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118TH CONGRESS
1ST SESSION

H. R. 2741

[Report No. 118-119]

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

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

JUNE 27, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on April 20, 2023]

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 air-
craft.

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. Tsunami evacuation plans.

Sec. 205. Study on Bering Strait vessel traffic projections and emergency re-
sponse posture at the Port of Point Spencer, Alaska.

Sec. 206. Service life extension programs.

Sec. 207. Underwater inspections brief.

Sec. 208. St. Lucie River railroad bridge.

Sec. 209. Online incident reporting system.

Sec. 210. Maritime Domain Awareness in Coast Guard Sector for Puerto Rico
and Virgin Islands.

Sec. 211. Public availability of information on monthly drug and migrant inter-
dictions.

Sec. 212. Report on establishment of an unmanned systems capabilities office.

Sec. 213. Rulemaking regarding port access routes.

Sec. 214. Great Lakes icebreaker.

TITLE III— MARITIME

Subtitle A— American Samoa Mariners Act of 2023

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

Subtitle B—Vessel Operations

- Sec. 311. Definitions.*
Sec. 312. Notification.
Sec. 313. Publication of fines and penalties.

Subtitle C—Merchant Mariner Credentialing

- Sec. 321. Revising merchant mariner deck training requirements.*
Sec. 322. Technical amendments.
Sec. 323. Renewal of merchant mariner licenses and documents.

Subtitle D—Vessel Safety

- Sec. 331. Grossly negligent operations of a vessel.*
Sec. 332. Administrative procedure for security risks.
Sec. 333. Requirements for DUKW amphibious passenger vessels.
Sec. 334. Inspection and examination.

Subtitle E—Other Matters

- Sec. 341. Anchor handling activities.*
Sec. 342. Establishment of a national advisory committee on autonomous maritime systems.
Sec. 343. Controlled substance onboard vessels.
Sec. 344. Nonoperating individual.
Sec. 345. Information on type approval certificates.
Sec. 346. Manning and crewing requirements for certain vessels, vehicles, and structures.
Sec. 347. Classification societies.

TITLE IV—OIL POLLUTION INCIDENT LIABILITY

- Sec. 401. Vessel response plans.*
Sec. 402. Use of marine casualty investigations.
Sec. 403. Timing of review.

TITLE V—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

- Sec. 501. Technical and conforming amendments.*

1 SEC. 2. COMMANDANT DEFINED.

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

1 **TITLE I—AUTHORIZATION OF**
2 **APPROPRIATIONS**

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

4 *Section 4902 of title 14, United States Code, is amend-*
5 *ed—*

6 (1) *in the matter preceding paragraph (1) by*
7 *striking “fiscal years 2022 and 2023” and inserting*
8 *“fiscal years 2024 and 2025”;*

9 (2) *in paragraph (1)—*

10 (A) *in subparagraph (A) by striking clauses*

11 *(i) and (ii) and inserting the following:*

12 “(i) \$10,750,000,000 for fiscal year 2024;

13 *and*

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

15 (B) *in subparagraph (B) by striking*

16 *“\$23,456,000” and inserting “\$24,353,000”; and*

17 (C) *in subparagraph (C) by striking*

18 *“\$24,353,000” and inserting “\$25,570,000”;*

19 (3) *in paragraph (2)—*

20 (A) *in subparagraph (A) by striking clauses*

21 *(i) and (ii) and inserting the following:*

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

23 *and*

24 “(ii) \$3,477,600,000 for fiscal year 2025.”;

25 *and*

1 (B) in subparagraph (B) by striking clauses

2 (i) and (ii) and inserting the following:

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

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

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

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

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

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

9 (5) by striking paragraph (4) and inserting the
10 following:

11 “(4) For retired pay, including the payment of
12 obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired
13 Serviceman’s Family Protection and Survivor Benefits Plans, payment for career status bonuses, pay-
14 ment of continuation pay under section 356 of title
15 37, concurrent receipts, combat-related special compensation, and payments for medical care of retired
16 personnel and the dependents of such personnel under
17 chapter 55 of title 10, \$1,147,244,000 for fiscal year
18 2024.”.

1 **SEC. 102. SHORESIDE INFRASTRUCTURE AND FACILITIES**
2 **AND INFORMATION TECHNOLOGY.**

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

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

9 (2) for each of fiscal years 2024 and 2025,
10 \$400,000,000 is authorized to fund maintenance, con-
11 struction, and repairs for Coast Guard shoreside in-
12 frastructure.

13 (b) *INFORMATION TECHNOLOGY SET-ASIDES.*—Of the
14 amounts authorized under subsection (a)(1), \$11,000,000 is
15 authorized to fund the acquisition, development, and imple-
16 mentation of a new credentialing system for the merchant
17 mariner credentialing program.

18 (c) *SHORESIDE INFRASTRUCTURE.*—Of the amounts
19 authorized to be appropriated under section 4902(2)(A) of
20 title 14, United States Code—

21 (1) for the purposes of improvements to facilities
22 at the United States Coast Guard Training Center
23 Cape May in Cape May, New Jersey—

24 (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 au-
8 thorized to fund Phase III of the barracks' re-
9 capitalization;

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 author-
15 ized to fund Phase I of waterfront improvements of
16 Coast Guard Base Seattle, including environmental
17 remediation consisting of dredging and structural im-
18 provements to piers and wharfs necessary to complete
19 the expansion of Base Seattle to homeport 3 Polar Se-
20 curity Cutters in Seattle, Washington.

21 **SEC. 103. AVAILABILITY OF AMOUNTS FOR ACQUISITION OF**
22 **ADDITIONAL VESSELS AND AIRCRAFT.**

23 Of the amounts authorized to be appropriated under
24 section 4902(2)(A) of title 14, United States Code, for fiscal
25 year 2024—

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

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

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

9 (4) \$20,000,000 is authorized to procure long
10 lead time materials for a Great Lakes icebreaker at
11 least as capable as Coast Guard Cutter Mackinaw
12 (WLBB-30);

13 (5) \$30,500,000 is authorized for the program
14 management, design, and acquisition of Pacific
15 Northwest heavy weather boats that are at least as ca-
16 pable as the Coast Guard 52-foot motor surfboat;

17 (6) \$138,500,000 is authorized for the acquisi-
18 tion or procurement of 1 missionized HC-130J air-
19 craft; and

20 (7) \$113,000,000 is authorized to outfit and as-
21 semble 4 MH-60T Jayhawk aircraft.

