

118TH CONGRESS  
1ST SESSION

# H. R. 2741

To authorize and amend authorities, programs, and statutes administered  
by the Coast Guard.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2023

Mr. GRAVES of Missouri (for himself, Mr. LARSEN of Washington, Mr. WEBSTER of Florida, and Mr. CARBAJAL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To authorize and amend authorities, programs, and statutes  
administered by the Coast Guard.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Coast Guard Authorization Act of 2023”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Commandant defined.

### TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Authorization of appropriations.

- Sec. 102. Shoreside infrastructure and facilities and information technology.
- Sec. 103. Availability of amounts for acquisition of additional vessels and aircraft.
- Sec. 104. Authorization for certain programs and services.
- Sec. 105. Fishing vessel safety.
- Sec. 106. Authorized levels of military strength and training.

#### TITLE II—COAST GUARD

- Sec. 201. Prohibition on use of lead systems integrators.
- Sec. 202. Ports and waterways safety.
- Sec. 203. Minor construction increase.
- Sec. 204. Uniform funding and management system.
- Sec. 205. Tsunami evacuation plans.
- Sec. 206. Study on Bering Strait vessel traffic projections and emergency response posture at the Port of Point Spencer, Alaska.
- Sec. 207. Service life extension programs.
- Sec. 208. Underwater inspections brief.
- Sec. 209. St. Lucie River railroad bridge.

#### TITLE III—MARITIME

##### Subtitle A—American Samoa Mariners Act of 2023

- Sec. 301. Merchant seamen licenses, certificates, and documents; manning of vessels.

##### Subtitle B—Merchant Mariner Credentialing

- Sec. 311. Revising merchant mariner deck training requirements.
- Sec. 312. Technical amendments.
- Sec. 313. Renewal of merchant mariner licenses and documents.

##### Subtitle C—Vessel Safety

- Sec. 321. Grossly negligent operations of a vessel.
- Sec. 322. Administrative procedure for security risks.
- Sec. 323. Requirements for DUKW amphibious passenger vessels.

##### Subtitle D—Other Matters

- Sec. 331. Anchor handling activities.
- Sec. 332. Establishment of a national advisory committee on autonomous maritime systems.
- Sec. 333. Controlled substance onboard vessels.
- Sec. 334. Nonoperating individual.
- Sec. 335. Information on type approval certificates.
- Sec. 336. Manning and crewing requirements for certain vessels, vehicles, and structures.

#### TITLE IV—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

- Sec. 401. Technical and conforming amendments.

1 **SEC. 2. COMMANDANT DEFINED.**

2 In this Act, the term “Commandant” means the  
3 Commandant of the Coast Guard.

4 **TITLE I—AUTHORIZATION OF**  
5 **APPROPRIATIONS**

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

7 Section 4902 of title 14, United States Code, is  
8 amended—

9 (1) in the matter preceding paragraph (1) by  
10 striking “fiscal years 2022 and 2023” and inserting  
11 “fiscal years 2024 and 2025”;

12 (2) in paragraph (1)—

13 (A) in subparagraph (A) by striking  
14 clauses (i) and (ii) and inserting the following:

15 “(i) \$10,750,000,000 for fiscal year 2024;  
16 and

17 “(ii) \$11,287,500,000 for fiscal year  
18 2025.”;

19 (B) in subparagraph (B) by striking  
20 “\$23,456,000” and inserting “\$24,353,000”;  
21 and

22 (C) in subparagraph (C) by striking  
23 “\$24,353,000” and inserting “\$25,570,000”;

24 (3) in paragraph (2)—

25 (A) in subparagraph (A) by striking  
26 clauses (i) and (ii) and inserting the following:

1 “(i) \$3,477,600,000 for fiscal year 2024;

2 and

3 “(ii) \$3,477,600,000 for fiscal year

4 2025.”; and

5 (B) in subparagraph (B) by striking

6 clauses (i) and (ii) and inserting the following:

7 “(i) \$20,808,000 for fiscal year 2024; and

8 “(ii) \$20,808,000 for fiscal year 2025.”;

9 (4) in paragraph (3) by striking subparagraphs

10 (A) and (B) and inserting the following:

11 “(A) \$14,681,084 for fiscal year 2024; and

12 “(B) \$15,415,000 for fiscal year 2025.”;

13 and

14 (5) by striking paragraph (4) and inserting the

15 following:

16 “(4) For retired pay, including the payment of

17 obligations otherwise chargeable to lapsed appropria-

18 tions for this purpose, payments under the Retired

19 Serviceman’s Family Protection and Survivor Bene-

20 fits Plans, payment for career status bonuses, pay-

21 ment of continuation pay under section 356 of title

22 37, concurrent receipts, combat-related special com-

23 pensation, and payments for medical care of retired

24 personnel and the dependents of such personnel

1 under chapter 55 of title 10, \$1,147,244 for fiscal  
2 year 2024.”.

3 **SEC. 102. SHORESIDE INFRASTRUCTURE AND FACILITIES**  
4 **AND INFORMATION TECHNOLOGY.**

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

8 (1) for fiscal year 2024, \$36,300,000 is author-  
9 ized to modernize the information technology sys-  
10 tems of the Coast Guard; and

11 (2) for each of fiscal years 2024 and 2025,  
12 \$400,000,000 is authorized to fund maintenance,  
13 construction, and repairs for Coast Guard shoreside  
14 infrastructure.

15 (b) INFORMATION TECHNOLOGY SET-ASIDES.—Of  
16 the amounts authorized under subsection (a)(1),  
17 \$11,000,000 is authorized to fund the acquisition, devel-  
18 opment, and implementation of a new credentialing system  
19 for the merchant mariner credentialing program.

20 (c) SHORESIDE INFRASTRUCTURE.—In addition to  
21 the amounts authorized under subsection (a)(2)—

22 (1) for the purposes of improvements to facili-  
23 ties at the United States Coast Guard Training Cen-  
24 ter Cape May in Cape May, New Jersey—

25 (A) for fiscal year 2024—

1 (i) \$130,000,000 is authorized to fund  
2 the construction of a new indoor multipur-  
3 pose recruit training facility; and

4 (ii) \$70,000,000 is authorized to fund  
5 Phase II of the barracks' recapitalization;  
6 and

7 (B) for fiscal year 2025, \$70,000,000 is  
8 authorized to fund Phase III of the barracks'  
9 recapitalization;

10 (2) for each of fiscal years 2024 and 2025,  
11 \$30,000,000 is authorized to fund Phase I construc-  
12 tion of a ship handling facility in the United States  
13 Coast Guard Yard in Baltimore, Maryland; and

14 (3) for fiscal year 2024, \$130,000,000 is au-  
15 thorized to fund Phase I of the expansion project of  
16 Coast Guard Base Seattle in Seattle, Washington.

