

Coast Guard Authorization Act of 2022

Section by Section

Section 1. Short Title.

This act may be cited as the Coast Guard Authorization Act of 2022.

TITLE I—AUTHORIZATIONS

Section 101. Authorization of appropriations.

4902 of title 14, U.S. Code, would authorize appropriations for the Coast Guard and related programs for fiscal year 2022 (\$12.7 billion) and fiscal year 2023 (\$14.94 billion), a 6.5 percent and 21.5 percent increase over fiscal year 2021 authorized levels, respectively.

This section would amend section 4902 of title 14, U.S. Code, to authorize appropriations of certain programs for fiscal year 2022 and fiscal year 2023, including:

- For the operation and maintenance of the Coast Guard: \$10 billion for fiscal year 2022 (a 19.1 percent increase above 2021), and \$10.75 billion for fiscal year 2023 (a 28.03 percent increase above 2021);
- For procurement and construction: \$2.459 billion for fiscal year 2022 (a 25.75 percent decrease below 2021), and \$3.477 billion for fiscal year 2023 (a 5 percent increase above 2021);
- For mission research: \$7.476 million for fiscal year 2022 (a 47 percent decrease from 2021), and \$14.68 million for fiscal year 2023 (a 4 percent increase above 2021); and
- For retiree health care fund contribution: \$240.5 million for fiscal year 2022 (14.9 percent increase above 2021), and \$252 million for fiscal year 2023 (20.8 percent increase above 2021).

Section 102. Authorized levels of military strength and training.

This section would amend section 4904 of title 14, U.S. Code, to reauthorize the current levels of military strength and training of 44,500 for fiscal years 2022 and 2023. Section 4904 of title 14, U.S. Code, authorizes 44,500 active-duty personnel for fiscal years 2020 and 2021, including 2,500 student years for recruit and special training, 165 student years for flight training, 350 student years for professional training, and 1,200 student years for officer acquisition.

Section 103. Authorization for shoreside infrastructure and facilities.

For fiscal years 2023 through 2028, this section would authorize an additional \$3 billion to fund new construction, maintenance, and repairs needed for Coast Guard shoreside infrastructure; \$400 million to improve facilities at the Coast Guard Yard in Baltimore, Maryland; \$160 million to fund phase two of the recapitalization project to improve recruitment and training of a diverse

Coast Guard workforce at Training Center Cape May; and \$80 million for the construction of additional new Coast Guard owned and operated child care development centers and increasing capacity at existing Coast Guard owned and operated child care development centers.

Section 104. Authorization for acquisition of vessels.

This section would authorize funding for vessel acquisition programs for fiscal years 2023 through 2028:

- \$350 million for the acquisition of a Great Lakes icebreaker that is at least as capable as Coast Guard Cutter Mackinaw (WLBB-30).
- \$172.5 million for the program management, design, and acquisition of 12 Pacific Northwest heavy weather boats that are at least as capable as the Coast Guard 52-foot Motor Lifeboat. This program has not previously been authorized by the Congress.
- \$841 million for the third Polar Security Cutter (“PSC”).
- \$20 million for the establishment of an Arctic Security Cutter (“ASC”) Program Office to evaluate requirements and initiate design of the new medium icebreaker. This program office has not previously been authorized or appropriated.
- \$650 million for fiscal year 2023 shall be made available for the continued acquisition of Offshore Patrol Cutters.
- \$650 million for the acquisition of the 12th National Security Cutter.

Section 105. Authorization for the childcare subsidy program.

This section would authorize for fiscal years 2023 and 2024 \$25 million from section 2927 of title 14, U.S. Code, for the Child Care Subsidy Program, a 56 percent increase over the current appropriations.

TITLE II—COAST GUARD

Subtitle A—Infrastructure and Assets

Section 201. Report on shoreside infrastructure and facilities needs.

This section would require the Coast Guard to submit a report to Congress annually, to describe the shoreside infrastructure backlog. That report must include a detailed list of shoreside infrastructure needs for each Coast Guard District in the order of priority, including maintenance, recapitalization, and other shoreside infrastructure needs, as well as an estimated cost of projects to fulfill such needs, and a description of the state of planning for each project. There is currently no such annual requirement. The Coast Guard has a current infrastructure repair and recapitalization backlog of more than \$3 billion in projects.

Section 202. Fleet mix analysis and shore infrastructure investment plan.

The Coast Guard is required to conduct a periodic Fleet Mix Analysis to evaluate its fleet capabilities. The last analysis was conducted in 2011, and no longer reflects the current operational requirements or global threat landscape of the Coast Guard. This section would direct the Coast Guard to conduct an analysis and submit a report to Congress evaluating the Coast Guard fleet to determine that the fleet mix can carry out existing and emerging mission requirements of the Coast Guard. This section also requires the Coast Guard to establish a Shoreside Infrastructure Investment Plan to include potential construction needed to support an updated fleet mix, required improvements for existing facilities, as well as timelines and cost estimates.

Section 203. Acquisition life-cycle cost estimates.

In acquiring capabilities, program offices, or assets, section 1132(e) of title 14, U.S. Code, directs the commandant to conduct a life-cycle cost estimate for each acquisition. It also requires that an independent life-cycle assessment be conducted for Level 1 or Level 2 acquisitions, and that each estimate be updated before each milestone decision is concluded, and the project or program enters a new acquisition phase. Pursuant to section 1132(e) of title 14, U.S. Code, the Coast Guard is required to conduct an independent cost estimate (“ICE”) for each acquisition with a life-cycle cost greater than or equal to \$300 million. In 2017, the Department of Homeland Security (“DHS”) began requiring all department components to undergo either an independent cost assessment (“ICA”) or an ICE. The combination of the 2017 DHS policy and section 1132 has resulted in the Coast Guard preparing an ICE for each project, and DHS preparing an ICA for all Coast Guard procurements over \$300 million. This duplicate work costs the Coast Guard approximately \$200,000-\$700,000 a year.

The amendment would permit the use of either an ICE or an ICA, as appropriate, to independently validate the life-cycle cost estimates and align Coast Guard and DHS policies. By eliminating duplicate reviews, this change reduces program costs and reduces the time required to initiate a new program by 30 to 60 days.

Section 204. Report and briefing on resourcing strategy for Western Pacific region.

This section would direct the Commandant to publish a report outlining Coast Guard resource needs required to achieve optimum operations in the Western Pacific region. The report would include an assessment of the risks to U.S. maritime interests, including risks to bilateral maritime partners of the United States posed by not fully staffing and equipping Coast Guard operations in the Western Pacific region.

Section 205. Study and report on national security and drug trafficking threats in the Florida Straits and Caribbean region, including Cuba.

This section would direct the Commandant to conduct a study and submit a report to Congress

regarding national security and drug trafficking in the Florida Straits and Caribbean regions, including Cuba, including an assessment of new technology used by criminal organizations and an identification of technology requirements necessary for the Coast Guard to address these threats.

Section 206. Coast Guard Yard.

For certain Coast Guard shipbuilding, repair, and maintenance, the Coast Guard established the Coast Guard Yard in 1899 in Baltimore, Maryland. In relation to the authorization provided in section 103(b), the Coast Guard would be directed to modernize the Coast Guard Yard to improve resilience, maintain manufacturing capacity, expand training and recruitment, enhance safety, improve environmental compliance, and ensure that the Coast Guard Yard is prepared to meet the growing needs of the modern Coast Guard fleet. Improvements must include the acquisition of a large-capacity drydock, improvements to piers and wharves, environmental remediation, new warehouse and other facilities, as well as dredging needs associated with the Coast Guard Yard. This section further requires the Secretary to submit a report to Congress to outline the workforce needs of the Coast Guard Yard into the future, and provide recommendations to Congress with respect to the authorities, training, funding, and civilian and active-duty recruitment needs necessary, including supporting and recruiting a diverse workforce.

Section 207. Authority to enter in transactions other than contracts and grants to procure cost-effective technology for mission needs.

Subchapter III of chapter 11 of title 14, U.S. Code, establishes Coast Guard procurement regulations. Current law permits the Commandant to enter into other transaction agreements under section 2371(b) of title 10, U.S. Code, to participate in prototype and follow-on production directly relevant to the Coast Guard's cyber capability and C4I initiatives.

This section would expand the Coast Guard's authority regarding other transactions to other mission areas and authorize the Coast Guard to enter into transactions (other than contracts, cooperative agreements, and grants) to develop and procure cost-effective technology to meet the mission needs of the Coast Guard. This section also limits the procurement of certain Chinese technologies, a number of which are currently operated by the Coast Guard. This section mandates that the Commandant submit a report to Congress that would assess the mission and operational benefits of this authority.

Section 208. Improvements to infrastructure and operations planning.

There are no provisions in current law requiring the Coast Guard to incorporate oceanic and atmospheric data into strategic planning.

This section would direct the Coast Guard to incorporate the most recent oceanic and atmospheric data relating to extreme weather such as hurricanes, floods, and changing ice cover

into planning for Coast Guard infrastructure and mission deployments, including with respect to migration, hurricane surge operations, and Arctic operations. This provision would also direct the Coast Guard to present a briefing to Congress on the Coast Guard's progress in incorporating oceanic and atmospheric data into at least one key mission area. This section would direct the Coast Guard to coordinate with the National Oceanic and Atmospheric Administration ("NOAA") in carrying out this provision.

Subtitle B—Great Lakes

Section 211. Great Lakes winter commerce.

This section would amend subchapter IV of chapter 5 of title 14, U.S. Code, to establish standards for icebreaking operations. It would mandate a two-stage Government Accountability Office report to analyze the current capabilities of the Great Lakes icebreaking program, including an evaluation of the economic impact of vessel delays, recommendations, and an implementation plan to improve operations. This section would require the Commandant to produce a report detailing a plan for implementation of the recommendations provided by the Comptroller General.

Section 212. Database on icebreaking operations in the Great Lakes.

There are no provisions in current law requiring a database for information collection and dissemination on icebreaking operations in the Great Lakes. The Coast Guard lacks the capability to collect, manage, and monitor that data despite growing concerns for the service to keep critical Great Lakes shipping routes navigable during winter months.

This section would direct the Commandant to establish a database for information on Great Lakes icebreaking operations and commercial vessel transit during ice season, including information regarding unsuccessful transit attempts by commercial vessels. It would also specify that any reporting by operators of commercial vessels be voluntary, and that all data would be made publicly available.

Section 213. Great Lakes snowmobile acquisition plan.