1 **SEC. 104. AUTHORIZATION FOR CERTAIN PROGRAMS AND**
2 **SERVICES.**

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

6 (1) *\$11,978,000 is authorized to fund additional*
7 *recruiting personnel and offices for the Coast Guard*
8 *Recruiting Command; and*

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

11 **SEC. 105. FISHING VESSEL SAFETY.**

12 *Section 4502 of title 46, United States Code, is amend-*
13 *ed—*

14 (1) *in subsection (i) by striking paragraph (4)*
15 *and inserting the following:*

16 “(4) *AUTHORIZATION OF APPROPRIATIONS.—Out*
17 *of funds made available under section 4902(1)(A) of*
18 *title 14, \$3,000,000 shall be available for each of fiscal*
19 *years 2024 and 2025 for grants under this sub-*
20 *section.”; and*

21 (2) *in subsection (j) by striking paragraph (4)*
22 *and inserting the following:*

23 “(4) *AUTHORIZATION OF APPROPRIATIONS.—Out*
24 *of funds made available under section 4902(1)(A) of*
25 *title 14, \$3,000,000 shall be available for each of fiscal*

1 (1) *in paragraph (1) by inserting “, including*
2 *damage or destruction resulting from cyber incidents,*
3 *transnational organized crime, or foreign state*
4 *threats” after “adjacent to such waters”; and*

5 (2) *in paragraph (2) by inserting “or harm re-*
6 *sulting from cyber incidents, transnational organized*
7 *crime, or foreign state threats” after “loss”.*

8 (b) *REGULATION OF ANCHORAGE AND MOVEMENT OF*
9 *VESSELS DURING NATIONAL EMERGENCY.—Section 70051*
10 *of title 46, United States Code, is amended by inserting*
11 *“or cyber incidents, or transnational organized crime, or*
12 *foreign state threats,” after “threatened war, or invasion,*
13 *or insurrection, or subversive activity.”*

14 (c) *FACILITY VISIT BY STATE SPONSOR OF TER-*
15 *RORISM.—Section 70011(b) of title 46, United States Code,*
16 *is amended—*

17 (1) *in paragraph (3) by striking “and” at the*
18 *end;*

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

21 (3) *by adding at the end the following:*

22 “(5) *prohibiting a representative of a govern-*
23 *ment of country that the Secretary of State has deter-*
24 *mined has repeatedly provided support for acts of*
25 *international terrorism under section 620A of the*

1 *Foreign Assistance Act of 1961 (22 U.S.C. 2371) from*
2 *visiting a facility for which a facility security plan*
3 *is required under section 70103(c).”.*

4 **SEC. 203. MINOR CONSTRUCTION INCREASE.**

5 *Section 903(d)(1) of title 14, United States Code, is*
6 *amended by striking “\$1,500,000” and inserting*
7 *“\$2,000,000”.*

8 **SEC. 204. TSUNAMI EVACUATION PLANS.**

9 *(a) TSUNAMI EVACUATION PLANS.—*

10 *(1) IN GENERAL.—Not later than 1 year after*
11 *the date of enactment of this Act, the Commandant,*
12 *in consultation with the Administrator of the Na-*
13 *tional Oceanic and Atmospheric Administration and*
14 *the Administrator of the Federal Emergency Manage-*
15 *ment Agency, shall establish location specific tsunami*
16 *evacuation plans for each unit and sector of the Coast*
17 *Guard that has facilities, personnel, or assets located*
18 *within areas—*

19 *(A) designated by the Administrator of the*
20 *National Oceanic and Atmospheric Administra-*
21 *tion as high risk or very high risk of a United*
22 *States tsunami hazard; and*

23 *(B) that are located inside a tsunami inun-*
24 *dation zone.*

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

4 (A) *are included in the emergency action*
5 *plans for each unit or sector located inside of a*
6 *tsunami inundation zone;*

7 (B) *designate an evacuation route to an as-*
8 *sembly area located outside of a tsunami inun-*
9 *dation zone;*

10 (C) *include a map or diagram of all tsu-*
11 *nami inundation zone evacuation routes;*

12 (D) *include evacuation routes for all Coast*
13 *Guard personnel and dependents of such per-*
14 *sonnel living in Coast Guard housing;*

15 (E) *are feasible for all servicemembers and*
16 *dependents of such servicemembers present on*
17 *Coast Guard property or living in Coast Guard*
18 *provided housing;*

19 (F) *include procedures to begin evacuations*
20 *once a major seismic event is detected;*

21 (G) *include evacuation plans for air and*
22 *water assets that do not impinge on the safety of*
23 *human life;*

24 (H) *are able to be completely executed with-*
25 *in 15 minutes of detection of a seismic event or,*

1 *if not possible within 15 minutes, within a rea-*
2 *sonable timeframe;*

3 *(I) are able to be completely executed by*
4 *servicemembers on foot from any location within*
5 *the tsunami inundation zone;*

6 *(J) are exercised biennially by each unit*
7 *and sector located in a tsunami inundation zone;*
8 *and*

9 *(K) are evaluated by leadership at each unit*
10 *and sector located in a tsunami inundation zone*
11 *annually.*

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

15 (b) *REPORT.*—*Not later than 2 years after the date*
16 *of enactment of this Act, the Commandant shall submit to*
17 *the Committee on Transportation and Infrastructure of the*
18 *House of Representatives and the Committee on Commerce,*
19 *Science, and Transportation of the Senate, and provide a*
20 *briefing to each such Committee on, a report on—*

21 (1) *the status of the implementation and feasi-*
22 *bility of the plans established under subsection (a)(1);*

23 (2) *a risk evaluation and vulnerability assess-*
24 *ment of the infrastructure and assets located within*
25 *tsunami inundation zones;*

1 (3) *the need for vertical evacuation structures for*
2 *units and sectors in which an evacuation of a tsu-*
3 *nami inundation zone cannot be completed on foot*
4 *within 15 minutes of the detection of a seismic event;*
5 *and*

6 (4) *whether the plans established under sub-*
7 *section (a)(1) achieve the purpose to protect human*
8 *life and ensure the ability for the Coast Guard to pro-*
9 *vide search and rescue operations following a tsunami*
10 *event in the area.*

11 (c) *DEFINITIONS.—In this section:*

12 (1) *SEISMIC EVENT.—The term “seismic event”*
13 *means an earthquake, volcanic eruption, submarine*
14 *landslide, coastal rockfall, or other event with the*
15 *magnitude to cause a tsunami.*

16 (2) *TSUNAMI INUNDATION ZONE.—The term*
17 *“tsunami inundation zone” means an area of inland*
18 *flooding modeled, predicted, or forecasted as a poten-*
19 *tial result of a tsunami or seismic event.*

20 (3) *VERTICAL EVACUATION STRUCTURE.—The*
21 *term “vertical evacuation structure” means an ele-*
22 *vated structure above the tsunami inundation zone*
23 *designated as a place of refuge from flood waters.*

1 **SEC. 205. STUDY ON BERING STRAIT VESSEL TRAFFIC PRO-**
2 **JECTIONS AND EMERGENCY RESPONSE POS-**
3 **TURE AT THE PORT OF POINT SPENCER,**
4 **ALASKA.**

5 (a) *IN GENERAL.*—Not later than 180 days after the
6 date of enactment of this Act, the Commandant shall seek
7 to enter into an agreement with the National Academies
8 of Science, Engineering, and Medicine, under which the
9 Marine Board of the Transportation Research Board (in
10 this section referred to as the “Board”) shall conduct a
11 study to—

12 (1) *analyze commercial vessel traffic that tran-*
13 *sits through the Bering Strait and projections for the*
14 *growth of such traffic during the 10-year period be-*
15 *ginning after such date of enactment; and*

16 (2) *assess the adequacy of emergency response ca-*
17 *pabilities and infrastructure at the Port of Point*
18 *Spencer, Alaska, to address navigation safety risks*
19 *and geographic challenges necessary to conduct emer-*
20 *gency maritime response operations in the Arctic en-*
21 *vironment.*

