended—
(1) in the matter preceding paragraph (1) by striking “years 2020 and 2021” and inserting “years 2022 and 2023”;

(2) in paragraph (1)—

(A) in subparagraph (A)—

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

and

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

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

and

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

(3) in paragraph (2)—

(A) in subparagraph (A)—

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

and

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

and

(B) in subparagraph (B)—

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

(ii) by striking “$20,000,000 for fiscal year 2021” and inserting “$20,808,000 for fiscal year 2023”;

(4) in paragraph (3)—

(A) by striking “$13,834,000 for fiscal year 2020” and inserting “$14,393,220 for fiscal year 2022”; and

(B) by striking “$14,111,000 for fiscal year 2021” and inserting “$14,681,084 for fiscal year 2023”; and

(5) in paragraph (4)—

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

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

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

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

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

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

SEC. 103. SHORESIDE INFRASTRUCTURE AND FACILITIES.

(a) In general.—Of the amounts authorized to be appropriated under section 4902(2)(A) of title 14, United States Code, for each of fiscal years 2022 and 2023, up to $585,000,000 shall be authorized for the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction, rebuilding, or improvement of Coast Guard shoreside infrastructure and facilities necessary to support Coast Guard operations and readiness.

(b) Baltimore Coast Guard Yard.—Of the amounts set aside under subsection (a), up to $175,000,000 shall be authorized to improve facilities at the Coast Guard Yard in Baltimore, Maryland, including improvements to piers and wharves, dry dock, capital
equipment utilities, or dredging necessary to facilitate access to such Yard.

(c) Training Center Cape May.—Of the amounts set aside under subsection (a), up to $60,000,000 shall be authorized to fund Phase I, in fiscal year 2022, and Phase II, in fiscal year 2023, for the recapitalization of the barracks at the United States Coast Guard Training Center Cape May in Cape May, New Jersey.

(d) Mitigation of Hazard Risks.—In carrying out projects with funds authorized under this section, the Coast Guard shall mitigate, to the greatest extent practicable, natural hazard risks identified in any Shore Infrastructure Vulnerability Assessment for Phase I related to such projects.

SEC. 104. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF ADDITIONAL CUTTERS.

(a) In General.—Of the amounts authorized to be appropriated under—

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

(A) $300,000,000 shall be authorized for the acquisition of a twelfth National Security Cutter; and
(B) $210,000,000 shall be authorized for the acquisition of 3 Fast Response Cutters; and

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

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

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

(b) Treatment of Acquired Cutter.—Any cutter acquired using amounts authorized under subsection (a) shall be in addition to the National Security Cutters and Fast Response Cutters approved under the existing acquisition baseline in the program of record for the National Security Cutter and Fast Response Cutter.

(c) Great Lakes Icebreaker Acquisition.—Of the amounts authorized to be appropriated under section 4902(2)(A)(ii) of title 14, United States Code—

(1) for fiscal year 2022, $350,000,000 shall be authorized for the acquisition of a Great Lakes icebreaker at least as capable as Coast Guard Cutter Mackinaw (WLBB–30); and

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

TITLE II—COAST GUARD
Subtitle A—Military Personnel Matters

SEC. 201. AUTHORIZED STRENGTH.

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

“(c) The Secretary may vary the authorized end strength of the Coast Guard Selected Reserves for a fiscal year by a number equal to not more than 3 percent of such end strength upon a determination by the Secretary that varying such authorized end strength is in the national interest.

“(d) The Commandant may increase the authorized end strength of the Coast Guard Selected Reserves by a number equal to not more than 2 percent of such authorized end strength upon a determination by the Commandant that such increase would enhance Manning and readiness in essential units or in critical specialties or ratings.”.
SEC. 202. CONTINUATION OF OFFICERS WITH CERTAIN CRITICAL SKILLS ON ACTIVE DUTY.

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

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

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

“(b) Critical Skills, Specialty, or Career Field.—The Commandant shall designate any critical skill, specialty, or career field eligible for continuation on active duty as provided in subsection (a).

“(c) Duration of Continuation.—An officer continued on active duty pursuant to this section shall, if not earlier retired, be retired on the first day of the month after the month in which the officer completes 40 years of active service.

“(d) Policy.—The Commandant shall carry out this section by prescribing policy which shall specify the criteria to be used in designating any critical skill, specialty, or career field for purposes of subsection (b).”.
(b) CLERICAL AMENDMENT.—The analysis for chapter 21 of title 14, United States Code, is amended by inserting after the item relating to section 2165 the following:

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

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

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

"(a) MAXIMUM TOTAL NUMBER.—

"(1) IN GENERAL.—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed—

"(A) 7,100 in fiscal year 2022;

"(B) 7,200 in fiscal year 2023;

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

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

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

“(3) NOTIFICATION.—Not later than 30 days
after exceeding the total number of commissioned of-
cficers permitted under paragraph (1), and each 30
days thereafter until the total number of commis-
sioned officers no longer exceeds the number of such
officers permitted under paragraph (1), the Com-
mandant shall notify the Committee on Transport-
tation and Infrastructure of the House of Represent-
atives and the Committee on Commerce, Science,
and Transportation of the Senate of the number of
officers on the active duty promotion list on the last
day of the preceding 30-day period.”.

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

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

“§ 5113. Officers not on active duty promotion list

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

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

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

SEC. 204. COAST GUARD BEHAVIORAL HEALTH POLICY.

(a) INTERIM BEHAVIORAL HEALTH POLICY.—Not
later than 60 days after the date of enactment of this Act,
the Commandant of the Coast Guard shall establish an
interim behavioral health policy for members of the Coast
Guard equivalent to the policy described in section 5.28
(relating to behavioral health) of Department of Defense
Instruction 6130.03, volume 2, “Medical Standards for
Military Service: Retention”.

(b) TERMINATION.—The interim policy established
under subsection (a) shall remain in effect until the date
on which the Commandant issues a permanent behavior
health policy for members of the Coast Guard which is,
to the extent practicable, equivalent to such section 5.28.
SEC. 205. IMPROVING REPRESENTATION OF WOMEN AND OF RACIAL AND ETHNIC MINORITIES AMONG COAST GUARD ACTIVE-DUTY MEMBERS.

(a) In General.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall—

(1) determine which recommendations in the RAND representation report can practicably be implemented to promote improved representation in the Coast Guard of—

(A) women; and

(B) racial and ethnic minorities; and

(2) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the actions the Commandant has taken, or plans to take, to implement such recommendations.

(b) Curriculum and Training.—The Commandant shall update, to reflect actions described under subsection (a)(2), the curriculum and training materials used at—

(1) officer accession points, including the Coast Guard Academy and the Leadership Development Center;
(2) enlisted member accession at the United States Coast Guard Training Center Cape May in Cape May, New Jersey; and

(3) the officer, enlisted member, and civilian leadership courses managed by the Leadership Development Center.

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

Subtitle B—Operational Matters

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

(a) In general.—Not later than 2 years after the date of enactment of this Act, the Commandant of the Coast Guard shall conduct a pilot project to enhance cutter readiness and reduce lost patrol days through the deployment of commercially developed condition-based program standards for cutter maintenance, in accordance with the criteria set forth in subsection (b).
(b) CRITERIA FOR CONDITION-BASED MAINTENANCE EVALUATION.—In conducting the pilot project under subsection (a), the Commandant shall—

(1) select at least 1 legacy cutter asset and 1 class of cutters under construction with respect to which the application of the pilot project would enhance readiness;

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

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

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

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

c) REPORT TO CONGRESS.—The Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on
Transportation and Infrastructure of the House of Representatives—

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

(2) a final report not later than 2 years after the date of enactment of this Act on the results of the pilot project described in subsection (a) that includes—

(A) options to integrate commercially developed condition-based program standards for cutter maintenance to Coast Guard cutters; and

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

SEC. 207. UNMANNED SYSTEMS STRATEGY.