Section 521 of title 14, U.S. Code, directs the Coast Guard to aid distressed individuals, vessels, and aircraft on the high seas and waters over which the United States has jurisdiction. Snowmobiles are an asset that is utilized by a number of Coast Guard units in the Great Lakes region during winter months when ice cover makes transportation by vessel difficult or cumbersome. This section would direct the Commandant complete a plan to expand snowmobile acquisition for use at units where snowmobiles may improve ice rescue response times while maintaining the safety of Coast Guard personnel engaged in search and rescue. The plan would include the estimated costs of acquiring additional snowmobile assets and conducting training activities to support operation of those assets.

Section 214. Great Lakes barge inspection exemption.

Section 3302(m) of title 46, U.S. Code, exempts certain unmanned barges from certain inspection requirements. This section would amend section 3302(m) of title 46, U.S. Code, to exempt Great Lakes barges, in addition to seagoing barges, from inspection requirements.

Section 215. Study on sufficiency of Coast Guard aviation assets to meet mission demands.

Under section 521 of title 14, U.S. Code, the Coast Guard is responsible for aiding distressed individuals, vessels, and aircraft on the high seas and waters over which the United States has jurisdiction. Coast Guard fixed-wing aviation assets are a component of the lifesaving assets in the Great Lakes region. Currently, the Coast Guard does not have fixed-winged aircraft stationed in the Great Lakes. This section would mandate a report on the Coast Guard aviation needs, including an assessment of the feasibility of stationing fixed-wing assets in the Great Lakes, to include an assessment of the distance, time, and weather challenges faced by MH-65 and MH-60 units in this area of responsibility.

Subtitle C—Arctic

Section 221. Establishment of the Arctic Security Cutter Program Office.

The William M. (Mac) Thornberry National Defense Authorization Act for fiscal year 2021 (P.L. 116–283) authorized six ice breakers for the Coast Guard, with not less than three classified as heavy icebreakers (“PSCs”). Despite the Coast Guard’s authority to build a medium icebreaker (“ASC”), there is currently no program office within the Coast Guard to support this stated and authorized acquisition goal. The Arctic region is an area of increased importance from a national and economic security standpoint. The United States has emerging opportunities for shipping, trade, natural resources, and ecotourism in the region, and faces competition from Russia, China, and other countries for access to those opportunities as well as broader influence in the region. The Coast Guard is the lead agency for U.S. icebreaking capabilities, which are critically needed as climate change makes the Arctic more accessible to shipping.

This section would direct the Coast Guard to establish a program office for the acquisition of the ASC. The ASC will be the primary U.S. icebreaking platform operating in the Arctic. Establishment of the program office would expedite the evaluation of requirements and initiate design of the ASC. It also would improve oversight of the program and direct the Coast Guard to provide quarterly briefings to Congress on the status of required evaluations, design of the vessel, and schedule of the program.

Section 222. Arctic activities.

This section would require the Coast Guard to submit a report to Congress describing the ability to conduct a transit of the Northern Sea Route and Northwest Passage as well as an assessment of the duration of such a transit.

Section 223. Study on Arctic operations and infrastructure.

This section would direct the Comptroller General of the United States to conduct a study to assess Coast Guard Arctic operations and infrastructure, including an assessment of collaboration between the Department of Defense (“DOD”) and the Coast Guard, and evaluation of risk management for commercial maritime operations and the environment in the Arctic.

Subtitle D—Maritime Cyber and Artificial Intelligence

Section 231. Enhancing maritime cybersecurity.

There are no provisions in current law requiring the Maritime Administration (“MARAD”), the Coast Guard, and the Cybersecurity and Infrastructure Security Agency to coordinate to provide the maritime community with resources to jointly address cybersecurity. This section would direct the Commandant, the MARAD Administrator, and the Director of the Cybersecurity and Infrastructure Security Agency, and the Director of the National Institute of Standards and Technology to identify and provide tools needed to assist maritime operators (operators of vessels, port facilities, and authorities) in identifying, preventing, responding, and recovering from cyber threats. The Commandant may also consult with other maritime operators and industry partners in identifying tools and resources.

Section 232. Establishment of unmanned system program and autonomous control and computer vision technology project.

Section 319 of title 14, U.S. Code, established a land-based unmanned aircraft system program within the Coast Guard, and authorized \$5 million for additional long-range maritime patrol aircraft, acquired through full and open competition. This section would amend section 319 of title 14, U.S. Code, to provide a more detailed description of the unmanned system program. The program would enable the Coast Guard to use land-based, cutter-based, and aircraft-based unmanned systems to improve effectiveness and efficiency of mission execution. This section would also establish the Autonomous Control and Computer Vision Technology Project to retrofit Coast Guard small boats with autonomous control technologies for search and rescue, surveillance, and interdiction missions. This section would also direct the Commandant to provide a briefing to Congress that includes an evaluation of the data collected from the project.

Section 233. Artificial intelligence strategy.

There are no provisions in current law requiring the Coast Guard to develop an artificial intelligence (“AI”) technologies strategy. This section would direct the Coast Guard to develop AI and machine learning technologies to improve Coast Guard operations. It would also designate a Coast Guard official to lead AI efforts, and to develop a strategic roadmap for the identification, coordination, and development of AI technologies. In fulfilling these goals, this

section directs the Commandant to engage with private industries, universities, and non-profit institutions.

Section 234. Review of artificial intelligence applications and establishment of performance metrics.

This section would direct the Coast Guard to review the potential applications of AI and digital technology to the platforms of the Coast Guard. It would establish performance objectives and accompanying metrics for the incorporation of AI and digital readiness into such platforms and operations. It would establish recruiting, training, and talent management performance objectives and metrics for achieving and maintaining staffing levels needed to fill identified gaps and meet the needs of the Coast Guard for skilled personnel. This section would also require the Commandant to submit a report to Congress on the findings of the reviews under this section.

Section 235. Cyber data management.

There are no provisions in current law regarding Coast Guard cyberthreat data management policies. This section would direct the Coast Guard to develop policies regarding management of intelligence data, internet traffic data, and cyber threat information. It also would direct the Commandant to develop operational workflows for mission-relevant data by the Coast Guard, and evaluate how Coast Guard data management analytical platforms operate consistently with the data strategy of the Coast Guard. This section would also require the Commandant to submit a report to Congress to summarize compliance with the data management policies outlined in this section.

Section 236. Data management.

This section would direct the Coast Guard to develop data workflows and processes for the leveraging of mission-relevant data by the Coast Guard to enhance operational effectiveness and efficiency.

Section 237. Study on cyber threats to the United States Marine Transportation System.

This section would direct the Comptroller General to conduct a review of cyber threats to the U.S. Marine Transportation System. The report would evaluate the Coast Guard posture to such threats. It also would mandate a report to Congress on the findings of the study.

Subtitle E—Aviation

Section 241. Space-available travel on Coast Guard aircraft: program authorization and eligible recipients.

Section 2641(b) of title 10, U.S. Code, establishes a program to provide transportation on DOD aircraft on a space-available basis. This existing program allows veterans and retired members of the armed forces to participate in the travel program, and excludes family members of the armed forces.

This provision would amend title 14, U.S. Code, to grant Coast Guard parity with the DOD regarding section 2641(b) of title 10, U.S. Code. This section would authorize the Commandant to provide transportation for families of members of the armed forces, officers, employees, and others on a space available basis.

Section 242. Report on Coast Guard Air Station Barbers Point hangar.

The Consolidated Appropriations Act of 2021 (P.L. 116-260) required for the phase one design of a hangar at Coast Guard Air Station Barbers Point. This section would direct the Coast Guard to submit a report to Congress to describe the \$45 million phase one hangar design and evaluate the facilities needed to house and maintain the MH-65 and HC-130 aircraft at Air Station Barbers Point at Oahu, Hawaii in addition to future growth requirements.

Section 243. Study on the operational availability of Coast Guard aircraft and strategy for Coast Guard aviation.

This section would direct the Comptroller General to conduct a study to evaluate the operational availability of Coast Guard aircraft. The study would include an assessment of rotary and fixed-wing aircraft availability, potential challenges the Coast Guard may face in meeting operational availability targets, and the status of fleet recapitalization efforts. The Commandant would be required to brief the Committee on the Coast Guard on response to the outcomes of the Comptroller General report.

Subtitle F—Workforce Readiness

Section 251. Authorized strength.

Section 3702 of title 14, U.S. Code, requires the secretary of the department in which the Coast Guard is operating to determine the authorized strength in numbers in each grade necessary to provide for mobilization requirements. This section amends section 3702 of title 14, U.S. Code, to allow the Secretary to increase the authorized end strength of the Coast Guard Selected Reserves (“Reserves”) to not more than three percent per fiscal year. This section also allows the Commandant to increase the end strength of the Reserves to not more than two percent of the authorized end strength upon finding that the increase is necessary to enhance manning and readiness in essential units, critical specialties, or ratings.

Section 252. Number and distribution of officers on active-duty promotion list.

Section 2103(a) of title 14, U.S. Code, establishes a maximum number of Coast Guard commissioned officers on the active-duty promotion list as 6,900 with a temporary increase for not more than 60 days of up to two percent after the date of the commissioning of a United States Coast Guard Academy class. This section amends section 2103(a) of title 14, U.S. Code, to increase the number of commissioned officers on the active-duty promotion list to 7,400 and institutes a reporting requirement if the number allotted is exceeded. This section also amends chapter 51 of title 14, U.S. Code, by instituting a reporting requirement for the number of officers serving at other federal entities on a reimbursable basis that are not included on the active-duty promotion list. Finally, this section authorizes a temporary increase for not more than 60 days of up to four percent after the date of the commissioning of a United States Coast Guard Academy class.

Section 253. Continuation on active duty of officers with critical skills.

Subchapter II of chapter 21 of title 14, U.S. Code, relates to discharges, retirements, revocation of commissions, and separations of active-duty officers. Currently these provisions do not include officers with special skills to remain on active duty past the compulsory retirement age of 62, as described in section 2154 of title 14, U.S. Code. This section amends subchapter II of chapter 21 of title 14, U.S. Code, by adding a new section to allow the Commandant to designate any officer above grade O-2 to remain on active duty (after date of retirement) if the officer possesses a critical skill or specialty for the service.

Section 254. Career incentive pay for marine inspectors.

Section 352 of title 37, U.S. Code, provides the secretary of the department in which the Coast Guard is operating the authority to offer incentive pay for members of the Coast Guard. This section would direct the Secretary to consider providing special duty pay to members of the Coast Guard serving as marine inspectors and marine investigators for the purposes of recruitment and retention. The Coast Guard is currently short hundreds of marine inspectors. This section would also direct the Secretary to submit a report to Congress to evaluate the number of marine inspectors receiving special pay and assesses the impact of special pay authority on administrative efficiency and workforce retention. This section would also direct the Secretary to conduct a study analyzing the health of marine inspectors and investigators.