22 (b) *ELEMENTS.*—The study required under subsection
23 (a) shall include the following:

24 (1) *An analysis of the volume and types of do-*
25 *mestic and international commercial vessel traffic*

1 *through the Bering Strait and the projected growth of*
2 *such traffic, including a summary of—*

3 *(A) the sizes, ages, and flag states of vessels;*

4 *and*

5 *(B) the oil and product tankers that are—*

6 *(i) in transit to or from Russia or*

7 *China; or*

8 *(ii) owned or operated by a Russian or*

9 *Chinese entity.*

10 *(2) An assessment of the state and adequacy of*
11 *vessel traffic services and oil spill and emergency re-*
12 *sponse capabilities in the vicinity of the Bering*
13 *Strait, including its approaches.*

14 *(3) A risk assessment of the projected growth in*
15 *commercial vessel traffic in the Bering Strait and*
16 *higher probability of increased frequency in the num-*
17 *ber of maritime accidents, including spill events, and*
18 *the potential impacts to the Arctic maritime environ-*
19 *ment and Native Alaskan village communities in the*
20 *vicinity of the Bering Strait.*

21 *(4) An evaluation of the ability of the Port of*
22 *Point Spencer, Alaska to serve as a port of refuge and*
23 *as a staging, logistics, and operations center to con-*
24 *duct and support maritime emergency and spill re-*
25 *sponse activities.*

1 (5) *Recommendations for practical actions that*
2 *can be taken by the Congress, Federal agencies, the*
3 *State of Alaska, vessel carriers and operators, the ma-*
4 *rine salvage and emergency response industry, and*
5 *other relevant stakeholders to mitigate risks, upgrade*
6 *infrastructure, and improve the posture of the Port of*
7 *Point Spencer, Alaska, to function as a strategic stag-*
8 *ing and logistics center for maritime emergency and*
9 *spill response operations in the Bering Strait region.*

10 (c) *CONSULTATION.—In conducting the study required*
11 *under subsection (a), the Board shall consult with—*

12 (1) *the Department of Transportation;*

13 (2) *the Corps of Engineers;*

14 (3) *the National Transportation Safety Board;*

15 (4) *relevant ministries of the government of Can-*
16 *ada;*

17 (5) *the Port Coordination Council for the Port of*
18 *Point Spencer; and*

19 (6) *non-government entities with relevant exper-*
20 *tise in monitoring and characterizing vessel traffic in*
21 *the Arctic.*

22 (d) *REPORT.—Not later than 1 year after initiating*
23 *the study under subsection (a), the Board shall submit to*
24 *the appropriate committees of Congress a report containing*
25 *the findings and recommendations of the study.*

1 (e) *DEFINITIONS.*—*In this section:*

2 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—

3 The term “appropriate committees of Congress”
4 means—

5 (A) *the Committee on Commerce, Science,*
6 *and Transportation of the Senate; and*

7 (B) *Committee on Transportation and In-*
8 *frastructure of the House of Representatives.*

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

12 (3) *PORT COORDINATION COUNCIL FOR THE*
13 *PORT OF POINT SPENCER.*—*The term “Port Coordina-*
14 *tion Council for the Port of Point Spencer” means the*
15 *Council established under section 541 of the Coast*
16 *Guard Authorization Act of 2015 (Public Law 114–*
17 *120).*

18 **SEC. 206. SERVICE LIFE EXTENSION PROGRAMS.**

19 (a) *IN GENERAL.*—*Subchapter II of chapter 11 of title*
20 *14, United States Code, is amended by adding at the end*
21 *the following:*

22 **“§ 1138. Service life extension programs**

23 “(a) *IN GENERAL.*—*Requirements for a Level 1 or*
24 *Level 2 acquisition project or program under sections 1131*

1 *through 1134 shall not apply to an acquisition by the Coast*
2 *Guard that is a service life extension program.*

3 “(b) *DEFINITION.*—*In this section, the term ‘service*
4 *life extension program’ means a capital investment that is*
5 *solely intended to extend the service life and address obsoles-*
6 *cence of components or systems of a particular capability*
7 *or asset.’”*

8 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
9 *11 of such title is amended by inserting after the item relat-*
10 *ing to section 1137 the following:*

“1138. Service life extension programs.”

11 ***SEC. 207. UNDERWATER INSPECTIONS BRIEF.***

12 *Not later than 30 days after the date of enactment of*
13 *this Act, the Commandant, or a designated individual, shall*
14 *brief the Committee on Transportation and Infrastructure*
15 *of the House of Representatives and the Committee on Com-*
16 *merce, Science, and Transportation of the Senate on the*
17 *underwater inspection in lieu of drydock program estab-*
18 *lished under section 176.615 of title 46, Code of Federal*
19 *Regulations (as in effect on the date of enactment of this*
20 *Act).*

21 ***SEC. 208. ST. LUCIE RIVER RAILROAD BRIDGE.***

22 *Regarding Docket Number USCG-2022-0222, before*
23 *adopting a final rule, the Commandant of the Coast Guard*
24 *shall conduct an independent boat traffic study at mile 7.4*
25 *of the St. Lucie River.*

1 **SEC. 209. ONLINE INCIDENT REPORTING SYSTEM.**

2 (a) *IN GENERAL.*—Not later than 2 years after the
3 date of enactment of this Act, the National Response Center
4 shall—

5 (1) *develop an online capacity through a web-*
6 *based application to receive a notification of an oil*
7 *discharge or release of a hazardous substance; and*

8 (2) *allow any such notification to the National*
9 *Response Center that is required under Federal law*
10 *or regulation to be made online using the application.*

11 (b) *USE OF APPLICATION.*—In carrying out subsection
12 (a), the National Response Center may not require the noti-
13 fication of an oil discharge or release of a hazardous sub-
14 stance to be made using the application developed under
15 such subsection.

16 **SEC. 210. MARITIME DOMAIN AWARENESS IN COAST GUARD**
17 **SECTOR FOR PUERTO RICO AND VIRGIN IS-**
18 **LANDS.**

19 *Not later than 180 days after the date of enactment*
20 *of this Act, the Commandant shall submit to the Committee*
21 *on Transportation and Infrastructure of the House of Rep-*
22 *resentatives and the Committee on Commerce, Science, and*
23 *Transportation of the Senate a report containing—*

24 (1) *an overview of the maritime domain aware-*
25 *ness in the area of responsibility of the Coast Guard*

1 *sector responsible for Puerto Rico and the United*
2 *States Virgin Islands, including—*

3 *(A) the average volume of known maritime*
4 *traffic that transited the area during fiscal years*
5 *2020 through 2023;*

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

9 *(C) the number of illicit activity incidents*
10 *at sea in such area that the sector responded to*
11 *during fiscal years 2020 through 2023;*

12 *(D) an estimate of the volume of traffic en-*
13 *gaged in illicit activity at sea in such area and*
14 *the type and description of any vessels used to*
15 *carry out illicit activities that such sector re-*
16 *sponded to during fiscal years 2020 through*
17 *2023; and*