(a) Submission to Congress.—Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a detailed description of the strategy of the Coast Guard to implement unmanned systems across mission areas, including—
(1) the steps taken to implement actions recommended in the consensus study report of the National Academies of Sciences, Engineering, and Medicine published on November 12, 2020, titled “Leveraging Unmanned Systems for Coast Guard Missions: A Strategic Imperative”;

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

(3) a strategy to sustain competition and innovation for procurement of unmanned systems and services for the Coast Guard, including defining opportunities for new and existing technologies; and

(4) an estimate of the timeline, costs, staff resources, technology, or other resources necessary to accomplish the strategy.

(b) PILOT PROJECT.—

(1) AUTONOMOUS CONTROL AND COMPUTER VISION TECHNOLOGY.—The Commandant of the Coast Guard, acting through the Blue Technology Center of Expertise, shall conduct a pilot project to retrofit an existing Coast Guard small boat with—

(A) commercially available autonomous control and computer vision technology; and
(B) such sensors and methods of communication as are necessary to demonstrate the ability of such control and technology to assist in conducting search and rescue, surveillance, and interdiction missions.

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

(3) BRIEFING.—Not later than 6 months after completing the pilot project required under paragraph (1), the Commandant shall brief the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on commerce, Science, and Transportation of the Senate on the evaluation of the data derived from the project.

SEC. 208. BUDGETING OF COAST GUARD RELATING TO CERTAIN OPERATIONS.

(a) IN GENERAL.—Chapter 51 of title 14, United States Code, is further amended by adding at the end the following:
“§ 5114. Expenses of performing and executing defense readiness mission activities

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

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

“(2) costs associated with Coast Guard detachments assigned in support of the Coast Guard’s defense readiness mission; and

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

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 14, United States Code, is further amended by adding at the end the following:
SEC. 209. REPORT ON SAN DIEGO MARITIME DOMAIN AWARENESS.

Not later than 180 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

(1) an overview of the maritime domain awareness in the area of responsibility of the Coast Guard sector responsible for San Diego, California, including—

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

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

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

(D) an estimate of the volume of traffic engaged in illicit activity at sea in such area and the type and description of any vessels used.
to carry out illicit activities that such sector responded to during fiscal years 2020 through 2022; and

(E) the maritime domain awareness requirements to effectively meet the mission of such sector;

(2) a description of current actions taken by the Coast Guard to partner with Federal, regional, State, and local entities to meet the maritime domain awareness needs of such area;

(3) a description of any gaps in maritime domain awareness within the area of responsibility of such sector resulting from an inability to meet the enduring maritime domain awareness requirements of the sector or adequately respond to maritime disorder;

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

(5) an identification of capabilities needed to mitigate such gaps, including any capabilities the Coast Guard currently possesses that can be deployed to the sector;
(6) an identification of technology and assets the Coast Guard does not currently possess and are needed to acquire in order to address such gaps; and

(7) an identification of any financial obstacles that prevent the Coast Guard from deploying existing commercially available sensor technology to address such gaps.

SEC. 210. GREAT LAKES WINTER SHIPPING.

(a) GREAT LAKES ICEBREAKING OPERATIONS.—

(1) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on Coast Guard icebreaking in the Great Lakes.

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

(i) evaluate—

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

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

(III) the fleet mix of medium icebreakers and icebreaking tugs necessary to meet the standards proposed in paragraph (2); and

(IV) the resources necessary to support the fleet described in subclause (III), including billets for crew and operating costs; and

(ii) make recommendations to the Commandant for improvements to the Great Lakes icebreaking program, including with respect to facilitating shipping and meeting all Coast Guard mission needs.

(2) PROPOSED STANDARDS FOR ICEBREAKING OPERATIONS.—The proposed standards, the impact of the adoption of which is evaluated in subclauses
(II) and (III) of paragraph (1)(B)(i), are the follow-

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

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

(3) REPORT BY COMMANDANT.—Not later than 90 days after the date on which the Comptroller General submits the report under paragraph (1), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the following:
(A) A plan for Coast Guard implementation of any recommendation made by the Comptroller General under paragraph (1)(B)(ii) with which the Commandant concurs.

(B) With respect to any recommendation made under paragraph (1)(B)(ii) with which the Commandant does not concur, an explanation of the reasons why the Commandant does not concur.

(C) A review of, and a proposed implementation plan for, the results of the fleet mix analysis under paragraph (1)(B)(i)(III).

(D) Any proposed modifications to current Coast Guard standards for icebreaking operations in the Great Lakes.

(4) PILOT PROGRAM.—During the 5 ice seasons following the date of enactment of this Act, the Coast Guard shall conduct a pilot program to determine the extent to which the current Coast Guard Great Lakes icebreaking cutter fleet can meet the proposed standards described in paragraph (2).

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

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

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

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

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

(C) The period of time that each vessel engaged in commercial service or ferry was delayed in getting underway or during a transit of ice-covered waterways in the Great Lakes due to the nonavailability of a suitable icebreaking vessel.

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

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

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

(G) A description of any mitigating cir-
cumstance, such as Coast Guard Great Lakes
icebreaker diversions to higher priority mis-
sions, that may have contributed to the amount
of time described in subparagraphs (C) and (D)
or the percentage of time described in subpara-
graph (E).

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

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

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

(A) vessels engaged in commercial service;

and

(B) ferries.

(c) **REPORT ON COMMON HULL DESIGN.**—Section
8105 of the William M. (Mac) Thornberry National De-
fense Authorization Act for Fiscal Year 2021 (Public Law
116–283) is amended by striking subsection (b) and in-
serting the following:

“(b) **REPORT.**—Not later than 90 days after the date
of enactment of this subsection, the Commandant shall
submit to the Committee on Commerce, Science, and
Transportation of the Senate and the Committee on
Transportation and Infrastructure of the House of Representatives a report on the operational benefits and limitations of a common hull design for icebreaking cutters for operation in the Great Lakes, the Northeastern United States, and the Arctic, as appropriate, that are at least as capable as the Coast Guard 140-foot icebreaking tugs.”

(d) DEFINITIONS.—In this section:

(1) COMMERCIAL SERVICE.—The term “commercial service” has the meaning given such term in section 2101 of title 46, United States Code.

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

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

(B) includes harbors adjacent to such waters.

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

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

(A) meet the reasonable demands of ship-
ing;
(B) minimize delays to passenger ferries;
(C) extricate vessels and persons from dan-
ger;
(D) prevent damage due to flooding; and
(E) conduct other Coast Guard missions,
as required.

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

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

Section 807(d) of the Frank LoBiondo Coast Guard
Authorization Act of 2018 (14 U.S.C. 313 note) is amend-
ed to read as follows:
“(d) DEFINITION.—In this section, the term ‘Great Lakes’ means—

“(1) Lake Ontario;
“(2) Lake Erie;
“(3) Lake Huron (including Lake St. Clair);
“(4) Lake Michigan;
“(5) Lake Superior; and
“(6) the connecting channels (including the following rivers and tributaries of such rivers: Saint Mary’s River, Saint Clair River, Detroit River, Niagara River, Illinois River, Chicago River, Fox River, Grand River, St. Joseph River, St. Louis River, Menominee River, Muskegon River, Kalamazoo River, and Saint Lawrence River to the Canadian border).”.

Subtitle C—Other Matters

SEC. 212. RESPONSES OF COMMANDANT OF THE COAST GUARD TO SAFETY RECOMMENDATIONS.

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

“§ 721. Responses to safety recommendations

“(a) IN GENERAL.—Not later than 90 days after the submission to the Commandant of the Coast Guard of a recommendation by the National Transportation Safety
Board relating to transportation safety, the Commandant shall submit to the Board a written response to each recommendation, which shall include whether the Commandant—

“(1) concurs with the recommendation;
“(2) partially concurs with the recommendation;
or
“(3) does not concur with the recommendation.