Section 255. Expansion of the ability for selection board to recommend officers of particular merit for promotion.

Section 2116(c)(1) of title 14, U.S. Code, limits the number of officers that the selection board may recommend for promotion to 5 percent, 7.5 percent, and 10 percent of the total number of officers that the board is authorized to recommend for the grades of lieutenant, commander, and captain, respectively. This section would amend section 2116(c)(1) of title 14, U.S. Code, by tripling the number of officers that a board may recommend to be placed at the top of the list of selectees.

Section 256. Pay and allowances for certain members of the coast guard during funding gap.

This section would authorize the Secretary to provide pay allowances to members of the Coast Guard during a lapse in appropriations if other members of the armed forces are paid during that lapse. It would also allow for certain other expenditures during a lapse in appropriations, including payment of death gratuity, funeral travel payment and reimbursement, and continuation of basic allowance of housing for dependents of deceased active-duty members.

Section 257. Modification to education loan repayment program.

Section 2772 of title 14, U.S. Code, authorizes the Secretary to repay education loans for members of the Coast Guard under certain circumstances. The current provisions do not allow for fractional credit for loan repayment for years served. This section would amend section 2772 of title 14, U.S. Code, by prescribing fractional credit for some members for loan repayment for each year served, and additional stipulations on loan repayment. It also would allow for loan repayments from a larger list of lenders, including financial credit institutions and nonprofit entities.

Section 258. Retirement of Vice Commandant.

Pursuant to section 303 of title 14, U.S. Code, a Vice Commandant who is not reappointed or appointed as Commandant would retire with the grade of admiral (three star) at the expiration of their term. This section would amend section 303 of title 14, U.S. Code, to require a minimum term length of two years for Vice Commandants to be retired with the grade of admiral (four star).

Section 259. Report on resignation and retirement processing times and denial

This section would require the Commandant to submit an annual report to Congress which would evaluate the resignation and retirement process, including processing timelines. The report would include statistics on the number of resignations, retirements, and other separations that occurred during the preceding calendar year, processing times, and percentages of retirement requests that included a command endorsement.

Section 260. Calculation of active service.

Section 2152 of title 14, U.S. Code, allows a regular commissioned officer of the armed forces to apply for retirement after 20 years of active service. This section would direct the Coast Guard to count any written description of time served by the Coast Guard, as time served toward total active service for retirement under section 2152 of title 14, U.S. Code, for an officer prior to the date of enactment of the William M. (Mac) Thornberry National Defense Authorization Act for fiscal year 2021 (P.L.116–283).

Section 261. Physical Disability Evaluation System procedure review.

This section would direct the Comptroller of the United States to evaluate the Coast Guard Physical Disability Evaluation System and medical directives.

Section 262. Expansion of authority for multirater assessments of certain personnel.

Section 2182(a) of title 14, U.S. Code, directs the Coast Guard to develop a plan to conduct a multirater assessment of certain Coast Guard officers every two years. This section amends section 2182(a) of title 14, U.S. Code, by requiring certain Coast Guard officers and enlisted members to undergo a multirater assessment for the ranks of E-7 to E-10 and O-4 to O-6, respectively. This section also mandates a report to Congress detailing the estimated costs of implementing such multirater assessments.

Section 263. Promotion parity.

Section 2115(a) of title 14, U.S. Code, describes the information that must be furnished to the promotion boards convened to select officers in the Coast Guard for promotion. This information includes the number of officers that can be selected for promotion, names, and personnel records of all eligible officers. This section would amend subchapter I of chapter 21 of subtitle II of title 14, U.S. Code, to better align the Coast Guard and DOD promotion review procedures for certain active duty personnel. Specifically, this section would require the review board to consider information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation. It would authorize the secretary of the department in which the Coast Guard is operating to delay the promotion of officers that are under criminal investigation.

Section 264. Partnership program to diversify the Coast Guard.

Under the current law, the Coast Guard has limited authority to expand and promote diversity in the enlisted ranks through partnerships with Junior Reserve Officers' Training Corps. This section would direct the Coast Guard to establish a program for the purpose of increasing the number of underrepresented minorities in the enlisted ranks. In carrying out this section, the Coast Guard would be required to enter into partnerships with academic institutions to increase the visibility of Coast Guard careers and promote curriculum development to enable acceptance into the Coast Guard.

Section 265. Expansion of Coast Guard Junior Reserve Officers' Training Corps.

Section 320 of title 14, U.S. Code, establishes the Coast Guard Junior Reserve Officers' Training Corps program. As written, the current provisions do not specify the number or location of training programs that are required.

This section would amend section 320 of title 14, U.S. Code, to require at least one Coast Guard Junior Reserve Officers' Training Corps in each Coast Guard district. This section would also require the Commandant to submit a report to Congress to detail the estimated costs associated with implementing the Coast Guard Junior Reserve Officers' Training Corps expansion.

Section 266. Improving representation of women and racial and ethnic minorities among Coast Guard active-duty members.

This section would direct the Coast Guard to identify recommendations in the Coast Guard-commissioned RAND report entitled “Improving the Representation of Women and Racial/Ethnic Minorities Among U.S. Coast Guard Active-Duty Members” and submit a report to Congress on actions taken to implement such recommendations. This section also requires the Coast Guard to update its curriculum and training materials to reflect the implementation of such recommendations.

Section 267. Strategy to enhance diversity through recruitment and accession.

This section would direct the Coast Guard to develop a 10-year strategy to enhance diversity through recruitment and accession. This section also mandates a report to Congress describing current recruitment strategies and an explanation of how the proposed strategy would improve the Coast Guard's overall diversity and inclusion action plan.

Section 268. Support for the Coast Guard Academy.

This section amends subchapter II of chapter 9 of title 14, U.S. Code, by adding a new section to establish certain additional authorities pertaining to the United States Coast Guard Academy, including authorities, support services, leasing authorities, funding mechanisms, and trademark licensing of the Academy. This section further amends subchapter II of chapter 9 of title 14, U.S. Code, by adding a section by authorizing the Coast Guard to use non-appropriated funds for the mixed-funded athletic or recreational extracurricular program. This would provide the Coast Guard authorities that are similar to those already provided to DOD military academies.

Section 269. Training for congressional affairs personnel.

This section would amend section 315 of title 14, U.S. Code, to require a multi-day training course on the workings of Congress for Coast Guard fellows, liaisons, and administrative staff assigned to the Coast Guard Office of Congressional and Intergovernmental Affairs.

Section 270. Strategy for retention of cuttermen.

The Coast Guard is facing retention challenges with officer and enlisted personnel serving on Coast Guard cutters. Members have identified challenges with inflexible requirements for career progression and lack of internet connectivity at sea for continuation of education and communication with family as challenges driving members out of the specialty.

This section would direct the Coast Guard to publish a strategy to improve recruitment and retention of a diverse and inclusive workforce serving on Coast Guard cutters. The strategy would include policies to improve flexibility in the afloat career path, including a policy that would enable cuttermen to transition between afloat and onshore assignments without detriment to their career progression.

Section 271. Study on extremism in the Coast Guard.

This section would direct the Comptroller General to submit a report to Congress that would evaluate instances of radicalization to violence within the Coast Guard workforce and make recommendations regarding how the Coast Guard should address such challenges.

Section 272. Study on performance of Coast Guard Force Readiness Command.

This section directs the Comptroller General to conduct a study to evaluate the performance of the Coast Guard Force Readiness Command (“FORCECOM”), which would include an assessment of FORCECOM’s ability to train the Coast Guard workforce and the extent that FORCECOM has assessed policy compliance across the Coast Guard.

Section 273. Study on frequency of weapons training for Coast Guard personnel.

This section would direct the Commandant of the Coast Guard to conduct a study to determine whether there is a need to improve weapons training for Coast Guard law enforcement and other relevant Coast Guard personnel. The study would also identify optimal weapons training frequency, assess challenges posed by transition to such training regimens, and to identify necessary staffing requirements. This section would also direct the Commandant to submit a report to Congress on the findings of the study.

Subtitle G—Miscellaneous Provisions

Section 281. Budgeting of Coast Guard relating to certain operations.

There are no provisions in current law requiring the Coast Guard to include DOD readiness mission activities expenses in their annual budget submission. This section would amend chapter 51 of title 14, U.S. Code, to require the Coast Guard to include information in their annual budget submission to Congress to detail all expenses incurred during the performance and execution of DOD readiness mission activities, and an accounting of all expenses incurred during the execution of activities provided to other components of DHS.

Section 282. Coast Guard assistance to United States Secret Service.

Section 3056 of title 18, U.S. Code, requires executive agencies to provide services, equipment, and facilities on a temporary and reimbursable basis upon request of the Director of the Secret Service. Under current law, the DOD and the Coast Guard are required to provide assistance to

the Secret Service without reimbursement. This section would amend Section 3056 of title 18, U.S. Code, by placing a \$15 million annual cap on the cost of non-reimbursable assistance that the Coast Guard can provide to the Secret Service. Any costs incurred by the Coast Guard beyond \$15 million would be reimbursed.

Section 283. Conveyance of Coast Guard vessels for public purposes.

Section 501 of title 14, U.S. Code, directs the Coast Guard to bestow excess vessels to the General Services Administration (“GSA”) to transfer to eligible entities, including state or local governments and nonprofit corporations, for educational, cultural, or recreational purposes. This section would amend section 501 of title 14, U.S. Code, to authorize the Administrator of the GSA, at the request of the Commandant, to facilitate the transfer of assets directly from the Coast Guard to an eligible entity for certain public purposes.

Section 284. Coast Guard intelligence activities and emergency and extraordinary expenses.

This section would authorize the Coast Guard to use appropriated funds in a confidential manner for emergency or extraordinary expenses for human intelligence and counterintelligence activities. The ability to forego standard, publicly available, accounting and reporting procedures would provide flexibility and stability to Coast Guard counterintelligence operations and would mirror the accounting processes of other federal agencies of the intelligence community. Without the authority to expend intelligence funds in a classified manner, the Commandant cannot fully leverage Coast Guard counterintelligence capabilities to accomplish Coast Guard objectives as a member of the intelligence community, shield sensitive operations, and protect intelligence sources and methodologies. There is no provision in current law authorizing the use of appropriated funds for intelligence activities of a confidential, emergency, or extraordinary nature that cannot be anticipated or classified for the Coast Guard.

Section 285. Transfer and conveyance.

