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

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

(B) Final report.—

(i) In general.—Not later than 6 years after the date of the enactment of this Act, the Under Secretary, in coordination with the heads of other relevant Federal agencies, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a final report on the pilot project.

(ii) Elements.—The report required by clause (i) shall—

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

(II) include—
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(aa) an assessment of the benefits and efficacy of the pilot project;

(bb) a strategic plan to expand the pilot project to provide near real-time monitoring and mitigation measures—

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

(BB) in important feeding, breeding, calving, rearing, or migratory habitats of large cetaceans that co-occur with areas of high risk of mortality or serious injury from vessel strikes or disturbance;

(ec) a budget and description of funds necessary to carry out such strategic plan;

(dd) a prioritized plan for acquisition, deployment, and
maintenance of monitoring technologies; and

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

(e) MITIGATION PROTOCOLS.—The Under Secretary, in consultation with the Secretary, the Secretary of Defense, the Secretary of Transportation, and the Secretary of the Interior, and with input from affected stakeholders, shall develop and deploy mitigation protocols that make use of the monitoring system designed and deployed under subsection (d)(3) to direct sector-specific mitigation measures that avoid and significantly reduce risk of serious injury and mortality to North Atlantic right whales.

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

(g) ADDITIONAL AUTHORITY.—The Under Secretary may enter into and perform such contracts, leases, grants, or cooperative agreements as may be necessary to carry
out the purposes of this section on such terms as the
Under Secretary considers appropriate, consistent with
the Federal Acquisition Regulation.
(h) SAVINGS CLAUSE.—An activity may not be car-
rried out under this section if the Secretary of Defense,
in consultation with the Under Secretary, determines that
the activity would negatively impact the defense readiness
or the national security of the United States.
(i) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to the Under Secretary to
support development, deployment, application, and ongo-
ing maintenance of the Program $5,000,000 for each of
fiscal years 2023 through 2027.
SEC. 314. PILOT PROGRAM TO ESTABLISH A CETACEAN
DESK FOR PUGET SOUND REGION.
(a) ESTABLISHMENT.—
(1) IN GENERAL.—Not later than 1 year after
the date of the enactment of this Act, the Secretary,
with the concurrence of the Under Secretary, shall
establish a pilot program to establish a Cetacean
Desk, which shall be—
(A) located and manned within the Puget
Sound Vessel Traffic Service; and
(B) designed—
(i) to improve coordination with the
maritime industry to reduce the risk of
vessel impacts to large cetaceans, including
impacts from vessel strikes, disturbances,
and other sources; and

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

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

(A) shall—

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

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

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

(b) ENGAGEMENT WITH VESSEL OPERATORS.—

(1) IN GENERAL.—Under the pilot program re-
quired by subsection (a), the Secretary shall require
personnel of the Cetacean Desk to engage with vessel operators in areas where large cetaceans have been seen or could reasonably be present to ensure compliance with applicable laws, regulations, and voluntary guidance, to reduce the impact of vessel traffic on large cetaceans.

(2) CONTENTS.—In engaging with vessel operators as required by paragraph (1), personnel of the Cetacean Desk shall communicate where and when sightings of large cetaceans have occurred.

(c) MEMORANDUM OF UNDERSTANDING.—The Secretary and the Under Secretary may enter into a memorandum of understanding to facilitate real-time sharing of data relating to large cetaceans between the Quiet Sound program of the State of Washington, the National Oceanic and Atmospheric Administration, and the Puget Sound Vessel Traffic Service, and other relevant entities, as appropriate.

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

(e) CONSULTATIONS.—

(1) IN GENERAL.—In carrying out the pilot program required by subsection (a), the Secretary
shall consult with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations.

(2) COORDINATION WITH CANADA.—When appropriate, the Secretary shall coordinate with the Government of Canada, consistent with policies and agreements relating to management of vessel traffic in Puget Sound.

(f) PUGET SOUND VESSEL TRAFFIC SERVICE LOCAL VARIANCE AND POLICY.—The Secretary, with the concurrence of the Under Secretary and in consultation with the Captain of the Port for the Puget Sound region—

(1) shall implement local variances, as authorized by subsection (c) of section 70001 of title 46, United States Code, to reduce the impact of vessel traffic on large cetaceans; and

(2) may enter into cooperative agreements, in accordance with subsection (d) of that section, with Federal, State, and local officials to reduce the likelihood of vessel interactions with protected large cetaceans, which may include—

(A) communicating marine mammal protection guidance to vessels;
(B) training on requirements imposed by local, State, Tribal, and Federal laws and regulations and guidelines concerning—

(i) vessel buffer zones;

(ii) vessel speed;

(iii) seasonal no-go zones for vessels;

(iv) protected areas, including areas designated as critical habitat, as applicable to marine operations; and

(v) any other activities to reduce the direct and indirect impact of vessel traffic on large cetaceans;

(C) training to understand, utilize, and communicate large cetacean location data; and

(D) training to understand and communicate basic large cetacean detection, identification, and behavior, including—

(i) cues of the presence of large cetaceans such as spouts, water disturbances, breaches, or presence of prey;

(ii) important feeding, breeding, calving, and rearing habitats that co-occur with areas of high risk of vessel strikes;
(iii) seasonal large cetacean migration routes that co-occur with areas of high risk of vessel strikes; and
(iv) areas designated as critical habitat for large cetaceans.

(g) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter for the duration of the pilot program under this section, the Commandant, in coordination with the Under Secretary and the Administrator of the Maritime Administration, shall submit to the appropriate congressional committees a report that—

(1) evaluates the functionality, utility, reliability, responsiveness, and operational status of the Cetacean Desk established under the pilot program required by subsection (a), including a quantification of reductions in vessel strikes to large cetaceans as a result of the pilot program;

(2) assesses the efficacy of communication between the Cetacean Desk and the maritime industry and provides recommendations for improvements;

(3) evaluates the integration and interoperability of existing data collection methods, as well as public data, into the Cetacean Desk operations;
(4) assesses the efficacy of collaboration and stakeholder engagement with Tribal governments, the State of Washington, institutions of higher education, the maritime industry, ports in the Puget Sound region, and nongovernmental organizations; and

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

SEC. 315. MONITORING OCEAN SOUNDSCAPES.

(a) IN GENERAL.—The Under Secretary shall maintain and expand an ocean soundscape development program—

(1) to award grants to expand the deployment of Federal and non-Federal observing and data management systems capable of collecting measurements of underwater sound for purposes of monitoring and analyzing baselines and trends in the underwater soundscape to protect and manage marine life;

(2) to continue to develop and apply standardized forms of measurements to assess sounds produced by marine animals, physical processes, and anthropogenic activities; and
(3) after coordinating with the Secretary of Defense, to coordinate and make accessible to the public the datasets, modeling and analysis, and user-driven products and tools resulting from observations of underwater sound funded through grants awarded under paragraph (1).

(b) COORDINATION.—The program described in subsection (a) shall—

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

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

(3) coordinate with the Regional Ocean Partnerships and the Director of the United States Fish and Wildlife Service, as appropriate.

(c) PRIORITY.—In awarding grants under subsection (a), the Under Secretary shall consider the geographic diversity of the recipients of such grants.

(d) SAVINGS CLAUSE.—An activity may not be carried out under this section if the Secretary of Defense, in consultation with the Under Secretary, determines that the activity would negatively impact the defense readiness or the national security of the United States.
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1 (e) Authorization of Appropriations.—There is
2 authorized to be appropriated $1,500,000 for each of fis-
3 cal years 2023 through 2028 to carry out this section.

Subtitle B—Oil Spills

SEC. 321. IMPROVING OIL SPILL PREPAREDNESS.

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

SEC. 322. WESTERN ALASKA OIL SPILL PLANNING CRITERIA.

(a) Alaska Oil Spill Planning Criteria Program.—

(1) In general.—Chapter 3 of title 14, United
States Code, is amended by adding at the end the
following:

"§ 323. Western Alaska Oil Spill Planning Criteria
Program
"(a) Establishment.—There is established within
the Coast Guard a Western Alaska Oil Spill Planning Cri-
teria Program (referred to in this section as the 'Pro-
gram’) to develop and administer the Western Alaska oil spill planning criteria.

“(b) PROGRAM MANAGER.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the Commandant shall select a permanent civilian career employee through a competitive search process for a term not less than 5 years to serve as the Western Alaska Oil Spill Criteria Program Manager (referred to in this section as the ‘Program Manager’)—

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

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

“(2) CONFLICTS OF INTEREST.—The individual selected to serve as the Program Manager shall not have conflicts of interest relating to entities regulated by the Coast Guard.

“(3) DUTIES.—

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

“(i) approval, drills, and testing relating to the Western Alaska oil spill planning criteria; and
“(i) gathering input concerning such planning criteria from Federal agencies, State, local, and Tribal governments, and relevant industry and nongovernmental entities.

“(B) Assessments.—Not less frequently than once every 5 years, the Program Manager shall—

“(i) assess whether such existing planning criteria adequately meet the needs of vessels operating in the geographic area; and

“(ii) identify methods for advancing response capability so as to achieve, with respect to a vessel, compliance with national planning criteria.

“(C) Onsite Verifications.—The Program Manager shall address the relatively small number and limited nature of verifications of response capabilities for vessel response plans by increasing, within the Seventeenth Coast Guard District, the quantity and frequency of onsite verifications of the providers identified in vessel response plans.
“(e) TRAINING.—The Commandant shall enhance the knowledge and proficiency of Coast Guard personnel with respect to the Program by—

“(1) developing formalized training on the Program that, at a minimum—

“(A) provides in-depth analysis of—

“(i) the national planning criteria described in part 155 of title 33, Code of Federal Regulations (or successor regulations);

“(ii) alternative planning criteria;

“(iii) Western Alaska oil spill planning criteria;

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

“(v) the responsibilities of vessel owners and operators in preparing a vessel response plan for submission; and

“(vi) responsibilities of the Area Committee, including risk analysis, response capability, and development of alternative planning criteria;

“(B) explains the approval processes of vessel response plans that involve alternative
planning criteria or Western Alaska oil spill planning criteria; and

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

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

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

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

“(d) DEFINITIONS.—In this section:

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

“(2) TRIBAL.—The term ‘Tribal’ means of or pertaining to an Indian Tribe or a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).
“(3) VESSEL RESPONSE PLAN.—The term ‘vessel response plan’ means a plan required to be submitted by the owner or operator of a tank vessel or a nontank vessel under regulations issued by the President under section 311(j)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(5)).

“(4) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—The term ‘Western Alaska oil spill planning criteria’ means the criteria required under paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“323. Western Alaska Oil Spill Planning Criteria Program.”.

(b) WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—

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

“(9) ALTERNATIVE PLANNING CRITERIA PROGRAM.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ALTERNATIVE PLANNING CRITERIA.—The term ‘alternative planning
criteria' means criteria submitted under section 155.1065 or 155.5067 of title 33, Code of Federal Regulations (or successor regulations), for vessel response plans.

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

“(iii) SECRETARY.—The term ‘Secretary’ means the Secretary of the Department in which the Coast Guard is operating.

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

“(v) VESSEL RESPONSE PLAN.—The term ‘vessel response plan’ means a plan required to be submitted by the owner or operator of a tank vessel or a nontank ves-
sel under regulations issued by the President under paragraph (5).

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

“(B) **REQUIREMENT.**—Except as provided in subparagraph (I), for any part of the area of responsibility of the Western Alaska Captain of the Port Zone or the Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area, a response plan required under paragraph (5) with respect to a discharge of oil for such a vessel shall comply with the planning criteria established under subparagraph (D)(i).

“(C) **RELATION TO NATIONAL PLANNING CRITERIA.**—The planning criteria established under subparagraph (D)(i) shall, with respect to a discharge of oil from a vessel described in
subparagraph (B), apply in lieu of any alternative planning criteria accepted for vessels operating in that area prior to the date on which the planning criteria under subparagraph (D)(i) are established.

“(D) ESTABLISHMENT OF PLANNING CRITERIA.—The President, acting through the Commandant in consultation with the Western Alaska Oil Spill Criteria Program Manager established under section 323 of title 14, United States Code—

“(i) shall establish—

“(I) Alaska oil spill planning criteria for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the area of responsibility of the Western Alaska Captain of the Port Zone or Prince William Sound Captain of the Port Zone in which the Secretary has determined that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in that area; and
“(II) standardized submission, review, approval, and compliance verification processes for the planning criteria established under clause (i), including the quantity and frequency of drills and on-site verifications of vessel response plans accepted pursuant to those planning criteria; and

“(ii) may, as required to develop standards that adequately reflect the needs and capabilities of various locations within the Western Alaska Captain of the Port Zone, develop subregions in which the Alaska oil spill planning criteria referred to in clause (i)(I) may differ from such criteria for other subregions in the Western Alaska Captain of the Port Zone, provided that any such criteria for a subregion is not less stringent than the criteria required for a worst case discharge of oil, and a substantial threat of such a discharge, within any part of the applicable subregion.

“(E) INCLUSIONS.—
"(i) IN GENERAL.—The Western Alaska oil spill planning criteria established under subparagraph (D)(i) shall include planning criteria for the following:

"(I) Mechanical oil spill response resources that are required to be located within that 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 that area.

"

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

"

"(IV) Ensuring the availability of at least 1 oil spill removal organization that is classified by the Coast Guard and that—

"

"(aa) is capable of responding in all operating environments in that area;

"

"(bb) controls oil spill response resources of dedicated and
nondedicated resources within
that area, through ownership,
contracts, agreements, or other
means approved by the Presi-
dent, sufficient—

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

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

“(cc) has pre-positioned oil
spill response resources in stra-
ategic locations throughout that
area in a manner that ensures
the ability to support response
personnel, marine operations, air
cargo, or other related logistics
infrastructure;

“(dd) has temporary storage
capability using both dedicated
and non-dedicated assets located
within that area;
“(ee) has non-mechanical oil spill response resources, to be available under contracts, agreements, or other means approved by the President, capable of responding to a discharge of persistent oil and a discharge of nonpersistent oil, whether the discharged oil was carried by a vessel as fuel or cargo; and

“(ff) considers availability of wildlife response resources for primary, secondary, and tertiary responses to support carcass collection, sampling, deterrence, rescue, and rehabilitation of birds, sea turtles, marine mammals, fishery resources, and other wildlife.

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

“(VI) Specifying a minimum length of time that approval of a re-
sponse plan under this paragraph is valid.

“(VII) Managing wildlife protection and rehabilitation, including identified wildlife protection and rehabilitation resources in that area.

“(ii) ADDITIONAL CONSIDERATIONS.—The Commandant may consider criteria regarding—

“(I) vessel routing measures consistent with international routing measure deviation protocols; and

“(II) maintenance of real-time continuous vessel tracking, monitoring, and engagement protocols with the ability to detect and address vessel operation anomalies.

“(F) REQUIREMENT FOR APPROVAL.—The President may approve a response plan for a vessel under this paragraph 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 subparagraph (D)(i).
“(G) Periodic Audits.—The Secretary shall conduct periodic audits to ensure compliance of vessel response plans and oil spill removal organizations within the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone with the planning criteria under subparagraph (D)(i).

“(II) Review of Determination.—Not less frequently than once every 5 years, the Secretary shall review each determination of the Secretary under subparagraph (B) that the national planning criteria are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone.

“(I) Vessels in Cook Inlet.—Unless otherwise authorized by the Secretary, a vessel may only operate in Cook Inlet, Alaska, under a vessel response plan that meets the requirements of the national planning criteria established pursuant to paragraph (5).

“(J) Savings Provisions.—Nothing in this paragraph affects—
“(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska;

“(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone under section 5005 of the Oil Pollution Act of 1990 (33 U.S.C. 2735); or

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

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

(A) Deadline.—Not later than 2 years after the date of the enactment of this Act, the President shall establish the planning criteria required to be established under paragraph (9)(D)(i) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).
(B) CONSULTATION.—In establishing the planning criteria described in subparagraph (B), the President shall consult with the Federal, State, local, and Tribal agencies, and the owners and operators, that would be subject to those planning criteria, oil spill removal organizations, Alaska Native organizations, and environmental nongovernmental organizations located within the State of Alaska.

(C) CONGRESSIONAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the status of implementation of paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

SEC. 323. ACCIDENT AND INCIDENT NOTIFICATION RELATING TO PIPELINES.

(a) REPEAL.—Subsection (e) of section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112–90) is repealed.

(b) APPLICATION.—Section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public Law 112–90) shall be applied
and administered as if the subsection repealed by subsection (a) had never been enacted.

SEC. 324. COAST GUARD CLAIMS PROCESSING COSTS.