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

“(1) with respect to a recommendation to which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;
“(2) with respect to a recommendation to which the Commandant partially concurs, an explanation of the actions the Commandant intends to take to implement the portion of such recommendation with which the Commandant partially concurs; and
“(3) with respect to a recommendation to which the Commandant does not concur, the reasons why the Commandant does not concur with such recommendation.

“(c) FAILURE TO RESPOND.—If the Board has not received the written response required under subsection
(a) by the end of the time period described in such subsection, the Board shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that such response has not been received.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by inserting after the item relating to section 720 the following: “721. Responses to safety recommendations.”.

SEC. 213. CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.

(a) REDESIGNATION AND TRANSFER.—Section 914 of the Coast Guard Authorization Act of 2010 (Public Law 111–281) is transferred to chapter 5 of title 14, United States Code, inserted after section 508, and redesignated as section 509.

(b) CONVEYANCE OF COAST GUARD VESSELS FOR PUBLIC PURPOSES.—Section 509 of title 14, United States Code (as redesignated under subsection (a)), is amended—

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

“(a) IN GENERAL.—At the request of the Commandant, the Administrator of the General Services Administration may transfer ownership of a Coast Guard
vessel or aircraft to an eligible entity for use for educational, cultural, historical, charitable, recreational, or other public purposes if such transfer is authorized by law.”; and

(2) in subsection (b)—

(A) in paragraph (1)—

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

(ii) by inserting “, as in effect on the date of enactment of the Coast Guard Authorization Act of 2021” after “Code of Federal Regulations”; and

(B) in paragraph (2) by inserting “, as in effect on the date of enactment of the Coast Guard Authorization Act of 2021” after “such title”.

SEC. 214. ACQUISITION LIFE-CYCLE COST ESTIMATES.

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

“(2) TYPES OF ESTIMATES.—For each Level 1 or Level 2 acquisition project or program, in addition to life-cycle cost estimates developed under paragraph (1), the Commandant shall require that—
“(A) such life-cycle cost estimates be up-
dated before—

“(i) each milestone decision is con-
clued; and

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

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

SEC. 215. NATIONAL COAST GUARD MUSEUM FUNDING

PLAN.

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

SEC. 216. REPORT ON COAST GUARD EXPLOSIVE ORD-
NANCE DISPOSAL.

(a) IN GENERAL.—Not later than 1 year after the
date of enactment of this Act, the Commandant of the
Coast Guard shall submit to the Committee on Transpor-
tation and Infrastructure of the House of Representatives
and the Committee on Commerce, Science, and Transport-
tation of the Senate a report on the viability of estab-
lishing an explosive ordnance disposal program (hereinafter referred to as the “Program”) in the Coast Guard.

(b) CONTENTS.—The report required under subsection (a) shall contain, at a minimum, an explanation of the following with respect to such a Program:

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

(A) Maritime Safety and Security Teams;

(B) Maritime Security Response Teams;

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

(D) elsewhere within the Coast Guard.

(3) The vehicles and dive craft that are Coast Guard airframe and vessel transportable that would be required for the transportation of explosive ordnance disposal elements.

(4) The Coast Guard stations at which—

(A) portable explosives storage magazines would be available for explosive ordnance disposal elements; and

(B) explosive ordnance disposal elements equipment would be pre-positioned.
(5) How the Program would support other elements within the Department of Homeland Security, the Department of Justice, and in wartime, the Department of Defense to—

(A) counter improvised explosive devices;

(B) counter unexploded ordnance;

(C) combat weapons of destruction;

(D) provide service in support of the President; and

(E) support national security special events.

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

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

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

(C) Ensign to that of Rear Admiral.

(7) Initial and annual budget justification estimates on a single program element of the Program for—

(A) civilian and military pay with details on military pay, including special and incentive pays such as—

(i) officer responsibility pay;
(ii) officer SCUBA diving duty pay;
(iii) officer demolition hazardous duty pay;
(iv) enlisted SCUBA diving duty pay;
(v) enlisted demolition hazardous duty pay;
(vi) enlisted special duty assignment pay at level special duty-5;
(vii) enlisted assignment incentive pays;
(viii) enlistment and reenlistment bonuses;
(ix) officer and enlisted full civilian clothing allowances;
(x) an exception to the policy allowing a third hazardous duty pay for explosive ordnance disposal-qualified officers and enlisted; and
(xi) parachutist hazardous duty pay;
(B) research, development, test, and evaluation;
(C) procurement;
(D) other transaction agreements;
(E) operations and support; and
(F) overseas contingency operations.
SEC. 217. Pribilof Island Transition Completion Actions.

(a) Extensions.—Section 524 of the Pribilof Island Transition Completion Act of 2016 (Public Law 114–120)—

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

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

(b) Actual Use and Occupancy Reports.—Not later than 90 days after enactment of this Act, and quarterly thereafter, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

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

(2) the status of the activities described in subsections (c) and (d) until such activities have been completed.
(c) AIRCRAFT HANGER.—The Secretary may—

(1) enter into a lease for a hangar to house deployed Coast Guard aircraft if such hanger was previously under lease by the Coast Guard for purposes of housing such aircraft; and

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

(d) FUEL TANK.—

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

(2) TRANSFER.—Subject to paragraph (3), if the Secretary determines such tank is not needed for operations, the Secretary shall, not later than 90 days after making such determination, transfer such tank to the Alaska Native Village Corporation for St. Paul Island, Alaska.

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

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

SEC. 218. NOTIFICATION OF COMMUNICATION OUTAGES.
Not later than 180 days after the date of enactment
of this Act, the Commandant of the Coast Guard shall
submit to the Committee on Transportation and Infra-
structure of the House of Representatives and the Com-
mittee on Commerce, Science, and Transportation of the
Senate a report that—

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

(2) address in such plan how the Coast Guard
in District 17 will—
(A) disseminate outage updates regarding outages on social media at least every 48 hours;

(B) provide updates on a publicly accessible website at least every 48 hours;

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

(D) generate receipt confirmation and acknowledgment of outages from mariners; and

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

(3) identifies technology gaps necessary to implement the plan and provide a budgetary assessment necessary to implement the plan.

TITLE III—MARITIME
Subtitle A—Shipping

SEC. 301. NONOPERATING INDIVIDUAL.

Section 8313(b) of the William M. (Mae) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) is amended by striking “the date that is 2 years after the date of the enactment of this Act” and inserting “January 1, 2025.”

SEC. 302. OCEANOGRAPHIC RESEARCH VESSELS.

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

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

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

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

SEC. 303. ATLANTIC COAST PORT ACCESS ROUTES BRIEFING.

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

Subtitle B—Vessel Safety

SEC. 304. FISHING VESSEL SAFETY.

(a) In General.—Chapter 45 of title 46, United States Code, is amended—

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

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

“(B) the vessel is—

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

“(ii) built before July 1, 2013; and

“(iii) 25 years of age or older; and”;

(2) in section 4503(b) by striking “Except as provided in section 4503a, subsection (a)” and inserting “Subsection (a)”; and

(3) by repealing section 4503a.
(b) ALTERNATIVE SAFETY COMPLIANCE AGREEMENTS.—Nothing in this section or the amendments made by this section shall be construed to affect or apply to any alternative compliance and safety agreement entered into by the Coast Guard that is in effect on the date of enactment of this Act.

(c) CONFORMING AMENDMENTS.—The table of sections in chapter 45 of title 46, United States Code, is amended by striking the item relating to section 4503a.

SEC. 305. REQUIREMENTS FOR DUKW-TYPE AMPHIBIOUS PASSENGER VESSELS.

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

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

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

(1) A requirement that operators of DUKW-type amphibious passenger vessels provide reserve
buoyancy for such vessels through passive means, including watertight compartmentalization, built-in flotation, or such other means as determined appropriate by the Commandant, in order to ensure that such vessels remain afloat and upright in the event of flooding, including when carrying a full complement of passengers and crew.