18 *(E) the maritime domain awareness re-*
19 *quirements to effectively meet the mission of such*
20 *sector;*

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

1 (3) a description of any gaps in maritime do-
2 main awareness within the area of responsibility of
3 such sector resulting from an inability to meet the en-
4 during maritime domain awareness requirements of
5 the sector or adequately respond to maritime disorder,
6 including illicit drug and migrant activity;

7 (4) an identification of current technology and
8 assets the Coast Guard has to mitigate the gaps iden-
9 tified in paragraph (3);

10 (5) an identification of capabilities needed to
11 mitigate such gaps, including any capabilities the
12 Coast Guard currently possesses that can be deployed
13 to the sector;

14 (6) an identification of technology and assets the
15 Coast Guard does not currently possess and are need-
16 ed to acquire in order to address such gaps; and

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

1 **SEC. 211. PUBLIC AVAILABILITY OF INFORMATION ON**
2 **MONTHLY DRUG AND MIGRANT INTERDIC-**
3 **TIONS.**

4 (a) *IN GENERAL.*—Section 11269 of the Don Young
5 Coast Guard Authorization Act of 2022 (Public Law 117–
6 263) is—

7 (1) transferred to appear at the end of sub-
8 chapter II of chapter 5 of title 14, United States
9 Code;

10 (2) redesignated as section 529; and

11 (3) amended—

12 (A) by striking the section enumerator and
13 heading and inserting the following:

14 **“§ 529. Public availability of information on monthly**
15 **drug and migrant interdictions”;**

16 (B) by striking “Not later than” and insert-
17 ing the following:

18 “(a) *IN GENERAL.*—Not later than”;

19 (C) by inserting “drug and” before “mi-
20 grant interdictions”; and

21 (D) by adding at the end the following:

22 “(b) *CONTENTS.*—In making information about inter-
23 dictions publicly available under subsection (a), the Com-
24 mandant shall include a description of the following:

25 “(1) The number of incidents in which drugs
26 were interdicted, the amount and type of drugs inter-

1 dicted, and the Coast Guard sectors and geographic
2 areas of responsibility in which such incidents oc-
3 curred.

4 “(2) The number of incidents in which migrants
5 were interdicted, the number of migrants interdicted,
6 and the Coast Guard sectors and geographic areas of
7 responsibility in which such incidents occurred.”.

8 (b) *CLERICAL AMENDMENTS.*—

9 (1) The analysis for chapter 5 of title 14, United
10 States Code, is amended by inserting after the item
11 relating to section 528 the following:

“529. Public availability of information on monthly drug and migrant interdic-
tions.”.

12 (2) The table of sections in section 11001(b) of
13 the Don Young Coast Guard Authorization Act of
14 2022 (division K of Public Law 117–263) is amended
15 by striking the item relating to section 11269.

16 **SEC. 212. REPORT ON ESTABLISHMENT OF AN UNMANNED**
17 **SYSTEMS CAPABILITIES OFFICE.**

18 (a) *IN GENERAL.*—Not later than 1 year after the date
19 of enactment of this Act, the Commandant shall submit to
20 the Committee on Commerce, Science, and Transportation
21 of the Senate and the Committee on Transportation and
22 Infrastructure of the House of Representatives a report that
23 outlines a plan for establishing an unmanned systems capa-
24 bilities office within the Coast Guard responsible for the ac-

1 *quisition and development of unmanned system and*
2 *counter-unmanned system technologies and to expand the*
3 *capabilities of the Coast Guard with respect to such tech-*
4 *nologies*

5 *(b) CONTENTS.—The report required under subsection*
6 *(a) shall include the following:*

7 *(1) A management strategy for the acquisition,*
8 *development, and deployment of unmanned system*
9 *and counter-unmanned system technologies.*

10 *(2) A service-wide coordination strategy to syn-*
11 *chronize and integrate efforts across the Coast Guard*
12 *in order to—*

13 *(A) support the primary duties of the Coast*
14 *Guard pursuant to section 102 of title 14,*
15 *United States Code; and*

16 *(B) pursue expanded research, development,*
17 *testing, and evaluation opportunities and fund-*
18 *ing to expand and accelerate identification and*
19 *transition of unmanned system and counter-un-*
20 *manned system technologies.*

21 *(3) The identification of contracting and acqui-*
22 *sition authorities needed to expedite the development*
23 *and deployment of unmanned system and counter-un-*
24 *manned system technologies.*

1 (4) *A detailed list of commercially available un-*
2 *manned system and counter-unmanned system tech-*
3 *nologies with capabilities determined to be useful for*
4 *the Coast Guard.*

5 (5) *A cross-agency collaboration plan to engage*
6 *with the Department of Homeland Security, the De-*
7 *partment of Defense, and other relevant agencies to*
8 *identify common requirements and opportunities to*
9 *partner in acquiring, contracting, and sustaining un-*
10 *manned system and counter-unmanned system capa-*
11 *bilities.*

12 (6) *Opportunities to obtain and share unmanned*
13 *system data from government and commercial sources*
14 *to improve maritime domain awareness.*

15 (7) *The development of a concept of operations*
16 *for a data ecosystem that supports and integrates un-*
17 *manned system and counter-unmanned system tech-*
18 *nologies with key enablers, including enterprise com-*
19 *munications networks, data storage and management,*
20 *artificial intelligence and machine learning tools, and*
21 *information sharing and dissemination capabilities.*

22 (c) *DEFINITIONS.—In this section:*

23 (1) *COUNTER-UNMANNED SYSTEM.—The term*
24 *“counter-unmanned system” means a system or device*
25 *capable of lawfully and safely disabling, disrupting,*

1 *or seizing control of an unmanned system, including*
2 *a counter-UAS system (as defined in section 44801 of*
3 *title 49, United States Code).*

4 (2) *UNMANNED SYSTEM.—The term “unmanned*
5 *system” means an unmanned surface, undersea, or*
6 *aircraft and associated elements (including commu-*
7 *nication links and the components that control the*
8 *unmanned system) that are required for the operator*
9 *to operate the system safely and efficiently, including*
10 *an unmanned aircraft system (as defined in section*
11 *44801 of title 49, United States Code).*

12 **SEC. 213. RULEMAKING REGARDING PORT ACCESS ROUTES.**

13 *Not later than December 31, 2023, the Secretary of the*
14 *department in which the Coast Guard is operating shall*
15 *issue a final rule for the Atlantic Coast Port Route Access*
16 *Study for which an Advanced Notice of Proposed Rule-*
17 *making title “Shipping Safety Fairways Along the Atlantic*
18 *Coast” was issued on June 19, 2020.*

19 **SEC. 214. GREAT LAKES ICEBREAKER.**

20 *Not later than 30 days after the date of enactment of*
21 *this Act, the Commandant shall submit to the Committee*
22 *on Transportation and Infrastructure of the House of Rep-*
23 *resentatives and the Committee on Commerce, Science, and*
24 *Transportation of the Senate a strategy detailing how the*
25 *Coast Guard will complete design and construction of the*

1 *Great Lakes icebreaker at least as capable as the Coast*
 2 *Guard Cutter Mackinaw (WLBB-30) in not more than 3*
 3 *years after funding is provided for such icebreaker.*

4 **TITLE III—MARITIME**
 5 **Subtitle A—American Samoa**
 6 **Mariners Act of 2023**

7 **SEC. 301. MERCHANT SEAMEN LICENSES, CERTIFICATES,**
 8 **AND DOCUMENTS; MANNING OF VESSELS.**

9 (a) *CITIZENSHIP OR NONCITIZEN NATIONALITY.—*

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

12 (A) *in the section heading by inserting “or*
 13 ***noncitizen nationality***” after “***Citizen-***
 14 ***ship*”**; and

15 (B) *by inserting “or noncitizen nationals*
 16 *(as such term is described in section 308 of the*
 17 *Immigration and Nationality Act (8 U.S.C.*
 18 *1408)” after “citizens”.*

19 (2) *CLERICAL AMENDMENT.—The analysis for*
 20 *chapter 71 of title 46, United States Code, is amended*
 21 *by striking the item relating to section 7102 and in-*
 22 *serting the following:*

“7102. Citizenship or noncitizen nationality.”.