Section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)) is amended by striking “damages,” and inserting “damages, including, in the case of a spill of national significance that results in extraordinary Coast Guard claims processing activities, the administrative and personnel costs of the Coast Guard to process those claims (including the costs of commercial claims processing, expert services, training, and technical services), subject to the condition that the Coast Guard shall submit to Congress a report describing the spill of national significance not later than 30 days after the date on which the Coast Guard determines it necessary to process those claims;”.

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

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

(1) by striking “The interest paid” and inserting the following:

“(A) IN GENERAL.—The interest paid for claims, other than Federal Government cost recovery claims,”; and
(2) by adding at the end the following:

“(B) Federal cost recovery claims.—

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

SEC. 326. PER-INCIDENT LIMITATION.

Subparagraph (A) of section 9509(c)(2) of the Internal Revenue Code of 1986 is amended—

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

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

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

SEC. 327. ACCESS TO THE OIL SPILL LIABILITY TRUST FUND.

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

“(b) EXCEPTIONS.—

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

“(A) section 1006(f), 1012(a)(4), or 5006; or
“(B) an amount, which may not exceed $50,000,000 in any fiscal year, made available by the President from the Fund—

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

“(ii) to initiate the assessment of natural resources damages required under section 1006.

“(2) FUND ADVANCES.—

“(A) IN GENERAL.—To the extent that the amount described in subparagraph (B) of paragraph (1) is not adequate to carry out the activities described in that subparagraph, the Coast Guard may obtain 1 or more advances from the Fund as may be necessary, up to a maximum of $100,000,000 for each advance, with the total amount of advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986.

“(B) NOTIFICATION TO CONGRESS.—Not later than 30 days after the date on which the Coast Guard obtains an advance under subparagraph (A), the Coast Guard shall notify Congress of—
“(i) the amount advanced; and

“(ii) the facts and circumstances that

necessitated the advance.

“(C) REPAYMENT.—Amounts advanced

under this paragraph shall be repaid to the

Fund when, and to the extent that, removal

costs are recovered by the Coast Guard from re-

sponsible parties for the discharge or substan-

tial threat of discharge.

“(3) AVAILABILITY.—Amounts to which this

subsection applies shall remain available until ex-

pended.”.

SEC. 328. COST-REIMBURSABLE AGREEMENTS.

Section 1012 of the Oil Pollution Act of 1990 (33

U.S.C. 2712) is amended—

(1) in subsection (a)(1)(B), by striking “by a

Governor or designated State official” and inserting

“by a State, a political subdivision of a State, or an

Indian tribe, pursuant to a cost-reimbursable agree-

ment”;

(2) by striking subsections (d) and (e) and in-

serting the following:

“(d) COST-REIMBURSABLE AGREEMENT.—

“(1) IN GENERAL.—In carrying out section

311(c) of the Federal Water Pollution Control Act
(33 U.S.C. 1321(e)), the President may enter into
cost-reimbursable agreements with a State, a polit-
ical subdivision of a State, or an Indian tribe to obli-
gate the Fund for the payment of removal costs con-
sistent with the National Contingency Plan.

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

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

SEC. 329. OIL SPILL RESPONSE REVIEW.

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

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

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

(B) oil spill response drills conducted
under section 311(j)(7) of the Federal Water
Pollution Control Act (33 U.S.C. 1321(j)(7))
that occur within the Marine Transportation
System; and
(C) responses to oil spill incidents that re-
quire mobilization of contracted response re-
sources;
(2) to update, not less frequently than annually,
information contained in the Coast Guard Response
Resource Inventory and other Coast Guard tools
used to document the availability and status of oil
spill response equipment, so as to ensure that such
information remains current; and
(3) subject to section 552 of title 5, United
States Code (commonly known as the “Freedom of
Information Act”), to make data collected under
paragraph (1) available to the public.
(b) POLICY.—Not later than 1 year after the date
of the enactment of this Act, the Commandant shall issue
a policy—
(1) to establish processes to maintain the pro-
gram under subsection (a) and support Coast Guard
oil spill prevention and response activities, including
by incorporating oil spill incident data from after-ac-
tion oil spill reports and data ascertained from vessel
response plan exercises and audits into—
(A) review and approval process standards
and metrics;
(B) Alternative Planning Criteria (APC)
review processes;
(C) Area Contingency Plan (ACP) develop-
ment; and
(D) risk assessments developed under sec-
tion 70001 of title 46, United States Code, in-
cluding lessons learned from reportable marine
casualties;
(2) to standardize and develop tools, training,
and other relevant guidance that may be shared with
vessel owners and operators to assist with accurately
calculating and measuring the performance and via-
bility of proposed alternatives to national planning
criteria requirements and Area Contingency Plans
under the jurisdiction of the Coast Guard;
(3) to improve training of Coast Guard per-
sonnel to ensure continuity of planning activities
under this section, including by identifying ways in
which civilian staffing may improve the continuity of
operations; and
(4) to increase Federal Government engage-
ment with State, local, and Tribal governments and
stakeholders so as to strengthen coordination and efficiency of oil spill responses.

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

(1) incident data on oil spill location and response quality;

(2) oil spill risk assessments;

(3) oil spill response effectiveness and the affects of such response on the environment;

(4) oil spill response drills conducted under section 311(j)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(7));

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

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

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on
Transportation and Infrastructure of the House of Representatives a briefing on the status of ongoing and planned efforts to improve the effectiveness and oversight of the vessel response program.

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

**SEC. 330. REVIEW AND REPORT ON LIMITED INDEMNITY PROVISIONS IN STANDBY OIL SPILL RESPONSE CONTRACTS.**

(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 the effects of removing limited indemnity provisions from Coast Guard oil spill response contracts entered into by the President (or a delegate) under section 311(c) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)).

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

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

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

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

(4) An assessment of the impact that the re-
moval of limited indemnity provisions described in
paragraph (3) has had on the ability of oil spill re-
spouse organizations to enter into contracts de-
scribed in that subsection.

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

SEC. 331. ADDITIONAL EXCEPTIONS TO REGULATIONS FOR
TOWING VESSELS.

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

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

(A) towing boom for oil spill response; or
(B) participating in an oil response exercise; and

(2) a fishing vessel while that vessel is operating as a vessel of opportunity.

(b) POLICY.—Not later than 180 days after the conclusion of the review required by subsection (a), the Secretary shall revise or issue any necessary policy to clarify the applicability of subchapter M of chapter I of title 46, Code of Federal Regulations (or successor regulations) to the vessels described in subsection (a). Such a policy shall ensure safe and effective operation of such vessels.

(c) DEFINITIONS.—In this section:

(1) FISHING VESSEL; OIL SPILL RESPONSE VESSEL.—The terms “fishing vessel” and “oil spill response vessel” have the meanings given such terms in section 2101 of title 46, United States Code.

(2) VESSEL OF OPPORTUNITY.—The term “vessel of opportunity” means a vessel engaged in spill response activities that is normally and substantially involved in activities other than spill response and not a vessel carrying oil as a primary cargo.
Subtitle C—Environmental Compliance

SEC. 341. REVIEW OF ANCHORAGE REGULATIONS.

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

(b) 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 Committee on Transportation and Infrastructure of the House of Representatived that summarizes the review.

SEC. 342. STUDY ON IMPACTS ON SHIPPING AND COMMERCIAL, TRIBAL, AND RECREATIONAL FISHERIES FROM THE DEVELOPMENT OF RENEWABLE ENERGY ON THE WEST COAST.

(a) DEFINITIONS.—In this section:

(1) COVERED WATERS.—The term “covered waters” means Federal or State waters off of the
Canadian border and out to the furthest extent of
the exclusive economic zone.

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

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

(1) identify, document, and analyze—

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

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

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

(D) key data needed to properly site re-
newable energy sites on the West Coast;
(2) analyze—

(A) methods used to manage fishing, shipping, and other maritime activities; and

(B) how those activities could be impacted by the placement of renewable energy infrastructure and the associated construction, maintenance, and operation such infrastructure; and

(3) provide recommendations on appropriate areas for renewable energy sites and outline a comprehensive approach to include all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process.

(c) SUBMISSION.—Not later than 1 year after commencing the study under subsection (b), the Secretary shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, including all recommendations provided under subsection (b)(3); and

(2) make the study publicly available.
Subtitle D—Environmental Issues

SEC. 351. MODIFICATIONS TO THE SPORT FISH RESTORATION AND BOATING TRUST FUND ADMINISTRATION.

(a) Dingell-Johnson Sport Fish Restoration Act Amendments.—

(1) Available amounts.—Section 4(b)(1)(B)(i) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777e(b)(1)(B)(i)) is amended by striking subclause (I) and inserting the following:

“(I) the product obtained by multiplying—

“(aa) $12,786,434; and

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

(2) Authorized expenses.—Section 9(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(a)) is amended—

(A) in paragraph (7), by striking “full-time”; and
(B) in paragraph (9), by striking “on a full-time basis”.

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

(1) AVAILABLE AMOUNTS.—Section 4(a)(1)(B)(i) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c(a)(1)(B)(i)) is amended by striking subclause (I) and inserting the following:

“(I) the product obtained by multiplying—

“(aa) $12,786,434; and

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

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

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

(B) in paragraph (9), by striking “on a full-time basis”.
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SEC. 352. IMPROVEMENTS TO COAST GUARD COMMUNICATION WITH NORTH PACIFIC MARITIME AND

FISHING INDUSTRY.

(a) Rescue 21 System in Alaska.—

(1) Upgrades.—The Commandant shall ensure

the timely upgrade of the Rescue 21 system in Alas-

ka so as to achieve, not later than August 30, 2023,

98 percent operational availability of remote fixed

facility sites.

(2) Plan to reduce outages.—

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

(B) Public availability.—The plan re-
quired by subparagraph (A) shall be made
available to the public on a publicly accessible
internet website.

(3) Report required.—Not later than 180
days after the date of the enactment of this Act, the
Commandant shall submit to the Committee on
Commerce, Science, and Transportation of the Sen-
ate and the Committee on Transportation and Infra-
structure of the House of Representatives a report
that—

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

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

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

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

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

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

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

(4) CONTINGENCY PLAN.—
(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall, in collaboration with relevant Federal and State entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration Weather Service, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local radio stations, and stakeholders), establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such outage.

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

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

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

(iii) to notify mariners in areas in which cellular connectivity does not exist;
(iv) to develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(v) to identify technology gaps necessary to implement the plan and provides a budgetary assessment necessary to implement the plan.

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

(1) IN GENERAL.—The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall develop a publicly accessible internet website that contains all Coast Guard-related information relating to the fishing industry, including safety information, inspection and enforcement requirements, hazards, training, regulations (including proposed regulations), Rescue 21 system outages and similar outages, and any information regarding fishing-related activities under the jurisdiction of the Coast Guard.

(2) AUTOMATIC COMMUNICATIONS.—The Commandant shall provide methods for regular and automatic email communications with stakeholders who
elect, through the internet website developed under
paragraph (1), to receive such communications.

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

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

(2) other military activities that will impact recre-
reational or commercial activities.

SEC. 353. FISHING SAFETY TRAINING GRANTS PROGRAM.

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

SEC. 354. LOAD LINES.

(a) DEFINITION OF COVERED FISHING VESSEL.—In
this section, the term “covered fishing vessel” means a
vessel that operates exclusively in one, or both, of the
Thirteenth and Seventeenth Coast Guard Districts and
that—
(1) was constructed, under construction, or under contract to be constructed as a fish tender vessel before January 1, 1980;

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

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

(B) the hull and internal structure of the vessel has been verified as suitable for intended service as examined by a marine surveyor of an organization accepted by the Secretary 2 times in the 5 years preceding the date of the determination under this subsection, with no interval of more than 3 years between such examinations; or

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

(b) Application to Certain Vessels.—During the period beginning on the date of enactment of this Act and ending on the date that is 3 years after the date on which the report required under subsection (e) is submitted, the load line requirements of chapter 51 of title
46, United States Code, shall not apply to covered fishing
vessels.

(c) GAO REPORT.—

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

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

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

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

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

(B) An analysis of vessel casualties, mis-
haps, or other safety information relevant to
load line requirements when a vessel is oper-
ating part-time as a fish tender vessel.
(C) An assessment of any other safety information as the Comptroller General determines appropriate.

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

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

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

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

(3) CONSULTATION.—In preparing the report required under paragraph (1), the Comptroller General shall consider consultation with, at a minimum, the maritime industry, including—

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

(B) relevant federally funded research institutions, nongovernmental organizations, and academia.

(d) APPLICABILITY.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety
measures or any other authority as necessary for the safety of covered fishing vessels.

Subtitle E—Illegal Fishing and Forced Labor Prevention

SEC. 361. DEFINITIONS.

In this subtitle:

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

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

(3) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term “illegal, unreported, or unregulated fishing” has the meaning given such term in the implementing regulations or any subsequent regulations issued pursuant to section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)).

(4) OPPRESSIVE CHILD LABOR.—The term “oppressive child labor” has the meaning given such

(5) SEAFOOD.—The term “seafood” means all marine animal and plant life meant for consumption as food other than marine mammals and birds, including fish, shellfish, shellfish products, and processed fish.

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

(7) SECRETARY.—The term “Secretary” means the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration.

CHAPTER 1—COMBATING HUMAN TRAFFICKING THROUGH SEAFOOD IMPORT MONITORING

SEC. 362. ENHANCEMENT OF SEAFOOD IMPORT MONITORING PROGRAM AUTOMATED COMMERCIAL ENVIRONMENT MESSAGE SET.

The Secretary, in coordination with the Commissioner of U.S. Customs and Border Protection, shall, not later than 6 months after the date of enactment of this
Act, develop a strategy to improve the quality and verifiability of already collected Seafood Import Monitoring Program Message Set data elements in the Automated Commercial Environment system. Such strategy shall prioritize the use of enumerated data types, such as checkboxes, dropdown menus, or radio buttons, and any additional elements the Administrator of the National Oceanic and Atmospheric Administration finds appropriate.

SEC. 363. DATA SHARING AND AGGREGATION.

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

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

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

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

(b) PROHIBITION ON AGGREGATED CATCH DATA FOR CERTAIN SPECIES.—Beginning not later than 1 year after the date of enactment of this Act, for the purposes
of compliance with respect to Northern red snapper under
the Seafood Import Monitoring Program, the Secretary
may not allow an aggregated harvest report of such spe-
cies, regardless of vessel size.

SEC. 364. IMPORT AUDITS.

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

(b) Expansion of Marine Forensics Laboratory.—The Secretary shall, not later than 1 year after
the date of enactment of this Act, begin the process of
expanding the National Oceanic and Atmospheric Admin-
istration’s Marine Forensics Laboratory, including by es-
establishing sufficient capacity for the development and de-
ployment of rapid, and follow-up, analysis of field-based
tests focused on identifying Seafood Import Monitoring
Program species, and prioritizing such species at high risk
of illegal, unreported, or unregulated fishing and seafood
fraud.
(c) ANNUAL REVISION.—In developing the procedures required in subsection (a), the Secretary shall use predictive analytics to inform whether to revise such procedures to prioritize for audit those imports originating from nations—

(1) identified pursuant to sections 609(a) or 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a) or 1826k(a)) that have not yet received a subsequent positive certification pursuant to sections 609(d) or 610(c) of such Act, respectively;

(2) identified by an appropriate regional fishery management organization as being the flag state or landing location of vessels identified by other nations or regional fisheries management organizations as engaging in illegal, unreported, or unregulated fishing;

(3) identified as having human trafficking or forced labor in any part of the seafood supply chain, including on vessels flagged in such nation, and including feed for cultured production, in the most recent Trafficking in Persons Report issued by the Department of State in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).
(4) identified as producing goods that contain seafood using forced labor or oppressive child labor in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act (22 U.S.C. 7101 et seq.); and

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

SEC. 365. AVAILABILITY OF FISHERIES INFORMATION.

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

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

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

(3) by adding at the end the following:

“(I) to Federal agencies, to the extent necessary and appropriate, to administer Federal programs established to combat illegal, unreported, or unregulated fishing (as defined in section 361 of the Coast Guard Authorization
Act of 2022) or forced labor (as defined in section 361 of the Coast Guard Authorization Act of 2022), which shall not include an authorization for such agencies to release data to the public unless such release is related to enforcement.”.

SEC. 366. AUTHORITY TO HOLD FISH PRODUCTS.

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

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

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

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

“(D) detain, for a period of not more than 14 days, any shipment of fish or fish product imported into, landed on, introduced into, exported from, or transported within the jurisdiction of the United States, or, if such fish or fish product is determined to be perishable, sell and retain the proceeds therefrom for a period of not more than 21 days.”.
SEC. 367. REPORT ON SEAFOOD IMPORT MONITORING PROGRAM.