17 **SEC. 103. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**  
18 **ADDITIONAL VESSELS AND AIRCRAFT.**

19 Of the amounts authorized to be appropriated under  
20 section 4902(2)(A) of title 14, United States Code, for fis-  
21 cal year 2024—

22 (1) \$400,000,000 is authorized for the acquisi-  
23 tion of 4 Fast Response Cutters;

1           (2) \$125,000,000 is authorized for the acquisi-  
2           tion or procurement of an available commercial ice-  
3           breaker;

4           (3) \$55,000,000 is authorized for the acquisi-  
5           tion of a Great Lakes icebreaker at least as capable  
6           as Coast Guard Cutter Mackinaw (WLBB-30);

7           (4) \$30,500,000 is authorized for the program  
8           management, design, and acquisition of Pacific  
9           Northwest heavy weather boats that are at least as  
10          capable as the Coast Guard 52-foot motor surfboat;

11          (5) \$138,500,000 is authorized for the acquisi-  
12          tion or procurement of 1 missionized HC-130J air-  
13          craft; and

14          (6) \$113,000,000 is authorized to outfit and as-  
15          semble 4 MH-60T Jayhawk aircraft.

16 **SEC. 104. AUTHORIZATION FOR CERTAIN PROGRAMS AND**  
17 **SERVICES.**

18          Of the amounts authorized to be appropriated under  
19          section 4902(1)(A) of title 14, United States Code, for  
20          each of fiscal years 2024 and 2025—

21               (1) \$11,978,000 is authorized to fund addi-  
22               tional recruiting personnel and offices for the Coast  
23               Guard Recruiting Command; and

24               (2) \$9,000,000 is authorized to enhance Coast  
25               Guard recruiting capabilities.

1 **SEC. 105. FISHING VESSEL SAFETY.**

2 Section 4502 of title 46, United States Code, is  
3 amended—

4 (1) in subsection (i)(4) by striking “fiscal year  
5 2023” and inserting “fiscal years 2024 through  
6 2025”; and

7 (2) in subsection (j)(4) by striking “fiscal year  
8 2023” and inserting “fiscal years 2024 through  
9 2025”.

10 **SEC. 106. AUTHORIZED LEVELS OF MILITARY STRENGTH  
11 AND TRAINING.**

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

14 (1) in subsection (a) by striking “fiscal years  
15 2022 and 2023” and inserting “fiscal years 2024  
16 and 2025”; and

17 (2) in subsection (b) by striking “fiscal years  
18 2022 and 2023” and inserting “fiscal years 2024  
19 and 2025”.

20 **TITLE II—COAST GUARD**

21 **SEC. 201. PROHIBITION ON USE OF LEAD SYSTEMS INTE-  
22 GRATORS.**

23 Section 1105 of title 14, United States Code, is  
24 amended by adding at the end the following:

25 “(c) DEFINITION.—In this section, the term ‘lead  
26 systems integrator’ has the meaning given such term in



1 section 805(c) of the National Defense Authorization Act  
2 for Fiscal Year 2006 (Public Law 109–163).”.

3 **SEC. 202. PORTS AND WATERWAYS SAFETY.**

4 (a) WATERFRONT SAFETY.—Section 70011(a) of  
5 title 46, United States Code, is amended—

6 (1) in paragraph (1) by inserting “, including  
7 damage or destruction resulting from cyber inci-  
8 dents, transnational organized crime, or foreign  
9 state threats” after “adjacent to such waters”; and

10 (2) in paragraph (2) by inserting “or harm re-  
11 sulting from cyber incidents, transnational organized  
12 crime, or foreign state threats” after “loss”.

13 (b) REGULATION OF ANCHORAGE AND MOVEMENT  
14 OF VESSELS DURING NATIONAL EMERGENCY.—Section  
15 70051 of title 46, United States Code, is amended by in-  
16 serting “or cyber incidents, or transnational organized  
17 crime, or foreign state threats,” after “threatened war, or  
18 invasion, or insurrection, or subversive activity,”.

19 **SEC. 203. MINOR CONSTRUCTION INCREASE.**

20 Section 903(d)(1) of title 14, United States Code, is  
21 amended by striking “\$1,500,000” and inserting  
22 “\$2,000,000”.

1 **SEC. 204. UNIFORM FUNDING AND MANAGEMENT SYSTEM.**

2 (a) IN GENERAL.—Subchapter II of chapter 9 of title  
3 14, United States Code, is amended by adding at the end  
4 the following:

5 **“§ 955. Contracts to provide or obtain goods and serv-**  
6 **ices**

7 “(a) AUTHORITY FOR UNIFORM FUNDING AND MAN-  
8 AGEMENT.—

9 “(1) IN GENERAL.—The Commandant may des-  
10 ignate funds appropriated to the Coast Guard and  
11 available for morale, well-being, and recreation pro-  
12 grams and the Coast Guard Exchange System as  
13 nonappropriated funds and expended in accordance  
14 with laws applicable to the expenditures of non-ap-  
15 propriated funds.

16 “(2) AVAILABILITY OF FUNDS.—Appropriated  
17 funds so designated shall be considered to be non-  
18 appropriated funds for all purposes and shall remain  
19 available until expended.

20 “(b) CONDITIONS ON AVAILABILITY.—Funds appro-  
21 priated to the Coast Guard may be made available to sup-  
22 port morale, well-being, or recreation programs and the  
23 Coast Guard Exchange System only in amounts the Com-  
24 mandant deems appropriate and consistent with readiness  
25 and resources.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-  
2 ter 9 of such title is amended by inserting after the item  
3 relating to section 954 the following:

“955. Contracts to provide or obtain goods and services.”.

4 (c) TRANSFER OF SECTION TEXT.—

5 (1) REDESIGNATION.—Section 955 of title 14,  
6 United States Code, (as added by subsection (a)) is  
7 amended by redesignating subsections (a) and (b) as  
8 subsection (b) and (c), respectively.

9 (2) TRANSFER.—The section text of section  
10 713 of title 14, United States Code, is transferred  
11 to appear as subsection (a) of section 955 of such  
12 title.

13 (3) SUBSECTION HEADING.—Section 955(a) is  
14 amended by striking “The Coast Guard Exchange  
15 System,” and inserting “IN GENERAL.—The Coast  
16 Guard Exchange System,”.

17 (d) EFFECTIVE DATE.—This section and the amend-  
18 ments made by this section shall take effect on the date  
19 of enactment of an Act providing appropriations for the  
20 Department of Homeland Security that is enacted after  
21 the date of enactment of this Act.