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

(A) review and notate the forecast of the National Weather Service of the National Oceanic and Atmospheric Administration in the logbook of the vessel before getting underway and periodically while underway;

(B) proceed to the nearest harbor or safe refuge in any case in which a watch or warning is issued for wind speeds exceeding the wind speed equivalent used to certify the stability of such DUKW-type amphibious passenger vessel; and

(C) maintain and monitor a weather monitor radio receiver at the operator station of the vessel that is automatically activated by the warning alarm device of the National Weather Service.
(3) A requirement that—

(A) operators of DUKW-type amphibious passenger vessels inform passengers that seat belts may not be worn during waterborne operations;

(B) before the commencement of waterborne operations, a crew member shall visually check that the seatbelt of each passenger is unbuckled; and

(C) operators or crew maintain a log recording the actions described in subparagraphs (A) and (B).

(4) A requirement for annual training for operators and crew of DUKW-type amphibious passengers vessels, including—

(A) training for personal flotation and seat belt requirements, verifying the integrity of the vessel at the onset of each waterborne departure, identification of weather hazards, and use of National Weather Service resources prior to operation; and

(B) training for crew to respond to emergency situations, including flooding, engine compartment fires, man-overboard situations, and in water emergency egress procedures.
(d) CONSIDERATION.—In issuing the regulations required under subsection (a), the Commandant shall consider whether personal flotation devices should be required for the duration of the waterborne transit of a DUKW-type amphibious passenger vessel.

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

(1) Remove the canopies and any window coverings of such vessels for waterborne operations, or install in such vessels a canopy that does not restrict horizontal or vertical escape by passengers in the event of flooding or sinking.

(2) If a canopy and window coverings are removed from any such vessel pursuant to paragraph (1), require that all passengers wear a personal flotation device approved by the Coast Guard before the onset of waterborne operations of such vessel.

(3) Reengineer such vessels to permanently close all unnecessary access plugs and reduce all through-hull penetrations to the minimum number and size necessary for operation.
(4) Install in such vessels independently powered electric bilge pumps that are capable of dewatering such vessels at the volume of the largest remaining penetration in order to supplement an operable Higgins pump or a dewatering pump of equivalent or greater capacity.

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

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

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

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

(9) Otherwise comply with any other provisions of relevant Coast Guard guidance or instructions in the inspection, configuration, and operation of such vessels.

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

(a) Restructuring.—Chapter 305 of title 46, United States Code, is amended—
(1) by inserting the following before section 30501 the following:

“Subchapter I—General Provisions”;

(2) by inserting the following before section 30503:

“Subchapter II—Exoneration and Limitation of Liability Generally”;

and

(3) by redesignating sections 30503 through 30512 as sections 30521 through 30530, respectively.

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

“§ 30501. Definitions

“In this chapter:

“(1) COVERED SMALL PASSENGER VESSEL.—

The term ‘covered small passenger vessel’—

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

“(i) not a wing-in-ground craft; and

“(ii) carrying—

“(I) not more than 49 passengers on an overnight domestic voyage; and
“(II) not more than 150 passengers on any voyage that is not an overnight domestic voyage; and

“(B) includes any wooden vessel constructed prior to March 11, 1996, carrying at least 1 passenger for hire.

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

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

“30501. Definitions.”.

(d) Applicability.—Section 30502 of title 46, United States Code, is amended by inserting “as to covered small passenger vessels, and” before “as otherwise provided”.

(e) Provisions Requiring Notice of Claim or Limiting Time for Bringing Action.—Section 30526 of title 46, United States Code, as redesignated by subsection (a), is amended—

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

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

(f) TABLES OF SUBCHAPTERS AND TABLES OF SECTIONS.—The table of sections for chapter 305 of title 46, United States Code, is amended—

(1) by inserting before section 30501 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

(2) by inserting after section 30502 the following:

“SUBCHAPTER II—EXONERATION AND LIMITATION OF LIABILITY”;

and

(3) by redesignating the items relating to sections 30503 through 30512 as items relating to sections 30521 through 30530, respectively.

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

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

(2) in section 30523(a), as redesignated by subsection (a), by striking “section 30506” and inserting “section 30524”;

(3) in section 30524(b), as redesignated by subsection (a), by striking “section 30505” and inserting “section 30523”; and

(4) in section 30525—
(A) by striking “section 30505” and “section 30523”;

(B) by striking “section 30506” and inserting “section 30524”; and

(C) by striking “section 30506(b)” and inserting “section 30524(b)”.

Subtitle C—Shipbuilding Program

SEC. 307. LOANS FOR RETROFITTING TO QUALIFY AS A VESSEL OF THE UNITED STATES.

Section 53706(a) of title 46, United States Code, is amended by adding at the end the following:

“(8) Financing (including reimbursement of an obligor for expenditures previously made for) the reconstruction, reconditioning, retrofitting, repair, or similar work in a shipyard located in the United States—

“(A) required for the vessel to be a vessel of the United States;

“(B) required for the vessel to be issued a coastwise endorsement under chapter 121;

“(C) to convert a civilian vessel of the United States to a more useful military configuration;

“(D) for any vessel under contract to the Federal Government; or
“(E) for any vessel participating in—

“(i) the Maritime Security Program under chapter 531;

“(ii) the Cable Security Fleet under chapter 532; or

“(iii) the Tanker Security Fleet under chapter 534.”.

SEC. 308. QUALIFIED VESSEL.

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

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

(2) in subparagraph (B)(v) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

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

“(D) a passenger vessel or small passenger vessel, as such terms are defined in section 2101, that has a passenger capacity of 50 passengers or greater.”.

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

(1) in subparagraph (A)(iii) by striking “and” at the end;
(2) in subparagraph (B)(v) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

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

“(D) a passenger vessel or small passenger vessel, as such terms are defined in section 2101, that has a passenger capacity of 50 passengers or greater.”.

SEC. 309. ESTABLISHING A CAPITAL CONSTRUCTION FUND.

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

TITLE IV—MISCELLANEOUS
Subtitle A—Navigation

SEC. 401. RESTRICTION ON CHANGING SALVORS.

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

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

“(D) In any case in which the Coast Guard authorizes a deviation from the salvor as part of a deviation under subparagraph (B) from the applicable response plan required under subsection (j), the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the deviation and the reasons for such deviation.”.

SEC. 402. TOWING VESSEL INSPECTION FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for towing vessels required to have a Certificate of Inspection under subchapter M of title 46, Code of Federal Regulations, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282); and
(2) the promulgation of regulations to establish specific inspection fees for such vessels.

SEC. 403. PROVIDING REQUIREMENTS FOR VESSELS ANCHORED IN ESTABLISHED ANCHORAGE GROUNDS.

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

"§ 70006. Anchorage grounds

(a) ANCHORAGE GROUNDS.—

"(1) ESTABLISHMENT.—The Secretary of the department in which the Coast Guard is operating shall define and establish anchorage grounds in the navigable waters of the United States for vessels operating in such waters.

"(2) RELEVANT FACTORS FOR ESTABLISHMENT.—In carrying out paragraph (1), the Secretary shall take into account all relevant factors concerning navigational safety, protection of the marine environment, proximity to undersea pipelines and cables, safe and efficient use of Marine Transportation System, and national security.

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

"(1) set and maintain an anchor alarm for the duration of an anchorage;
“(2) comply with any directions or orders issued by the Captain of the Port; and

“(3) comply with any applicable anchorage regulations.

“(c) PROHIBITIONS.—A vessel may not—

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

“(2) anchor in near proximity, within distances determined by the Coast Guard, to an undersea pipeline or cable, unless authorized or directed to by the Captain of the Port; and

“(3) anchor or remain anchored in an anchorage ground during any period in which the Captain of the Port orders closure of the anchorage ground due to inclement weather, navigational hazard, a threat to the environment, or other safety or security concern.