This section authorizes the Coast Guard to transfer a parcel of real property located on Dauphin Island, Alabama to the Secretary of Health and Human Services, and convey rights over the property to the Alabama Marine Environmental Sciences Consortium.

Section 286. Transparency and oversight.

This section would promote financial transparency in the Coast Guard by requiring the Coast Guard to notify Congress of certain large expenditures, including grants larger than \$1 million, multiple award contracts larger than \$4 million, or multi-year contracts larger than \$10 million, including specific information regarding those expenditures. This is consistent with reporting requirement language included in annual appropriations legislation, but has not previously been codified.

Section 287. Study on safety inspection program for containers and facilities.

This section would direct the Coast Guard to review the safety inspection programs for shipping containers and designated waterfront facilities receiving containers as defined by chapter 805 of title 46, U.S. Code. It would also direct the Commandant to submit a report to Congress regarding personnel and resource requirements to adequately maintain the container and facility inspection program, and related needs.

TITLE III—ENVIRONMENT

Section 301. Definition of Secretary.

This section would define “Secretary” for this title, as the secretary of the department in which the Coast Guard is operating.

Subtitle A – Marine Mammals

Section 311. Definitions.

This section provides definitions for this subtitle, such as core foraging habitat, institution of higher education, and large cetaceans, among other definitions for the purposes of this section.

Section 312. Assistance to ports to reduce the impacts of vessel traffic and port operations on marine mammals.

This section would direct the Under Secretary of Commerce for Oceans and Atmosphere (“Under Secretary”) in consultation with the secretary of the Department in which the Coast Guard is operating, the Director of the U.S. Fish and Wildlife Service, and the Administrator of the MARAD to establish a competitive grant program for ports and other entities. The purposes of the program fund projects to mitigate seaport and vessel traffic related impacts to marine mammal populations such as underwater noise, and other impacts through mitigation measures, research, monitoring, and other related activities. Eligible entities include ports, academic institutions working in partnership with a port or ports, or a state, local, or Tribal government with jurisdiction over a port or ports. This section would authorize \$10 million annually for fiscal years 2023 through 2028.

Section 313. Near real-time monitoring and mitigation program for large cetaceans.

This section would direct the Under Secretary to develop a near real-time large whale monitoring and mitigation program to reduce the risk of vessel collision impacts to large whales. This section would also direct NOAA to carry out a pilot project to inform a near real-time monitoring and mitigation system for North Atlantic right whales (*Eubalaena glacialis*). It also would direct the Under Secretary to submit a report to Congress that would evaluate the efficacy of the technologies in use for detecting North Atlantic right whales and or other species as applicable. This section authorizes \$5 million for fiscal years 2023 to 2027 to execute the program.

Section 314. Pilot program to establish a Cetacean Desk for Puget Sound region.

This section would direct the Coast Guard to enter into a memorandum of understanding with NOAA to establish a cetacean desk within the Coast Guard Puget Sound Vessel Traffic Center to improve coordination between the Coast Guard, NOAA, and the maritime industry to reduce the risk of vessel impacts to Southern resident orcas (*Orcinus orca*), such as strikes, noise, or other disturbances. It would also direct NOAA and the Coast Guard to submit a joint report to Congress that would evaluate the efficacy of the cetacean desk. The program would sunset after five years.

Section 315. Monitoring ocean soundscapes.

This section would direct NOAA to maintain and expand an ocean soundscape grant program to expand the deployment of federal and non-federal ocean noise observation systems for protecting marine life, and to develop and apply standardized forms of measurements to assess ocean soundscapes. This section would require NOAA to coordinate with the National Park Service, the NOAA Integrated Ocean Observing System, and Regional Ocean Partnerships, as appropriate. It would also authorize \$1.5 million annually for each fiscal year 2023 through 2028.

Subtitle B—Oil Spills

Section 321. Improving oil spill preparedness.

This section would direct NOAA to include new data on properties of crude and refined oils in the Automated Data Inquiry for Oil Spills database. This NOAA database is utilized by NOAA and federal and state agencies, and partners to inform oil weathering models. Such models are an important tool used by oil spill responders.

Section 322. Western Alaska oil spill planning criteria.

This section would amend chapter 3 of title 14, U.S. Code, to add a section regarding oil spill response standards and criteria in certain areas in Western Alaska. This section would require the President to establish alternate planning criteria to address oil spill response needs within the area of responsibility in Western Alaska where response resources are limited due to the remote nature of the region. It would require certain improvements to wildlife response, as well as consideration of vessel traffic and other needs. This section would not apply to certain areas, with the National Contingency Plan standards retained in Southeast Alaska, Cook Inlet, or other locations that have the infrastructure to meet that standard at the date of enactment or in the future. This section would direct the Coast Guard to improve staffing to support implementation of this section, and other provisions.

Section 323. Accident and incident notification related to pipelines.

Subsection C of section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112-90) directs the Secretary of Transportation to revise the regulations relating to pipeline accidents and incidents, so as to oblige pipeline owners and operators to give telephonic or electronic notice of every accident and incident to the Department of Transportation and the Coast Guard National Response Center (“NRC”) at the earliest practicable time. Significantly, the Act requires the NRC to “update the initial report on [a pipeline] accident or incident instead of generating a new report” after “receiving revisions” of an initial notice of such an accident or incident. This section would repeal Subsection C of Section 9 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112-90). Implementation of this requirement presents policy and practical concerns for the NRC. The information relayed to the NRC in the aftermath of an incident are best directed to the Federal On-Scene Coordinator or other responder with first-hand knowledge of the accident or incident. This would reduce errors and ensure effective and efficient response to pipeline reports and incidents.

Section 324. Coast Guard claims processing costs.

Section 2712 of title 33, U.S. Code, authorizes the use of the Oil Spill Liability Trust Fund (“OSLTF”) available to pay claims without further appropriations. This section would amend section 2712 of title 33, U.S. Code, to make the OSLTF also available for the National Pollution Funds Center administrative and personnel costs to process claims for incidents requiring extraordinary claims processing activities. It would require the Coast Guard to report such an incident to Congress no later than 30 days after the determination to process claims.

Section 325. Calculation of interest on debt owed to the national pollution fund.

Section 1005(b)(4) of the Oil Pollution Act of 1990 (“OPA 90”) (section 2705 of title 33, U.S. Code) outlines the calculation of interest under a fluctuating rate described in section 1005(b)(4) (section 2705(b)(4) of title 33, U.S. Code). This proposal would amend the OPA 90 by changing how the Coast Guard calculates interest on debt owed to the National Pollution Fund (the “Fund”). The current interest rate is calculated under a fluctuating rate described in OPA 90 section 1005(b)(4) (section 2705(b)(4) of title 33, U.S. Code). The provision would change the interest rate so that interest on debt is calculated under section 3717 of title 31, U.S. Code, which is a more stable rate, determined on an annual basis. The change in interest rate calculation benefits the Coast Guard because the change in calculation would lead to increased auditability of the Fund and alignment with how DHS calculates interest rates in its financial management system. For debtors of the Fund, the change will provide a clear picture of the level of interest to be incurred if the debt is not paid.

Section 326. Per-incident limitation.

Section 9509 of title 26, U.S. Code, authorizes \$1 billion from the OSLTF for oil spill cleanup on incidents not to exceed \$1 billion in damages, and natural resource damage assessments for incidents not exceeding \$500 million. This section would amend section 9509 of title 26, U.S. Code, by raising the cost limit of incidents and natural resource damage assessments to \$1.5 billion and \$750 million, respectively.

Section 327. Access to the Oil Spill Liability Trust Fund.

Section 2752 of title 33, U.S. Code, authorizes \$50 million per year, with one advance of an additional \$100 million per year, as needed for oil spill removal costs from the OSLTF. This section would amend section 2752 of title 33, U.S. Code, to authorize multiple advances from the OSLTF in the event of a future Spill of National Significance.

Section 328. Cost reimbursement agreements.

Section 2712 of title 33, U.S. Code, authorizes the President to enter into a cooperative agreement with a state to obligate up to \$250,000 per incident from the OSLTF Emergency Fund (i.e., the amounts made available under OPA 90 section 6002(b)) to pay for oil removal costs incurred by the state. This proposal would replace the State Access statutory provisions, including the \$250,000 per-incident cap, with language that expressly provides for the use and fiscal law treatment of cost-reimbursable agreements to pay for state, local, and Tribal government removal costs, determined by the President to be consistent with the National Contingency Plan. Additionally, the proposal would make conforming amendments to OPA 90 subsection 1012(f), providing/or subrogation of rights in the event of such funding.

Section 329. Oil spill response review.

Section 1321(j)(7) of title 33, U.S. Code, establishes a national oil spill response system. The Coast Guard has only verified the accuracy of 71 of over 3,000 submitted vessel response plans. The NRC collects oil spill incident data, but these data are often initial, unverified estimates. This section would direct the Coast Guard to develop and implement a program to improve oil spill response by periodically evaluating Coast Guard vessel response plans, conduct oil spill response drills, and responses to oil spill incidents that require contracted resources. The program would also require updates to the Coast Guard Response Resource Inventory and other Coast Guard tools used to document the availability of oil spill response equipment to ensure that such information remains current. It would also require the Comptroller General to conduct a study on Coast Guard oversight of national, regional, and local area oil spill response plans and effectiveness.

Section 330. Review and report on limited indemnity provisions in standby oil spill response contracts.

This section directs the Comptroller General to submit a report to Congress on the effects of

removing limited indemnity provisions from Coast Guard oil spill response contracts. Section 1321(c) of title 33, U.S. Code, exempts individuals that are assisting with oil spill response activities from liability for removal costs or damages resulting from actions taken while assisting with oil spill removal. The report would include an assessment of the adequacy of response contracts, review of the cost incurred by the Coast Guard to cover the indemnity provisions, and an assessment of the impact of removing indemnity provisions on the ability of oil spill response organizations to enter into contracts.

Section 331. Additional exceptions to regulations for towing vessels.

Subchapter M of chapter I of title 46, U.S. Code, established authority for the secretary of the department in which the Coast Guard is operating to promulgate regulations for towing vessels. This section would direct the Secretary to develop new policies to create an exception for fishing vessels, oil spill response vessels, and vessels of opportunity that are assisting in oil spill response activities from certain towing regulations.

Subtitle C—Environmental Compliance

Section 341. Review of anchorage regulations.