(a) Report to Congress and Public Availability of Reports.—The Secretary shall, not later than 120 days after the end of each fiscal year, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report that summarizes the National Marine Fisheries Service’s efforts to prevent the importation of seafood harvested through illegal, unreported, or unregulated fishing, particularly with respect to seafood harvested, produced, processed, or manufactured by forced labor. Each such report shall be made publicly available on the website of the National Oceanic and Atmospheric Administration.

(b) Contents.—Each report submitted under subsection (a) shall include—

(1) the volume and value of seafood species subject to the Seafood Import Monitoring Program, reported by 10-digit Harmonized Tariff Schedule of the United States codes, imported during the previous fiscal year;

(2) the enforcement activities and priorities of the National Marine Fisheries Service with respect to implementing the requirements under the Seafood Import Monitoring Program;
(3) the percentage of import shipments subject to the Seafood Import Monitoring Program selected for inspection or the information or records supporting entry selected for audit, as described in section 300.324(d) of title 50, Code of Federal Regulations;

(4) the number and types of instances of non-compliance with the requirements of the Seafood Import Monitoring Program;

(5) the number and types of instances of violations of State or Federal law discovered through the Seafood Import Monitoring Program;

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

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

(8) the additional tools, such as high performance computing and associated costs, that the Secretary needs to improve the efficacy of the Seafood Import Monitoring Program; and

(9) such other information as the Secretary considers appropriate with respect to monitoring and
enforcing compliance with the Seafood Import Monitoring Program.

SEC. 368. AUTHORIZATION OF APPROPRIATIONS.

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

CHAPTER 2—STRENGTHENING INTERNATIONAL FISHERIES MANAGEMENT TO COMBAT HUMAN TRAFFICKING

SEC. 370. DENIAL OF PORT PRIVILEGES.

Section 101(a)(2) of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a)(2)) is amended to read as follows:

“(2) DENIAL OF PORT PRIVILEGES.—The Secretary of Homeland Security shall, in accordance with international law—

“(A) withhold or revoke the clearance required by section 60105 of title 46, United States Code, for any large-scale driftnet fishing vessel of a nation that receives a negative certification under sections 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d) or 1826k(c)), or
fishing vessels of a nation that has been listed
pursuant to section 609(b) or section 610(a) of
such Act (16 U.S.C. 1826j(b) or 1826k(a)) in
2 or more consecutive reports for the same type
of fisheries activity, as described under section
607 of such Act (16 U.S.C. 1826h), until a
positive certification has been received;

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

“(C) deny entry of that vessel to any place
in the United States and to the navigable
waters of the United States, except for the pur-
poses of inspecting such vessel, conducting an
investigation, or taking other appropriate en-
forcement action.”.
SEC. 371. IDENTIFICATION AND CERTIFICATION CRITERIA.

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

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

"(2) FOR ACTIONS OF A NATION.—The Secretary shall identify, and list in such report, a nation engaging in or endorsing illegal, unreported, or unregulated fishing. In determining which nations to list in such report, the Secretary shall consider the following:

(A) Any nation that is violating, or has violated at any point during the 3 years preceding the date of the determination, conservation and management measures, including catch and other data reporting obligations and requirements, required under an international fishery management agreement to which the United States is a party.

(B) Any nation that is failing, or has failed in the 3-year period preceding the date of the determination, to effectively address or regulate illegal, unreported, or unregulated fishing within its fleets in any areas where its vessels are fishing."
“(C) Any nation that fails to discharge duties incumbent upon it under international law or practice as a flag, port, or coastal state to take action to prevent, deter, and eliminate illegal, unreported, or unregulated fishing.

“(D) Any nation that has been identified as producing for export to the United States seafood-related goods through forced labor or oppressive child labor (as those terms are defined in section 361 of the Coast Guard Authorization Act of 2022) in the most recent List of Goods Produced by Child Labor or Forced Labor in accordance with the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).”; and

(2) by adding at the end the following:

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

(b) ILLEGAL, UNREPORTED, OR UNREGULATED CERTIFICATION DETERMINATION.—Section 609 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) is amended in subsection (d), by striking paragraph (3) and inserting the following:
“(3) Effect of certification determination.—

“(A) Effect of negative certification.—The provisions of subsection (a) and paragraphs (3) and (4) of subsection (b) of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall apply to any nation that, after being identified and notified under subsection (b) has failed to take the appropriate corrective actions for which the Secretary has issued a negative certification under this subsection.

“(B) Effect of positive certification.—The provisions of subsection (a) and paragraphs (3) and (4) of subsection (b) of section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a(a) and (b)(3) and (4)) shall not apply to any nation identified under subsection (a) for which the Secretary has issued a positive certification under this subsection.”.
SEC. 372. EQUIVALENT CONSERVATION MEASURES.

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

“(a) IDENTIFICATION.—

“(1) In general.—The Secretary shall identify and list in the report under section 607—

“(A) a nation if—

“(i) any fishing vessel of that nation is engaged, or has been engaged during the 3 years preceding the date of the determination, in fishing activities or practices on the high seas or within the exclusive economic zone of any nation, that have resulted in bycatch of a protected living marine resource; and

“(ii) the vessel’s flag state has not adopted, implemented, and enforced a regulatory program governing such fishing designed to end or reduce such bycatch that is comparable in effectiveness to the regulatory program of the United States, taking into account differing conditions; and

“(B) a nation if—

“(i) any fishing vessel of that nation is engaged, or has engaged during the 3
years preceding the date of the determination, in fishing activities on the high sees or within the exclusive economic zone of another nation that target or incidentally catch sharks; and

“(ii) the vessel’s flag state has not adopted, implemented, and enforced a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark, including the tail, before landing the shark in port, that is comparable to that of the United States.

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

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

“(b) CONSULTATION AND NEGOTIATION.—The Secretary of State, acting in conjunction with the Secretary, shall—
“(1) notify, as soon as practicable, the President and nations that are engaged in, or that have any fishing vessels engaged in, fishing activities or practices described in subsection (a), about the provisions of this Act;

“(2) initiate discussions as soon as practicable with all foreign nations that are engaged in, or a fishing vessel of which has engaged in, fishing activities described in subsection (a), for the purpose of entering into bilateral and multilateral treaties with such nations to protect such species and to address any underlying failings or gaps that may have contributed to identification under this Act;

“(3) seek agreements calling for international restrictions on fishing activities or practices described in subsection (a) through the United Nations, the Committee on Fisheries of the Food and Agriculture Organization of the United Nations, and appropriate international fishery management bodies; and

“(4) initiate the amendment of any existing international treaty for the protection and conservation of such species to which the United States is a party in order to make such treaty consistent with the purposes and policies of this section.”.
(c) **Conservation Certification Procedure.**—

Section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(c)) is amended—

(1) in paragraph (2), by inserting "the public and" after "comment by"; and

(2) in paragraph (5), by striking "(except to the extent that such provisions apply to sport fishing equipment or fish or fish products not caught by the vessels engaged in illegal, unreported, or unregulated fishing)".

(d) **Definition of Protected Living Marine Resource.**—Section 610(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k(e)) is amended by striking paragraph (1) and inserting the following:

"(1) except as provided in paragraph (2), means nontarget fish, sea turtles, or marine mammals that are protected under United States law or international agreement, including—

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

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

(C) the Shark Finning Prohibition Act (16 U.S.C. 1822 note); and
“(D) the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington March 3, 1973 (27 UST 1087; TIAS 8249); but”.

SEC. 373. CAPACITY BUILDING IN FOREIGN FISHERIES.

(a) IN GENERAL.—The Secretary of Commerce, in consultation with the heads of other Federal agencies, as appropriate, shall develop and carry out with partner governments and civil society—

(1) multi-year international environmental cooperation agreements and projects; and

(2) multi-year capacity-building projects for implementing measures to address illegal, unreported, or unregulated fishing, fraud, forced labor, bycatch, and other conservation measures.

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

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

(2) in paragraph (3), by striking “as appropriate” and inserting “for all priority regions identified by the Working Group”.

(e) REPORTS.—Section 3553 of the Maritime SAFE Act (16 U.S.C. 8033) is amended—
(1) in paragraph (7), by striking “and” after the semicolon;
(2) in paragraph (8), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following:
“(9) the status of work with global enforcement partners.”.

SEC. 374. TRAINING OF UNITED STATES OBSERVERS.

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

(1) in paragraph (3), by striking “and” after the semicolon;
(2) by redesignating paragraph (4) as paragraph (5); and
(3) by inserting after paragraph (3) the following:
“(4) ensure that each observer has received training to identify indicators of forced labor (as defined in section 361 of the Coast Guard Authorization Act of 2022) and human trafficking (as defined in section 361 of the Coast Guard Authorization Act of 2022) and refer this information to appropriate authorities; and”.
SEC. 375. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate such regulations as may be necessary to carry out this title.

TITLE IV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Members and Families

SEC. 401. COAST GUARD CHILD CARE IMPROVEMENTS.

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

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

(b) CHILD DEVELOPMENT CENTER STANDARDS AND INSPECTIONS.—Section 2923(a) of title 14, United States Code, is amended to read as follows:
“(a) STANDARDS.—The Commandant shall require each Coast Guard child development center to meet standards of operation—

“(1) that the Commandant considers appropriate to ensure the health, safety, and welfare of the children and employees at the center; and

“(2) necessary for accreditation by an appropriate national early childhood programs accrediting entity.”.

(c) CHILD CARE SUBSIDY PROGRAM.—

(1) AUTHORIZATION.—

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

“§ 2927. Child care subsidy program

“(a) AUTHORITY.—The Commandant may operate a child care subsidy program to provide financial assistance to eligible providers that provide child care services or youth program services to members of the Coast Guard and any other individual the Commandant considers appropriate, if—

“(1) providing such financial assistance—

“(A) is in the best interests of the Coast Guard; and
“(B) enables supplementation or expansion of the provision of Coast Guard child care services, while not supplanting or replacing Coast Guard child care services; and

“(2) the Commandant ensures, to the extent practicable, that the eligible provider is able to comply, and does comply, with the regulations, policies, and standards applicable to Coast Guard child care services.

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

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

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

“(3) is a family home daycare; or

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

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

“(B) provides such services in a child development center owned and operated by a private, not-for-profit organization;
“(C) provides a before-school or after-school child care program in a public school facility;

“(D) conducts an otherwise federally funded or federally sponsored school-age child care or youth services program;

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

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

“(G) is a provider of another category of child care services or youth program services the Commandant considers appropriate for meeting the needs of members or civilian employees of the Coast Guard.

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

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

“2927. Child care subsidy program.”.
(2) Expansion of Child Care Subsidy Program.—

(A) In General.—The Commandant shall—

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

(ii) expand the eligible uses of funds for the program to accommodate the child care needs of members of the Coast Guard (including such members with nonstandard work hours and surge or other deployment cycles), including by providing funds directly to such members instead of care providers.

(B) Considerations.—In evaluating potential eligible uses under subparagraph (A), the Commandant shall consider au pairs, nanny services, nanny shares, in-home child care services, care services such as supplemental care for children with disabilities, and any other child care delivery method the Commandant considers appropriate.
(C) REQUIREMENTS.—In establishing expanded eligible uses of funds for the program, the Commandant shall ensure that such uses—

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

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

(iii) ensure a safe environment for dependents of such members and employees.

(D) PUBLICATION.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall publish an updated Commandant Instruction Manual (referred to in this paragraph as the “manual”) that describes the expanded eligible uses of the program.

(E) REPORT.—

(i) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infra-
structure of the House of Representatives
a report outlining the expansion of the pro-
gram.

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

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

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

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

(IV) Any recommendation with
respect to funding or additional au-
thorities necessary, including pro-
posals for legislative change, to meet
the current and anticipated future
child care subsidy demands of the
Coast Guard.
SEC. 402. ARMED FORCES ACCESS TO COAST GUARD CHILD CARE FACILITIES.

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

“(a)(1) The Commandant may make child development services available, in such priority as the Commandant considers to be appropriate and consistent with readiness and resources and in the best interests of dependents of members and civilian employees of the Coast Guard, for—

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

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

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

“(D) Federal civilian employees.

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

SEC. 403. CADET PREGNANCY POLICY IMPROVEMENTS.

(a) REGULATIONS REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the
Secretary of the department in which the Coast Guard is operating, in consultation with the Secretary of Defense, shall prescribe regulations that—

(1) preserve parental guardianship rights of cadets who become pregnant or father a child while attending the Coast Guard Academy; and

(2) maintain military and academic requirements for graduation and commissioning.

(b) Briefing.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the development of the regulations required by subsection (a).

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

(a) Findings.—Congress makes the following findings:

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

(2) Frequent deployments, dislocation, transfers, and operational tempo impart unique stresses to members of the Coast Guard and their families.
The same stressors often disrupt or make fertility treatments impractical or cost prohibitive.

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

(b) AUTHORIZATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall establish a pilot program for all qualified members of the Coast Guard for the purpose of expanding access to fertility treatment centers.

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

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

(A) examining support to improve access to fertility services traditionally considered non-essential and not covered by the TRICARE program (as defined under section 1072(7) of title
10, United States Code), such as medications, reproductive counseling, and other treatments;

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

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

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

(C) developing a process to allow assignment or reassignment of members of the Coast Guard requesting fertility treatments to a location conducive to receiving treatments; and

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

(E) providing flexible working hours, duty schedules, and administrative leave to allow for necessary treatments, appointments, and other services associated with receipt of fertility treatments and associated care.
(c) **DURATION.**—The duration of the pilot program under subsection (a) shall be not less than 5 years beginning on the date on which the pilot program is established.

(d) **Discharge on District Basis.**—The Commandant—

(1) may carry out the pilot program on a district basis; and

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

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

(a) **Report and Briefing.**—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after the date on which the initial report is submitted under this subsection, the Commandant shall submit a report and provide an in-person briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the implementation of section 221 of the Coast Guard Authorization Act of 2015 (Public Law 114–120; 10 U.S.C. 1413a note).

(b) **Elements.**—Each report and briefing required by subsection (a) shall include the following:
(1) A description of methods to educate members and retirees on the combat-related special compensation program.

(2) Statistics regarding enrollment in such program for members of the Coast Guard and Coast Guard retirees.

(3) A summary of each of the following:

(A) Activities carried out relating to the education of members of the Coast Guard participating in the Transition Assistance Program with respect to the combat-related special compensation program.

(B) Activities carried out relating to the education of members of the Coast Guard who are engaged in missions in which they are susceptible to injuries that may result in qualification for combat-related special compensation, including flight school, the National Motor Lifeboat School, deployable special forces, and other training programs as the Commandant considers appropriate.

(C) Activities carried out relating to training physicians and physician assistants employed by the Coast Guard, or otherwise stationed in Coast Guard clinics, sickbays, or other
locations at which medical care is provided to members of the Coast Guard, for the purpose of ensuring, during medical examinations, appropriate counseling and documentation of symptoms, injuries, and the associated incident that resulted in such injuries.

(D) Activities relating to the notification of heath service officers with respect to the combat-related special compensation program.

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

(5) Any other matter relating to combat-related special compensation the Commandant considers appropriate.

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

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

(2) by inserting “, or a duty in which chemical or other hazardous material exposure has occurred
(such as during marine inspections or pollution re-
response activities)” after “surfman”).