23 (b) *CITIZENSHIP OR NONCITIZEN NATIONALITY NOTA-*
 24 *TION ON MERCHANT MARINERS’ DOCUMENTS.—*

1 (1) *IN GENERAL.*—Section 7304 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 national (as*
7 *such term is described in section 308 of the Im-*
8 *migration and Nationality Act (8 U.S.C. 1408)”*
9 *after “citizen”.*

10 (2) *CLERICAL AMENDMENT.*—*The analysis for*
11 *chapter 73 of title 46, United States Code, is amended*
12 *by striking the item relating to section 7304 and in-*
13 *serting the following:*

“7304. Citizenship or nationalization notation on merchant mariners’ docu-
ments.”.

14 (c) *CITIZENSHIP OR NONCITIZEN NATIONALITY.*—

15 (1) *IN GENERAL.*—Section 8103 of title 46,
16 *United States Code, is amended—*

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

20 (B) *in subsection (a) by inserting “or non-*
21 *citizen national” after “citizen”;*

22 (C) *in subsection (b)—*

23 (i) *in paragraph (1)(A)(i) by inserting*
24 *“or noncitizen national” after “citizen”;*

1 (ii) in paragraph (3) by inserting “or
2 noncitizen nationality” after “citizenship”;
3 and

4 (iii) in paragraph (3)(C) by inserting
5 “or noncitizen nationals” after “citizens”;

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

8 (E) in subsection (d)—

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

11 (ii) in paragraph (2) by inserting “or
12 noncitizen national” after “citizen” each
13 place it appears;

14 (F) in subsection (e) by inserting “or non-
15 citizen national” after “citizen” each place it
16 appears;

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

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

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

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

1 (2) *CLERICAL AMENDMENT.*—*The analysis for*
 2 *chapter 81 of title 46, United States Code, is amended*
 3 *by striking the item relating to section 8103 and in-*
 4 *serting the following:*

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

5 (d) *COMMAND OF DOCUMENTED VESSELS.*—*Section*
 6 *12131(a) of title 46, United States Code, is amended by*
 7 *inserting “or noncitizen national (as such term is described*
 8 *in section 308 of the Immigration and Nationality Act (8*
 9 *U.S.C. 1408))” after “citizen”.*

10 (e) *INVALIDATION OF CERTIFICATES OF DOCUMENTA-*
 11 *TION.*—*Section 12135(2) of title 46, United States Code, is*
 12 *amended by inserting “or noncitizen national (as such term*
 13 *is described in section 308 of the Immigration and Nation-*
 14 *ality Act (8 U.S.C. 1408))” after “citizen”.*

15 ***Subtitle B—Vessel Operations***

16 ***SEC. 311. DEFINITIONS.***

17 *In this subtitle:*

18 (1) *OUTER CONTINENTAL SHELF.*—*The term*
 19 *“outer Continental Shelf” has the meaning given such*
 20 *term in section 2 of the Outer Continental Shelf*
 21 *Lands Act (43 U.S.C. 1331).*

22 (2) *RULING LETTER.*—*The term “ruling letter”*
 23 *means any ruling letter or headquarters ruling letter*
 24 *relating to the enforcement of chapters 121 and 551*
 25 *of title 46, United States Code (commonly referred to*

1 *as the “Jones Act”), issued by the Commissioner of*
2 *U.S. Customs and Border Protection pursuant to sec-*
3 *tions 502(a) or 625 of the Tariff Act of 1930 (19*
4 *U.S.C. 1502(a) and 1625).*

5 (3) *SECRETARY.—The term “Secretary” means*
6 *the Secretary of Homeland Security, acting through*
7 *the Commissioner of U.S. Customs and Border Pro-*
8 *tection.*

9 **SEC. 312. NOTIFICATION.**

10 (a) *ADVANCE NOTIFICATION REQUIRED.—Prior to en-*
11 *gaging in any activity or operations on the outer Conti-*
12 *mental Shelf, the operator of a foreign vessel used in such*
13 *activity or operations shall file with the Secretary a notifi-*
14 *cation describing all activities and operations to be per-*
15 *formed on the outer Continental Shelf and an identification*
16 *of applicable ruling letters issued by the Secretary that have*
17 *approved the use of a foreign vessel in a substantially simi-*
18 *lar activity or operation.*

19 (b) *PUBLICATION OF NOTICES.—*

20 (1) *PUBLICATION.—The Secretary shall publish*
21 *a notification under subsection (a) in the Customs*
22 *Bulletin and Decisions within 14 days of receipt of*
23 *such notification.*

24 (2) *CONFIDENTIAL INFORMATION.—The Sec-*
25 *retary shall redact any information exempt from dis-*

1 *closure under section 552 of title 5, United States*
2 *Code, in a notification published under paragraph*
3 *(1).*

4 **SEC. 313. PUBLICATION OF FINES AND PENALTIES.**

5 *(a) IN GENERAL.—Section 55102 of title 46, United*
6 *States Code, is amended by adding at the end the following:*

7 *“(d) PUBLICATION OF PENALTY.—*

8 *“(1) IN GENERAL.—Not later than 14 days after*
9 *the issuance of a pre-penalty notice or a penalty, in-*
10 *cluding a settlement, under subsection (c), the Sec-*
11 *retary of Homeland Security shall publish such pre-*
12 *penalty notice or a notification of such penalty in the*
13 *Customs Bulletin and Decisions to the party im-*
14 *pacted by the penalty.*

15 *“(2) CONTENTS.—A pre-penalty notice or pen-*
16 *alty notification published under paragraph (1) shall*
17 *include—*

18 *“(A) the name and the International Mari-*
19 *time Organization identification number of the*
20 *vessel that is the subject of the penalty;*

21 *“(B) the name of the owner of the vessel*
22 *that is the subject of the penalty;*

23 *“(C) the amount of the fine or value of mer-*
24 *chandise seized; and*

1 “(D) a summary of the alleged misconduct
2 and justification for imposing a penalty.”.