22 **SEC. 205. TSUNAMI EVACUATION PLANS.**

23 (a) TSUNAMI EVACUATION PLANS.—

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

1 in consultation with the Administrator of the Na-  
2 tional Oceanic and Atmospheric Administration and  
3 the Administrator of the Federal Emergency Man-  
4 agement Agency, shall establish location specific tsu-  
5 nami evacuation plans for each unit and sector of  
6 the Coast Guard that has facilities, personnel, or as-  
7 sets located within areas—

8 (A) designated by the Administrator of the  
9 National Oceanic and Atmospheric Administra-  
10 tion as high risk or very high risk of a United  
11 States tsunami hazard; and

12 (B) that are located inside a tsunami inun-  
13 dation zone.

14 (2) EVACUATION PLANS.—In establishing the  
15 evacuation plans under paragraph (1), the Com-  
16 mandant shall ensure that such plans—

17 (A) are included in the emergency action  
18 plans for each unit or sector located inside of  
19 a tsunami inundation zone;

20 (B) designate an evacuation route to an  
21 assembly area located outside of a tsunami in-  
22 undation zone;

23 (C) include a map or diagram of all tsu-  
24 nami inundation zone evacuation routes;

1 (D) include evacuation routes for all Coast  
2 Guard personnel and dependents of such per-  
3 sonnel living in Coast Guard housing;

4 (E) are feasible for all servicemembers and  
5 dependents of such servicemembers present on  
6 Coast Guard property or living in Coast Guard  
7 provided housing;

8 (F) include procedures to begin evacu-  
9 ations once a major seismic event is detected;

10 (G) include evacuation plans for air and  
11 water assets that do not impinge on the safety  
12 of human life;

13 (H) are able to be completely executed  
14 within 15 minutes of detection of a seismic  
15 event or, if not possible within 15 minutes,  
16 within a reasonable timeframe;

17 (I) are able to be completely executed by  
18 servicemembers on foot from any location with-  
19 in the tsunami inundation zone;

20 (J) are exercised biennially by each unit  
21 and sector located in a tsunami inundation  
22 zone; and

23 (K) are evaluated by leadership at each  
24 unit and sector located in a tsunami inundation  
25 zone annually.

1           (3) CONSULTATION.—In establishing the evacu-  
2           ation plans under paragraph (1), the Commandant  
3           shall consult local governments.

4           (b) REPORT.—Not later than 2 years after the date  
5           of enactment of this Act, the Commandant shall submit  
6           to the Committee on Transportation and Infrastructure  
7           of the House of Representatives and the Committee on  
8           Commerce, Science, and Transportation of the Senate,  
9           and provide a briefing to each such Committee on, a re-  
10          port on—

11           (1) the status of the implementation and feasi-  
12           bility of the plans established under subsection  
13           (a)(1);

14           (2) a risk evaluation and vulnerability assess-  
15           ment of the infrastructure and assets located within  
16           tsunami inundation zones;

17           (3) the need for vertical evacuation structures  
18           for units and sectors in which an evacuation of a  
19           tsunami inundation zone cannot be completed on  
20           foot within 15 minutes of the detection of a seismic  
21           event; and

22           (4) whether the plans established under sub-  
23           section (a)(1) achieve the purpose to protect human  
24           life and ensure the ability for the Coast Guard to

1 provide search and rescue operations following a tsu-  
2 nami event in the area.

3 (c) DEFINITIONS.—In this section:

4 (1) SEISMIC EVENT.—The term “seismic event”  
5 means an earthquake, volcanic eruption, submarine  
6 landslide, coastal rockfall, or other event with the  
7 magnitude to cause a tsunami.

8 (2) TSUNAMI INUNDATION ZONE.—The term  
9 “tsunami inundation zone” means an area of inland  
10 flooding modeled, predicted, or forecasted as a po-  
11 tential result of a tsunami or seismic event.

12 (3) VERTICAL EVACUATION STRUCTURE.—The  
13 term “vertical evacuation structure” means an ele-  
14 vated structure above the tsunami inundation zone  
15 designated as a place of refuge from flood waters.

16 **SEC. 206. STUDY ON BERING STRAIT VESSEL TRAFFIC PRO-**  
17 **JECTIONS AND EMERGENCY RESPONSE POS-**  
18 **TURE AT THE PORT OF POINT SPENCER,**  
19 **ALASKA.**

20 (a) IN GENERAL.—Not later than 180 days after the  
21 date of enactment of this Act, the Commandant shall seek  
22 to enter into an agreement with the National Academies  
23 of Science, Engineering, and Medicine, under which the  
24 Marine Board of the Transportation Research Board (in

1 this section referred to as the “Board”) shall conduct a  
2 study to—

3 (1) analyze commercial vessel traffic that tran-  
4 sits through the Bering Strait and projections for  
5 the growth of such traffic during the 10-year period  
6 beginning after such date of enactment; and

7 (2) assess the adequacy of emergency response  
8 capabilities and infrastructure at the Port of Point  
9 Spencer, Alaska, to address navigation safety risks  
10 and geographic challenges necessary to conduct  
11 emergency maritime response operations in the Arc-  
12 tic environment.

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

15 (1) An analysis of the volume and types of do-  
16 mestic and international commercial vessel traffic  
17 through the Bering Strait and the projected growth  
18 of such traffic, including a summary of—

19 (A) the sizes, ages, and flag states of ves-  
20 sels; and

21 (B) the oil and product tankers that are—

22 (i) in transit to or from Russia or  
23 China; or

24 (ii) owned or operated by a Russian  
25 or Chinese entity.



1           (2) An assessment of the state and adequacy of  
2 vessel traffic services and oil spill and emergency re-  
3 sponse capabilities in the vicinity of the Bering  
4 Strait, including its approaches.

5           (3) A risk assessment of the projected growth  
6 in commercial vessel traffic in the Bering Strait and  
7 higher probability of increased frequency in the  
8 number of maritime accidents, including spill events,  
9 and the potential impacts to the Arctic maritime en-  
10 vironment and Native Alaskan village communities  
11 in the vicinity of the Bering Strait.

12           (4) An evaluation of the ability of the Port of  
13 Point Spencer, Alaska to serve as a port of refuge  
14 and as a staging, logistics, and operations center to  
15 conduct and support maritime emergency and spill  
16 response activities.

17           (5) Recommendations for practical actions that  
18 can be taken by the Congress, Federal agencies, the  
19 State of Alaska, vessel carriers and operators, the  
20 marine salvage and emergency response industry,  
21 and other relevant stakeholders to mitigate risks,  
22 upgrade infrastructure, and improve the posture of  
23 the Port of Point Spencer, Alaska, to function as a  
24 strategic staging and logistics center for maritime

1 emergency and spill response operations in the Ber-  
2 ing Strait region.

3 (c) CONSULTATION.—In conducting the study re-  
4 quired under subsection (a), the Board shall consult  
5 with—

6 (1) the Department of Transportation;

7 (2) the Corps of Engineers;

8 (3) the National Transportation Safety Board;

9 (4) relevant ministries of the government of  
10 Canada;

11 (5) the Port Coordination Council for the Port  
12 of Point Spencer; and

13 (6) non-government entities with relevant exper-  
14 tise in monitoring and characterizing vessel traffic in  
15 the Arctic.