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

(a) Application to Members of the Coast
Guard When the Coast Guard Is Not Operating
As a Service in the Department of the Navy.—The
Combat-Injured Veterans Tax Fairness Act of 2016 (Pub-
lic Law 114–292; 10 U.S.C. 1212 note) is amended—

(1) in section 3—

(A) in subsection (a)—

(i) in the matter preceding paragraph

(1), by inserting “(and the Secretary of
Homeland Security, with respect to the
Coast Guard when it is not operating as a
service in the Department of the Navy,
and the Secretary of Transportation, with
respect to the Coast Guard during the pe-
riod in which it was operating as a service
in the Department of Transportation), in
coordination with the Secretary of the
Treasury,” after “the Secretary of De-
fense”;
(ii) in paragraph (1)(A)—

(I) in clause (i), by striking “the Secretary” and inserting “the Secretary of Defense (or the Secretary of Homeland Security or the Secretary of Transportation, with respect to the Coast Guard, as applicable)”;

(II) in clause (ii), by striking “the Secretary” and inserting “the Secretary of Defense (or the Secretary of Homeland Security or the Secretary of Transportation, with respect to the Coast Guard, as applicable)”;

and

(III) in clause (iv), striking “the Secretary” and inserting “the Secretary of Defense (or the Secretary of Homeland Security or the Secretary of Transportation, with respect to the Coast Guard, as applicable)”;

and

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

“(B) instructions for—
“(i) filing amended tax returns to recover the amounts improperly withheld for tax purposes; and

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

(B) by redesignating subsection (b) as subsection (c); and

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

“(b) STANDARD REFUND AMOUNTS DESCRIBED.—

The standard refund amounts described in this subsection are—

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

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

and

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

(2) in section 4—

(A) in the section heading, by inserting “AND THE SECRETARY OF THE DEPARTMENT IN WHICH THE COAST GUARD IS OPERATING” after “SECRETARY OF DEFENSE”;

(B) by inserting “(and the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in
the Department of the Navy), in coordination
with the Secretary of the Treasury,” after “The
Secretary of Defense”; and

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

(3) in section 5—

(A) in subsection (a)—

(i) by inserting “(and the Secretary of
the Department in which the Coast Guard
is operating, with respect to the Coast
Guard when it is not operating as a service
in the Department of the Navy, and the
Secretary of Transportation, with respect
to the Coast Guard during the period in
which it was operating as a service in the
Department of Transportation)” after “the
Secretary of Defense”; and

(ii) by striking “the Secretary to” and
inserting “the Secretary of Defense (or the
Secretary of Homeland Security or the
Secretary of Transportation, with respect
to the Coast Guard, as applicable) to”; and
(B) in subsection (b)—

(i) in paragraph (2), by striking “the Secretary” and inserting “the Secretary of Defense (or the Secretary of Homeland Security or the Secretary of Transportation, with respect to the Coast Guard, as applicable)”; and

(ii) in paragraph (3), by striking “the Secretary” and inserting “the Secretary of Defense (or the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Department of the Navy)”.

(b) Deadlines.—

(1) Identification of amounts improperly withheld and reporting.—The Secretary of Homeland Security and the Secretary of Transportation, in coordination with the Secretary of the Treasury, shall carry out the requirements under—

(A) section 3(a) of the Combat-Injured Veterans Tax Fairness Act of 2016 (Public Law 114–292; 10 U.S.C. 1212 note), as amended by subsection (a)(1)(A), not later than 1 year after the date of the enactment of this Act; and
(B) section 5 of that Act, as amended by subsection (a)(3), not later than 1 year after
the date of the enactment of this Act.

(2) Ensuring amounts are not improperly withheld.—The Secretary of Homeland Security
shall carry out the requirements under section 4 of the Combat-Injured Veterans Tax Fairness Act of
2016 (Public Law 114–292; 10 U.S.C. 1212 note), as amended by subsection (a)(2), beginning on the
date of the enactment of this Act.

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

(a) In general.—Section 402b of title 37, United
States Code, is amended—

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

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

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

“(1) In general.—In the case of a member of
the Coast Guard, the Secretary concerned shall—

“(A) determine under subsection (f) whether
the member is eligible under subsection (b)
for the allowance under subsection (a); and
“(B) if the Secretary concerned determines a member is eligible for the allowance, pay the allowance to the member unless the member elects not to receive the allowance.

“(2) Attestation of Income.—A member of the Coast Guard is not required to submit an application under subsection (e) to receive the allowance under subsection (a), but not less frequently than biennially, the member shall submit to the Secretary concerned an attestation that the gross household income of the member does not exceed the amount described in subsection (b)(2).

“(3) Electronic Process.—The Secretary concerned shall establish an electronic process pursuant to which a member of the Coast Guard may—

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

“(B) submit an attestation under paragraph (2).”.

(b) Conforming Amendments.—Such section is further amended—

(1) in subsection (e)—

(A) in paragraphs (1) and (2), by striking “A member” both places it appears and insert-
ing “Except as provided by subsection (h), a
t member”; and

(B) in paragraph (4)(B)—

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

“(i) the member”;

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

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

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

(2) by striking “A mem-
ber” and inserting “Except as provided by sub-
section (h), a member”.

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

(a) Study.—

(1) In general.—The Commandant shall con-
duct a study on food insecurity among members of
the Coast Guard.

(2) Elements.—The study required by para-
graph (1) shall include the following:
(A) An analysis of the impact of food deserts on members of the Coast Guard, and their dependents, who live in areas with high costs of living, including areas with high-density populations and rural areas.

(B) A comparison of—

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

(ii) local-level indicators used by the Bureau of Labor Statistics to determine cost of living that indicate buying power and consumer spending in specific geographic areas; and

(iii) indicators of cost of living used by the Department of Agriculture in market basket analyses, and other measures of local and regional food costs.

(C) An assessment of the accuracy of the method and indicators described in subparagraph (B) in quantifying high cost of living in low-data and remote areas.

(D) An assessment of the manner in which data accuracy and availability affect the accuracy of cost-of-living allowance calculations and
other benefits, as the Commandant considers appropriate.

(E) Recommendations—

(i) to improve access to high-quality, affordable food within a reasonable distance of Coast Guard units located in areas identified as food deserts;

(ii) to reduce transit costs for members of the Coast Guard and their dependents who are required to travel to access high-quality, affordable food; and

(iii) for improving the accuracy of such calculations.

(F) The estimated costs of implementing each recommendation made under subparagraph (E).

(b) PLAN.—

(1) IN GENERAL.—The Commandant shall develop a detailed plan to implement the recommendations of the study conducted under subsection (a).

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of
the House of Representatives a briefing on the plan required by paragraph (1), including the cost of implementation, proposals for legislative change, and any other result of the study the Commandant considers appropriate.

(c) Food Desert Defined.—In this section, the term “food desert” means an area, as determined by the Commandant, in which it is difficult to obtain affordable, high-quality fresh food in the immediate area in which members of the Coast Guard serve and reside.

Subtitle B—Healthcare

Sec. 421. Development of Medical Staffing Standards for the Coast Guard.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Commandant, in consultation with the Defense Health Agency and any healthcare expert the Commandant considers appropriate, shall develop medical staffing standards for the Coast Guard consistent with the recommendations of the Comptroller General of the United States set forth in the report entitled “Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care” published in February 2022.
(b) INCLUSIONS.—The standards required by subsection (a) shall address and take into consideration the following:

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

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

(3) Staffing levels of medical, dental, and behavioral health providers for the Coast Guard who are—

(A) members of the Coast Guard;

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

(C) Federal civilian employees; or

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

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

(5) Any discrepancy between medical staffing standards of the Department of Defense and medical staffing standards of the Coast Guard.
(c) Review.—Not later than 90 days after the staffing standards required by subsection (a) are completed, the Commandant shall submit the standards to the Comptroller General, who shall review the standards and provide recommendations to the Commandant.

(d) Report to Congress.—Not later than 180 days after developing such standards, 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 standards developed under subsection (a) that includes a plan and a description of the resources and budgetary needs required to implement the standards.

(e) Modification, Implementation, and Periodic Updates.—The Commandant shall—

(1) modify such standards as necessary based on the recommendations provided under subsection (e);

(2) implement the standards;

(3) review and update the standards not less frequently than every 4 years.
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SEC. 422. HEALTHCARE SYSTEM REVIEW AND STRATEGIC PLAN.

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

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

(2) develop a strategic plan for improvements to, and modernization of, such system to ensure access to high-quality, timely healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(b) PLAN.—

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

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

(B) to optimize delivery of healthcare benefits;

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

(D) to prepare for the future needs of the Coast Guard.
(2) **ELEMENTS.**—The plan shall address, at a minimum, the following:

(A) Improving access to healthcare for members of the Coast Guard, their dependents, and applicable Coast Guard retirees.

(B) Quality of care.

(C) The experience and satisfaction of members of the Coast Guard and their dependents with the Coast Guard healthcare system.

(D) The readiness of members of the Coast Guard and medical personnel.

(c) **ADVISORY COMMITTEE.**—

(1) **ESTABLISHMENT.**—The Commandant shall establish an advisory committee to conduct a comprehensive review of the Coast Guard healthcare system (referred to in this section as the “Advisory Committee”).

(2) **MEMBERSHIP.**—

(A) **COMPOSITION.**—The Advisory Committee shall be composed of members selected by the Commandant, including—

(i) 1 or more members of the uniformed services (as defined in section 101 of title 10, United States Code) or Federal employees with expertise in—
(I) the medical, dental, pharmacy, behavioral health, or reproductive health fields; or

(II) any other field the Commandant considers appropriate;

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

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

(3) CHAIRPERSON.—The chairperson of the Advisory Committee shall be the Director of the Health, Safety, and Work Life Directorate of the Coast Guard.

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

(5) REPORT TO COMMANDANT.—Not later than 1 year after the Advisory Committee is established, the Advisory Committee shall submit to the Commandant a report that—

(A) taking into consideration the medical staffing standards developed under section 421, assesses the recommended medical staffing standards set forth in the Comptroller General study required by section 8260 of the William M. (Mac) Thornberry National Defense Author-
ization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4679), and compares such standards to the medical staffing standards of the Department of Defense and the private sector;

(B) addresses improvements needed to ensure continuity of care for members of the Coast Guard, including by evaluating the feasibility of having a dedicated primary care manager for each such member while the member is stationed at a duty station;

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

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

(E) identifies ways the Coast Guard may better use Department of Defense Medical Health System resources for members of the Coast Guard, their dependents, and applicable retirees;
(F) identifies barriers to participation in the Coast Guard healthcare system and ways the Coast Guard may better use patient feedback to improve quality of care at Coast Guard-owned facilities, military treatment facilities, and specialist referrals;

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

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

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of the enactment of this Act, 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) the strategic plan for the Coast Guard medical system required by subsection (a);

(2) the report of the Advisory Committee submitted to the Commandant under subsection (e); and

(3) a description of the manner in which the Commandant plans to implement the recommendations of the Advisory Committee.
SEC. 423. DATA COLLECTION AND ACCESS TO CARE.

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

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

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

(A) routine annual physical health assess-
ments;

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

(C) sick call;

(D) injuries;

(E) dental health; and

(F) behavioral health conditions.
(2) Collection of data on access to care for referrals.

(3) Collection of data on access to care for members of the Coast Guard stationed at remote units, aboard Coast Guard cutters, and on deployments.

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

(5) Use of data for addressing the standards of care, including time between requests for appointments and actual appointments, including appointments made with referral services.

(c) REVIEW BY COMPTROLLER GENERAL.—

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

(2) REVIEW.—Not later than 180 days after receiving the policy, the Comptroller General shall review the policy and provide recommendations to the Commandant.

(3) MODIFICATION.—Not later than 60 days after receiving the recommendations of the Comptroller General, the Commandant shall modify the policy as necessary based on such recommendations.
(d) Publication and Report to Congress.—Not later than 90 days after the policy is modified under subsection (c)(3), the Commandant shall—

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

(2) 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 policy and the manner in which the Commandant plans to address access-to-care deficiencies.

(e) Periodic Updates.—Not less frequently than every 5 years, the Commandant shall review and update the policy.

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

(a) Sense of Congress.—It is the sense of Congress that—

(1) members of the Coast Guard—

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

(B) should be encouraged to seek appropriate medical treatment and professional guidance; and

(2) after treatment for behavioral health conditions, many members of the Coast Guard should be
allowed to resume service in the Coast Guard if
they—

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

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

(b) INTERIM BEHAVIORAL HEALTH POLICY.—

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

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

(c) PERMANENT POLICY.—In developing a perma-
nent policy with respect to retention and behavioral health,
the Commandant shall ensure that, to the extent prac-
ticable, the policy of the Coast Guard is in parity with
section 5.28 (relating to behavioral health) of Department
of Defense Instruction 6130.03, volume 2, “Medical Standards for Military Service: Retention”.

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

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

“§ 2515. Members asserting post-traumatic stress disorder or traumatic brain injury

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

“(2) A member described in paragraph (1) shall not be administratively separated under conditions other than honorable, including an administrative separation in lieu of court-martial, until the results of the medical examination have been reviewed by appropriate authorities respon-
sible for evaluating, reviewing, and approving the separation case, as determined by the Secretary.

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

“(i) performed by—

“(I) a board-certified or board-eligible psychiatrist; or

“(II) a licensed doctorate-level psychologist; or

“(ii) performed under the close supervision of—

“(I) a board-certified or board-eligible psychiatrist; or

“(II) a licensed doctorate-level psychologist, a doctorate-level mental health provider, a psychiatry resident, or a clinical or counseling psychologist who has completed a 1-year internship or residency.

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

“(b) PURPOSE OF MEDICAL EXAMINATION.—The medical examination required by subsection (a) shall assess whether the effects of mental or neurocognitive disorders, including post-traumatic stress disorder and traumatic brain injury, constitute matters in extenuation that
relate to the basis for administrative separation under conditions other than honorable or the overall characterization of the service of the member as other than honorable.

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

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

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

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

SEC. 426. IMPROVEMENTS TO THE PHYSICAL DISABILITY EVALUATION SYSTEM AND TRANSITION PROGRAM.

(a) TEMPORARY POLICY.—Not later than 60 days after the date of the enactment of this Act, the Commandant shall develop a temporary policy that—

(1) improves timeliness, communication, and outcomes for members of the Coast Guard under-
going the Physical Disability Evaluation System, or a related formal or informal process;

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

(3) maximizes the potential separation and career transition benefits for members of the Coast Guard undergoing the Physical Disability Evaluation System, or a related formal or informal process.

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

(1) A requirement that any member of the Coast Guard who is undergoing the Physical Disability Evaluation System, or a related formal or informal process, shall be placed in a duty status that allows the member the opportunity to attend necessary medical appointments and other activities relating to the Physical Disability Evaluation System, including completion of any application of the Department of Veterans Affairs and career transition planning.

(2) In the case of a Medical Evaluation Board report that is not completed within 120 days after the date on which an evaluation by the Medical
Evaluation Board was initiated, the option for such a member to enter permissive duty status.

(3) A requirement that the date of initiation of an evaluation by a Medical Evaluation Board shall include the date on which any verbal or written affirmation is made to the member, command, or medical staff that the evaluation by the Medical Evaluation Board has been initiated.

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

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

(6) A requirement that the Coast Guard shall provide such a member with a written separation date upon the completion of a Medical Evaluation
Board report that finds the member unfit to continue active duty.

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

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

(i) placement of the member in an excess leave status after 270 days have elapsed since the date of initiation of an evaluation by a Medical Evaluation Board by any competent authority; and

(ii) a calculation of the costs to retain the member on active duty, including the pay, allowances, and other associated benefits of the member, for the period beginning on the date that is 90 days after date of initiation of an evaluation by a Medical Evaluation Board by any competent authority and ending on the date on which the member is separated from the Coast Guard; and

(B) the availability of administrative solutions to any such delay.
(8) With respect to a member of the Coast Guard on temporary limited duty status, an option to remain in the member's current billet, to the maximum extent practicable, or to be transferred to a different active-duty billet, so as to minimize any negative impact on the member's career trajectory.

(9) A requirement that each respective command shall report to the Coast Guard Personnel Service Center any delay of more than 21 days between each stage of the Physical Disability Evaluation System for any such member, including between stages of the processes, the Medical Evaluation Board, the Informal Physical Evaluation Board, and the Formal Physical Evaluation Board.

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

(11) A requirement that—

(A) a member of the Coast Guard shall be allowed to make a request for a reasonable
delay in the Physical Disability Evaluation System to obtain additional input and consultation from a medical or legal professional; and

(B) any such request for delay shall be approved by the Commandant based on a showing of good cause by the member.

(c) Report on Temporary Policy.—Not later than 60 days after the date of the enactment of this Act, 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 copy of the policy developed under subsection (a).

(d) Permanent Policy.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall publish a Commandant Instruction making the policy developed under subsection (a) a permanent policy of the Coast Guard.

(e) Briefing.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on, and a copy of, the permanent policy.

(f) Annual Report on Costs.—
(1) In general.—Not less frequently than annually, 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, for the preceding fiscal year—

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

(B) includes for each such member—

(i) an accounting of such costs; and

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

(2) Personally identifiable information.—A report under paragraph (1) shall not include the personally identifiable information of any member of the Coast Guard.