Under current law, the Coast Guard is not required to periodically review and update anchorage regulations. Many of these regulations are outdated and do not account for modern marine safety, security, and environmental concerns of the United States. This section would direct the secretary of the department in which the Coast Guard is operating to review existing anchorage regulations and identify which anchorages may need to be updated to improve marine safety, security, and environmental compliance, especially with regard to underwater pipelines and cables. This section would also direct the Secretary to submit a report to Congress to summarize such review within two years of enactment of this Act.

Section 342. Study on impacts on shipping and commercial, Tribal, and recreational fisheries from the development of renewable energy on the West Coast.

This provision would require the Secretary of Commerce, the secretary of the department in which the Coast Guard is operating, and the Secretary of Interior to enter into a contract with the National Academy of Sciences to evaluate the impacts of renewable energy (including wind) on shipping and commercial, Tribal, and recreational fisheries on the West Coast of the United States. The Academies would be directed to submit a report to Congress within one year of enactment of this Act.

Subtitle D—Environmental Issues

Section 351. Modifications to the Sport Fish Restoration and Boating Trust Fund

administration.

Section 777 of title 16, U.S. Code, authorizes the use of funds from the Sport Fish Restoration and Boating Trust Fund for fish conservation and habitat restoration projects as well as projects that aim to increase access to recreational fishing and other activities. This section would make technical amendments to section 777c of title 16, U.S. Code, for the Sport Fish Restoration Trust Fund. This fund was reauthorized in the Biden-Harris Infrastructure Law (P.L. 117-58), however technical corrections are needed to implement such law.

Section 352. Improvements to Coast Guard communication with North Pacific maritime and fishing industry.

Rescue 21 is the Coast Guard's advanced communication system for distress at sea. The program began in 2002 and was completed in 2017. However, there remains significant challenges in maintaining operational capability of Rescue 21 in Alaska, which poses persistent safety risks in the maritime environment. Coast Guard communication with members of the maritime and fishing industries is inconsistent and focused on various channels, instead of including all information in one place. This has resulted in confusion and at times, lack of clarity on regulations, safety, and other information important to the safety and economic wellbeing of coastal communities.

This section would direct the Commandant to upgrade Rescue 21 Alaska so that the remote fixed facility sites are capable of meeting 98 percent operational capacity. This section would also direct the Commandant to establish a contingency plan within six months of enactment with relevant state and federal entities to ensure outages are noticed, and to develop a plan for notifying U.S. mariners and fishing vessel operators in advance of military exercises or other activities that may impact recreational and commercial fishing and other activities in the U.S. Exclusive Economic Zone.

Section 353. Fishing Safety Training Grants Program.

Section 4502(i)(4) of title 46, U.S. Code, established a Fishing Safety Training Grants Program to provide funding to municipalities, port authorities, other appropriate public entities, that provide commercial fishing safety training. The program is currently authorized for fiscal years 2018 through 2021. This section would amend section 4502(i)(4) of title 46, U.S. Code, to reauthorize funding for the Fishing Safety Training Grants Program for fiscal years 2023 through 2025.

Section 354. Load lines.

Section 5102 of title 46, U.S. Code, defines which vessels must comply with load line regulations. This section would amend section 5102(b)(5) of title 46, U.S. Code, to temporarily allow certain vessels to receive an exemption from load line regulations operating exclusively in the Coast Guard District Thirteen and District Seventeen if those vessels operate at least part

time as a fish tender vessel. This section would also direct the Comptroller General to submit a report regarding the safety of these vessels, and recommendations for exempting certain vessels from load line requirements under chapter 51 of title 46, U.S. Code.

Subtitle E—Illegal Fishing and Forced Labor Prevention

Section 361. Definitions.

This section would include definitions for this subtitle.

Chapter 1—Combating Human Trafficking Through Seafood Import Monitoring

Section 362. Enhancement of seafood import monitoring program automated commercial environment message set.

NOAA maintains the Seafood Import Monitoring Program (“SIMP”) for the purposes of monitoring and reducing the importation of seafood caught in illegal, underreported, or unregulated (“IUU”) fisheries. This section would direct the Secretary of Commerce to develop a strategy to improve accuracy and verifiability of the data already collected for use in the SIMP, including the Automated Commercial Environment Message Set data elements.

Section 363. Data sharing and aggregation.

The Maritime SAFE Act, which was signed into law as a part of the National Defense Authorization Act for Fiscal Year 2020 (16 U.S.C. 8031, P.L. 116-92) created the Interagency Working Group on IUU Fishing. This section would amend the Maritime SAFE Act (section 8031 of title 16, U.S. Code) to direct the Interagency Working Group to improve the utility of the import data collected by harmonizing data standards. This section would also prohibit the use of aggregated harvest reports for Northern red snapper, *Lutjanus campechanus*, under the SIMP.

Section 364. Import audits.

This section would direct NOAA to develop procedures to audit seafood imports that are subject to the SIMP. This section also would expand the NOAA Marine Forensics Laboratory to enhance the capacity for identification of SIMP species, especially for species at high risk for being harvested via IUU fisheries.

Section 365. Availability of fisheries information.

Section 402(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (section 1881a(b)(1), title 16, U.S. Code) requires that information relating to seafood monitoring and research be kept confidential and only disclosed to certain entities, such as federal employees responsible for fishery management plan development. This section would amend Section 1881a(b)(1) of title 16, U.S. Code, by allowing federal agencies to access certain data for the purposes of authorized enforcement actions and related activities with respect to combating illegal fishing, forced labor, and oppressive child labor.

Section 366. Authority to hold fish products.

Section 311(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (section 1861(b)(1) of title 16, U.S. Code) allows officers to arrest individuals suspected of committing illegal fishing or forced labor crimes. Current provisions do not allow officers to detain or sell shipments of fish imported to or exported from the United States, illegally. This section would amend section 311(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (section 1861(b)(1) of title 16, U.S. Code) by allowing officers to detain shipments of fish imported to or exported from the United States, illegally.

Section 367. Report on seafood import monitoring program.

This section would direct the Secretary of Commerce to submit an annual report to summarize NOAA National Marine Fisheries Service efforts to combat IUU fisheries. The report would include the number of violations, identification of seafood species with respect to such violations, and tools NOAA needs to improve the efficiency of the SIMP.

Section 368. Authorization of appropriations.

Section 1307 of title 19, U.S. Code, prohibits the import of goods manufactured in a foreign country with forced labor. U.S. Customs and Border Protection (“CBP”) is charged with enforcing these regulations; however, no funding has been authorized for this express purpose. This section would authorize \$20 million to CBP for fiscal years 2023 through 2027 to carry out enforcement actions related to the importation of goods manufactured in a foreign country with forced labor, as described in section 1307 of title 19, U.S. Code.

Chapter 2 – Strengthening International Fisheries Management to Combat Human Trafficking

Section 370. Denial of port privileges.

Section 101(a)(2) of the High Seas Driftnet Fisheries Enforcement Act (section 1826a(a)(2) of title 16, U.S. Code) directs the Secretary of Homeland Security to deny port privileges to fishing vessels that are engaged in certain illegal activities. This section would strengthen that authority to allow the Secretary to consider consecutive reports to inform port denial determinations for fishing vessels, as well as expand the provision to include forced labor and oppressive child labor findings regarding those vessels, among other requirements.

Section 371. Identification and certification criteria.

Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (section 1826j(a) of title 16, U.S. Code) directs the Secretary of Commerce to identify nations in violation of certain IUU fishing activities and other requirements. This section would amend section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (section 1826j(a) of title 16, U.S. Code) to allow the Secretary to report nations in violation of IUU fisheries, forced labor, and use of oppressive child labor during the three-year period preceding the date of determination. It would require the Secretary to make that determination when that information becomes available, among other provisions.

Section 372. Equivalent conservation measures.

Section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (section 1826k(a) of title 16, U.S. Code) authorizes the Secretary of Commerce to maintain a process to evaluate whether nations identified in subsection (a) as having supported or failed to act on IUU fishing practices. This process is called certification to determine whether or not those Nations are taking corrective actions regarding that IUU fishing activity.

This section would amend section 610(a) of the High Seas Driftnet Fishing Moratorium Protection Act (section 1826k(a) of title 16, U.S. Code) by updating the requirements of certification to include IUU fishing activity, forced labor, and oppressive child labor. It would also require certain notification requirements regarding a negative determination or determinations. It would also expand the list to include countries where such activities impact protected species through bycatch, unless that bycatch and IUU fishing activity is regulated by a regulatory system similar to that of the United States.

Section 373. Capacity building in foreign fisheries.

The Maritime Safe Act (section 8013(d) of title 16, U.S. Code) directs the Secretary of State, in consultation with the Coast Guard, to evaluate opportunities to assist foreign countries in designing and implementing programs to increase the capacity of enforcement activities related to IUU fisheries. This section would build upon existing capacity building efforts (pursuant to the Maritime SAFE Act) by directing the Secretary of Commerce to develop multi-year international cooperation agreements and capacity building projects to address IUU fishing, forced labor, and oppressive child labor. This section would also make conforming revisions to the Maritime SAFE Act.

Section 374. Training of United States observers.

Section 403(b) of the Magnuson-Stevens Fishery Conservation and Management Act (section 1881b(b) of title 16, U.S. Code) establishes training guidelines for observers onboard fishing vessels for the purposes of fisheries monitoring, research, and regulatory compliance. Under current law, observers are not required to receive training to identify indicators of forced labor. This section would amend section 403(b) of the Magnuson-Stevens Fishery Conservation and Management Act (section 1881b(b) of title 16, U.S. Code) to require that fisheries observers receive training to identify indicators of forced labor and report this information to the appropriate authorities.

Section 375. Regulations.

This section would direct the secretary of the department in which the Coast Guard is operating to promulgate regulations as necessary to carry out this title within one year of enactment.

TITLE IV—SUPPORT FOR COAST GUARD WORKFORCE

Subtitle A—Support for Coast Guard Families

Section 401. Coast Guard child care improvements.

Section 2922(b)(2) of title 14, U.S. Code, authorizes the Coast Guard to make child development services available for members and civilian employees of the Coast Guard, armed forces, and federal civilian employees. This section would amend section 2922(b)(2) of title 14, U.S. Code, to reduce the child care fees that are assessed for families with two or more children for child care services, so that the cost of a second and any subsequent child is not more than 85 percent of the amount for the first child. This would ensure Coast Guard families receive benefits consistent with the benefits provided to DOD families. This section would also amend section 2923(a) of title 14, U.S. Code, to codify into law the Coast Guard's existing Child Care Subsidy Program ("Program"). The Program offers funding to help offset the cost of certain child care services and youth program services to members and civilian employees of the Coast Guard. This section would also authorize the Coast Guard to expand the use of Program funds to include additional forms of child care such as nannies and multigenerational caregivers. It would also direct the Coast Guard to publish a new policy to implement those changes and require the Commandant to submit a briefing to Congress summarizing the new policy.