16 (d) REPORT.—Not later than 1 year after initiating  
17 the study under subsection (a), the Board shall submit  
18 to the appropriate committees of Congress a report con-  
19 taining the findings and recommendations of the study.

20 (e) DEFINITIONS.—In this section:

21 (1) APPROPRIATE COMMITTEES OF CON-  
22 GRESS.—The term “appropriate committees of Con-  
23 gress” means—

24 (A) the Committee on Commerce, Science,  
25 and Transportation of the Senate; and

1 (B) Committee on Transportation and In-  
2 frastructure of the House of Representatives.

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

6 (3) PORT COORDINATION COUNCIL FOR THE  
7 PORT OF POINT SPENCER.—The term “Port Coordi-  
8 nation Council for the Port of Point Spencer” means  
9 the Council established under section 541 of the  
10 Coast Guard Authorization Act of 2015 (Public Law  
11 114–120).

12 **SEC. 207. SERVICE LIFE EXTENSION PROGRAMS.**

13 (a) IN GENERAL.—Subchapter II of chapter 11 of  
14 title 14, United States Code, is amended by adding at the  
15 end the following:

16 **“§ 1138. Service life extension programs**

17 “(a) IN GENERAL.—Requirements for a Level 1 or  
18 Level 2 acquisition project or program under sections  
19 1131 through 1134 shall not apply to an acquisition by  
20 the Coast Guard that is a service life extension program.

21 “(b) DEFINITION.—In this section, the term ‘service  
22 life extension program’ means a capital investment that  
23 is solely intended to extend the service life and address  
24 obsolescence of components or systems of a particular ca-  
25 pability or asset.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-  
2 ter 11 of such title is amended by inserting after the item  
3 relating to section 1137 the following:

“1138. Service life extension programs.”.

4 **SEC. 208. UNDERWATER INSPECTIONS BRIEF.**

5 Not later than 30 days after the date of enactment  
6 of this Act, the Commandant, or a designated individual,  
7 shall brief the Committee on Transportation and Infra-  
8 structure of the House of Representatives and Committee  
9 on Commerce, Science, and Transportation of the Senate  
10 on the underwater inspection in lieu of drydock program  
11 established under section 176.615 of title 46, Code of Fed-  
12 eral Regulations (as in effect on the date of enactment  
13 of this Act).

14 **SEC. 209. ST. LUCIE RIVER RAILROAD BRIDGE.**

15 Regarding Docket Number USCG–2022–0222, be-  
16 fore adopting a final deviation, the Commandant of the  
17 Coast Guard shall conduct an independent boat traffic  
18 study at mile 7.4 of the St. Lucie River.

19 **TITLE III—MARITIME**

20 **Subtitle A—American Samoa**

21 **Mariners Act of 2023**

22 **SEC. 301. MERCHANT SEAMEN LICENSES, CERTIFICATES,**

23 **AND DOCUMENTS; MANNING OF VESSELS.**

24 (a) CITIZENSHIP OR NONCITIZEN NATIONALITY.—

1 (1) IN GENERAL.—Section 7102 of title 46,  
2 United States Code, is amended—

3 (A) in the section heading by inserting “**or**  
4 **noncitizen nationality**” after “**Citizen-**  
5 **ship**”; and

6 (B) by inserting “or noncitizen nationals  
7 (as such term is described in section 308 of the  
8 Immigration and Nationality Act (8 U.S.C.  
9 1408)” after “citizens”.

10 (2) CLERICAL AMENDMENT.—The analysis for  
11 chapter 71 of title 46, United States Code, is  
12 amended by striking the item relating to section  
13 7102 and inserting the following:

“7102. Citizenship or noncitizen nationality.”.

14 (b) CITIZENSHIP OR NONCITIZEN NATIONALITY NO-  
15 TATION ON MERCHANT MARINERS’ DOCUMENTS.—

16 (1) IN GENERAL.—Section 7304 of title 46,  
17 United States Code, is amended—

18 (A) in the section heading by inserting “**or**  
19 **noncitizen nationality**” after “**Citizen-**  
20 **ship**”; and

21 (B) by inserting “or noncitizen national  
22 (as such term is described in section 308 of the  
23 Immigration and Nationality Act (8 U.S.C.  
24 1408)” after “citizen”.

1           (2) CLERICAL AMENDMENT.—The analysis for  
2           chapter 73 of title 46, United States Code, is  
3           amended by striking the item relating to section  
4           7304 and inserting the following:

          “7304. Citizenship or nationalization notation on merchant mariners’ documents.”.

5           (c) CITIZENSHIP OR NONCITIZEN NATIONALITY AND  
6           NAVY RESERVE REQUIREMENTS.—

7           (1) IN GENERAL.—Section 8103 of title 46,  
8           United States Code, is amended—

9                   (A) in the section heading by inserting “**or**  
10                   **noncitizen nationality**” after “**Citizen-**  
11                   **ship**”;

12                   (B) in subsection (a) by inserting “or non-  
13                   citizen national” after “citizen”;

14                   (C) in subsection (b)—

15                           (i) in paragraph (1)(A)(i) by inserting  
16                           “or noncitizen national” after “citizen”;

17                           (ii) in paragraph (3) by inserting “or  
18                           noncitizen nationality” after “citizenship”;

19                           and

20                           (iii) in paragraph (3)(C) by inserting  
21                           “or noncitizen nationals” after “citizens”  
22                           each place it appears;

23                   (D) in subsection (c) by inserting “or non-  
24                   citizen nationals” after “citizens”;

1 (E) in subsection (d)—

2 (i) in paragraph (1) by inserting “or  
3 noncitizen nationals” after “citizens”; and

4 (ii) in paragraph (2) by inserting “or  
5 noncitizen national” after “citizen” each  
6 place it appears;

7 (F) in subsection (e) by inserting “or non-  
8 citizen national” after “citizen” each place it  
9 appears;

10 (G) in subsection (i)(1)(A) by inserting “or  
11 noncitizen national” after “citizen”;

12 (H) in subsection (k)(1)(A) by inserting  
13 “or noncitizen national” after “citizen”; and

14 (I) by adding at the end the following:

15 “(l) NONCITIZEN NATIONAL DEFINED.—In this sec-  
16 tion, the term ‘noncitizen national’ means an individual  
17 described in section 308 of the Immigration and Nation-  
18 ality Act (8 U.S.C. 1408).”.

19 (2) CLERICAL AMENDMENT.—The analysis for  
20 chapter 81 of title 46, United States Code, is  
21 amended by striking the item relating to section  
22 8103 and inserting the following:

“8103. Citizenship or noncitizen nationality and Navy Reserve requirements.”.