SEC. 427. EXPANSION OF ACCESS TO COUNSELING.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Commandant shall
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1 hire, train, and deploy not fewer than an additional 5 be-
2 havioral health specialists.
3 (b) REQUIREMENT.—Through the hiring process re-
4 quired by subsection (a), the Commandant shall ensure
5 that at least 35 percent of behavioral health specialists
6 employed by the Coast Guard have experience in behav-
7 ioral healthcare for the purpose of supporting members
8 of the Coast Guard with fertility, infertility, pregnancy,
9 miscarriage, child loss, postpartum depression, and related
10 counseling needs.
11 (c) ACCESSIBILITY.—The support provided by the be-
12 havioral health specialists described in subsection (a)—
13 (1) may include care delivered via telemedicine;
14 and
15 (2) shall be made widely available to members
16 of the Coast Guard.
17 (d) AUTHORIZATION OF APPROPRIATIONS.—Of the
18 amounts authorized to be appropriated under section
19 4902(1)(A) of title 14, United States Code, as amended
20 by section 101 of this Act, $2,000,000 shall be made avail-
21 able to the Commandant for each of fiscal years 2023 and
22 2024 to carry out this section.
SEC. 428. EXPANSION OF POSTGRADUATE OPPORTUNITIES
FOR MEMBERS OF THE COAST GUARD IN
MEDICAL AND RELATED FIELDS.

(a) In general.—The Commandant shall expand
opportunities for members of the Coast Guard to secure
postgraduate degrees in medical and related professional
disciplines for the purpose of supporting Coast Guard clin-
ics and operations.

(b) Military training student loads.—Section
4904(b)(3) of title 14, United States Code, is amended
by striking "350" and inserting "385".

SEC. 429. STUDY ON COAST GUARD TELEMEDICINE PRO-
GRAM.

(a) In general.—Not later than 180 days after the
date of the enactment of this Act, the Comptroller General
of the United States shall commence a study on the Coast
Guard telemedicine program.

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

(1) An assessment of—

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

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

(C) the capability and accessibility of such
program, as compared to the capability and ac-
cessibility of the telemedicine programs of the
Department of Defense and commercial medical
providers;

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

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

(i) care through telemedicine; and

(ii) preventative care.

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

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

(c) REPORT.—Not later than 1 year after com-
mencing the study required by subsection (a), the Com-
troller General shall submit to the Committee on Com-
merce, Science, and Transportation of the Senate and the
Committee on Transportation and Infrastructure of the
House of Representatives a report on the findings of the
study.
SEC. 430. STUDY ON COAST GUARD MEDICAL FACILITIES NEEDS.

(a) In general.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study on Coast Guard medical facilities needs.

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

(1) A current list of Coast Guard medical facilities, including clinics, sickbays, and shipboard facilities.

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

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

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

(5) An evaluation of the process used by the Coast Guard to identify, monitor, and construct Coast Guard medical facilities.
(6) A description of the resources necessary to fully address all Coast Guard medical facilities needs.

c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General 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 findings of the study.

Subtitle C—Housing

SEC. 441. STRATEGY TO IMPROVE QUALITY OF LIFE AT REMOTE UNITS.

(a) IN GENERAL.—Not more than 180 days after the date of the enactment of this Act, the Commandant shall develop a strategy to improve the quality of life for members of the Coast Guard and their dependents who are stationed in remote units.

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

(1) Methods to improve the availability or affordability of housing options for members of the Coast Guard and their dependents through—

(A) Coast Guard-owned housing;

(B) Coast Guard-facilitated housing; or
(C) basic allowance for housing adjustments to rates that are more competitive for members of the Coast Guard seeking privately owned or privately rented housing.

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

(A) medical, dental, and pediatric care;

(B) healthcare specific to women; and

(C) behavioral healthcare.

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

(4) Methods to improve non-Coast Guard network internet access at remote units—

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

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

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

(6) Any other matter the Commandant considers appropriate.
(c) BRIEFING.—Not later than 180 days after the strategy required by subsection (a) is completed, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the strategy.

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

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

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

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

(1) An assessment of—

(A) the extent to which—

(i) the Commandant has evaluated the sufficiency, availability, and affordability of housing options for members of the Coast Guard and their dependents; and
(ii) the Coast Guard owns and leases housing for members of the Coast Guard and their dependents;

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

(i) to inform Coast Guard housing policy; and

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

(C) the process used by the Commandant to gather and provide information used to calculate housing allowances for members of the Coast Guard and their dependents, including whether the Commandant has established best practices to manage low-data areas.

(2) An assessment as to whether it is advantageous for the Coast Guard to continue to use the Department of Defense basic allowance for housing system.

(3) Recommendations for actions the Commandant should take to improve the availability and
affordability of housing for members of the Coast
Guard and their dependents who are stationed in—

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

or

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

(e) REPORT.—Not later than 1 year after com-
mencing the study required by subsection (a), the Com-
troller General shall submit to the Committee on Com-
erce, Science, and Transportation of the Senate and the
Committee on Transportation and Infrastructure of the
House of Representatives a report on the findings of the
study.

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

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

(2) include a Coast Guard-owned housing infra-
structure investment prioritization plan.
Subtitle D—Other Matters

SEC. 451. REPORT ON AVAILABILITY OF EMERGENCY SUPPLIES FOR COAST GUARD PERSONNEL.

(a) In general.—Not later than 180 days after the date of the 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 the availability of appropriate emergency supplies at Coast Guard units.

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

(1) An assessment of the extent to which—

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

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

(2) A description of any challenge the Commandant faces in planning for and maintaining adequate emergency supplies for Coast Guard personnel.
(c) PUBLICATION.—Not later than 90 days after the date of submission of the report required by subsection (a), the Commandant shall publish a strategy and recommendations in response to the report that includes—

(1) a plan for improving emergency preparedness and emergency supplies for Coast Guard units; and

(2) a process for periodic review and engagement with Coast Guard units to ensure emerging emergency response supply needs are achieved and maintained.

TITLE V—MARITIME
Subtitle A—Vessel Safety

SEC. 501. ABANDONED SEAFARER FUND AMENDMENTS.

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

(1) in the matter preceding subparagraph (A) of subsection (a)(2), by striking “may be appropriated” and inserting “shall be available without further appropriations, and shall remain available until expended,”; and

(2) in subsection (c)—

(A) in the matter preceding subparagraph (A) of paragraph (1), by inserting “plus a sur-
charge of 25 percent of such total amount”,

after “seafarer”; and

(B) by striking paragraph (4).

SEC. 502. RECEIPTS; INTERNATIONAL AGREEMENTS FOR
ICE PATROL SERVICES.

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

SEC. 503. PASSENGER VESSEL SECURITY AND SAFETY RE-
QUIREMENTS.

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

(1) carries in excess of 250 passengers; and

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

SEC. 504. AT-SEA RECOVERY OPERATIONS PILOT PRO-
GRAM.

(a) IN GENERAL.—The Secretary shall conduct a
pilot program to evaluate the potential use of remotely
controlled or autonomous operation and monitoring of certain vessels for the purposes of—

(1) better understanding the complexities of such at-sea operations and potential risks to navigation safety, vessel security, maritime workers, the public, and the environment;

(2) gathering observational and performance data from monitoring the use of remotely-controlled or autonomous vessels; and

(3) assessing and evaluating regulatory requirements necessary to guide the development of future occurrences of such operations and activities.

(b) DURATION AND EFFECTIVE DATE.—The duration of the pilot program established under this section shall be not more than 5 years beginning on the date on which the pilot program is established, which shall be not later than 180 days after the date of enactment of this Act.

(c) AUTHORIZED ACTIVITIES.—The activities authorized under this section include—

(1) remote over-the-horizon monitoring operations related to the active at-sea recovery of spaceflight components on an unmanned vessel or platform;
(2) procedures for the unaccompanied operation
and monitoring of an unmanned spaceflight recovery
vessel or platform; and

(3) unmanned vessel transits and testing oper-
ations without a physical tow line related to space
launch and recovery operations, except within 12
nautical miles of a port.

(d) INTERIM AUTHORITY.—In recognition of poten-
tial risks to navigation safety, vessel security, maritime
workers, the public, and the environment, and the unique
circumstances requiring the use of remotely operated or
autonomous vessels, the Secretary, in the pilot program
established under subsection (a), may—

(1) allow remotely controlled or autonomous
vessel operations to proceed consistent to the extent
practicable under titles 33 and 46 of the United
States Code, including navigation and manning laws
and regulations;

(2) modify or waive applicable regulations and
guidance as the Secretary considers appropriate to—

(A) allow remote and autonomous vessel
at-sea operations and activities to occur while
ensuring navigation safety; and
(B) ensure the reliable, safe, and secure
operation of remotely-controlled or autonomous
vessels; and

(3) require each remotely operated or autono-

mous vessel to be at all times under the supervision
of 1 or more individuals—

(A) holding a merchant mariner credential
which is suitable to the satisfaction of the Coast

Guard; and

(B) who shall practice due regard for the

safety of navigation of the autonomous vessel,
to include collision avoidance.

(c) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to authorize the Secretary to—

(1) permit foreign vessels to participate in the
pilot program established under subsection (a);

(2) waive or modify applicable laws and regula-
tions under titles 33 and 46 of the United States
Code, except to the extent authorized under sub-
section (d)(2); or

(3) waive or modify any regulations arising
under international conventions.

(f) SAVINGS PROVISION.—Nothing in this section
may be construed to authorize the employment in the
coastwise trade of a vessel or platform that does not meet
the requirements of sections 12112, 55102, 55103, and
55111 of title 46, United States Code.

(g) BRIEFINGS.—The Secretary or the designee of
the Secretary shall brief the Committee on Commerce,
Science, and Transportation of the Senate and the Com-
mittee on Transportation and Infrastructure of the House
of Representatives on the program established under sub-
section (a) on a quarterly basis.

(h) REPORT.—Not later than 180 days after the expi-
ration of the pilot program established under subsection
(a), the Secretary shall submit to the Committee on Com-
merce, Science, and Transportation of the Senate and the
Committee on Transportation and Infrastructure of the
House of Representatives a final report regarding an as-
essment of the execution of the pilot program and impli-
cations for maintaining navigation safety, the safety of
maritime workers, and the preservation of the environ-
ment.

(i) GAO REPORT.—

(1) IN GENERAL.—Not later than 18 months
after the date of enactment of this section, the
Comptroller General of the United States shall sub-
mit 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 state of autonomous
and remote technologies in the operation of ship-
board equipment and the safe and secure navigation
of vessels in Federal waters of the United States.

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

(A) An assessment of commercially avail-
able autonomous and remote technologies in the
operation of shipboard equipment and the safe
and secure navigation of vessels during the 10
years immediately preceding the date of the re-
port.

(B) An analysis of the safety, physical se-
curity, cybersecurity, and collision avoidance
risks and benefits associated with autonomous
and remote technologies in the operation of
shipboard equipment and the safe and secure
navigation of vessels, including environmental
considerations.

(C) An assessment of the impact of such
autonomous and remote technologies, and all
associated technologies, on labor, including—

(i) roles for credentialed and
noncredentialed workers regarding such
autonomous, remote, and associated technologies; and

(ii) training and workforce development needs associated with such technologies.

(D) An assessment and evaluation of regulatory requirements necessary to guide the development of future autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels.

(E) An assessment of the extent to which such technologies are being used in other countries and how such countries have regulated such technologies.

(F) Recommendations regarding authorization, infrastructure, and other requirements necessary for the implementation of such technologies in the United States.

(3) CONSULTATION.—The report required under paragraph (1) shall include, at a minimum, consultation with the maritime industry including—

(A) vessel operators, including commercial carriers, entities engaged in exploring for, developing, or producing resources, including non-
mineral energy resources in its offshore areas, and supporting entities in the maritime industry;

(B) shipboard personnel impacted by any change to autonomous vessel operations, in order to assess the various benefits and risks associated with the implementation of autonomous, remote, and associated technologies in the operation of shipboard equipment and safe and secure navigation of vessels and the impact such technologies would have on maritime jobs and maritime manpower; and

(C) relevant federally funded research institutions, non-governmental organizations, and academia.

(j) DEFINITIONS.—In this section:

(1) MERCHANT MARINER CREDENTIAL.—The term “merchant mariner credential” means a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to title 46, United States Code.

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.
SEC. 505. EXONERATION AND LIMITATION OF LIABILITY FOR SMALL PASSENGER VESSELS.

(a) Restructuring.—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 before section 30503 the following:

“Subchapter II—Exoneration and Limitation of Liability”;

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) Applicability.—Section 30502 of title 46, United States Code, is amended—

(1) by striking “Except as otherwise provided” and inserting the following: “(a) In General.—Except as to covered small passenger vessels and as otherwise provided”;

(2) by striking “section 30503” and inserting “section 30521”; and

(3) by adding at the end the following:

“(b) Application.—Notwithstanding subsection (a), the requirements of section 30526 of this title shall apply to covered small passenger vessels.”.
(d) **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)—

(A) in paragraph (1), by striking “6 months” and inserting “2 years”; and

(B) in paragraph (2), by striking “one year” and inserting “2 years”.

(e) **Chapter Analysis.**—The analysis for chapter 305 of title 46, United States Code, is amended—

(1) by inserting before the item relating to section 30501 the following:

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

(2) by inserting after the item relating to section 30502 the following:

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

(3) by striking the item relating to section 30501 and inserting the following:

“30501. Definitions.”;

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

(f) 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, as redesignated by subsection (a)—

(A) in the matter preceding paragraph (1), by striking “sections 30505 and 30506” and inserting “sections 30523 and 30524”;

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

(C) in paragraph (2), by striking “section 30506(b)” and inserting “section 30524(b)”. 
SEC. 506. MORATORIUM ON TOWING VESSEL INSPECTION

USER FEES.

Notwithstanding section 9701 of title 31, United States Code, and section 2110 of title 46 of such Code, the Secretary of the department in which the Coast Guard is operating may not charge an inspection fee for a towing vessel that has a certificate of inspection issued under subchapter M of chapter I of title 46, Code of Federal Regulations (or any successor regulation), and that uses the Towing Safety Management System option for compliance with such subchapter, until—

(1) the completion of the review required under section 815 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (14 U.S.C. 946 note; Public Law 115–282); and

(2) the promulgation of regulations to establish specific inspection fees for such vessels.

SEC. 507. CERTAIN HISTORIC PASSENGER VESSELS.

(a) REPORT ON COVERED HISTORIC VESSELS.—

(1) 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 evaluating the practicability of
the application of section 3306(n)(3)(v) of title 46, United States Code, to covered historic vessels.

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

(A) An assessment of the compliance, as of the date on which the report is submitted in accordance with paragraph (1), of covered historic vessels with section 3306(n)(3)(v) of title 46, United States Code.

(B) An assessment of the safety record of covered historic vessels.

(C) An assessment of the risk, if any, that modifying the requirements under section 3306(n)(3)(v) of title 46, United States Code, would have on the safety of passengers and crew of covered historic vessels.

(D) An evaluation of the economic practicability of the compliance of covered historic vessels with such section 3306(n)(3)(v) and whether that compliance would meaningfully improve safety of passengers and crew in a manner that is both feasible and economically practicable.
(E) Any recommendations to improve safety in addition to, or in lieu of, such section 3306(n)(3)(v).

(F) Any other recommendations as the Comptroller General determines are appropriate with respect to the applicability of such section 3306(n)(3)(v) to covered historic vessels.

(G) An assessment to determine if covered historic vessels could be provided an exemption to such section 3306(n)(3)(v) and what changes to legislative or rulemaking requirements, including modifications to section 177.500(q) of title 46, Code of Federal Regulations (as in effect on the date of enactment of this Act), are necessary to provide the Commandant the authority to make such exemption or to otherwise provide for such exemption.

(b) CONSULTATION.—In completing the report required under subsection (a)(1), the Comptroller General may consult with—

(1) the National Transportation Safety Board;

(2) the Coast Guard; and

(3) the maritime industry, including relevant federally funded research institutions, nongovernmental organizations, and academia.
(c) Extension for Covered Historic Vessels.—

The captain of a port may waive the requirements of section 3306(n)(3)(v) of title 46, United States Code, with respect to covered historic vessels for not more than 2 years after the date of submission of the report required by subsection (a) to Congress in accordance with such subsection.

(d) Savings Clause.—Nothing in this section shall limit any authority available, as of the date of enactment of this Act, to the captain of a port with respect to safety measures or any other authority as necessary for the safety of covered historic vessels.

(e) Notice to Passengers.—A covered historic vessel that receives a waiver under subsection (c) shall, beginning on the date on which the requirements under section 3306(n)(3)(v) of title 46, United States Code, take effect, provide a prominently displayed notice on its website, ticket counter, and each ticket for passengers that the vessel is exempt from meeting the Coast Guard safety compliance standards concerning egress as provided for under such section 3306(n)(3)(v).

(f) Definition of Covered Historic Vessels.—

In this section, the term “covered historic vessels” means the following:

(1) American Eagle (Official Number 229913).
(2) Angelique (Official Number 623562).

(3) Heritage (Official Number 649561).

(4) J & E Riggin (Official Number 226422).

(5) Ladona (Official Number 222228).