3 (b) *RULEMAKING.*—Not later than 90 days after the
4 date of enactment of this Act, the Secretary shall issue such
5 regulations as are necessary to implement the amendments
6 made by subsection (a), including—

7 (1) regulations regarding the information to be
8 contained in a penalty notification under section
9 55102(d) of title 46, United States Code (as amended
10 by such subsection); and

11 (2) any changes to existing regulations relating
12 to penalties issued by the Secretary.

13 ***Subtitle C—Merchant Mariner***
14 ***Credentialing***

15 ***SEC. 321. REVISING MERCHANT MARINER DECK TRAINING***
16 ***REQUIREMENTS.***

17 (a) *GENERAL DEFINITIONS.*—Section 2101 of title 46,
18 United States Code, is amended—

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

22 (2) by inserting after paragraph (19) the fol-
23 lowing:

24 “(20) ‘merchant mariner credential’ means a
25 merchant mariner license, certificate, or document

1 *that the Secretary is authorized to issue pursuant to*
 2 *this title.”.*

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

5 **(c) MERCHANT MARINERS DOCUMENTS.**—

6 **(1) GENERAL REQUIREMENTS.**—*Section 7306 of*
 7 *title 46, United States Code, is amended to read as*
 8 *follows:*

9 **“§ 7306. General requirements and classifications for**
 10 **members of deck departments**

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

14 **“(1) Able Seaman-Unlimited.**

15 **“(2) Able Seaman-Limited.**

16 **“(3) Able Seaman-Special.**

17 **“(4) Able Seaman-Offshore Supply Vessels.**

18 **“(5) Able Seaman-Sail.**

19 **“(6) Able Seaman-Fishing Industry.**

20 **“(7) Ordinary Seaman.**

21 **“(b) CLASSIFICATION OF CREDENTIALS.**—*The Sec-*
 22 *retary may classify the merchant mariner credential issued*
 23 *under subsection (a) based on—*

24 **“(1) the tonnage and means of propulsion of ves-**
 25 *sels;*

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

3 “(3) *other appropriate standards.*

4 “(c) *CONSIDERATIONS.—In issuing the credential*
5 *under subsection (a), the Secretary may consider the fol-*
6 *lowing qualifications of the merchant mariner:*

7 “(1) *Age.*

8 “(2) *Character.*

9 “(3) *Habits of life.*

10 “(4) *Experience.*

11 “(5) *Professional qualifications demonstrated by*
12 *satisfactory completion of applicable examinations or*
13 *other educational requirements.*

14 “(6) *Physical condition, including sight and*
15 *hearing.*

16 “(7) *Other requirements established by the Sec-*
17 *retary, including career patterns and service appro-*
18 *priate to the particular service, industry, or job func-*
19 *tions the individual is engaged.”.*

20 “(2) *CLERICAL AMENDMENT.—The analysis for*
21 *chapter 73 of title 46, United States Code, is amended*
22 *by striking the item relating to section 7306 and in-*
23 *serting the following:*

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

1 (3) *ABLE SEAMEN-UNLIMITED*.—Section 7307 of
2 *title 46, United States Code, is amended by striking*
3 *“3 years’” and inserting “18 months’”.*

4 (4) *ABLE SEAMEN-LIMITED*.—Section 7308 of
5 *title 46, United States Code, is amended by striking*
6 *“18 months’” and inserting “12 months’”.*

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

11 (6) *TRAINING*.—Section 7315 of title 46, *United*
12 *States Code, is amended—*

13 (A) *by amending subsection (a) to read as*
14 *follows:*

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

18 (B) *in subsection (b)—*

19 (i) *by striking “one-third” and insert-*
20 *ing “one-half”; and*

21 (ii) *by striking “7307–7311 of this*
22 *title” and inserting “7307–7312 and 7314”;*
23 *and*

24 (C) *by striking subsection (c).*

1 (d) *MERCHANT MARINER CREDENTIALS.*—Section
 2 7510 of title 46, United States Code, is amended by striking
 3 subsection (d).

4 (e) *IMPLEMENTATION.*—The Secretary of the depart-
 5 ment in which the Coast Guard is operating shall imple-
 6 ment the amended requirements under subsections (c)(3),
 7 (c)(4), and (c)(6) of this section without regard to chapters
 8 5 and 6 of title 5, United States Code, and Executive Orders
 9 12866 and 13563 (5 U.S.C. 601 note).

10 **SEC. 322. TECHNICAL AMENDMENTS.**

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

16 (b) *ABLE SEAFARERS—UNLIMITED.*—

17 (1) *IN GENERAL.*—The section heading for sec-
 18 tion 7307 of title 46, United States Code, is amended
 19 by striking “**seamen**” and inserting “**seafarers**”.

20 (2) *CLERICAL AMENDMENT.*—The analysis for
 21 chapter 73 of title 46, United States Code, is further
 22 amended in the item relating to section 7307 by strik-
 23 ing “seamen” and inserting “seafarers”.

24 (c) *ABLE SEAMEN—LIMITED.*—

1 (1) *IN GENERAL.*—*The section heading for sec-*
2 *tion 7308 of title 46, United States Code, is amended*
3 *by striking “seamen” and inserting “seafarers”.*

4 (2) *CLERICAL AMENDMENT.*—*The analysis for*
5 *chapter 73 of title 46, United States Code, is further*
6 *amended in the item relating to section 7308 by strik-*
7 *ing “seamen” and inserting “seafarers”.*

8 (d) *ABLE SEAFARERS—SPECIAL.*—

9 (1) *IN GENERAL.*—*The section heading for sec-*
10 *tion 7309 of title 46, United States Code, is amended*
11 *by striking “seamen” and inserting “seafarers”.*

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 7309 by strik-*
15 *ing “seamen” and inserting “seafarers”.*

16 (e) *ABLE SEAFARERS—OFFSHORE SUPPLY VES-*
17 *SELS.*—

18 (1) *IN GENERAL.*—*The section heading for sec-*
19 *tion 7310 of title 46, United States Code, is amended*
20 *by striking “seamen” and inserting “seafarers”.*

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 7310 by strik-*
24 *ing “seamen” and inserting “seafarers”.*

25 (f) *ABLE SEAFARERS—SAIL.*—

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

4 (2) *CLERICAL AMENDMENT.*—*The analysis for*
5 *chapter 73 of title 46, United States Code, is further*
6 *amended in the item relating to section 7311 by strik-*
7 *ing “seamen” and inserting “seafarers”.*

8 (g) *ABLE SEAMEN—FISHING INDUSTRY.*—

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

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

17 (h) *PARTS E AND F.*—*Parts E and F of subtitle II*
18 *of title 46, United States Code, is amended—*

19 (1) *by striking “seaman” and inserting “sea-*
20 *farer” each place it appears; and*

21 (2) *by striking “seamen” and inserting “sea-*
22 *farers” each place it appears.*

23 (i) *CLERICAL AMENDMENTS.*—*The analysis for sub-*
24 *title II of title 46, United States Code, is amended—*

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

3 (2) *in the item relating to part E by striking*
4 “**MERCHANT SEAMEN LICENSES, CERTIFI-**
5 **CATES, AND DOCUMENTS**” and inserting “**MER-**
6 **CHANT MARINER CREDENTIALS**”.