23 (d) COMMAND OF DOCUMENTED VESSELS.—Section  
24 12131(a) of title 46, United States Code, is amended by  
25 inserting “or noncitizen national (as such term is de-

1 scribed in section 308 of the Immigration and Nationality  
2 Act (8 U.S.C. 1408))” after “citizen”.

3 (e) INVALIDATION OF CERTIFICATES OF DOCU-  
4 MENTATION.—Section 12135(2) of title 46, United States  
5 Code, is amended by inserting “or noncitizen national (as  
6 such term is described in section 308 of the Immigration  
7 and Nationality Act (8 U.S.C. 1408))” after “citizen”.

## 8 **Subtitle B—Merchant Mariner** 9 **Credentialing**

### 10 **SEC. 311. REVISING MERCHANT MARINER DECK TRAINING** 11 **REQUIREMENTS.**

12 (a) GENERAL DEFINITIONS.—Section 2101 of title  
13 46, United States Code, is amended—

14 (1) by redesignating paragraphs (20) through  
15 (56) as paragraphs (21) through (57), respectively;  
16 and

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

19 “(20) ‘merchant mariner credential’ means a  
20 merchant mariner license, certificate, or document  
21 that the Secretary is authorized to issue pursuant to  
22 this title.”.

23 (b) EXAMINATIONS.—Section 7116 of title 46,  
24 United States Code, is amended by striking subsection (c).

25 (c) MERCHANT MARINERS DOCUMENTS.—



1           (1) GENERAL REQUIREMENTS.—Section 7306  
2           of title 46, United States Code, is amended to read  
3           as follows:

4   **“§ 7306. General requirements and classifications for**  
5                           **members of deck departments**

6           “(a) IN GENERAL.—The Secretary may issue a mer-  
7           chant mariner credential, to members of the deck depart-  
8           ment in the following classes:

9                   “(1) Able Seaman-Unlimited.

10                   “(2) Able Seaman-Limited.

11                   “(3) Able Seaman-Special.

12                   “(4) Able Seaman-Offshore Supply Vessels.

13                   “(5) Able Seaman-Sail.

14                   “(6) Able Seaman-Fishing Industry.

15                   “(7) Ordinary Seaman.

16           “(b) CLASSIFICATION OF CREDENTIALS.—The Sec-  
17           retary may classify the merchant mariner credential issued  
18           under subsection (a) based on—

19                   “(1) the tonnage and means of propulsion of  
20           vessels;

21                   “(2) the waters on which vessels are to be oper-  
22           ated; or

23                   “(3) other appropriate standards.

1       “(c) CONSIDERATIONS.—In issuing the credential  
2 under subsection (a), the Secretary may consider the fol-  
3 lowing qualifications of the merchant mariner:

4           “(1) Age.

5           “(2) Character.

6           “(3) Habits of life.

7           “(4) Experience.

8           “(5) Professional qualifications demonstrated  
9 by satisfactory completion of applicable examinations  
10 or other educational requirements.

11          “(6) Physical condition, including sight and  
12 hearing.

13          “(7) Other requirements established by the Sec-  
14 retary, including career patterns and service appro-  
15 priate to the particular service, industry, or job  
16 functions the individual is engaged.”.

17          (2) CLERICAL AMENDMENT.—The analysis for  
18 chapter 73 of title 46, United States Code, is  
19 amended by striking the item relating to section  
20 7306 and inserting the following:

“7306. General requirements and classifications for members of deck depart-  
ments.”.

21          (3) ABLE SEAMEN-UNLIMITED.—Section 7307  
22 of title 46, United States Code, is amended by strik-  
23 ing “3 years’” and inserting “18 months’”.

1           (4) ABLE SEAMEN-LIMITED.—Section 7308 of  
2 title 46, United States Code, is amended by striking  
3 “18 months’ ” and inserting “12 months’ ”.

4           (5) GENERAL REQUIREMENTS FOR MEMBERS  
5 OF ENGINE DEPARTMENTS.—Section 7313(b) of title  
6 46, United States Code, is amended by striking  
7 “and coal passer”.

8           (6) TRAINING.—Section 7315 of title 46,  
9 United States Code, is amended—

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

12           “(a) Graduation from a nautical school program ap-  
13 proved by the Secretary may be substituted for the service  
14 requirements under sections 7307–7312 and 7314.”;

15           (B) in subsection (b)—

16           (i) by striking “one-third” and insert-  
17 ing “one-half”; and

18           (ii) by striking “7307–7311 of this  
19 title” and inserting “7307–7312 and  
20 7314”; and

21           (C) by striking subsection (c).

22           (d) MERCHANT MARINER CREDENTIALS.—Section  
23 7510 of title 46, United States Code, is amended by strik-  
24 ing subsection (d).

1 (e) IMPLEMENTATION.—The Secretary of the depart-  
2 ment in which the Coast Guard is operating shall imple-  
3 ment the amended requirements under subsections (c)(3),  
4 (c)(4), and (c)(6) of this section without regard to chap-  
5 ters 5 and 6 of title 5, United States Code, and Executive  
6 Orders 12866 and 13563 (5 U.S.C. 601 note).

7 **SEC. 312. TECHNICAL AMENDMENTS.**

8 (a) IN GENERAL.—The heading for part E of subtitle  
9 II of title 46, United States Code, is amended by striking  
10 “**MERCHANT SEAMEN LICENSES, CERTIFICATES,**  
11 **AND DOCUMENTS**” and inserting “**MERCHANT MAR-**  
12 **INER CREDENTIALS**”.

13 (b) GENERAL REQUIREMENTS AND CLASSIFICATIONS  
14 FOR ABLE SEAFARERS.—

15 (1) IN GENERAL.—The section heading for sec-  
16 tion 7306 of title 46, United States Code, is amend-  
17 ed by striking “**seamen**” and inserting “**sea-**  
18 **farers**”.

19 (2) CLERICAL AMENDMENT.—The analysis for  
20 chapter 73 of title 46, United States Code, is  
21 amended in the item relating to section 7306 by  
22 striking “**seamen**” and inserting “**seafarers**”.

23 (c) ABLE SEAFARERS—UNLIMITED.—

24 (1) IN GENERAL.—The section heading for sec-  
25 tion 7307 of title 46, United States Code, is amend-

1 ed by striking “**seamen**” and inserting “**sea-**  
2 **farers**”.

3 (2) CLERICAL AMENDMENT.—The analysis for  
4 chapter 73 of title 46, United States Code, is further  
5 amended in the item relating to section 7307 by  
6 striking “**seamen**” and inserting “**seafarers**”.

7 (d) ABLE SEAMEN—LIMITED.—

8 (1) IN GENERAL.—The section heading for sec-  
9 tion 7308 of title 46, United States Code, is amend-  
10 ed by striking “**seamen**” and inserting “**sea-**  
11 **farers**”.