(6) Lewis R. French (Official Number 015801).

(7) Mary Day (Official Number 288714).

(8) Stephen Taber (Official Number 115409).

(9) Victory Chimes (Official Number 136784).

(10) Grace Bailey (Official Number 085754).

(11) Mercantile (Official Number 214388).

(12) Mistress (Official Number 509004).

**SEC. 508. COAST GUARD DIGITAL REGISTRATION.**

Section 12304(a) of title 46, United States Code, is amended—

(1) by striking “shall be pocketsized,”; and

(2) by striking “, and may be valid” and inserting “and may be in hard copy or digital form. The certificate shall be valid”.

**SEC. 509. RESPONSES 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 a recommendation and
supporting justification by the National Transportation Safety Board relating to transportation safety, the Commandant shall submit to the National Transportation Safety Board a written response to the 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 with which the Commandant concurs, an explanation of the actions the Commandant intends to take to implement such recommendation;
“(2) with respect to a recommendation with 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 with which the Commandant does not concur, the reasons the Commandant does not concur.
“(e) FAILURE TO RESPOND.—If the National Transportation Safety Board has not received the written response required under subsection (a) by the end of the time period described in that subsection, the National Transportation Safety Board shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that such response has not been received.”.

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

“721. Responses to safety recommendations.”

SEC. 510. COMPTROLLER GENERAL OF THE UNITED STATES STUDY AND REPORT ON THE COAST GUARD’S OVERSIGHT OF THIRD PARTY ORGANIZATIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall initiate a review, not later than 1 year after the date of enactment of this Act that assesses the Coast Guard’s oversight of third party organizations.

(b) ELEMENTS.—The study required under subsection (a) shall analyze the following:

(1) Coast Guard utilization of third party organizations in its prevention mission, and the extent the Coast Guard plans to increase such use to en-
hance prevention mission performance, including re-
source utilization and specialized expertise.

(2) The extent the Coast Guard has assessed
the potential risks and benefits of using third party
organizations to support prevention mission activi-
ties.

(3) The extent the Coast Guard provides over-
sight of third party organizations authorized to sup-
port prevention mission activities.

(c) REPORT.—The Comptroller General shall submit
the results from this study not later than 1 year after initi-
ating the review to the Committee on Commerce, Science,
and Transportation of the Senate and the Committee on
Transportation and Infrastructure of the House of Rep-
resentatives.

SEC. 511. ARTICULATED TUG-BARGE MANNING.

(a) IN GENERAL.—Notwithstanding the watch set-
ting requirements set forth in section 8104 of title 46,
United States Code, the Secretary of the department in
which the Coast Guard is operating shall authorize an Of-
ficer in Charge of Marine Inspection to issue an amended
Certificate of Inspection that does not require engine room
watch setting to inspected towing vessels certificated prior
to July 19, 2022, forming part of an articulated tug-barge
unit, provided that such vessels are equipped with engi-
neering control and monitoring systems of a type accepted
for no engine room watch setting under a previously ap-
proved Minimum Safe Manning Document or Certificate
of Inspection for articulated tug-barge units.

(b) DEFINITIONS.—In this section:

(1) CERTIFICATE OF INSPECTION.—The term
“Certificate of Inspection” means a certificate of in-
spection under subchapter M of chapter I of title 46,
Code of Federal Regulations.

(2) INSPECTED TOWING VESSEL.—The term
“inspected towing vessel” means a vessel issued a
Certificate of Inspection.

Subtitle B—Other Matters

SEC. 521. DEFINITION OF A STATELESS VESSEL.

Section 70502(d)(1) of title 46, United States Code,
is amended—

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

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

(3) by adding at the end the following new sub-
paragraph:

“(D) a vessel aboard which no individual,
on request of an officer of the United States
authorized to enforce applicable provisions of
United States law, claims to be the master or
is identified as the individual in charge and that
has no other claim of nationality or registry
under paragraph (1) or (2) of subsection (e).”.

SEC. 522. REPORT ON ENFORCEMENT OF COASTWISE LAWS.
Not later than 1 year of the date of enactment of
this Act, the Commandant shall submit to Congress a re-
port describing any changes to the enforcement of chap-
ters 121 and 551 of title 46, United States Code, as a
result of the amendments to section 4(a)(1) of the Outer
Continental Shelf Lands Act (43 U.S.C. 1333(a)(1)) made
by section 9503 of the William M. (Mac) Thornberry Na-
tional Defense Authorization Act for Fiscal Year 2021
(Public Law 116–283).

SEC. 523. STUDY ON MULTI-LEVEL SUPPLY CHAIN SECU-
RITY STRATEGY OF THE DEPARTMENT OF
HOMELAND SECURITY.
(a) IN GENERAL.—Not later than 1 year after the
date of enactment of this Act, the Comptroller General
of the United States shall initiate a study that assesses
the efforts of the Department of Homeland Security with
respect to securing vessels and maritime cargo bound for
the United States from national security related risks and
threats.
(b) ELEMENTS.—The study required under subsection (a) shall assess the following:

(1) Programs that comprise the maritime strategy of the Department of Homeland Security for securing vessels and maritime cargo bound for the United States, and the extent that such programs cover the critical components of the global supply chain.

(2) The extent to which the components of the Department of Homeland Security responsible for maritime security issues have implemented leading practices in collaboration.

(3) The extent to which the Department of Homeland Security has assessed the effectiveness of its maritime security strategy.

(e) REPORT.—Not later than 1 year after initiating the study under subsection (a), the Comptroller General of the United States shall submit the results from the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representa-
SEC. 524. STUDY TO MODERNIZE THE MERCHANT MARINER LICENSING AND DOCUMENTATION SYSTEM.

(a) In general.—Not later than 90 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate, and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the financial, human, and information technology infrastructure resources needed to establish an electronic merchant mariner licensing and documentation system.

(b) Legislative and Regulatory Suggestions.—The report described in paragraph (1) shall include recommendations for such legislative or administrative actions as the Commandant determines necessary to establish the electronic merchant mariner licensing and documentation system described in subsection (a) as soon as possible.

SEC. 525. STUDY AND REPORT ON DEVELOPMENT AND MAINTENANCE OF MARINER RECORDS DATABASE.

(a) Study.—

(1) In general.—The Secretary, in coordination with the Commandant and the Administrator of the Maritime Administration and the Commander of
the United States Transportation Command, shall
conduct a study on the potential benefits and feasi-
bility of developing and maintaining a Coast Guard
database that—

(A) contains records with respect to each
credentialed mariner, including credential valid-
ity, drug and alcohol testing results, and inform-
ation on any final adjudicated agency action
involving a credentialed mariner or regarding
any involvement in a marine casualty; and

(B) maintains such records in a manner
such that data can be readily accessed by the
Federal Government for the purpose of assess-
ing workforce needs and for the purpose of the
economic and national security of the United
States.

(2) ELEMENTS.—The study required under
paragraph (1) shall—

(A) include an assessment of the resources,
including information technology, and authori-
ties necessary to develop and maintain the data-
base described in such paragraph; and

(B) specifically address the protection of
the privacy interests of any individuals whose
information may be contained within the data-
base, which shall include limiting access to the
database or having access to the database be
monitored by, or accessed through, a member of
the Coast Guard.

(b) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Secretary shall submit
to the Committee on Commerce, Science, and Transpor-
tation of the Senate and the Committee on Transportation
and Infrastructure of the House of Representatives a re-
port on the results of the study under subsection (a), in-
cluding findings, conclusions, and recommendations.

(c) DEFINITIONS.—In this section:

(1) CREDENTIALED MARINER.—The term
“credentialed mariner” means an individual with a
merchant mariner license, certificate, or document
that the Secretary is authorized to issue pursuant to
title 46, United States Code.

(2) SECRETARY.—The term “Secretary” means
the Secretary of the Department in which the Coast
Guard is operating.
TITLE VI—SEXUAL ASSAULT AND
SEXUAL HARASSMENT PRE-
VENTION AND RESPONSE

SEC. 601. 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 fol-
lowing:

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

“(46) ‘sexual harassment’ means any of the fol-
lowing:

“(A) Conduct towards an individual (which
may have been by the individual’s supervisor, a
supervisor in another area, a coworker, or an-
other credentialed mariner) that—

“(i) involves unwelcome sexual ad-
vances, requests for sexual favors, or delib-
erate or repeated offensive comments or
gestures of a sexual nature, when—
“(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) any submission to, or rejection of, such conduct by the individual is used as a basis for decisions affecting the individual’s job, pay, career, benefits, or entitlements; or

“(III) such conduct has the purpose or effect of unreasonably interfering with the individual’s work performance or creates an intimidating, hostile, or offensive working environment; and

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

“(B) Any use or condonation by any person in a supervisory or command position of any form of sexual behavior to control, influence, or affect the career, pay, or job of an individual who is a subordinate to the person.
“(C) Any intentional or repeated unwelcome verbal comment or gesture of a sexual nature towards or about an individual by the individual’s supervisor, a supervisor in another area, a coworker, or another credentialed mariner.”.

(b) REPORT.—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 any changes the Commandant may propose to the definitions added by the amendments in subsection (a).

(c) CONFORMING AMENDMENTS.—

(1) Section 2113(3) of title 46, United States Code, is amended by striking “section 2101(51)(A)” and inserting “section 2101(53)(A)”.

(2) Section 4105 of title 46, United States Code, is amended—

(A) in subsections (b)(1) and (e), by striking “section 2101(51)” each place it appears and inserting “section 2101(53)”; and

(B) in subsection (d), by striking “section 2101(51)(A)” and inserting “section 2101(53)(A)”.

(3) Section 1131(a)(1)(E) of title 49, United States Code, is amended by striking “section 2101(46)” and inserting “116”.

SEC. 602. 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 offense under a State, local, or Tribal law.

“(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 offense under a State, local, or Tribal law.”.
(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. 603. ACCOMMODATION; NOTICES.**

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

(1) in subsection (a)—

(A) in paragraph (3), by striking ‘‘; and’’ and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting ‘‘; and’’; and

(C) 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, sexual harassment, retaliation, and drug and alcohol use; and

(B) procedures and resources to report allegations of sexual assault and sexual harassment, including information—

(i) on the contact information, website address, and mobile application of the Coast Guard Investigative Services and

the Coast Guard National Command Cen-
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ter, in order to report allegations of sexual
assault or sexual harassment;

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

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

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

“(v) on additional items specified in
regulations issued by, and at the discretion
of, the Secretary.”; and

(2) in subsection (d), by adding at the end the
following: “In each washing place in a visible loca-
tion, there shall be information regarding procedures
and resources to report alleged sexual assault and
sexual harassment upon the vessel, and vessel owner
or company policies prohibiting sexual assault and
sexual harassment, retaliation, and drug and alcohol
use.”.
SEC. 604. PROTECTION AGAINST DISCRIMINATION.

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

(1) in paragraph (1)—

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

(B) 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;”; and

(2) in paragraphs (2) and (3), by striking “paragraph (1)(B)” each place it appears and inserting “paragraph (1)(C)”.

SEC. 605. ALCOHOL AT SEA.

(a) IN GENERAL.—The Commandant shall seek to enter into an agreement with the National Academy of Sciences not later than 1 year after the date of the enactment of this Act under which the National Academy of Sciences shall prepare an assessment to determine safe levels of alcohol consumption and possession by crew mem-
bers aboard vessels of the United States engaged in commercial service, except when such possession is associated with the commercial sale to individuals aboard the vessel who are not crew members.

(b) Assessment.—The assessment under this section shall—

(1) take into account the safety and security of every individual on the vessel;

(2) take into account reported incidences of sexual harassment or sexual assault, as defined in section 2101 of title 46, United States Code; and

(3) provide any appropriate recommendations for any changes to laws, including regulations, or employer policies.

(c) Submission.—Upon completion of the assessment under this section, the National Academy of Sciences shall submit the assessment to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Commandant, and the Secretary of the department in which the Coast Guard is operating.

(d) Regulations.—

(1) The Commandant—
(A) shall review the findings and recommendations of the assessment under this section by not later than 180 days after receiving the assessment under subsection (c); and

(B) taking into account the safety and security of every individual on vessels of the United States engaged in commercial service, may issue regulations relating to alcohol consumption on such vessels.

(e) REPORT REQUIRED.—If, by the date that is 2 years after the receipt of the assessment under subsection (e), the Commandant does not issue regulations under subsection (d), the Commandant shall provide a report by such date to the appropriate committees of Congress—

(1) regarding the rationale for not issuing such regulations; and

(2) providing other recommendations as necessary to ensure safety at sea.

SEC. 606. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION AND REVOCA-

TION.

(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 and 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 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner’s document shall 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 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner’s document shall be revoked.

(c) Substantiated Claim.—

(1) In General.—In this section, the term ‘substantiated claim’ means—

(A) a legal proceeding or agency action in any administrative proceeding that determines the individual committed sexual harassment or sexual assault in violation of any Federal, State, local, or Tribal law or regulation and for
which all appeals have been exhausted, as applicable; or

“(B) a determination after an investigation by the Coast Guard that it is more likely than not that the individual committed sexual harassment or sexual assault as defined in section 2101, if the determination affords appropriate due process rights to the subject of the investigation.

“(2) INVESTIGATION BY THE COAST GUARD.—

An investigation by the Coast Guard under paragraph (1)(B) shall include evaluation of the following materials that shall be provided to the Coast Guard:

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

“(B) Upon request from the Coast Guard, any investigative materials, documents, records, or files in the possession of an employer or former employer of the individual that are related to the claim of sexual harassment or sexual assault by the individual.
“(3) ADDITIONAL REVIEW.—A license, certificate of registry, or merchant mariner’s document shall not be suspended or revoked under subsection (a) or (b), unless the substantiated claim is reviewed and affirmed, in accordance with the applicable definition in section 2101, by an administrative law judge at the same suspension or revocation hearing under this chapter described in subsection (a) or (b), as applicable.”.

(b) CLERICAL AMENDMENT.—The analysis for 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 revocation.”.

SEC. 607. 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—OCEANGOING NONPASSENGER COMMERCIAL VESSELS

§ 4901. Surveillance requirements

“(a) APPLICABILITY.—

“(1) IN GENERAL.—The requirements in this section shall apply to vessels engaged in commercial
service that do not carry passengers and are any of the following:

“(A) A documented vessel with overnight accommodations for at least 10 persons on board that—

“(i) is on a voyage of at least 600 miles and crosses seaward of the boundary line; or

“(ii) is at least 24 meters (79 feet) in overall length and required to have a load line under chapter 51.

“(B) A documented vessel on an international voyage that is of—

“(i) at least 500 gross tons as measured under section 14502; or

“(ii) an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104.

“(C) A vessel 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 (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)).
“(2) EXCEPTION.—Notwithstanding paragraph (1), the requirements in this section shall not apply to any fishing vessel, fish processing vessel, or fish tender vessel.

“(b) REQUIREMENT FOR MAINTENANCE OF VIDEO SURVEILLANCE SYSTEM.—Each vessel to which this section applies shall maintain a video surveillance system in accordance with this section.

“(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 the date of 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 onto 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 SURVEILLANCE.—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 Fed-
eral, State, or other law enforcement official per-
forming official duties in the course and scope of a
criminal or marine safety investigation, upon re-
quest, a copy of all records of video and audio sur-
veillance 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) if the request is in conjunction with
a legal proceeding or investigation; and

“(C) that may provide evidence of any sex-
ual 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 section 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 4 years after the footage is obtained. Any video and audio surveillance found to be associated with an alleged incident of sexual harassment or sexual assault shall be retained by such owner for not less than 10 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) PERSONNEL TRAINING.—A vessel owner, managing operator, or employer of a seafarer (in this subsection referred to as the ‘company’) shall provide training for all individuals employed by the company for the purpose of responding to incidents of sexual assault or sexual harassment, including—

“(1) such training to ensure the individuals—
“(A) retain audio and visual records and
other evidence objectively; and
“(B) act impartially without influence from
the company or others; and
“(2) training on applicable Federal, State, Trib-
al, and local laws and regulations regarding sexual
assault and sexual harassment investigations and re-
porting requirements.
“(h) DEFINITION OF OWNER.—In this section, the
term ‘owner’ means the owner, charterer, managing oper-
ator, master, or other individual in charge of a vessel.”.
(b) CLERICAL AMENDMENT.—The analysis of sub-
title II at the beginning of title 46, United States Code,
is amended by adding after the item relating to chapter
47 the following:
“CHAPTER 49—OCEANOING NONPASSENGER COMMERCIAL VESSELS”.