7 **SEC. 323. RENEWAL OF MERCHANT MARINER LICENSES**
8 **AND DOCUMENTS.**

9 Section 7507 of title 46, United States Code, is amend-
10 *ed by adding at the end the following:*

11 “(d) *RENEWAL.*—*With respect to any renewal of an*
12 *active merchant mariner credential issued under this part*
13 *that is not an extension under subsection (a) or (b), such*
14 *credential shall begin the day after the expiration of the*
15 *active credential of the credential holder.*”.

16 **Subtitle D—Vessel Safety**

17 **SEC. 331. GROSSLY NEGLIGENT OPERATIONS OF A VESSEL.**

18 Section 2302(b) of title 46, United States Code, is
19 *amended to read as follows:*

20 “(b) *GROSSLY NEGLIGENT OPERATION.*—

21 “(1) *MISDEMEANOR.*—*A person operating a ves-*
22 *sel in a grossly negligent manner that endangers the*
23 *life, limb, or property of a person commits a class A*
24 *misdemeanor.*”.

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

4 “(A) *commits a class E felony; and*

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

7 **SEC. 332. ADMINISTRATIVE PROCEDURE FOR SECURITY**
8 **RISKS.**

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

11 (1) *in subparagraph (B) by redesignating*
12 *clauses (i) through (iv) as subclauses (I) through (IV),*
13 *respectively (and by conforming the margins accord-*
14 *ingly);*

15 (2) *by redesignating subparagraphs (A) and (B)*
16 *as clauses (i) and (ii), respectively (and by con-*
17 *forming the margins accordingly);*

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

20 *“(A) if—”; and*

21 (4) *in subparagraph (A)(ii)(IV), as so redesi-*
22 *gnated, by striking the period at the end and inserting*
23 *“; or”; and*

24 (5) *by adding at the end the following:*

1 sional committees’” and inserting “APPRO-
2 PRIATE CONGRESSIONAL COMMITTEES DE-
3 FINED.—In this section, the term ‘appropriate
4 congressional committees’”; and

5 (B) by striking paragraph (2); and
6 (5) by adding at the end the following:

7 “(i) *APPLICATION.*—This section shall apply to am-
8 phibious vessels operating as a small passenger vessel in
9 waters subject to the jurisdiction of the United States, as
10 such term is defined in section 2.38 of title 33, Code of Fed-
11 eral Regulations (as in effect on the date of enactment of
12 the Coast Guard Authorization Act of 2023).”.

13 **SEC. 334. INSPECTION AND EXAMINATION.**

14 Section 3714 of title 46, United States Code, is amend-
15 ed—

16 (1) in subsection (a)(1) by striking “The Sec-
17 retary” and inserting “Except as provided in sub-
18 section (c), the Secretary”;

19 (2) by redesignating subsection (c) as subsection
20 (d); and

21 (3) by inserting after subsection (b) the fol-
22 lowing:

23 “(c)(1) With respect to examinations of liquefied nat-
24 ural gas tank vessels and vessels that carry bulk liquefied
25 gases as cargo, including examinations under section

1 153.808 and part 154 of title 46, Code of Federal Regula-
2 tions (as in effect on the date of enactment of the Coast
3 Guard Authorization Act of 2023), the Secretary may adopt
4 a risk-based examination schedule to which such vessels are
5 to be examined and the frequency with which such examina-
6 tions occur.

7 “(2) The Secretary may not adopt a risk-based exam-
8 ination schedule under paragraph (1) until the Secretary
9 has—

10 “(A) received and reviewed the National Acad-
11 emies study required under section 8254(b) of the
12 William M. (Mac) Thornberry National Defense Au-
13 thorization Act for Fiscal Year 2021 (Public Law
14 116–283);

15 “(B) conducted the assessment recommended in
16 the Government Accountability Office report sub-
17 mitted under section 8254(a) of such Act;

18 “(C) concluded through such assessment that a
19 risk-based examination schedule provides not less
20 than the level of safety provided by the annual exami-
21 nations required under subsection (a)(1); and

22 “(D) provided the results of such assessment to
23 the Committee on Transportation and Infrastructure
24 of the House of Representatives and the Committee on

1 *Commerce, Science, and Transportation of the Sen-*
2 *ate.”.*

3 ***Subtitle E—Other Matters***

4 ***SEC. 341. ANCHOR HANDLING ACTIVITIES.***

5 *Section 12111(d)(1) of title 46, United States Code,*
6 *is amended—*

7 (1) *in subparagraph (A) by inserting “or other*
8 *energy production or transmission facility, or vessel*
9 *engaged in the launch, recovery, or support of com-*
10 *mercial space transportation or space exploration ac-*
11 *tivities” after “drilling unit”; and*

12 (2) *in subparagraph (B) by inserting “or other*
13 *energy production or transmission facility, or vessel*
14 *engaged in the launch, recovery, or support of com-*
15 *mercial space transportation or space exploration ac-*
16 *tivities” after “drilling unit”.*

17 ***SEC. 342. ESTABLISHMENT OF A NATIONAL ADVISORY COM-***

18 ***MITTEE ON AUTONOMOUS MARITIME SYS-***

19 ***TEMS.***

20 (a) *IN GENERAL.—Chapter 151 of title 46, United*
21 *States Code, is amended by adding at the end the following:*

1 **“§15110. Establishment of a national advisory com-**
2 **mittee on autonomous maritime systems**

3 “(a) *ESTABLISHMENT.*—*There is established a Na-*
4 *tional Advisory Committee on Autonomous Maritime Sys-*
5 *tems (in this section referred to as the ‘Committee’).*

6 “(b) *FUNCTION.*—*The Committee shall advise the Sec-*
7 *retary on matters relating to the regulation and use of Au-*
8 *tonomous Systems within the territorial waters of the*
9 *United States.*

10 “(c) *MEMBERSHIP.*—

11 “(1) *IN GENERAL.*—*The Committee shall consist*
12 *of 8 members appointed by the Secretary in accord-*
13 *ance with this section and section 15109.*

14 “(2) *EXPERTISE.*—*Each member of the Com-*
15 *mittee shall have particular expertise, knowledge, and*
16 *experience in matters relating to the function of the*
17 *Committee.*

18 “(3) *REPRESENTATION.*—*Each of the following*
19 *groups shall be represented by at least 1 member on*
20 *the Committee:*

21 “(A) *Marine safety or security entities.*

22 “(B) *Vessel design and construction entities.*

23 “(C) *Entities engaged in the production or*
24 *research of unmanned vehicles, including drones,*
25 *autonomous or semi-autonomous vehicles, or any*
26 *other product or service integral to the provision,*

1 *maintenance, or management of such products or*
2 *services.*

3 “(D) *Port districts, authorities, or terminal*
4 *operators.*”

5 “(E) *Vessel operators.*”

6 “(F) *National labor unions representing*
7 *merchant mariners.*”

8 “(G) *Maritime pilots.*”

9 “(H) *Commercial space transportation op-*
10 *erators.*”

11 “(I) *Academic institutions.*”

12 (b) *CLERICAL AMENDMENTS.—The analysis for chap-*
13 *ter 151 of title 46, United States Code, is amended by add-*
14 *ing at the end the following:*

*“15110. Establishment of a national advisory committee on autonomous maritime
systems.”.*