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

(b) REGULATORY REVIEW.—

(1) REVIEW REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Sec-
Secretary of the department in which the Coast Guard is operating shall complete a review of existing anchorage regulations and identify regulations that may need modification—

(A) in the interest of marine safety, security, and environmental concerns, taking into account undersea pipelines, cables, or other infrastructure; and

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

(2) BRIEFING.—Upon completion of the review under paragraph (1), but not later than 2 years after the date of enactment of this Act, the Secretary shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Subcommittee on Coast Guard and Maritime Transportation of the Committee on Transportation and Infrastructure of the House of Representatives that summarizes the review.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 700 of title 46, United States Code, is amended by striking the item relating to section 70006 and inserting the following:

“70006. Anchorage grounds.”.

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

SEC. 404. AQUATIC NUISANCE SPECIES TASK FORCE.

(a) RECREATIONAL VESSEL DEFINED.—Section
1003 of the Nonindigenous Aquatic Nuisance Prevention
and Control Act of 1990 (16 U.S.C. 4702) is amended—
(1) by redesignating paragraphs (13) through
(17) as paragraphs (15) through (19), respectively; and
(2) by inserting after paragraph (12) the fol-
lowing:

“(13) ‘State’ means each of the several States,
the District of Columbia, American Samoa, Guam,
Puerto Rico, the Northern Mariana Islands, and the
Virgin Islands of the United States;
“(14) ‘recreational vessel’ has the meaning
given that term in section 502 of the Federal Water
Pollution Control Act (33 U.S.C. 1362);”.

(b) OBSERVERS.—Section 1201 of the Nonindigenous
Aquatic Nuisance Prevention and Control Act of 1990 (16
U.S.C. 4721) is amended by adding at the end the fol-
lowing:
“(g) Observers.—The chairpersons designated under subsection (d) may invite representatives of non-governmental entities to participate as observers of the Task Force.”.

(c) Aquatic Nuisance Species Task Force.—Section 1201(b) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4721(b)) is amended—

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

(2) by redesignating paragraph (7) as paragraph (10); and

(3) by inserting after paragraph (6) the following:

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

“(8) the Director of the Bureau of Land Management;

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

(d) Aquatic Nuisance Species Program.—Section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722) is amended—

(1) in subsection (e) by adding at the end the following:
“(4) TECHNICAL ASSISTANCE AND RECOMMENDATIONS.—The Task Force may provide technical assistance and recommendations for best practices to an agency or entity engaged in vessel inspections or decontaminations for the purpose of—

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

“(B) inspecting recreational vessels in a manner that minimizes disruptions to public access for boating and recreation in non-contaminated vessels.

“(5) CONSULTATION.—In carrying out paragraph (4), including the development of recommendations, the Task Force may consult with—

“(A) State fish and wildlife management agencies;

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

“(C) relevant nongovernmental entities.”;

and

(2) in subsection (k) by adding at the end the following:
“(3) Not later than 90 days after the date of enactment of the Coast Guard Authorization Act of 2022, the Task Force shall submit a report to Congress recommending legislative, programmatic, or regulatory changes to eliminate remaining gaps in authorities between members of the Task Force to effectively manage and control the movement of aquatic nuisance species.”

(e) Technical Corrections and Conforming Amendments.—The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) is further amended—

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

(2) in section 1003, in paragraph (7), by striking “Canandian” and inserting “Canadian”;

(3) in section 1203(a)—

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

(B) in paragraph (3), by striking “encourage” and inserting “encouraged”;

(4) in section 1204(b)(4), in the paragraph heading, by striking “ADMINISTRATIVE” and inserting “ADMINISTRATIVE”; and
SEC. 405. LIMITATION ON RECOVERY FOR CERTAIN INJURIES INCURRED IN AQUACULTURE ACTIVITIES.

(a) In General.—Section 30104 of title 46, United States Code, is amended—

(1) by inserting “(a) In General.—” before the first sentence; and

(2) by adding at the end the following:

“(b) Limitation on Recovery by Aquaculture Workers.—

“(1) In General.—For purposes of subsection (a), the term ‘seaman’ does not include an individual who—

“(A) is an aquaculture worker if State workers’ compensation is available to such individual; and

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

“(2) Aquaculture Worker Defined.—In this subsection, the term ‘aquaculture worker’ means an individual who—
“(A) is employed by a commercial enterprise that is involved in the controlled cultivation and harvest of aquatic plants and animals, including—

“(i) the cleaning, processing, or canning of fish and fish products;

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

“(iii) the controlled growing and harvesting of other aquatic species;

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

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

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

Subtitle B—Other Matters

SEC. 406. INFORMATION ON TYPE APPROVAL CERTIFICATES.

(a) IN GENERAL.—Title IX of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282) is amended by adding at the end the following:
SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFICATES.

“The Commandant of the Coast Guard shall, upon request by any State, the District of Columbia, or territory of the United States, provide all data possessed by the Coast Guard pertaining to challenge water quality characteristics, challenge water biological organism concentrations, post-treatment water quality characteristics, and post-treatment biological organism concentrations data for a ballast water management system with a type approval certificate approved by the Coast Guard pursuant to subpart 162.060 of title 46, Code of Federal Regulations.”

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

“904. Information on type approval certificates.”

SEC. 407. PASSENGER VESSEL SECURITY AND SAFETY REQUIREMENTS.

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

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

(2) by striking subparagraph (B) and inserting the following:
“(B) has overnight accommodations for
250 or more passengers; and”.

SEC. 408. CARGO WAITING TIME REDUCTION.

(a) Interagency Task Force.—The President
shall, acting through the Supply Chain Disruptions Task
Force established under Executive Order 14017 (relating
11849) (hereinafter referred to as the “Task Force”),
carry out the duties described in subsection (c).

(b) Duties.—In carrying out this section, the Task
Force shall—

(1) evaluate and quantify the economic and en-
environmental impact of cargo backlogs;

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

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

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

(A) develop a plan to—

(i) significantly reduce or eliminate
such cargo backlog; and
(ii) reduce nationwide cargo processing delays, including the Port of Los Angeles and the Port of Long Beach; and

(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the plan developed under subparagraph (A).

(c) REPORT OF THE COMMANDANT.—No later than 90 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on cargo backlogs that includes—

(1) an explanation of the extent to which vessels carrying cargo are complying with the requirements of chapter 700 of title 46, United States Code;

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

(3) with respect to such vessels, a summary of actions taken or planned to be taken by the Commandant to—

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

(B) address other safety concerns and environmental impacts.

SEC. 409. LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.

(a) IN GENERAL.—Subject to subsections (b) and (c), a contract for the containment or removal of a discharge entered into by the President under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)) shall contain a provision to indemnify a contractor for liabilities and expenses incidental to the containment or removal arising out of the performance of the contract that is substantially identical to the terms contained in subsections (d) through (h) of section I.4 (except for paragraph (1) of subsection (d)) of the contract offered by the Coast Guard in the solicitation numbered DTCG89–98–A–68F953, dated November 17, 1998.

(b) REQUIREMENTS.—
(1) **SOURCE OF FUNDS.**—The provision required under subsection (a) shall include a provision that the obligation to indemnify is limited to funds available in the Oil Spill Liability Trust Fund established by section 9509(a) of the Internal Revenue Code of 1986 at the time the claim for indemnity is made.

(2) **UNCOMPENSATED REMOVAL.**—A claim for indemnity under a contract described in subsection (a) shall be made as a claim for uncompensated removal costs under section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)).

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

(e) **APPLICABILITY OF EXEMPTIONS.**—Notwithstanding subsection (a), the United States shall not be obligated to indemnify a contractor for any act or omission of the contractor carried out pursuant to a contract entered into under this section where such act or omission is grossly negligent or which constitutes willful misconduct.
SEC. 410. PORT COORDINATION COUNCIL FOR POINT SPENCER.

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

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

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

“(2) The Secretary of Homeland Security.