Section 402. Armed forces access to Coast Guard child care facilities.

Section 2922(a) of title 14, U.S. Code, makes child development services available for Coast Guard members, and thereafter, as space is available for members of the armed forces and federal civilian employees. Child development service benefits provided under the authority of this section are in addition to benefits provided under other laws. This section would remove the

statutorily mandated patron prioritization in section 2922 of title 14, U.S. Code, thereby authorizing the Commandant, similar to the Secretary of Defense, to establish patron priority of access by policy that is consistent with Coast Guard readiness and resources. The Coast Guard and the DOD need equal access to DOD child development centers. While Coast Guard authority to provide servicemember access to child development centers in section 2922 of title 14, U.S. Code, establishes patron prioritization, the DOD authority, in sections 1791-1800 of title 10, U.S. Code, does not.

Section 403. Cadet pregnancy policy improvement.

Under current Coast Guard regulations, cadets at the United States Coast Guard Academy (“the Academy”) are not able to claim dependents. If a cadet becomes pregnant or fathers a child while enrolled at the Academy, the cadet must either relinquish parental guardianship rights to the child or drop out of the Academy. This policy disproportionately affects women at the Academy.

This section would direct the Coast Guard to promulgate regulations to preserve parental guardianship rights of cadets who become pregnant and cadets who father a child while attending the Academy, while still maintaining military and academic responsibilities required for graduation and commissioning. This section brings parity to the Coast Guard with regulations being created in the DOD for the U.S. Military Academy, Naval Academy, and Air Force Academy.

Section 404. Pilot program for fertility treatments.

There is no provision in the current law pertaining to fertility treatment within the Coast Guard. Large employers are adding fertility benefits as a recruitment and retention tool. This section would direct the Coast Guard to establish a pilot program to expand access to fertility treatments to supplement those covered by TRICARE to all qualified servicemembers, which would include artificial insemination and embryo transfer. This section would also direct the Commandant to submit a report to Congress on the results of the assessment of the program.

Section 405. Combat-related special compensation.

Section 1413a of title 10, U.S. Code, directs the Secretary to pay combat-related disabled uniformed service retirees a monthly amount for the combat-related disability of the retiree. This section would direct the Coast Guard to submit a report and provide a briefing to Congress on the implementation of section 1413a of title 10, U.S. Code. The report would include a

description of methods to educate members and retirees of the combat-related special compensation program and program enrollment statistics. It would also clarify applicability by adding marine inspectors to the list of eligible members and activities.

Section 406. Restoration of amounts improperly withheld for tax purposes from severance payments to veterans of the Coast Guard with combat-related injuries.

The Combat-Injured Veterans Tax Fairness Act of 2016 (P.L. 114-292) allows certain veterans to receive lump sum disability severance payments. This legislation does not apply to most Coast Guard members. This section would amend the Combat-Injured Veterans Tax Fairness Act of 2016 (P.L. 114-292) and expand eligibility to Coast Guard members.

Section 407. Modification of basic needs allowance for members of the Coast Guard.

Section 402(b) of title 37, U.S. Code, establishes a program to provide financial assistance referred to as a basic needs allowance for certain members of the armed forces. This section would create a special rule in section 402b of title 37, U.S. Code, allowing eligible Coast Guard members to be automatically opted into the basic needs allowance provided to uniformed services. A member may elect to opt out of the allowance.

Section 408. Study on food security.

This section would direct the Coast Guard to conduct a study to evaluate food insecurity among members of the Coast Guard. The study would include an analysis of the impact of food deserts on members of the Coast Guard, a comparison of various mechanisms for determining the cost of living, and an assessment of the accuracy of the methods in quantifying high cost-of-living in low-data and remote areas. This section would also direct the Coast Guard to develop an implementation plan and submit a briefing report to Congress.

Subtitle B—Healthcare

Section 421. Development of medical staffing standards for the Coast Guard.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283) directed the Comptroller General of the United States to conduct an evaluation of the staffing standards of the Coast Guard medical system.

This section would direct the Coast Guard to develop and implement health care staffing standards as recommended by the Comptroller General of the United States in the report titled “Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care”. These standards include provisions to address operations of healthcare staff that support defense missions to include surge deployments for incident response and staffing levels for Coast Guard medical facilities for units in remote locations. This section would also direct the Coast Guard to submit a report to Congress on the standards and budgetary needs to implement them.

Section 422. Healthcare system review and strategic plan.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283) directed the Comptroller General of the United States to conduct an evaluation of the staffing standards and access to care data of the Coast Guard medical system.

This section would direct the Coast Guard to conduct a holistic review of the Coast Guard medical system and develop a strategic plan for improvement and modernization to ensure access to high quality healthcare for Coast Guard members, dependents, and retirees. The strategy would incorporate the recommendations generated by the Comptroller General of the United States through their evaluations of the Coast Guard medical system to address the following four domains: Improving access to care for members, dependents, and retirees; quality of care; experience and satisfaction of service members and dependents; and readiness of service members and medical personnel. This section would also establish an advisory committee within the Coast Guard to oversee the review of the Coast Guard Healthcare Strategy. This section would also direct the Coast Guard to submit a report to Congress detailing the Strategic Plan.

Section 423. Data collection and access to care.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283) directed the Comptroller General of the United States to conduct an evaluation of access to care data of the Coast Guard medical system. This section would direct the Coast Guard to develop and publish a policy to require the collection of data on access to medical, dental, and behavioral health care by Coast Guard members and their dependents as recommended by the Comptroller General of the United States in the report titled “Coast Guard Health Care: Improvements Needed for Determining Staffing Needs and Monitoring Access to Care” published in February 2022. It also directs the Coast Guard to submit a report to Congress detailing the policy and how the Coast Guard plans to address access to care deficiencies.

Section 424. Behavioral health policy.

This section would direct the Coast Guard to establish a behavioral health policy for members of the Coast Guard that is in parity with policies of the DOD. The current policy is woefully inadequate and undermines the goal of open and transparent communication between members and their medical providers.

Section 425. Members asserting post-traumatic stress disorder or traumatic brain injury.

Subchapter I of chapter 25 of title 14, U.S. Code, establishes general provisions for Coast Guard personnel. This section of code does not currently include provisions regarding post-traumatic stress disorder (“PTSD”). This section would add a new section to subchapter I of chapter 25 of title 14, U.S. Code, to require the Coast Guard to provide medical evaluations and diagnoses for certain Coast Guard members that suffer from PTSD. This section also prohibits administrative

separation under conditions other than honorable, until the results of the medical examination have been reviewed. The purpose of the medical exam is to assist in determining whether the effects of PTSD or traumatic brain injury warrant administrative separation under conditions other than honorable, and to protect the member's eligibility for disability compensation.

Section 426. Improvements to the physical disability evaluation system and transition program.

Despite a changing workforce and service modernization efforts, the Coast Guard policy governing the equitable application of the provisions of title 10, U.S. Code, chapter 61, have not been updated since 2006. This section would direct the Coast Guard to develop a policy to improve timeliness, communication, and outcomes for Coast Guard members undergoing the Physical Disability Evaluation System and affords maximum career transition benefits to members of the Coast Guard determined unfit for retention.

Section 427. Expansion of access to counseling.

This section would direct the Coast Guard to hire at least five additional behavioral health specialists with experience in women's behavioral healthcare to support members of the Coast Guard with fertility, infertility, pregnancy, miscarriage, child loss, postpartum depression, and related counseling needs. This section would also authorize \$2 million to the Coast Guard for fiscal years 2023 and 2024 to carry out this section.

Section 428. Expansion of postgraduate opportunities for members of the Coast Guard in medical and related fields.

Section 4904(b)(3) of title 14, U.S. Code, authorizes the Coast Guard to allow 350 members to participate in post graduate education, annually. This bill would increase the number of postgraduate billets to 385 members per year. This would allow the Coast Guard to train additional members in the medical field, which is a key goal in the effort to address staffing challenges at Coast Guard clinics, and for other purposes.

Section 429. Study on Coast Guard telemedicine program.

In 2020, the Coast Guard started a telemedicine program named "Coast Guard Care Anywhere", which became essential for members seeking medical and behavioral health care during the COVID-19 pandemic. The system did not tie into the Coast Guard's electronic health record system and several clinics lacked the necessary IT infrastructure for the devices. The Coast Guard is currently in the process of moving to a new telemedicine system.

This section would direct the Comptroller General of the United States to conduct a study and submit a report to Congress on the Coast Guard's implementation of telemedicine, which would include an analysis of the capabilities and limitations of the Coast Guard telemedicine program, the degree of integration of the Coast Guard telemedicine program with existing electronic health records, and the ways that the program can be expanded to better serve the needs of Coast Guard

members.

Section 430. Study on Coast Guard medical facilities needs.

This section would direct the Comptroller General of the United States to conduct a study and submit a report to Congress on Coast Guard medical facilities' needs, which would include a list of Coast Guard medical facilities, a summary of medical facilities and equipment repair backlogs, and a summary of needed improvements at Coast Guard facilities, in particular IT infrastructure.

Subtitle C—Housing

Section 441. Strategy to improve quality of life at remote units.

The Coast Guard is unique among the armed forces in that many Coast Guard units are smaller and located in remote areas. This presents some challenges as those units are not large enough to support services often provided on larger military installations, including housing, medical services, child care services, access to groceries, internet, and other benefits. Coast Guard members stationed at remote units face significant challenges with access to quality affordable housing, availability of child care on the economy, medical care for members and dependents, and lack of internet or cellular connectivity.

This section would direct the Coast Guard to develop a strategy to improve the quality of life for members and their families stationed at remote units. The strategy would include methods to improve access to housing, medical care, child care, and internet to improve quality of life. This section also directs the Coast Guard to submit a report to Congress summarizing the elements of the study, and a strategy to improve quality of life for members stationed at remote units.

Section 442. Study on Coast Guard housing access, cost, and challenges.

The Coast Guard is unique as an armed force as that a significant number of its members and families stationed far away from large military installations and in remote areas. Members of the Coast Guard face significant challenges with access to affordable housing, especially in remote areas popular as vacation destinations with a large number of short-term rental properties.

This section would direct the Comptroller General to conduct a review of Coast Guard housing issues that assesses the Coast Guard's process for calculating housing allowances for individuals and families, and proposes actions the Coast Guard could take to improve the availability of housing and basic allowance for housing for qualified individuals stationed in remote units. This section also directs the Coast Guard to submit a report to Congress summarizing the results of the study.