SEC. 608. MASTER KEY CONTROL.
(a) IN GENERAL.—Chapter 31 of title 46, United
States Code, is amended by adding at the end the fol-
lowing:
§ 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 elec-
tronic, 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 para-
graph (2);

“(2)(A) establish a list of all crew members,
identified by position, allowed to access and use the
master key; and

“(B) maintain such list upon the vessel within
owner records and include such list in the vessel
safety management system under section
3203(a)(6);

“(3) record in a log book, which may be elec-
tronic and shall be included in the safety manage-
ment system under section 3203(a)(6), information
on all access and use of the vessel’s master key, in-
cluding—

“(A) dates and times of access;

“(B) the room or location accessed; and

“(C) the name and rank of the crew mem-
er that used the 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 en-
forcement officer performing official duties in the
course and scope of an investigation.
“(b) Prohibited Use.—A crew member 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 access to or use of such key.

“(c) Penalty.—Any crew member who violates subsection (b) 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.”.

(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. 609. 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), respectively; and

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

“(5) with respect to sexual harassment and sexual assault, procedures and annual training requirements for all responsible persons and vessels to which this chapter applies on—

“(A) prevention;
“(B) bystander intervention;
“(C) reporting;
“(D) response; and
“(E) investigation;
“(6) the list required under section 3106(a)(2) and the log book required under section 3106(a)(3);”;

(2) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (a) the fol-

lowing:

“(b) PROCEDURES AND TRAINING REQUIRE-
MENTS.—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.

“(c) AUDITS.—

“(1) IN GENERAL.—Upon discovery of a failure of a responsible person or vessel to comply with a re-
quirement under section 10104 during an audit of a safety management system or from other sources of information acquired by the Coast Guard (including an audit or systematic review under section 10104(g)), the Secretary shall audit the safety man-
agement system of a vessel under this section to de-
termine if there is a failure to comply with any other
requirement under section 10104.

“(2) Certificates.—

“(A) Suspension.—During an audit of a
safety management system of a vessel required
under paragraph (1), the Secretary may sus-
pend the Safety Management Certificate issued
for the vessel under section 3205 and issue a
separate Safety Management Certificate for the
vessel to be in effect for a 3-month period be-
ginning on the date of the issuance of such sep-
arete certificate.

“(B) Revocation.—At the conclusion of
an audit of a safety management system re-
quired under paragraph (1), the Secretary shall
revoke the Safety Management Certificate
issued for the vessel under section 3205 if the
Secretary determines—

“(i) that the holder of the Safety
Management Certificate knowingly, or re-
peatedly, failed to comply with section
10104; or
“(ii) other failure of the safety management system resulted in the failure to comply with such section.

“(3) DOCUMENTS OF COMPLIANCE.—

“(A) IN GENERAL.—Following an audit of the safety management system of a vessel required under paragraph (1), the Secretary may audit the safety management system of the responsible person for the vessel.

“(B) SUSPENSION.—During an audit under subparagraph (A), the Secretary may suspend the Document of Compliance issued to the responsible person under section 3205 and issue a separate Document of Compliance to such person to be in effect for a 3-month period beginning on the date of the issuance of such separate document.

“(C) REVOCATION.—At the conclusion of an assessment or an audit of a safety management system under subparagraph (A), the Secretary shall revoke the Document of Compliance issued to the responsible person if the Secretary determines—
“(i) that the holder of the Document of Compliance knowingly, or repeatedly, failed to comply with section 10104; or
“(ii) that other failure of the safety management system resulted in the failure to comply with such section.”.

SEC. 610. 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 MEMBERS.—

“(1) IN GENERAL.—A crew member of a documented vessel shall report to the Commandant in accordance with subsection (e) any complaint or incident of sexual harassment or sexual assault of which the crew member has firsthand or personal knowledge.

“(2) PENALTY.—Except as provided in paragraph (3), a crew member with firsthand or personal knowledge of a sexual assault or sexual harassment incident on a documented 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.

“(3) AMNESTY.—A crew member who know-
ingly fails to make the required reporting under
paragraph (1) shall not be subject to the penalty de-
scribed in paragraph (2) if the complaint is shared
in confidence with the crew member directly from
the individual who experienced the sexual harass-
ment or sexual assault or the crew member is a vic-
tim advocate as defined in section 4002(a) of the
12291(a)).

“(b) MANDATORY REPORTING BY VESSEL OWNER,
MASTER, MANAGING OPERATOR, OR EMPLOYER.—

“(1) IN GENERAL.—A vessel owner, master, or
managing operator of a documented vessel or the
employer of a seafarer on that vessel shall report to
the Commandant in accordance with subsection (c)
any complaint or incident of sexual harassment or
sexual assault involving a crew member in violation
of employer policy or law of which such vessel owner
or managing operator is made aware. Such reporting
shall include results of any investigation into the in-
cident, if applicable, and any action taken against
the offending crew member.
“(2) **Penalty.**—A vessel owner, master, or managing operator of a documented vessel 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 $50,000.

“(c) **Reporting Procedures.**—

“(1) **Timing.**—

“(A) **Reports by crew members.**—A report required under subsection (a) shall be made as soon as practicable, but not later than 10 days after the individual develops firsthand or personal knowledge of the sexual assault or sexual harassment incident, to the Commandant by the fastest telecommunications channel available.

“(B) **Reports by vessel owners, masters, managing operators, or employers.**—A report required under subsection (b) shall be made immediately after the vessel owner, master, managing operator, or employer of the seafarer gains knowledge of a sexual assault or sexual harassment incident by the fastest telecommunications channel available. Such report shall be made to the Commandant and
the appropriate officer or agency of the government of the country in whose waters the incident occurs.

“(2) CONTENTS.—A report required under subsection (a) or (b) shall include, to the best of the knowledge of the individual making the report—

“(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.

“(3) RECEIVING REPORTS AND COLLECTION OF INFORMATION.—

“(A) RECEIVING REPORTS.—With respect to reports submitted under this subsection to the Coast Guard, the Commandant—

“(i) may establish additional reporting procedures, including procedures for receiving reports through—
“(I) a telephone number that is continuously manned at all times; and
“(II) an email address that is continuously monitored; and
“(ii) shall use procedures that include preserving evidence in such reports and providing emergency service referrals.
“(B) COLLECTION OF INFORMATION.—
After receiving a report under this subsection, the Commandant shall collect information related to the identity of each alleged victim, alleged perpetrator, and witness identified in the report through a means designed to protect, to the extent practicable, the personal identifiable information of such individuals.
“(d) SUBPOENA AUTHORITY.—
“(1) IN GENERAL.—The Commandant may compel the testimony of witnesses and the production of any evidence by subpoena to determine compliance with this section.
“(2) JURISDICTIONAL LIMITS.—The jurisdictional limits of a subpoena issued under this section are the same as, and are enforceable in the same manner as, subpoenas issued under chapter 63 of this title.
“(e) **Company After-Action Summary.**—A vessel owner, master, managing operator, or employer of a seafarer that makes a report under subsection (b), or becomes aware of a report made under subsection (a) that involves an individual employed by the owner, master, operator, or employer at the time of the sexual assault or sexual harassment incident, shall—

“(1) submit to the Commandant a document with detailed information to describe the actions taken by the vessel owner, master, managing operator, or employer of a seafarer after it became aware of the sexual assault or sexual harassment incident; and

“(2) make such submission not later than 10 days after the vessel owner, master, managing operator, or employer of a seafarer made the report under subsection (b), or became aware of a report made under subsection (a) that involves an individual employed by the owner, master, operator, or employer at the time of the sexual assault or sexual harassment incident.

“(f) **Required Company Records.**—A vessel owner, master, managing operator, or employer of a seafarer shall—
“(1) submit to the Commandant copies of all records, including documents, files, recordings, statements, reports, investigatory materials, findings, and any other materials requested by the Commandant related to the claim of sexual assault or sexual harassment; and

“(2) make such submission not later than 14 days after—

“(A) the vessel owner, master, managing operator, or employer of a seafarer submitted a report under subsection (b); or

“(B) the vessel owner, master, managing operator, or employer of a seafarer acquired knowledge of a report made under subsection (a) that involved individuals employed by the vessel owner, master, managing operator, or employer of a seafarer.

“(g) INVESTIGATORY AUDIT.—The Commandant shall periodically perform an audit or other systematic review of the submissions made under this section to determine if there were any failures to comply with the requirements of this section.

“(h) CIVIL PENALTY.—A vessel owner, master, managing operator, or employer of a seafarer that fails to comply with subsections (e) or (f) is liable to the United States
Government for a civil penalty of $50,000 for each day a failure continues.

“(i) APPLICABILITY; REGULATIONS.—

“(1) EFFECTIVE DATE.—The requirements of this section take effect on the date of enactment of the Coast Guard Authorization Act of 2022.

“(2) REGULATIONS.—The Commandant may issue regulations to implement the requirements of this section.

“(3) REPORTS.—Any report required to be made to the Commandant under this section shall be made to the Coast Guard National Command Center, until regulations establishing other reporting procedures are issued.”.

SEC. 611. 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 (as such terms are defined in section 2101),” after “in the course of employment”.

(b) TIME LIMIT ON BRINGING MARITIME ACTION.—

Section 30106 of title 46, United States Code, is amend—
(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, as such terms are defined in section 2101, shall be brought not later than 5 years after the cause of action for a claim of sexual harassment or sexual assault arose.”.

(e) CLERICAL AMENDMENT.—The analysis for chapter 301 of title 46, United States Code, is amended by striking the item relating to section 30106 and inserting the following:

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

SEC. 612. ACCESS TO CARE AND SEXUAL ASSAULT FORENSIC EXAMINATIONS.

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

“§ 564. Access to care and sexual assault forensic examinations

“(a) SEXUAL ASSAULT FORENSIC EXAM PROCEDURE.—
“(1) IN GENERAL.—Before embarking on any
prescheduled voyage, a Coast Guard vessel shall
have in place a written operating procedure that en-
sures that an embarked victim of sexual assault
shall have access to a sexual assault forensic exam-
ination—

“(A) as soon as possible after the victim
requests an examination; and

“(B) that is treated with the same level of
urgency as emergency medical care.

“(2) REQUIREMENTS.—The written operating
procedure required by paragraph (1), shall, at a
minimum, account for—

“(A) the health, safety, and privacy of a
victim of sexual assault;

“(B) the proximity of ashore or afloat
medical facilities, including coordination as nec-
essary with the Department of Defense, includ-
ing other military departments (as defined in
section 101 of title 10, United States Code);

“(C) the availability of aeromedical evacu-
ation;

“(D) the operational capabilities of the
vessel concerned;
“(E) the qualifications of medical personnel onboard;

“(F) coordination with law enforcement and the preservation of evidence;

“(G) the means of accessing a sexual assault forensic examination and medical care with a restricted report of sexual assault;

“(II) the availability of nonprescription pregnancy prophylactics; and

“(I) other unique military considerations.”.

(b) Study.—

(1) In general.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall seek to enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall conduct a study to assess the feasibility of the development of a self-administered sexual assault forensic examination for use by victims of sexual assault onboard a vessel at sea.

(2) Elements.—The study under paragraph (1) shall—

(A) take into account—


(i) the safety and security of the alleged victim of sexual assault;

(ii) the ability to properly identify, document, and preserve any evidence relevant to the allegation of sexual assault; and

(iii) the applicable criminal procedural laws relating to authenticity, relevance, preservation of evidence, chain of custody, and any other matter relating to evidentiary admissibility; and

(B) provide any appropriate recommendation for changes to existing laws, regulations, or employer policies.

(3) REPORT.—Upon completion of the study under paragraph (1), the National Academy of Sciences shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Secretary of the department in which the Coast Guard is operating a report on the findings of the study.

(e) CLERICAL AMENDMENT.—The analysis for subchapter IV of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

“564. Access to care and sexual assault forensic examinations.”
SEC. 613. REPORTS TO CONGRESS.

(a) In General.—Chapter 101 of title 46, United States Code, is amended by adding at the end the following:

§ 10105. Reports to Congress

“Not later than 1 year after the date of enactment of the Coast Guard Authorization Act of 2022, and on an annual basis thereafter, 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 to include—

“(1) the number of reports received under section 10104;

“(2) the number of penalties issued under such section;

“(3) the number of open investigations under such section, completed investigations under such section, and the outcomes of such open or completed investigations;

“(4) the number of assessments or audits conducted under section 3203 and the outcome of those assessments or audits;

“(5) a statistical analysis of compliance with the safety management system criteria under section 3203;
“(6) the number of credentials denied or revoked due to sexual harassment, sexual assault, or related offenses; and

“(7) recommendations to support efforts of the Coast Guard to improve investigations and oversight of sexual harassment and sexual assault in the maritime sector, including funding requirements and legislative change proposals necessary to ensure compliance with title VI of the Coast Guard Authorization Act of 2022 and the amendments made by such title.”.

(b) Clerical Amendment.—The analysis for chapter 101 of title 46, United States Code, is amended by adding at the end the following:

“10105. Reports to Congress.”.

SEC. 614. POLICY ON REQUESTS FOR PERMANENT CHANGES OF STATION OR UNIT TRANSFERS BY PERSONS WHO REPORT BEING THE VICTIM OF SEXUAL ASSAULT.

Not later than 30 days after the date of the enactment of this Act, the Commandant, in consultation with the Director of the Health, Safety, and Work Life Directorate, shall issue an interim update to Coast Guard policy guidance to allow a member of the Coast Guard who has reported being the victim of a sexual assault or any other offense covered by section 920, 920e, or 930 of title 10,
United States Code (article 120, 120e, or 130 of the Uniform Code of Military Justice) to request an immediate change of station or a unit transfer. The final policy shall be updated not later than 1 year after the date of the enactment of this Act.

SEC. 615. SEX OFFENSES AND PERSONNEL RECORDS.

Not later than 180 days after the date of the enactment of this Act, the Commandant shall issue final regulations or policy guidance required to fully implement section 1745 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1561 note).

SEC. 616. STUDY ON COAST GUARD OVERSIGHT AND INVESTIGATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall commence a study to assess the oversight over Coast Guard activities, including investigations, personnel management, whistleblower protection, and other activities carried out by the Department of Homeland Security Office of Inspector General.

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

(1) An analysis of the ability of the Department of Homeland Security Office of Inspector General to
ensure timely, thorough, complete, and appropriate
oversight over the Coast Guard, including oversight
over both civilian and military activities.

(2) An assessment of—

(A) the best practices with respect to such
oversight; and

(B) the ability of the Department of
Homeland Security Office of Inspector General
and the Commandant to identify and achieve
such best practices.

(3) An analysis of the methods, standards, and
processes employed by the Department of Defense
Office of Inspector General and the inspectors gen-
erals of the armed forces (as defined in section 101
of title 10, United States Code), other than the
Coast Guard, to conduct oversight and investigation
activities.

(4) An analysis of the methods, standards, and
processes of the Department of Homeland Security
Office of Inspector General with respect to oversight
over the civilian and military activities of the Coast
Guard, as compared to the methods, standards, and
processes described in paragraph (3).

(5) An assessment of the extent to which the
Coast Guard Investigative Service completes inves-
tigations or other disciplinary measures after referral of complaints from the Department of Homeland Security Office of Inspector General.

(6) A description of the staffing, expertise, training, and other resources of the Department of Homeland Security Office of Inspector General, and an assessment as to whether such staffing, expertise, training, and other resources meet the requirements necessary for meaningful, timely, and effective oversight over the activities of the Coast Guard.

(c) REPORT.—Not later than 1 year after commencing the study required by subsection (a), the Comptroller General 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 findings of the study, including recommendations with respect to oversight over Coast Guard activities.

SEC. 617. STUDY ON SPECIAL VICTIMS’ COUNSEL PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall enter into an agreement with a federally funded research and development center for the conduct of a study on—
(1) the Special Victims’ Counsel program of the Coast Guard;

(2) Coast Guard investigations of sexual assault offenses for cases in which the subject of the investigation is no longer under jeopardy for the alleged misconduct for reasons including the death of the accused, a lapse in the statute of limitations for the alleged offense, and a fully adjudicated criminal trial of the alleged offense in which all appeals have been exhausted; and

(3) legal support and representation provided to members of the Coast Guard who are victims of sexual assault, including in instances in which the accused is a member of the Army, Navy, Air Force, Marine Corps, or Space Force.

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

(1) The Special Victims’ Counsel program of the Coast Guard, including training, effectiveness, capacity to handle the number of cases referred, and experience with cases involving members of the Coast Guard and members of another armed force (as defined in section 101 of title 10, United States Code).
(2) The experience of Special Victims’ Counsels in representing members of the Coast Guard during a court-martial.