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

(2) in subsection (c)(1)—

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

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

“(C) land use planning and development on the Bering Sea, the Chukchi Sea, and the Arctic Ocean, in support of—

“(i) search and rescue;

“(ii) shipping safety;

“(iii) economic development;

“(iv) oil spill prevention and response;

“(v) national security;

“(vi) major marine casualties;

“(vii) protection of Alaska Native ar-
“(viii) port of refuge, arctic research, and maritime law enforcement.”;

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

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

(4) in subsection (e)—

(A) by striking “Operations and management costs” and inserting the following:

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

(B) by adding at the end the following:

“(2) FUNDING.—To facilitate the mooring buoy system in Port Clarence and to assist the Council in the development of other oil spill prevention and response infrastructure, including reactivating the airstrip at Point Spencer with appropriate technology and safety equipment in support of response operations, there is authorized to be made available $5,000,000 for each of fiscal years 2023 through 2025 from the interest generated from the Oil Spill Liability Trust Fund.”.
SEC. 411. ALASKA OIL SPILL PLANNING CRITERIA.

(a) ALASKA OIL SPILL PLANNING CRITERIA.—Section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)) is amended by adding at the end the following:

“(J)(i) Except as provided in clause (iv), in any case in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in the area of responsibility of Coast Guard Sector Anchorage, a response plan required under this paragraph with respect to a discharge of oil for the vessel shall comply with the planning criteria established under clause (ii), which planning criteria shall, with respect to a discharge of oil from the vessel, supercede the national planning criteria and apply in lieu of any alternative planning criteria approved for vessels operating in such area.

“(ii) The President shall establish planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within the area of responsibility of Coast Guard Sector Anchorage, including planning criteria for the following:

“(I) Mechanical oil spill response resources that are required to be located within such area.
“(II) Response times for mobilization of oil spill response resources and arrival on the scene of a worst case discharge of oil, or substantial threat of such a discharge, occurring within such area.

“(III) Dedicated vessels for oil spill response that are capable of operating in the ocean environment and required to be located within such area.

“(IV) Ensuring the availability of at least one oil spill removal organization that is classified by the Coast Guard and that—

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

“(bb) provides vessel routing measures consistent with international routing measure deviation protocols;

“(cc) maintains real-time continuous vessel tracking, monitoring, and engagement protocols with the ability to detect and address vessel operation anomalies;

“(dd) has the capability to manage wildlife protection and rehabilitation;

“(ee) controls oil spill response resources of dedicated and nondedicated re-
source providers within such area, through ownership, contracts, agreements, or other means approved by the President, sufficient to mobilize and sustain a response to a worst case discharge of oil and to contain, recover, and temporarily store discharged oil; and

“(ff) has pre-positioned all of its oil spill response resources in strategic locations throughout such area in a manner that ensures the ability to support response personnel, marine operations, air cargo, or other related logistics infrastructure.

“(V) Temporary storage capability using both dedicated and non-dedicated assets located within such area.

“(VI) Non-mechanical oil spill response resources, to be available under contracts, agreements, or other means approved by the President, capable of responding to both a discharge of persistent oil and a discharge of non-persistent oil, whether the discharged oil was carried by a vessel as fuel or cargo.
“(VII) With respect to tank barges carrying non-persistent oil in bulk as cargo to be delivered to communities within such area, oil spill response resources that is required to be carried on board.

“(VIII) Ensuring that oil spill response resources otherwise required to be included in a response plan for purposes of compliance with salvage and marine firefighting requirements are not used to meet the requirements of this subparagraph.

“(IX) Specifying a minimum length of time that approval of a response plan under this subparagraph is valid.

“(iii) The President may approve a response plan for a vessel under this subparagraph only if the owner or operator of the vessel demonstrates the availability of the oil spill response resources required to be included in the response plan under the planning criteria established under clause (ii).

“(iv) Nothing in this subparagraph affects —

“(I) vessels operating within the area of responsibility of the Coast Guard sector responsible for Anchorage, Alaska, with primary operations occurring within Cook Inlet, Alaska; or
“(II) the requirements applicable to tank vessels subject to section 5005 of the Oil Pollution Act of 1990 (33 U.S.C. 2735).”.

(b) Establishment of Alaska Oil Spill Planning Criteria.—

(1) Deadline.—Not later than 180 days after the date of enactment of this Act, the President shall establish the planning criteria required to be established under subparagraph (J) of section 311(j)(5) of the Federal Water Pollution Control Act of (33 U.S.C. 1321(j)(5)), as added by this section.

(2) Consultation.—In establishing such planning criteria, the President shall consult with the State of Alaska, owners and operators of vessels subject to such planning criteria, oil spill removal organizations, Alaska Native organizations, and environmental non-governmental organizations located within the State of Alaska.

(c) Congressional Report.—Not later than one year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to Congress a report regarding the status of implementing the requirements of subparagraph (J) of
section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)), as added by this section.

SEC. 412. NONAPPLICABILITY.

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

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

(2) to which sections 3507 and 3508 would otherwise apply when such vessels are operating inside the boundary line.

TITLE V—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

SEC. 501. DEFINITIONS.

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

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

(2) by inserting after paragraph (44) the following:
“(45) ‘sexual assault’ means any form of abuse or contact as defined in chapter 109A of title 18, or a substantially similar State, local, or Tribal offense.

“(46) ‘sexual harassment’ means—

“(A) conduct that—

“(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature if any—

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

“(II) submission to, or rejection, of such conduct by an individual is used as a basis for decisions affecting that individual’s job, pay, career, benefits, or entitlements;

“(III) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile, or offensive work environment; or
“(IV) conduct may have been by an individual’s supervisor, a supervisor in another area, a co-worker, or another credentialed mariner; and

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

“(B) any use or condonation associated with first-hand or personal knowledge, by any individual in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, benefits, entitlements, or employment of a subordinate; and

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

(b) REPORT.—The Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing any changes the Commandant may propose to the definitions added by the amendments in subsection (a).
SEC. 502. CONVICTED SEX OFFENDER AS GROUNDS FOR DENIAL.

(a) IN GENERAL.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

“§ 7511. Convicted sex offender as grounds for denial

“(a) SEXUAL ABUSE.—A license, certificate of registry, or merchant mariner’s document authorized to be issued under this part shall be denied to an individual who has been convicted of a sexual offense prohibited under chapter 109A of title 18, except for subsection (b) of section 2244 of title 18, or a substantially similar State, local, or Tribal offense.

“(b) ABUSIVE SEXUAL CONTACT.—A license, certificate of registry, or merchant mariner’s document authorized to be issued under this part may be denied to an individual who within 5 years before applying for the license, certificate, or document, has been convicted of a sexual offense prohibited under subsection (b) of section 2244 of title 18, or a substantially similar State, local, or Tribal offense.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 75 of title 46, United States Code, is amended by adding at the end the following:

“§7511. Convicted sex offender as grounds for denial.”.
SEC. 503. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS
GROUNDS FOR SUSPENSION OR REVOCATION.

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

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

“(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 5 years before the beginning of the suspension and revocation proceedings, is the subject of an official finding of sexual harassment, then the license, certificate of registry, or merchant mariner’s document may be suspended or revoked.

“(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner’s document issued under this part, within 10 years before the beginning of the suspension and revocation proceedings, is the subject of an official finding of sexual assault, then the license, certificate of registry, or merchant mariner’s document shall be revoked.

“(c) OFFICIAL FINDING.—
“(1) IN GENERAL.—In this section, the term
‘official finding’ means—

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

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

“(2) INVESTIGATION BY THE COAST GUARD.—
An investigation by the Coast Guard under para-
graph (1)(B) shall include, at a minimum, evalua-
tion of the following materials that, upon request,
shall be provided to the Coast Guard:

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

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

“(3) ADMINISTRATIVE LAW JUDGE REVIEW.—

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

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

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

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

SEC. 504. ACCOMMODATION; NOTICES.