12 (2) CLERICAL AMENDMENT.—The analysis for  
13 chapter 73 of title 46, United States Code, is further  
14 amended in the item relating to section 7308 by  
15 striking “**seamen**” and inserting “**seafarers**”.

16 (e) ABLE SEAFARERS—SPECIAL.—

17 (1) IN GENERAL.—The section heading for sec-  
18 tion 7309 of title 46, United States Code, is amend-  
19 ed by striking “**seamen**” and inserting “**sea-**  
20 **farers**”.

21 (2) CLERICAL AMENDMENT.—The analysis for  
22 chapter 73 of title 46, United States Code, is further  
23 amended in the item relating to section 7309 by  
24 striking “**seamen**” and inserting “**seafarers**”.

1 (f) ABLE SEAFARERS—OFFSHORE SUPPLY VES-  
2 SELS.—

3 (1) IN GENERAL.—The section heading for sec-  
4 tion 7310 of title 46, United States Code, is amend-  
5 ed by striking “**seamen**” and inserting “**sea-**  
6 **farers**”.

7 (2) CLERICAL AMENDMENT.—The analysis for  
8 chapter 73 of title 46, United States Code, is further  
9 amended in the item relating to section 7310 by  
10 striking “**seamen**” and inserting “**seafarers**”.

11 (g) ABLE SEAFARERS—SAIL.—

12 (1) IN GENERAL.—The section heading for sec-  
13 tion 7311 of title 46, United States Code, is amend-  
14 ed by striking “**seamen**” and inserting “**sea-**  
15 **farers**”.

16 (2) CLERICAL AMENDMENT.—The analysis for  
17 chapter 73 of title 46, United States Code, is further  
18 amended in the item relating to section 7311 by  
19 striking “**seamen**” and inserting “**seafarers**”.

20 (h) ABLE SEAMEN—FISHING INDUSTRY.—

21 (1) IN GENERAL.—The section heading for sec-  
22 tion 7311a of title 46, United States Code, is  
23 amended by striking “**seamen**” and inserting  
24 “**seafarers**”.

1           (2) CLERICAL AMENDMENT.—The analysis for  
2 chapter 73 of title 46, United States Code, is further  
3 amended in the item relating to section 7311a by  
4 striking “**seamen**” and inserting “**seafarers**”.

5           (i) PARTS E AND F.—Parts E and F of subtitle II  
6 of title 46, United States Code, is amended—

7           (1) by striking “seaman” and inserting “sea-  
8 farer” each place it appears; and

9           (2) by striking “seamen” and inserting “sea-  
10 farers” each place it appears.

11          (j) CLERICAL AMENDMENTS.—The analysis for sub-  
12 title II of title 46, United States Code, is amended—

13           (1) in the item relating to subtitle II by striking  
14 “**Seamen**” and inserting “**Seafarer**”; and

15           (2) in the item relating to part E by striking  
16 “**MERCHANT SEAMEN LICENSES, CERTIFI-**  
17 **CATES, AND DOCUMENTS**” and inserting “**MER-**  
18 **CHANT MARINER CREDENTIALS**”.

19 **SEC. 313. RENEWAL OF MERCHANT MARINER LICENSES**  
20 **AND DOCUMENTS.**

21 Section 7507 of title 46, United States Code, is  
22 amended by adding at the end the following:

23           “(d) RENEWAL.—With respect to any renewal of an  
24 active merchant mariner credential issued under this part  
25 that is not an extension under subsection (a) or (b), such

1 credential shall begin the day after the expiration of the  
2 active credential of the credential holder.”.

### 3 **Subtitle C—Vessel Safety**

#### 4 **SEC. 321. GROSSLY NEGLIGENT OPERATIONS OF A VESSEL.**

5 Section 2302(b) of title 46, United States Code, is  
6 amended to read as follows:

7 “(b) GROSSLY NEGLIGENT OPERATION.—

8 “(1) MISDEMEANOR.—A person operating a  
9 vessel in a grossly negligent manner that endangers  
10 the life, limb, or property of a person commits a  
11 class A misdemeanor.

12 “(2) FELONY.—A person operating a vessel in  
13 a grossly negligent manner that results in serious  
14 bodily injury, as defined in section 1365(h)(3) of  
15 title 18—

16 “(A) commits a class E felony; and

17 “(B) may be assessed a civil penalty of not  
18 more than \$35,000.”.

#### 19 **SEC. 322. ADMINISTRATIVE PROCEDURE FOR SECURITY** 20 **RISKS.**

21 (a) SECURITY RISK.—Section 7702(d)(1) of title 46,  
22 United States Code, is amended—

23 (1) in subparagraph (B) by redesignating  
24 clauses (i) through (iv) as subclauses (I) through  
25 (IV), respectively;



1           (2) by redesignating subparagraphs (A) and  
2           (B) as clauses (i) and (ii), respectively;

3           (3) by striking “an individual if—” and insert-  
4           ing the following: “an individual—

5                       “(A) if—”;

6           (4) in subparagraph (A)(ii)(IV), as so redesign-  
7           ated, by striking the period at the end and insert-  
8           ing “; or”; and

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

10                       “(B) if there is probable cause to believe  
11                       that the individual has violated company policy  
12                       and is a security risk that poses a threat to  
13                       other individuals on the vessel.”.

14           (b) **TECHNICAL AMENDMENT.**—Section 2101(47)(B)  
15           of title 46, United States Code (as so redesignated), is  
16           amended by striking “; and” and inserting “; or”.

17           **SEC. 323. REQUIREMENTS FOR DUKW AMPHIBIOUS PAS-**  
18                       **SENGER VESSELS.**

19           Section 11502 of the James H. Inhofe National De-  
20           fense Authorization Act for Fiscal Year 2023 (Public Law  
21           117–263) is amended—

22                       (1) in the section header by striking “**DUKW**  
23                       **AMPHIBIOUS PASSENGER VESSELS**” and insert-  
24                       ing “**COMMERCIAL AMPHIBIOUS SMALL PAS-**  
25                       **SENGER VESSELS**”;

1           (2) by striking “DUKW amphibious passenger  
2 vessel” each place it appears and inserting “com-  
3 mercial amphibious small passenger vessel”;

4           (3) by striking “DUKW amphibious passenger  
5 vessels” each place it appears and inserting “com-  
6 mercial amphibious small passenger vessels”;

7           (4) in subsection (h)—

8                 (A) by striking “DEFINITIONS” and all  
9 that follows through “The term ‘appropriate  
10 congressional committees’” and inserting “AP-  
11 PROPRIATE CONGRESSIONAL COMMITTEES DE-  
12 FINED.—In this section, the term ‘appropriate  
13 congressional committees’”; and

14                 (B) by striking paragraph (2); and

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

16           “(i) APPLICATION.—This section shall apply to am-  
17 phibious vessels operating as a small passenger vessel in  
18 waters subject to the jurisdiction of the United States, as  
19 such term is defined in section 2.38 of title 33, Code of  
20 Federal Regulations (or a successor regulation).”.