(3) Policies concerning the availability and detailing of Special Victims’ Counsels for sexual assault allegations, in particular such allegations in which the accused is a member of another armed force (as defined in section 101 of title 10, United States Code), and the impact that the cross-service relationship had on—

(A) the competence and sufficiency of services provided to the alleged victim; and

(B) the interaction between—

(i) the investigating agency and the Special Victims’ Counsels; and

(ii) the prosecuting entity and the Special Victims’ Counsels.

(4) Training provided to, or made available for, Special Victims’ Counsels and paralegals with respect to Department of Defense processes for conducting sexual assault investigations and Special Victims’ Counsel representation of sexual assault victims.

(5) The ability of Special Victims’ Counsels to operate independently without undue influence from
third parties, including the command of the accused, the command of the victim, the Judge Advocate General of the Coast Guard, and the Deputy Judge Advocate General of the Coast Guard.

(6) The skill level and experience of Special Victims’ Counsels, as compared to special victims’ counsels available to members of the Army, Navy, Air Force, Marine Corps, and Space Force.

(7) Policies regarding access to an alternate Special Victims’ Counsel, if requested by the member of the Coast Guard concerned, and potential improvements for such policies.

(c) REPORT.—Not later than 180 days after entering into an agreement under subsection (a), the federally funded research and development center 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—

(1) the findings of the study required by that subsection;

(2) recommendations to improve the coordination, training, and experience of Special Victims’ Counsels of the Coast Guard so as to improve out-
comes for members of the Coast Guard who have re-
ported sexual assault; and

(3) any other recommendation the federally
funded research and development center considers
appropriate.

**TITLE VII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-
TRATION**

**Subtitle A—National Oceanic and Atmospheric Administration**

**Commissioned Officer Corps**

**SEC. 701. DEFINITIONS.**

Section 212(b) of the National Oceanic and Atmos-
pheric Administration Commissioned Officer Corps Act of
2002 (33 U.S.C. 3002(b)) is amended by adding at the
end the following:

“(8) UNDER SECRETARY.—The term ‘Under
Secretary’ means the Under Secretary of Commerce
for Oceans and Atmosphere.”.

**SEC. 702. REQUIREMENT FOR APPOINTMENTS.**

Section 221(c) of the National Oceanic and Atmos-
pheric Administration Commissioned Officer Corps Act of
2002 (33 U.S.C. 3021(e)) is amended by striking “may
not be given” and inserting the following: “may—
“(1) be given only to an individual who is a citizen of the United States; and

“(2) not be given”.

SEC. 703. REPEAL OF REQUIREMENT TO PROMOTE ENSIGNS AFTER 3 YEARS OF SERVICE.

(a) IN GENERAL.—Section 223 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3023) is amended to read as follows:

“SEC. 223. SEPARATION OF ENSIGNS FOUND NOT FULLY QUALIFIED.

“If an officer in the permanent grade of ensign is at any time found not fully qualified, the officer’s commission shall be revoked and the officer shall be separated from the commissioned service.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by striking the item relating to section 223 and inserting the following:

“Sec. 223. Separation of ensigns found not fully qualified.”.

SEC. 704. AUTHORITY TO PROVIDE AWARDS AND DECORATIONS.

(a) IN GENERAL.—Subtitle A of the National Oceanic and Atmospheric Administration Commissioned Offi-
cer Corps Act of 2002 (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

“SEC. 220. AWARDS AND DECORATIONS.

“The Under Secretary may provide ribbons, medals, badges, trophies, and similar devices to members of the commissioned officer corps of the Administration and to members of other uniformed services for service and achievement in support of the missions of the Administration.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by inserting after the item relating to section 219 the following:

“Sec. 220. Awards and decorations.”.

SEC. 705. RETIREMENT AND SEPARATION.

(a) IN VOLUNTARY RETIREMENT OR SEPARATION.—Section 241(a)(1) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3041(a)(1)) is amended to read as follows:

“(1) an officer in the permanent grade of captain or commander may—

“(A) except as provided by subparagraph (B), be transferred to the retired list; or
“(B) if the officer is not qualified for retirement, be separated from service; and”.

(b) RETIREMENT FOR AGE.—Section 243(a) of that Act (33 U.S.C. 3043(a)) is amended by striking “be retired” and inserting “be retired or separated (as specified in section 1251(e) of title 10, United States Code)”.

(c) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—Section 261(a) of that Act (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (17) through (26) as paragraphs (18) through (27), respectively;

and

(2) by inserting after paragraph (16) the following:

“(17) Section 1251(e), relating to retirement or separation based on years of creditable service.”.

SEC. 706. LICENSURE OF HEALTH-CARE PROFESSIONALS.

Section 263 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3073) is amended—

(1) by striking “The Secretary” and inserting “(a) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(b) LICENSURE OF HEALTH-CARE PROFESSIONALS.—
“(1) IN GENERAL.—Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in paragraph (2) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, or in any other area within or beyond the jurisdiction of the United States, regardless of where the health-care professional or the patient of the health-care professional is located, if the practice is within the scope of the authorized Federal duties of the health-care professional.

“(2) HEALTH-CARE PROFESSIONAL DESCRIBED.—A health-care professional described in this paragraph is a health-care professional—

“(A) who is—

“(i) a member of the commissioned officer corps of the Administration;

“(ii) a civilian employee of the Administration;

“(iii) an officer or employee of the Public Health Service who is assigned or detailed to the Administration; or
“(iv) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

“(B) who—

“(i) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and

“(ii) is performing authorized duties for the Administration.

“(3) DEFINITIONS.—In this subsection:

“(A) HEALTH CARE PROFESSIONAL.—The term ‘health-care professional’ has the meaning given that term in section 1094(e) of title 10, United States Code, except that such section shall be applied and administered by substituting ‘Secretary of Commerce’ for ‘Secretary of Defense’ each place it appears.

“(B) LICENSE.—The term ‘license’ has the meaning given that term in such section.”.

SEC. 707. IMPROVING PROFESSIONAL MARINER STAFFING.

(a) IN GENERAL.—Subtitle E of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:
“SEC. 269B. SHORE LEAVE FOR PROFESSIONAL MARINERS.

“(a) IN GENERAL.—The Under Secretary may prescribe regulations relating to shore leave for professional mariners without regard to the requirements of section 6305 of title 5, United States Code.

“(b) REQUIREMENTS.—The regulations prescribed under subsection (a) shall—

“(1) require that a professional mariner serving aboard an ocean-going vessel be granted a leave of absence of four days per pay period; and

“(2) provide that a professional mariner serving in a temporary promotion position aboard a vessel may be paid the difference between the mariner’s temporary and permanent rates of pay for leave accrued while serving in the temporary promotion position.

“(c) PROFESSIONAL MARINER DEFINED.—In this section, the term ‘professional mariner’ means an individual employed on a vessel of the Administration who has the necessary expertise to serve in the engineering, deck, steward, electronic technician, or survey department.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled “An Act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes” (Public Law 107–372) is amended by
inserting after the item relating to section 269A the fol-
lowing:

“Sec. 269B. Shore leave for professional mariners.”.

SEC. 708. LEGAL ASSISTANCE.

Section 1044(a)(3) of title 10, United States Code,
is amended by inserting “or the commissioned officer
corps of the National Oceanic and Atmospheric Admin-
istration” after “Public Health Service”.

SEC. 709. ACQUISITION OF AIRCRAFT FOR EXTREME
WEATHER RECONNAISSANCE.

(a) INCREASED FLEET CAPACITY.—

(1) IN GENERAL.—The Under Secretary of
Commerce for Oceans and Atmosphere shall acquire
adequate aircraft platforms with the necessary ob-
servation and modification requirements—

(A) to meet agency-wide air reconnaissance
and research mission requirements, particularly
with respect to hurricanes and tropical cyclones,
and also for atmospheric chemistry, climate, air
quality for public health, full-season fire weath-
er research and operations, full-season atmos-
pheric river air reconnaissance observations,
and other mission areas; and

(B) to ensure data and information col-
lected by the aircraft are made available to all
users for research and operations purposes.
(2) CONTRACTS.—In carrying out paragraph (1), the Under Secretary shall negotiate and enter into 1 or more contracts or other agreements, to the extent practicable and necessary, with 1 or more governmental, commercial, or nongovernmental entities.

(3) DERIVATION OF FUNDS.—For each of fiscal years 2023 through 2026, amounts to support the implementation of paragraphs (1) and (2) shall be derived—

(A) from amounts appropriated to the Office of Marine and Aviation Operations of the National Oceanic and Atmospheric Administration and available for the purpose of atmospheric river reconnaissance; and

(B) if amounts described in subparagraph (A) are insufficient to support the implementation of paragraphs (1) and (2), from amounts appropriated to that Office and available for purposes other than atmospheric river reconnaissance.

(b) ACQUISITION OF AIRCRAFT TO REPLACE THE WP–3D AIRCRAFT.—

(1) IN GENERAL.—Not later than September 30, 2023, the Under Secretary shall enter into a
contract for the acquisition of 6 aircraft to replace
the WP–3D aircraft that provides for—

(A) the first newly acquired aircraft to be
fully operational before the retirement of the
last WP–3D aircraft operated by the National
Oceanic and Atmospheric Administration; and

(B) the second newly acquired aircraft to
be fully operational not later than 1 year after
the first such aircraft is required to be fully
operational under subparagraph (A).

(2) Authorization of Appropriations.—

There is authorized to be appropriated to the Under
Secretary $1,800,000,000, without fiscal year limita-
tion, for the acquisition of the aircraft under para-
graph (1).

SEC. 710. REPORT ON PROFESSIONAL MARINER STAFFING
MODELS.

(a) In General.—Not later than 18 months after
the date of the enactment of this Act, the Comptroller
General of the United States shall submit to the commit-
tees specified in subsection (c) a report on staffing issues
relating to professional mariners within the Office of Ma-
rine and Aviation Operations of the National Oceanic and
Atmospheric Administration.
(b) ELEMENTS.—The report required by subsection
(a) shall include consideration of—

(1) the challenges the Office of Marine and
Aviation Operations faces in recruiting and retaining
qualified professional mariners;

(2) workforce planning efforts to address those
challenges; and

(3) other models or approaches that exist, or
are under consideration, to provide incentives for the
retention of qualified professional mariners.

(c) COMMITTEES SPECIFIED.—The committees speci-

fied in this subsection are—

(1) the Committee on Commerce, Science, and
Transportation of the Senate; and

(2) the Committee on Transportation and In-
frastucture and the Committee on Natural Re-
sources of the House of Representatives.

(d) PROFESSIONAL MARINER DEFINED.—In this sec-

tion, the term “professional mariner” means an individual
employed on a vessel of the National Oceanic and Atmos-
pheric Administration who has the necessary expertise to
serve in the engineering, deck, steward, or survey depart-
ment.
Subtitle B—Other Matters

SEC. 711. CONVEYANCE OF CERTAIN PROPERTY OF THE
NATIONAL OCEANIC AND ATMOSPHERIC AD-
MINISTRATION IN JUNEAU, ALASKA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means the City
and Borough of Juneau, Alaska.

(2) MASTER PLAN.—The term “Master Plan”
means the Juneau Small Cruise Ship Infrastructure
Master Plan released by the Docks and Harbors
Board and Port of Juneau for the City and dated
March 2021.

(3) PROPERTY.—The term “Property” means
the parcel of real property consisting of approxi-
mately 2.4 acres, including tidelands, owned by the
United States and under administrative custody and
control of the National Oceanic and Atmospheric
Administration and located at 250 Egan Drive, Ju-
neau, Alaska, including any improvements thereon
that are not authorized or required by another provi-
sion of law to be conveyed to a specific individual or
entity.

(4) SECRETARY.—The term “Secretary” means
the Secretary of Commerce, acting through the
Under Secretary of Commerce for Oceans and At-
mosphere and the Administrator of the National
Oceanic and Atmospheric Administration.
(b) CONVEYANCE AUTHORIZED.—
(1) IN GENERAL.—The Secretary may convey,
at fair market value, all right, title, and interest of
the United States in and to the Property, subject to
subsection (c) and the requirements of this section.
(2) TERMINATION OF AUTHORITY.—The au-
thority provided by paragraph (1) shall terminate on
the date that is 3 years after date of the enactment
of this Act.
(c) RIGHT OF FIRST REFUSAL.—The City shall have
the right of first refusal with respect to the purchase, at
fair market value, of the Property.
(d) SURVEY.—The exact acreage and legal descrip-
tion of the Property shall be determined by a survey satis-
factory to the Secretary.
(e) CONDITION; QUITCLAIM DEED.—If the Property
is conveyed under this section, the Property shall be con-
veyed—
(1) in an “as is, where is” condition; and
(2) via a quitclaim deed.
(f) FAIR MARKET VALUE.—
(1) IN GENERAL.—The fair market value of the
Property shall be—
(A) determined by an appraisal that—

(i) is conducted by an independent appraiser selected by the Secretary; and

(ii) meets the requirements of paragraph (2); and

(B) adjusted, at the Secretary’s discretion, based on the factors described in paragraph (3).

(2) APPRAISAL REQUIREMENTS.—An appraisal conducted under paragraph (1)(A) shall be conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(3) FACTORS.—The factors described in this paragraph are—

(A) matters of equity and fairness;

(B) actions taken by the City regarding the Property, if the City exercises its right of first refusal under subsection (c), including—

(i) comprehensive waterfront planning, site development, and other redevelopment activities supported by the City in
proximity to the Property in furtherance of
the Master Plan;
(ii) in-kind contributions made to fa-
cilitate and support use of the Property by
governmental agencies; and
(iii) any maintenance expenses, capital
improvement, or emergency expenditures
made necessary to ensure public safety and
access to and from the Property; and
(C) such other factors as the Secretary
considers appropriate.

(g) COSTS OF CONVEYANCE.—If the City exercises
its right of first refusal under subsection (e), all reason-
able and necessary costs, including real estate transaction
and environmental documentation costs, associated with
the conveyance of the Property to the City under this sec-
tion may be shared equitably by the Secretary and the
City, as determined by the Secretary, including with the
City providing in-kind contributions for any or all of such
costs.

(h) PROCEEDS.—Notwithstanding section 3302 of
title 31, United States Code, or any other provision of law,
any proceeds from a conveyance of the Property under this
section shall—
(1) be deposited in an account or accounts of
the National Oceanic and Atmospheric Administra-
tion that exists as of the date of the enactment of
this Act;

(2) used to cover costs associated with the con-
veyance, related relocation efforts, and other facility
and infrastructure projects in Alaska; and

(3) remain available until expended, without
further appropriation.

(i) Memorandum of Agreement.—If the City ex-
ercises its right of first refusal under subsection (e), before
finalizing a conveyance to the City under this section, the
Secretary and the City shall enter into a memorandum
of agreement to establish the terms under which the Sec-
retary shall have future access to, and use of, the Property
to accommodate the reasonable expectations of the Sec-
retary for future operational and logistical needs in south-
east Alaska.

(j) Reservation or Easement for Access and
Use.—The conveyance authorized under this section shall
be subject to a reservation providing, or an easement
granting, the Secretary, at no cost to the United States,
a right to access and use the Property that—

(1) is compatible with the Master Plan; and
(2) authorizes future operational access and use by other Federal, State, and local government agencies that have customarily used the Property.

(k) LIABILITY.—

(1) AFTER CONVEYANCE.—An individual or entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out on or after the date and time of the conveyance of the Property.

(2) BEFORE CONVEYANCE.—The United States shall remain responsible for any liability the United States incurred with respect to activities the United States carried out on the Property before the date and time of the conveyance of the Property.

(l) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under this section as the Secretary considers appropriate and reasonable to protect the interests of the United States.

(m) ENVIRONMENTAL COMPLIANCE.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any applicable environmental law, including—
(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(2) section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(n) CONVEYANCE NOT A MAJOR FEDERAL ACTION.—A conveyance under this section shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

TITLE VIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

SEC. 801. TECHNICAL CORRECTION.

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”.

SEC. 802. 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 the enactment of section 8507(b) of the William M. (Mae) Thornberry National Defense Au-
authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4754); 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”.

SEC. 803. TERMS AND VACANCIES.

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

(1) in paragraph (2)—

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

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

(2) in paragraph (3)—

(A) by striking “of the individual being succeeded” and inserting “to which such individual is appointed”; 

(B) by striking “2 terms” and inserting “3 terms”; and
(C) by striking “the predecessor of that” and inserting “such”.

**TITLE IX—RULE OF CONSTRUCTION**

**SEC. 901. RULE OF CONSTRUCTION.**

Nothing in this Act may be construed—

(1) to satisfy any requirement for government-to-government consultation with Tribal governments;

or

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