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

(1) in subsection (a)(3), by striking “and” at
the end;
(2) in subsection (a)(4), by striking the period at the end and inserting ‘‘; and’’;

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

‘‘(5) each crew berthing area shall be equipped with information regarding—

‘‘(A) vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol usage; and

‘‘(B) procedures and resources to report crimes, including sexual assault and sexual harassment, including information—

‘‘(i) on the contact information, website address, and mobile application to the Coast Guard Investigative Services for reporting of crimes and the Coast Guard National Command Center;

‘‘(ii) on vessel owner or company procedures to report violations of company policy and access resources;

‘‘(iii) on resources provided by outside organizations such as sexual assault hotlines and counseling;

‘‘(iv) on the retention period for surveillance video recording after an incident
of sexual harassment or sexual assault is reported; and

“(v) additional items specified in regulations issued by, and at the discretion of, the Secretary of the department in which the Coast Guard is operating.”; and

(4) in subsection (d), by adding at the end the following: “In each washing space in a visible location there shall be information regarding procedures and resources to report crimes upon the vessel, including sexual assault and sexual harassment, and vessel owner or company policies prohibiting sexual assault and sexual harassment, retaliation, and drug and alcohol usage.”.

SEC. 505. PROTECTION AGAINST DISCRIMINATION.

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

(1) by redesignating subparagraphs (B) through (G) as subsections (C) through (H), respectively; and

(2) by inserting after subparagraph (A) the following:

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

SEC. 506. ALCOHOL PROHIBITION.

(a) Regulations.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall, taking into account the safety and security of every individual on documented vessels, issue such regulations as are necessary relating to alcohol consumption on documented vessels, according to the following requirements:

(A) The Secretary shall determine safe levels of alcohol consumption by crewmembers aboard documented vessels engaged in commercial service.

(B) If the Secretary determines there is no alcohol policy that can be implemented to ensure a safe environment for crew and passengers, the Secretary shall implement a prohibition on possession and consumption of alcohol by crewmembers while aboard a vessel, except when possession is associated with the commer-
cial sale or gift to non-crew members aboard
the vessel.

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

SEC. 507. SURVEILLANCE REQUIREMENTS.

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

“CHAPTER 49—OCEANOING NON-
PASSENGER COMMERCIAL VESSELS

“§ 4901. Surveillance requirements

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

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

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

“(A) is on a voyage of at least 600 miles
and crosses seaward of the Boundary Line; or
“(B) is at least 24 meters (79 feet) in overall length and required to have a load line under chapter 51;

“(2) documented vessels of at least 500 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104 on an international voyage; and

“(3) vessels with overnight accommodations for at least 10 persons on board that are operating for no less than 72 hours on waters superjacent to the Outer Continental Shelf.

“(c) PLACEMENT OF VIDEO AND AUDIO SURVEILLANCE EQUIPMENT.—

“(1) IN GENERAL.—The owner of a vessel to which this section applies shall install video and audio surveillance equipment aboard the vessel not later than 2 years after enactment of the Coast Guard Authorization Act of 2022, or during the next scheduled drydock, whichever is later.

“(2) LOCATIONS.—Video and audio surveillance equipment shall be placed in passageways on to which doors from staterooms open. Such equipment shall be placed in a manner ensuring the visibility of every door in each such passageway.
“(d) NOTICE OF VIDEO AND AUDIO SURVEILANCE.—The owner of a vessel to which this section applies shall provide clear and conspicuous signs on board the vessel notifying the crew of the presence of video and audio surveillance equipment.

“(e) ACCESS TO VIDEO AND AUDIO RECORDS.—

“(1) IN GENERAL.—The owner of a vessel to which this section applies shall provide to any Federal, state, or other law enforcement official performing official duties in the course and scope of a criminal or marine safety investigation, upon request, a copy of all records of video and audio surveillance that the official believes is relevant to the investigation.

“(2) CIVIL ACTIONS.—Except as proscribed by law enforcement authorities or court order, the owner of a vessel to which this section applies shall, upon written request, provide to any individual or the individual’s legal representative a copy of all records of video and audio surveillance—

“(A) in which the individual is a subject of the video and audio surveillance;

“(B) the request is in conjunction with a legal proceeding or investigation; and
“(C) that may provide evidence of any sexual harassment or sexual assault incident in a civil action.

“(3) LIMITED ACCESS.—The owner of a vessel to which this section applies shall ensure that access to records of video and audio surveillance is limited to the purposes described in this paragraph and not used as part of a labor action against a crew member or employment dispute unless used in a criminal or civil action.

“(f) RETENTION REQUIREMENTS.—The owner of a vessel to which this section applies shall retain all records of audio and video surveillance for not less than 150 days after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident should be preserved for not less than 4 years from the date of the alleged incident. The Federal Bureau of Investigation and the Coast Guard are authorized access to all records of video and audio surveillance relevant to an investigation into criminal conduct.

“(g) DEFINITION.—In this section, the term ‘owner’ means the owner, charterer, managing operator, master, or other individual in charge of a vessel.
“(h) EXEMPTION.—Fishing vessels, fish processing vessels, and fish tender vessels are exempt from this section.”.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle II of title 46, United States Code, is amended by adding after the item related to chapter 47 the following:

“49. Oceangoing non-passenger commercial vessels ........... 4901”.

SEC. 508. MASTER KEY CONTROL.

(a) IN GENERAL.—Chapter 31 of title 46, United States Code, is amended by adding at the end the following:

“§ 3106. Master key control system

“(a) IN GENERAL.—The owner of a vessel subject to inspection under section 3301 shall—

“(1) ensure that such vessel is equipped with a vessel master key control system, manual or electronic, which provides controlled access to all copies of the vessel’s master key of which access shall only be available to the individuals described in paragraph (2);

“(2) establish a list of all crew, identified by position, allowed to access and use the master key and maintain such list upon the vessel, within owner records and included in the vessel safety management system.
“(3) record in a log book, located in a centralized location that is readily accessible to law enforcement personnel, information on all access and use of the vessel’s master key; and

“(4) make the list under paragraph (2) and the log book under paragraph (3) available upon request to any agent of the Federal Bureau of Investigation, any member of the Coast Guard, and any law enforcement officer performing official duties in the course and scope of an investigation.

“(b) PROHIBITED USE.—Crew not included on the list described in subsection (a)(2) shall not have access to or use the master key unless in an emergency and shall immediately notify the master and owner of the vessel following use of such key.

“(c) REQUIREMENTS FOR LOG BOOK.—The log book described in subsection (a)(3)—

“(1) may be—

“(A) electronic;

“(B) included in the vessel safety management system; and

“(2) shall include—

“(A) dates and times of access;

“(B) the room or location accessed; and
“(C) the name and rank of the crew member that used the master key.

“(d) PENALTY.—Any crew member who uses the master key without having been granted access pursuant to subsection (a)(2) shall be liable to the United States Government for a civil penalty of not more than $1,000 and may be subject to suspension or revocation under section 7703.

“(e) EXEMPTION.—This section shall not apply to vessels subject to section 3507(f).”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 31 of title 46, United States Code, is amended by adding at the end the following:

“3106. Master key control system.”.

SEC. 509. SAFETY MANAGEMENT SYSTEMS.

Section 3203 of title 46, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8); and

(B) by inserting after paragraph (4) the following:

“(5) with respect to sexual harassment and sexual assault, procedures for, and annual training requirements for all shipboard personnel on—

“(A) prevention;
“(B) bystander intervention;
“(C) reporting;
“(D) response; and
“(E) investigation;
“(6) the log book required under section 3106;”;
(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and
(3) by inserting after subsection (a) the following:
“(b) PROCEDURES AND TRAINING REQUIREMENTS.—In prescribing regulations for the procedures and training requirements described in subsection (a)(5), such procedures and requirements shall be consistent with the requirements to report sexual harassment or sexual assault under section 10104.”.

SEC. 510. REQUIREMENT TO REPORT SEXUAL ASSAULT AND HARASSMENT.

Section 10104 of title 46, United States Code, is amended by striking subsections (a) and (b) and inserting the following:
“(a) MANDATORY REPORTING BY CREW MEMBER.—
“(1) IN GENERAL.—A crew member of a documented vessel shall report to the Secretary any complaint or incident of sexual harassment or sexual ass-
sault of which the crewmember has first-hand or personal knowledge.