## 21           **Subtitle D—Other Matters**

### 22           **SEC. 331. ANCHOR HANDLING ACTIVITIES.**

23           Section 12111(d)(1) of title 46, United States Code,  
24 is amended—

1           (1) in subparagraph (A) by inserting “or other  
2           energy production or transmission facility, or any  
3           vessel engaged in the launch, recovery, or support of  
4           commercial space transportation or space exploration  
5           activities” after “drilling unit”; and

6           (2) in subparagraph (B) by inserting “or other  
7           energy production or transmission facility, or any  
8           vessel engaged in the launch, recovery, or support of  
9           commercial space transportation or space exploration  
10          activities” after “drilling unit”.

11 **SEC. 332. ESTABLISHMENT OF A NATIONAL ADVISORY COM-**  
12                           **MITTEE ON AUTONOMOUS MARITIME SYS-**  
13                           **TEMS.**

14          (a) IN GENERAL.—Chapter 151 of title 46, United  
15 States Code, is amended by adding at the end the fol-  
16 lowing:

17 **“§ 15110. Establishment of a national advisory com-**  
18                           **mittee on autonomous maritime systems**

19          “(a) ESTABLISHMENT.—There is established a Na-  
20 tional Autonomous Maritime Systems Advisory Committee  
21 (in this section referred to as the ‘Committee’).

22          “(b) FUNCTION.—The Committee shall advise the  
23 Secretary on matters relating to the regulation and use  
24 of Autonomous Systems within the territorial waters of  
25 the United States.

1 “(c) MEMBERSHIP.—

2 “(1) IN GENERAL.—The Committee shall con-  
3 sist of 8 members appointed by the Secretary in ac-  
4 cordance with this section and section 15109.

5 “(2) EXPERTISE.—Each member of the Com-  
6 mittee shall have particular expertise, knowledge,  
7 and experience in matters relating to the function of  
8 the Committee.

9 “(3) REPRESENTATION.—Each of the following  
10 groups shall be represented by at least 1 member on  
11 the Committee:

12 “(A) Marine safety or security entities.

13 “(B) Vessel design and construction enti-  
14 ties.

15 “(C) Entities engaged in the production or  
16 research of unmanned vehicles, including  
17 drones, autonomous or semi-autonomous vehi-  
18 cles, or any other product or service integral to  
19 the provision, maintenance, or management of  
20 such products or services.

21 “(D) Port districts, authorities, or terminal  
22 operators.

23 “(E) Vessel operators.

24 “(F) National labor unions representing  
25 merchant mariners.

1                   “(G) Maritime pilots.

2                   “(H) Commercial space transportation op-  
3                   erators.”.

4           (b) CLERICAL AMENDMENTS.—The analysis for  
5 chapter 151 of title 46, United States Code, is amended  
6 by adding at the end the following:

          “15110. Establishment of a national advisory committee on autonomous mari-  
          time systems.”.

7           (c) ESTABLISHMENT.—Not later than 90 days after  
8 the date of enactment of this Act, the Secretary of the  
9 department in which the Coast Guard is operating shall  
10 establish the Committee under section 15110 of title 46,  
11 United States Code (as added by this section).

12 **SEC. 333. CONTROLLED SUBSTANCE ONBOARD VESSELS.**

13           Section 70503(a) of title 46, United States Code, is  
14 amended—

15                   (1) in the matter preceding paragraph (1) by  
16                   striking “While on board a covered vessel, an indi-  
17                   vidual” and inserting “An individual”;

18                   (2) by amending paragraph (1) to read as fol-  
19                   lows:

20                   “(1) manufacture or distribute, possess with in-  
21                   tent to manufacture or distribute, or place or cause  
22                   to be placed with intent to manufacture or distribute  
23                   a controlled substance on board a covered vessel;”;  
24                   and

1           (3) in paragraph (2) by inserting “aboard a  
2 covered vessel” after “Comprehensive Drug Abuse  
3 Prevention and Control Act of 1970 (21 U.S.C.  
4 881(a))”.

5 **SEC. 334. NONOPERATING INDIVIDUAL.**

6           Section 8313(b) of the William M. (Mac) Thornberry  
7 National Defense Authorization Act for Fiscal Year 2021  
8 (Public Law 116–283) is amended by striking “2025” and  
9 inserting “2027”.

10 **SEC. 335. INFORMATION ON TYPE APPROVAL CERTIFI-**  
11 **CATES.**

12           (a) IN GENERAL.—Title IX of the Frank LoBiondo  
13 Coast Guard Authorization Act of 2018 (Public Law 115–  
14 282) is amended by adding at the end the following:

15 **“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFI-**  
16 **CATES.**

17           “The Commandant of the Coast Guard shall, upon  
18 request by any State, the District of Columbia, or any ter-  
19 ritory of the United States, provide all data possessed by  
20 the Coast Guard pertaining to challenge water quality  
21 characteristics, challenge water biological organism con-  
22 centrations, post-treatment water quality characteristics,  
23 and post-treatment biological organism concentrations  
24 data for a ballast water management system with a type  
25 approval certificate approved by the Coast Guard pursu-

1 ant to subpart 162.060 of title 46, Code of Federal Regu-  
2 lations.”.

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

“Sec. 904. Information on type approval certificates.”.

7 **SEC. 336. MANNING AND CREWING REQUIREMENTS FOR**  
8 **CERTAIN VESSELS, VEHICLES, AND STRUC-**  
9 **TURES.**

10 (a) AUTHORIZATION OF LIMITED EXEMPTIONS  
11 FROM MANNING AND CREW REQUIREMENT.—Chapter 81  
12 of title 46, United States Code, is amended by adding at  
13 the end the following:

14 **“§ 8109. Exemptions from manning and crew require-**  
15 **ments**

16 “(a) IN GENERAL.—The Secretary may provide an  
17 exemption described in subsection (b) to the owner or op-  
18 erator of a covered facility if each individual who is man-  
19 ning or crewing the covered facility is—

20 “(1) a citizen of the United States;

21 “(2) an alien lawfully admitted to the United  
22 States for permanent residence; or

23 “(3) a citizen of the nation under the laws of  
24 which the vessel is documented.

1       “(b) REQUIREMENTS FOR ELIGIBILITY FOR EXEMP-  
2 TION.—An exemption under this subsection is an exemp-  
3 tion from the regulations established pursuant to section  
4 302(a)(3) of the Outer Continental Shelf Lands Act (43  
5 U.S.C. 1356(a)(3)).