Subtitle D—Other Matters

Section 451. Report on availability of emergency supplies for Coast Guard personnel.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283) directed the Comptroller General of the United States to conduct an evaluation of tsunami evacuation plans for Coast Guard units in the Pacific Northwest. In that study, the Comptroller General found inconsistencies with management of emergency supplies.

This section would direct the Comptroller General to submit a report to Congress on the availability of appropriate emergency supplies at Coast Guard units. The report would include an assessment of the extent to which the Commandant ensures that Coast Guard units assess risks and plans to obtain appropriate emergency supplies.

TITLE V—MARITIME

Subtitle A—Vessel Safety

Section 501. Abandoned Seafarer Fund amendments.

Section 11113 of title 46, U.S. Code, establishes the Abandoned Seafarer Fund, which authorizes the Secretary to provide financial support to seafarers paroled into the United States to help facilitate investigations. Second, it enables the Secretary to provide humanitarian support (including repatriation) for these seafarers who were abandoned in the United States for economic or other reasons. Third, it enables the Secretary to reimburse an owner or operator, not convicted of a criminal offense, who has duly paid for the necessary support of paroled seafarer(s) pursuant to the proceedings.

This section would amend section 11113 of title 46, U.S. Code, by deleting the provisional directive that the funds from the Abandoned Seafarer Fund (the "Fund") "may be appropriated" to the Secretary of Homeland Security; the amended provision fully avails the funds to the Secretary until expended. Second, it would add a 25 percent surcharge to an amount an owner or operator must reimburse the Fund if the owner or operator abandons a seafarer and causes expenditures from the Fund. Third, it would remove the requirement that the Secretary provide a 72-hour notice to an operator if the Secretary intends to withhold an operator's departure clearance to recoup reimbursement of the Fund.

Section 502. Receipts; international agreements for ice patrol services.

Section 80301(c) of title 46, U.S. Code, allows the Coast Guard to collect reimbursements from foreign countries for providing ice patrol services in the North Atlantic Ocean. This section would amend section 80301(c) of title 46, U.S. Code, to allow the Coast Guard to use reimbursed funds until they are expended. Section 80301 of title 46, U.S. Code, is plainly intended to enable the Coast Guard to recoup expenses for such services and to apply them to the Service's operating expenses account for recent, current, or future mission needs. Section 80301(c), however, states that any payments made under section 80301(b)(1) "shall be credited to the appropriation for operating expenses of the Coast Guard." Because receipts for these services are two to four years in arrears, the Coast Guard must reimburse expired appropriations or remit the reimbursements collected back to the U.S. Treasury pursuant 3302(b) of title 31, U.S. Code.

Section 503. Passenger vessel security and safety requirements.

Section 3509 of title 46, U.S. Code, establishes vessel security and safety requirements. This section is a technical correction to amend section 3509 of title 46, U.S. Code, to clarify that vessels with overnight accommodations for 250 or more passengers operating in the internal waters of the United States on voyages inside the Boundary Line are not subject to the safety requirements under said section.

Section 504. At-sea recovery operations pilot program.

This section would direct the Coast Guard to conduct a pilot program to establish, implement, and allow for the remote operation and monitoring of unmanned spaceflight recovery vessels or platforms to better understand the risks associated with spaceflight recovery, gather observational data, and evaluate regulatory alternatives under certain criteria. The section directs the Secretary to submit a report to Congress and provide briefings evaluating the execution of the pilot program. This section also directs the Comptroller General of the United States to submit to Congress a report on the state of autonomous and remote technologies in the operation of shipboard equipment and the safe and secure navigation of vessels in federal waters of the United States.

Section 505. Exoneration and limitation of liability for small passenger vessels.

Chapter 305 of title 46, U.S. Code, establishes provisions for maritime liability, which indemnify vessel operators from liability for high value goods if the shipper of said item fails to provide written notice to the vessel operator informing them of the true character and value of the item. This section amends chapter 305 of title 46, U.S. Code, to exempt certain small passenger vessels from the Limitation of Liability Act and allow individuals injured on small passenger vessels to recover financial damages greater than the value of the vessel.

Section 506. Moratorium on towing vessel inspection user fees.

This section would exempt towing vessels from an inspection fee that have a certificate of inspection issued under subchapter M of chapter I of title 46, Code of Federal Regulations (or any successor regulation), and that use the Towing Safety Management System option for compliance with such subchapter until the review required under P.L. 115-282 is complete and regulations for inspection fees are promulgated.

Section 507. Certain historic passenger vessels

Section 3306(n)(3)(v) of title 46, U.S. Code, requires small passenger vessels to have at least two avenues of escape. This section would require the Comptroller General to submit a report to Congress evaluating the safety of certain historic vessels called windjammers, that operate near shore. The study would evaluate the capacity for these unique historical vessels to meet a requirement of having at least two avenues of escape, pursuant to section 3306(n)(3)(v) of title

46, U.S. Code. The report would include an assessment of the potential risks of exempting historic vessels from this safety requirement and recommendations for improving passenger safety in lieu of these requirements. Until this report is completed, and for a period of time after the report is submitted to Congress for evaluation, the Coast Guard would have the discretionary authority to exempt this specific fleet of historic vessels from certain requirements set forth in section 3306(n)(3)(v) of title 46, U.S. Code. If exempted, such vessels would be required to post signage informing the public of said exemption.

Section 508. Coast Guard digital registration.

Section 12304(a) of title 46, U.S. Code requires owners of undocumented vessels to carry a pocket-sized certificate of numbering issued by the flag state. This section would amend section 12304(a) of title 46, United States Code by allowing vessel operators to use digital copies of certificates of numbering.

Section 509. Responses to safety recommendations.

This section would amend chapter 7 of title 14, U.S. Code, to require the Coast Guard to provide written responses to transportation safety recommendations made by the NTSB within 90 days of receipt. This section would require the Coast Guard to provide an explanation of the actions the Commandant intends to take to implement those recommendations. There are no provisions in current law requiring the Coast Guard to respond to Coast Guard related safety recommendations made by the National Transportation Safety Board (“NTSB”).

Section 510. Comptroller General of the United States study on and report on the Coast Guard’s oversight of third party organizations.

This section would direct the Comptroller General of the United States to conduct a review of Coast Guard oversight of third party organizations. The study would include an analysis of how the Coast Guard utilizes third party organizations in its prevention and other programs, and the extent it plans to increase its use of those organizations in the future. It would also involve an assessment of Coast Guard oversight activities for third party organizations.

Subtitle B—Other Matters

Section 521. Definition of a stateless vessel.

Section 70502(d)(1) of title 46, U.S. Code, defines, among other terms, a definition for “vessel without nationality”. This definition does not, however, include stateless vessels that have no master or individual in charge capable of making a claim of nationality or registry for the vessel. This section would amend section 70502(d)(1) of title 46, U.S. Code, by expanding the definition of a vessel without nationality to include vessels that, after being questioned by the Coast Guard,

no person onboard the vessel claims to be the master or individual in charge and no other claims nationality or registry for the vessel.

Section 522. Report on enforcement of coastwise laws.

This section would direct the Coast Guard to submit a report to Congress describing any changes to the enforcement of chapters 121 and 551 of title 46, U.S. Code, as a result of the amendments to section 4(a)(1) of the Outer Continental Shelf Lands Act (section 1333(a)(1) of title 43, U.S. Code) made by section 9503 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (P.L. 116–283).

Section 523. Study on multi-level supply chain security strategy of the Department of Homeland Security.

This section would direct the Comptroller General to initiate a study to assess the efforts of DHS with respect to securing vessels and maritime cargo bound for the United States. It would also direct the Comptroller to submit a report to Congress detailing the results of the study.

Section 524. Study to modernize the merchant mariner licensing and documentation system.

This section would direct the Coast Guard to initiate a study on establishing a fully electronic merchant mariner licensing and documentation system. It would also require the Coast Guard to consult with maritime industry stakeholders such as the National Merchant Marine Personnel Advisory Committee, and the Merchant Mariner Medical Advisory Committee in establishing the electronic merchant mariner licensing and documentation system. This section would also require the Coast Guard to submit a report to Congress on the financial, human, and information technology infrastructure resources needed to establish the system, and any legislative and regulatory suggestions the Coast Guard considers necessary.

Section 525. Study and report on development and maintenance of mariner records database.

This section would require the Coast Guard to conduct a study and submit a report to Congress on the potential benefits and feasibility of developing and maintaining a Coast Guard database that contains information on mariner records. The study would assess the resources necessary to develop and maintain the database and address privacy interests of information contained in the database.

TITLE VI—SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE

Section 601. Definitions.

Section 2101 of title 46, U.S. Code, does not define the terms “sexual harassment” and “sexual assault”. This section would amend section 2101 of title 46, U.S. Code, to define the terms “sexual harassment” and “sexual assault”. This would section also directs the Coast Guard to submit a report to Congress describing any changes the Commandant may propose to the definitions added in this section.

Section 602. Convicted sex offender as grounds for denial.

This section would amend chapter 75 of title 46, U.S. Code to authorize the Coast Guard to deny a license, certificate of registry, or merchant mariner’s document to an individual who has been convicted of sexual assault or sexual harassment (“SASH”) within the previous five years.

Section 603. Accommodation; notices.

Section 11101 of title 46, U.S. Code, describes required accommodations for seamen on merchant vessels. This section would amend section 11101 of title 46, U.S. Code, to require U.S. vessels to include information in each crew sleeping area and bathroom on the SASH and drug and alcohol policies of the vessel’s owner and operator and directions on how to report SASH and drug and alcohol incidents.

Section 604. Protection against discrimination.

Section 2114 of title 46, U.S. Code, prohibits discrimination against or discharge of seamen for various purposes, including if the seamen notified the vessel owner or Secretary of a work-related personal injury. This provision, however, does not protect victims and witnesses who report SASH incidents from discrimination or discharge.

This section would amend section 2114 of title 46, U.S. Code, to protect victims and witnesses who report or intend to report SASH incidents from discrimination.

Section 605. Alcohol at sea.

This section would direct the Coast Guard to enter into an agreement with the National Academies of Sciences to initiate a study of alcohol use, alcohol policy, and recommendations regarding alcohol use to improve safety on board U.S. flagged vessels. Upon completion of the report, the Commandant may promulgate a rulemaking to limit or prohibit alcohol consumption on U.S. flagged vessels other than commercial passenger vessels. The Commandant would be required to submit a report regarding the decision to issue a rulemaking, or not, and the rationale for that determination.

Section 606. Sexual harassment or sexual assault as grounds for suspension and revocation.