“(2) Penality.—A crew member with first-hand or personal knowledge of a sexual assault or sexual harassment incident on a documented vessel who knowingly fails to report in compliance with paragraph (a)(1) is liable to the United States Government for a civil penalty of not more than $5,000.

“(3) Amnesty.—A crew member who fails to make the required reporting under paragraph (1) shall not be subject to the penalty described in paragraph (2) if the complaint is shared in confidence with the crew member directly from the assaulted individual or the crew member is a victim advocate as defined in section 40002(a) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12291(a)).

“(b) Mandatory Reporting by Vessel Owner.—

“(1) In general.—A vessel owner or managing operator of a documented vessel or the employer of a seafarer on that vessel shall report to the Secretary any complaint or incident of harassment, sexual harassment, or sexual assault in violation of employer policy or law, of which such vessel owner or managing operator of a vessel engaged in com-
mmercial service, or the employer of the seafarer is made aware. Such reporting shall include results of any investigation into the incident, if applicable, and any action taken against the offending crewmember.

“(2) PENALTY.—A vessel owner or managing operator of a vessel engaged in commercial service, or the employer of a seafarer on that vessel who knowingly fails to report in compliance with paragraph (1) is liable to the United States Government for a civil penalty of not more than $25,000.

“(c) REPORTING PROCEDURES.—

“(1) A report required under subsection (a) shall be made as soon as practicable, but no later than 10 days after the individual develops first-hand or personal knowledge of the sexual assault or sexual harassment incident to the Coast Guard National Command Center by the fastest telecommunication channel available.

“(2) A report required under subsection (b) shall be made immediately after the vessel owner, managing operator, or employer of the seafarer gains knowledge of a sexual assault or sexual harassment incident by the fastest telecommunication channel available, and such report shall be made to the Coast Guard National Command Center—
“(A) the nearest Coast Guard Captain of the Port; or

“(B) the appropriate officer or agency of the government of the country in whose waters the incident occurs.

“(3) A report required under subsections (a) and (b) shall include, to the best of the reporter’s knowledge—

“(A) the name, official position or role in relation to the vessel, and contact information of the individual making the report;

“(B) the name and official number of the documented vessel;

“(C) the time and date of the incident;

“(D) the geographic position or location of the vessel when the incident occurred; and

“(E) a brief description of the alleged sexual harassment or sexual assault being reported.

“(4) After receipt of the report made under this subsection, the Coast Guard will collect information related to the identity of each alleged victim, alleged perpetrator, and witness through means designed to protect, to the extent practicable, the personal identifiable information of such individuals.
“(d) REGULATIONS.—The requirements of this section are effective as of the date of enactment of Coast Guard Authorization Act of 2022. The Secretary may issue additional regulations to implement the requirements of this section.”.

SEC. 511. CIVIL ACTIONS FOR PERSONAL INJURY OR DEATH OF SEAMEN.

(a) PERSONAL INJURY TO OR DEATH OF SEAMEN.—

Section 30104 of title 46, United States Code, is amended by inserting “, including an injury resulting from sexual assault or sexual harassment,” after “in the course of employment”.

(b) TIME LIMIT ON BRINGING MARITIME ACTION.—

Section 30106 of title 46, United States Code, is amended—

(1) in the section heading by striking “for personal injury or death”;

(2) by striking “Except as otherwise” and inserting the following:

“(a) IN GENERAL.—Except as otherwise”; and

(3) by adding at the end the following:

“(b) EXTENSION FOR SEXUAL OFFENSE.—A civil action under subsection (a) arising out of a maritime tort for a claim of sexual harassment or sexual assault shall
be brought not less than 5 years after the cause of action
for a claim of sexual harassment or sexual assault arose.”.

(c) CLERICAL AMENDMENT.—The analysis for chap-
ter 301 of title 46, United States Code, is amended by
striking the item related to section 30106 and inserting
the following:

“30106. Time limit on bringing maritime action.”.

SEC. 512. ADMINISTRATION OF SEXUAL ASSAULT FORENSIC
EXAMINATION KITS.

(a) IN GENERAL.—Chapter 5 of title 14, United
States Code, is amended by adding at the end the fol-
lowing:

“§ 564. Administration of sexual assault forensic ex-
amination kits

“(a) REQUIREMENT.—A Coast Guard vessel that
embarks on a covered voyage shall be—

“(1) equipped with no less than 2 sexual as-
sault and forensic examination kits; and

“(2) staffed with at least 1 medical professional
qualified and trained to administer such kits.

“(b) COVERED VOYAGE DEFINED.—In this section,
the term ‘covered voyage’ means a prescheduled voyage
of a Coast Guard vessel that, at any point during such
voyage—
“(1) would require the vessel to travel 5 consecutive days or longer at 20 knots per hour to reach a land-based or afloat medical facility; and

“(2) aeromedical evacuation will be unavailable during the travel period referenced in paragraph (1).”.

(b) Clerical Amendment.—The table of sections for chapter 5 of title 14, United States Code, is amended by adding at the end the following:

“564. Administration of sexual assault forensic examination kits.”.

TITLE VI—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

SEC. 601. TECHNICAL CORRECTIONS.

(a) Section 319(b) of title 14, United States Code, is amended by striking “section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)” and inserting “section 44801 of title 49”.

(b) Section 1156(c) of title 14, United States Code, is amended by striking “section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)” and inserting “section 44801 of title 49”.

SEC. 602. TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL TECHNICAL AMENDMENTS.

(a) In General.—Section 70105 of title 46, United States Code, is amended—
(1) in the section heading by striking “security cards” and inserting “worker identification credentials”;

(2) by striking “transportation security card” each place it appears and inserting “transportation worker identification credential”;

(3) by striking “transportation security cards” each place it appears and inserting “transportation worker identification credentials”;

(4) by striking “card” each place it appears and inserting “credential”

(5) in the heading for subsection (b) by striking “CARDS” and inserting “CREDENTIALS”;

(6) by striking subsection (i) and redesignating subsections (j) and (k) as subsections (i) and (j), respectively;

(7) by striking subsection (l) and redesignating subsections (m) through (q) as subsections (k) through (o), respectively;

(8) in subsection (j), as so redesignated—

   (A) in the subsection heading by striking “SECURITY CARD” and inserting “WORKER IDENTIFICATION CREDENTIAL”; and
(B) in the heading for paragraph (2) by
striking “SECURITY CARDS” and inserting
“WORKER IDENTIFICATION CREDENTIALS”; (9) in subsection (k)(1), as so redesignated, by
striking “subsection (k)(3)” and inserting “sub-
section (j)(3)”;
and
(10) in subsection (o), as so redesignated—
(A) in the subsection heading by striking
“SECURITY CARD” and inserting “WORKER
IDENTIFICATION CREDENTIAL”;
(B) in paragraph (1)—
(i) by striking “subsection (k)(3)” and
inserting “subsection (j)(3)”;
and
(ii) by striking “This plan shall” and
inserting “Such receipt and activation
shall”; and
(C) in paragraph (2) by striking “on-site
activation capability” and inserting “on-site re-
ceipt and activation of transportation worker
identification credentials”.

(b) CLERICAL AMENDMENT.—The analysis for chap-
ter 701 of title 46, United States Code, is amended by
striking the item related to section 70105 and inserting
the following:

“70105. Transportation worker identification credentials.”.
SEC. 603. REINSTATEMENT.

(a) REINSTATEMENT.—The text of section 12(a) of the Act of June 21, 1940 (33 U.S.C. 522(a)), popularly known as the Truman-Hobbs Act, is—

(1) reinstated as it appeared on the day before the date of enactment of section 8507(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283); and

(2) redesignated as the sole text of section 12 of the Act of June 21, 1940 (33 U.S.C. 522).

(b) EFFECTIVE DATE.—The provision reinstated by subsection (a) shall be treated as if such section 8507(b) had never taken effect.

(c) CONFORMING AMENDMENT.—The provision reinstated under subsection (a) is amended by striking “, except to the extent provided in this section”.