6       “(c) LIMITATIONS.—An exemption under this sec-  
7 tion—

8               “(1) shall provide that the number of individ-  
9 uals manning or crewing the covered facility who are  
10 described in paragraphs (2) and (3) of subsection  
11 (a) may not exceed two and one- half times the  
12 number of individuals required to man or crew the  
13 covered facility under the laws of the nation under  
14 the laws of which the covered facility is documented;  
15 and

16               “(2) shall be effective for not more than 12  
17 months, but may be renewed by application to and  
18 approval by the Secretary.

19       “(d) APPLICATION.—To be eligible for an exemption  
20 or a renewal of an exemption under this section, the owner  
21 or operator of a covered facility shall apply to the Sec-  
22 retary with an application that includes a sworn statement  
23 by the applicant of all information required for the  
24 issuance of the exemption.

25       “(e) REVOCATION.—



1           “(1) IN GENERAL.—The Secretary—

2                   “(A) may revoke an exemption for a cov-  
3           ered facility under this section if the Secretary  
4           determines that information provided in the ap-  
5           plication for the exemption was false or incom-  
6           plete, or is no longer true or complete; and

7                   “(B) shall immediately revoke such an ex-  
8           emption if the Secretary determines that the  
9           covered facility, in the effective period of the ex-  
10          emption, was manned or crewed in a manner  
11          not authorized by the exemption.

12           “(2) NOTICE REQUIRED.—The Secretary shall  
13          provides notice of a determination under subpara-  
14          graph (A) or (B) of paragraph (1) to the owner or  
15          operator of the covered facility.

16          “(f) REVIEW OF COMPLIANCE.—The Secretary shall  
17          periodically, but not less than once annually, inspect each  
18          covered facility that operates under an exemption under  
19          this section to verify the owner or operator of the covered  
20          facility’s compliance with the exemption. During an in-  
21          spection under this subsection, the Secretary shall require  
22          all crew members serving under the exemption to hold a  
23          valid transportation security card issued under section  
24          70105.

1       “(g) PENALTY.—In addition to revocation under sub-  
2 section (e), the Secretary may impose on the owner or op-  
3 erator of a covered facility a civil penalty of \$10,000 per  
4 day for each day the covered facility—

5               “(1) is manned or crewed in violation of an ex-  
6 emption under this subsection; or

7               “(2) operated under an exemption under this  
8 subsection that the Secretary determines was not  
9 validly obtained.

10       “(h) NOTIFICATION OF SECRETARY OF STATE.—The  
11 Secretary shall notify the Secretary of State of each ex-  
12 emption issued under this section, including the effective  
13 period of the exemption.

14       “(i) DEFINITIONS.—In this section:

15               “(1) COVERED FACILITY.—The term ‘covered  
16 facility’ means any vessel, rig, platform, or other ve-  
17 hicle or structure, over 50 percent of which is owned  
18 by citizens of a foreign nation or with respect to  
19 which the citizens of a foreign nation have the right  
20 effectively to control, except to the extent and to the  
21 degree that the President determines that the gov-  
22 ernment of such foreign nation or any of its political  
23 subdivisions has implemented, by statute, regulation,  
24 policy, or practice, a national manning requirement  
25 for equipment engaged in the exploring for, devel-

1       oping, or producing resources, including non-mineral  
2       energy resources in its offshore areas.

3               “(2) SECRETARY.—The term ‘Secretary’ means  
4       the Secretary of the department in which the Coast  
5       Guard is operating.”.

6       (b) ANNUAL REPORT.—

7               (1) IN GENERAL.—Not later than 1 year after  
8       the date of enactment of this Act, and annually  
9       thereafter, the Secretary shall submit to Congress a  
10       report containing information on each letter of non-  
11       applicability of section 8109 of title 46, United  
12       States Code, with respect to a covered facility that  
13       was issued by the Secretary during the preceding  
14       year.

15              (2) CONTENTS.—The report under paragraph  
16       (1) shall include, for each covered facility—

17                      (A) the name and International Maritime  
18                      Organization number;

19                      (B) the nation in which the covered facility  
20                      is documented;

21                      (C) the nationality of owner or owners; and

22                      (D) for any covered facility that was pre-  
23       viously issued a letter of nonapplicability in a  
24       prior year, any changes in the information de-  
25       scribed in subparagraphs (A) through (C).

1           (c) REGULATIONS.—Not later than 90 days after the  
2 date of the enactment of this Act, the Secretary shall pro-  
3 mulgate regulations that specify the documentary and  
4 other requirements for the issuance of an exemption under  
5 the amendment made by this section.

6           (d) EXISTING EXEMPTIONS.—

7               (1) EFFECT OF AMENDMENTS; TERMIN-  
8 NATION.—Each exemption under section 30(c)(2) of  
9 the Outer Continental Shelf Lands Act (43 U.S.C.  
10 1356(c)(2)) issued before the date of the enactment  
11 of this Act—

12                       (A) shall not be affected by the amend-  
13 ments made by this section during the 120-day  
14 period beginning on the date of the enactment  
15 of this Act; and

16                       (B) shall not be effective after such period.

17               (2) NOTIFICATION OF HOLDERS.—Not later  
18 than 60 days after the date of the enactment of this  
19 Act, the Secretary shall notify all persons that hold  
20 such an exemption that it will expire as provided in  
21 paragraph (1).

22           (e) CLERICAL AMENDMENT.—The analysis for chap-  
23 ter 81 of the title 46, United States Code, is amended  
24 by adding at the end the following:

“8109. Exemptions from manning and crew requirements.”.

1 **TITLE IV—TECHNICAL, CON-**  
2 **FORMING, AND CLARIFYING**  
3 **AMENDMENTS**

4 **SEC. 401. TECHNICAL AND CONFORMING AMENDMENTS.**

5 (a) PROHIBITION ON ENTRY AND OPERATION.—Sec-  
6 tion 70022(b)(1) of title 46, United States Code, is  
7 amended by striking “Federal Register” and inserting  
8 “the Federal Register”.

9 (b) ENFORCEMENT BY STATE AND LOCAL OFFI-  
10 CERS.—Section 70118(a) of title 46, United States Code,  
11 is amended—

12 (1) by striking “section 1 of title II of the Act  
13 of June 15, 1917 (chapter 30; 50 U.S.C. 191)” and  
14 inserting “section 70051”; and

15 (2) by striking “section 7(b) of the Ports and  
16 Waterways Safety Act (33 U.S.C. 1226(b))” and in-  
17 serting “section 70116(b)”.

18 (c) CHAPTER 701 DEFINITIONS.—Section 70131(2)  
19 of title 46, United States Code, is amended—

20 (1) by striking “section 1 of title II of the Act  
21 of June 15, 1917 (50 U.S.C. 191)” and inserting  
22 “section 70051”; and

1           (2) by striking “section 7(b) of the Ports and  
2           Waterways Safety Act (33 U.S.C. 1226(b))” and in-  
3           serting “section 70116(b)”.

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