Chapter 77 of title 46, U.S. Code, requires the Coast Guard to revoke a license, certificate of registry, or merchant mariner's document to an individual who has been convicted of violating a dangerous drug law. However, this provision does not include provisions to revoke or suspend a credential to an individual for sexual harassment. This section would amend chapter 77 of title 46, U.S. Code, to require the Coast Guard to revoke a license, certificate of registry, or merchant mariner's document to an individual who has been convicted of sexual assault within the previous twenty years, and it clarifies the ability of the Coast Guard to revoke or suspend such credentials to an individual who has been convicted of sexual harassment within the last ten years.

Section 607. Surveillance requirements.

This section would amend Part B of subtitle II of title 46, U.S. Code, by adding a new section mandating that non-passenger carrying, ocean-going, commercial vessels install a video surveillance system with audio capability in areas adjacent to bedrooms and limit access of footage to law enforcement officials and victims of SASH.

Section 608. Master key control system.

This section would require that vessel owners, with the exception of cruise vessels subject to section 3507 of title 46, U.S. Code, implement a master key control system to limit access to the vessel's master key, maintain a logbook capturing all access and use of the vessel's master key, and make the logbook available to law enforcement officials upon request.

Section 609. Safety management systems.

This section would amend section 3203 of title 46, U.S. Code, to require company SASH policies be included in the vessel's safety management system, and other provisions.

Section 610. Requirement to report sexual assault and harassment.

Section 10104 of title 46, U.S. Code, requires the vessel master to report to the Secretary a complaint of a sexual offense prohibited under chapter 109A of title 18, U.S. Code, and imposes civil penalties for masters that fail to comply. This section would amend 10104 of title 46, U.S. Code, to create new reporting mandates and procedures for crew, vessel operators, masters, managing operators, employers, and vessel owners to report SASH incidents to the Coast Guard and outlines the reporting procedure.

Section 611. Civil actions for personal injury or death of seamen.

Sections 30104 and 30106 of title 46, U.S. Code, authorizes seamen injured on the job to bring a civil action at law, with the right of trial by jury, against the employer, and establishes a three-year statute of limitations.

How This Bill Would Change the Law

This section would amend sections 30104 and 30106 of title 46, U.S. Code, to extend the current statute of limitations for civil cases under title 46, U.S. Code, to five years for instances of SASH and clarifies that a private right of action for maritime SASH claims exists.

Section 612. Administration of sexual assault forensic examination kits.

Subchapter IV of chapter 5 of title 14, U.S. Code, does not include any provisions regarding sexual assault examination kits. This section would add section 564, “Administration of sexual assault forensic examination kits” to chapter 5 of title 14, U.S. Code, to require that Coast Guard vessels that are scheduled to be without access to a land-based or afloat medical facility have a policy to ensure survivors of sexual assault are able to seek medical and other care as soon as practicable, on a timeline consistent with the care members would receive in the event of a serious injury. This section would also require a report to be completed to evaluate whether Coast Guard personnel should be trained to administer sexual assault forensic examination kits to ensure timely collection of evidence after an assault occurs at sea.

Section 613. Reports to Congress.

This section would amend chapter 101 of title 46, U.S. code, by adding a new section requiring the Coast Guard to submit a report to Congress, which would include the number of reports received under section 10104, the number of penalties issued, the number of open investigations, and a statistical analysis of compliance with the safety management system criteria under section 3203.

Section 614. Policy on requests for permanent changes of station or unit transfers by persons who report being the victim of sexual assault.

Section 673 of title 10, U.S. Code, includes a requirement for the armed forces, including the Coast Guard, to establish a policy to allow for the change of station for members who are survivors of sexual assault within a timely manner to avoid retaliation. This section would direct the Coast Guard to issue an interim update to Coast Guard policy guidance to allow sexual assault survivors to request an immediate change of station to reduce the possibility of retaliation against such member for reporting the sexual assault or other offense.

Section 615. Sex offenses and personnel records.

This section would direct the Coast Guard to issue final regulations or policy guidance required to fully implement Section 1561 of title 10, U.S. code, which would require certain offences to be included in member personnel records.

Section 616. Study on Coast Guard oversight and investigations.

This section would direct the Comptroller General of the United States to conduct a study to evaluate the potential utility of an Office of the Inspector General dedicated to the Coast Guard.

Section 617. Study on Special Victims' Counsel Program.

Currently, the established Special Victim Counsel program, which provides attorneys to service members who experienced sexual assault, has been challenged with communications across uniformed services if sexual assault occurs between members of different services.

This section would direct the Coast Guard to enter into an agreement with a federally funded research and development center to conduct a study on the Special Victim's Counsel program of the Coast Guard, Coast Guard investigations of sexual assaults, and legal support for victims. The study would include an assessment of the Special Victims' Counsel program of the Coast Guard, including training, effectiveness, and capacity to handle the number of cases referred, and the experience of Special Victims' Counsels in representing members of the Coast Guard during a court-martial. This section would also mandate a report to Congress including the findings of the study.

**TITLE VII—NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION CORPS TECHNICAL AMENDMENTS**

**Subtitle A—National Oceanic and Atmospheric Administration
Commissioned Officer Corps**

Section 701. Definitions.

This section would include a definition for Under Secretary.

Section 702. Requirement for appointments.

Section 221(c) (section 3021(c) of title 33, U.S. Code) stipulates that NOAA Commissioned Officer Corps appointments may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe. This provision, however, does not limit appointment of non-U.S. citizens to the NOAA Corps.

This section amends section 221(c) (section 3021(c) of title 33, U.S. Code) by adding a provision to prohibit the appointment of non-U.S. citizens to the NOAA Commissioned Officer Corps. This would bring NOAA into parity with other uniformed services of the United States, including the Coast Guard.

Section 703. Repeal of requirement to promote ensigns after 3 years of service.

Section 3023 of title 33, U.S. Code, includes requirements to promote ensigns to the grade of lieutenant (junior grade) upon completion of three years of service. This section repeals section 3023 of title 33, U.S. Code. This provision was added by the Coast and Geodetic Survey Commissioned Officers' Act of 1948 (62 Stat 298). No other uniformed service still has such requirements. This provision would bring NOAA Commission Officer Corps into parity with other uniformed services including the Coast Guard.

Section 704. Authority to provide awards and decorations.

Section 3001 of title 33, U.S. Code, establishes the commissioned officer corps within NOAA. The current code does not authorize the Secretary to provide awards and decorations to esteemed members of the Commissioned Officer Corps. This section would amend subtitle A of section 3001 of title 33, U.S. Code, and authorize the Secretary to provide ribbons, medals, badges, trophies, and similar devices to members of the commissioned officer corps of NOAA and to members of other uniformed service for service and achievement in support of the missions of the Department of Commerce.

Section 705. Retirement and separation.

Section 3043(a) of title 33, U.S. Code, requires officers in the Commissioned Officer Corps to retire at age 62 (age 64 for flag officers). NOAA is not authorized to discriminate based on age. As a result, NOAA cannot prevent commissioning an officer who is unable to serve for 20 years before their 62nd birthday. This section would amend section 3043(a) of title 33, U.S. Code, so that NOAA could separate members who are 62 years old with fewer than 20 years of service.

Section 706. Licensure of health-care professionals.

Section 3073 of title 33, U.S. Code, provides medical and dental care to NOAA personnel. This section would amend section 3073 of title 33, U.S. Code, to allow for reciprocity for certain medical certifications for individuals that may be stationed in different states as a part of their official duties, or serving commissioned officers who are transiting other jurisdictions, consistent with how such certifications are managed under the uniformed services, including the Coast Guard and the Public Health Service.

Section 707. Improving professional mariner staffing.

Under title 5, U.S. Code, NOAA must follow the government-wide leave policies for wage mariners, which are not competitive with the private industry. This section would amend the Hydrographic Services Improvement Act of 1998 to exempt the NOAA Commissioned Officer Corps from title 5, U.S. Code, so that the NOAA Commissioned Officer Corps can establish their own regulations on shore leave to help address the workforce gap of wage mariners serving the NOAA Commissioned Officer Corps.

Section 708. Legal assistance.

Section 1044(a)(3) of title 10, U.S. Code, authorizes the Secretary to provide legal assistance to Officers of the commissioned corps of the Public Health Service who are on active duty or entitled to retired or equivalent pay. This section would amend section 1044(a)(3) of title 10, U.S. Code, to extend legal assistance to include members of the NOAA Commissioned Officer Corps.

Section 709. Acquisition of aircraft for extreme weather reconnaissance.

This section would direct the Under Secretary of Commerce for Oceans and Atmosphere to acquire adequate aircraft platforms, equivalent to G550 and P3 replacement aircraft platforms, with the necessary observation and modification requirements to meet agency-wide air reconnaissance and research mission requirements, including with respect to tropical cyclones, atmospheric chemistry, climate, air quality for public health, and fire weather research and operations.

Section 710. Report on professional mariner staffing models.

NOAA is currently facing a lack of wage mariners to run its scientific research vessels and needs to evaluate new staffing models. There are no provisions in current law requiring a report on wage mariner staffing models. This section would direct the Comptroller General to submit a report to Congress on mariner staffing issues within the Office of Marine and Aviation Operations of NOAA.

Subtitle B—Other Matters

Section 711. Conveyance of certain property of the National Oceanic and Atmospheric Administration in Juneau, Alaska

This section would authorize conveyance of the combined NOAA and Seadrome properties located at 250, Egan Drive, Juneau, Alaska to the city of Juneau for subsequent development into a small cruise ship berthing facility, consistent with 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.

TITLE VIII—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

Section 801. Technical corrections.

This section amends section 319(b) of title 14, U.S. Code, 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”. This section also amends section 1156(c) of title 14, U.S. Code, 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”.

Section 802. Reinstatement.

This section reinstates the text of section 12(a) of the Act of June 21, 1940 (section 522(a) of title 33, U.S. Code), popularly known as the Truman-Hobbs Act, as it appeared on the day before the enactment of section 8507(b) of the National Defense Authorization Act for Fiscal Year 2021 (P.L. 116-283) and redesignates it as the sole text of section 12 of the Act of June 21, 1940 (section 522 of title 33, U.S. Code).

Section 803. Terms and vacancies.

Section 46101(b) of title 46, U.S. Code, describes the organization on the Federal Maritime Commission. Current law allows for commissioners to serve two terms, and to continue serving for one year following their last term until a successor is appointed. This section would amend section 46101(b) of title 46, U.S. Code, by increasing the maximum number of terms a Commissioner may serve to three, and by lengthening the lame duck period to two years.