15 (c) *ESTABLISHMENT.—Not later than 90 days after the*
16 *date of enactment of this Act, the Secretary of the depart-*
17 *ment in which the Coast Guard is operating shall establish*
18 *the Committee under section 15110 of title 46, United*
19 *States Code (as added by this section).*

20 **SEC. 343. CONTROLLED SUBSTANCE ONBOARD VESSELS.**

21 *Section 70503(a) of title 46, United States Code, is*
22 *amended—*

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

4 (2) *by amending paragraph (1) to read as fol-*
5 *lows:*

6 “(1) *manufacture or distribute, possess with in-*
7 *tent to manufacture or distribute, or place or cause*
8 *to be placed with intent to manufacture or distribute*
9 *a controlled substance on board a covered vessel;”;*
10 *and*

11 (3) *in paragraph (2) by inserting “aboard a cov-*
12 *ered vessel” after “Comprehensive Drug Abuse Preven-*
13 *tion and Control Act of 1970 (21 U.S.C. 881(a))”.*

14 **SEC. 344. NONOPERATING INDIVIDUAL.**

15 *Section 8313(b) of the William M. (Mac) Thornberry*
16 *National Defense Authorization Act for Fiscal Year 2021*
17 *(Public Law 116– 283) is amended by striking “2025” and*
18 *inserting “2027”.*

19 **SEC. 345. INFORMATION ON TYPE APPROVAL CERTIFI-**
20 **CATES.**

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

1 **“SEC. 904. INFORMATION ON TYPE APPROVAL CERTIFI-**
2 **CATES.**

3 *“The Commandant of the Coast Guard shall, upon re-*
4 *quest by any State, the District of Columbia, or any terri-*
5 *tory of the United States, provide all data possessed by the*
6 *Coast Guard pertaining to challenge water quality charac-*
7 *teristics, challenge water biological organism concentra-*
8 *tions, post-treatment water quality characteristics, and*
9 *post-treatment biological organism concentrations data for*
10 *a ballast water management system with a type approval*
11 *certificate approved by the Coast Guard pursuant to sub-*
12 *part 162.060 of title 46, Code of Federal Regulations.”.*

13 *(b) CLERICAL AMENDMENT.—The table of contents for*
14 *the Frank LoBiondo Coast Guard Authorization Act of*
15 *2018 (Public Law 115–282) is amended by inserting after*
16 *the item relating to section 903 the following:*

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

17 **SEC. 346. MANNING AND CREWING REQUIREMENTS FOR**
18 **CERTAIN VESSELS, VEHICLES, AND STRUC-**
19 **TURES.**

20 *(a) AUTHORIZATION OF LIMITED EXEMPTIONS FROM*
21 *MANNING AND CREW REQUIREMENT.—Chapter 81 of title*
22 *46, United States Code, is amended by adding at the end*
23 *the following:*

1 **“§ 8109. Exemptions from manning and crew require-**
2 **ments**

3 “(a) *IN GENERAL.*—*The Secretary may provide an ex-*
4 *emption described in subsection (b) to the owner or operator*
5 *of a covered facility if each individual who is manning or*
6 *crewing the covered facility is—*

7 “(1) *a citizen of the United States;*

8 “(2) *an alien lawfully admitted to the United*
9 *States for permanent residence; or*

10 “(3) *a citizen of the nation under the laws of*
11 *which the vessel is documented.*

12 “(b) *REQUIREMENTS FOR ELIGIBILITY FOR EXEMP-*
13 *TION.*—*An exemption under this subsection is an exemption*
14 *from the regulations established pursuant to section*
15 *302(a)(3) of the Outer Continental Shelf Lands Act (43*
16 *U.S.C. 1356(a)(3)).*

17 “(c) *LIMITATIONS.*—*An exemption under this sec-*
18 *tion—*

19 “(1) *shall provide that the number of individuals*
20 *manning or crewing the covered facility who are de-*
21 *scribed in paragraphs (2) and (3) of subsection (a)*
22 *may not exceed two and one-half times the number*
23 *of individuals required to man or crew the covered fa-*
24 *cility under the laws of the nation under the laws of*
25 *which the covered facility is documented; and*

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

4 “(d) APPLICATION.—To be eligible for an exemption
5 or a renewal of an exemption under this section, the owner
6 or operator of a covered facility shall apply to the Secretary
7 with an application that includes a sworn statement by the
8 applicant of all information required for the issuance of
9 the exemption.

10 “(e) REVOCATION.—

11 “(1) IN GENERAL.—The Secretary—

12 “(A) may revoke an exemption for a covered
13 facility under this section if the Secretary deter-
14 mines that information provided in the applica-
15 tion for the exemption was false or incomplete,
16 or is no longer true or complete; and

17 “(B) shall immediately revoke such an ex-
18 emption if the Secretary determines that the cov-
19 ered facility, in the effective period of the exemp-
20 tion, was manned or crewed in a manner not
21 authorized by the exemption.

22 “(2) NOTICE REQUIRED.—The Secretary shall
23 provide notice of a determination under subpara-
24 graph (A) or (B) of paragraph (1) to the owner or
25 operator of the covered facility.

1 “(f) *REVIEW OF COMPLIANCE.*—*The Secretary shall*
2 *periodically, but not less than once annually, inspect each*
3 *covered facility that operates under an exemption under*
4 *this section to verify the owner or operator of the covered*
5 *facility’s compliance with the exemption. During an inspec-*
6 *tion under this subsection, the Secretary shall require all*
7 *crew members serving under the exemption to hold a valid*
8 *transportation security card issued under section 70105.*

9 “(g) *PENALTY.*—*In addition to revocation under sub-*
10 *section (e), the Secretary may impose on the owner or oper-*
11 *ator of a covered facility a civil penalty of \$10,000 per day*
12 *for each day the covered facility—*

13 “(1) *is manned or crewed in violation of an ex-*
14 *emption under this subsection; or*

15 “(2) *operated under an exemption under this*
16 *subsection that the Secretary determines was not val-*
17 *idly obtained.*

18 “(h) *NOTIFICATION OF SECRETARY OF STATE.*—*The*
19 *Secretary shall notify the Secretary of State of each exemp-*
20 *tion issued under this section, including the effective period*
21 *of the exemption.*

22 “(i) *DEFINITIONS.*—*In this section:*

23 “(1) *COVERED FACILITY.*—*The term ‘covered fa-*
24 *cility’ means any vessel, rig, platform, or other vehi-*
25 *cle or structure, over 50 percent of which is owned by*

1 *citizens of a foreign nation or with respect to which*
2 *the citizens of a foreign nation have the right effec-*
3 *tively to control, except to the extent and to the degree*
4 *that the President determines that the government of*
5 *such foreign nation or any of its political subdivi-*
6 *sions has implemented, by statute, regulation, policy,*
7 *or practice, a national manning requirement for*
8 *equipment engaged in the exploring for, developing, or*
9 *producing resources, including non-mineral energy re-*
10 *sources in its offshore areas.*

11 “(2) *SECRETARY.*—*The term ‘Secretary’ means*
12 *the Secretary of the department in which the Coast*
13 *Guard is operating.”.*

14 *(b) ANNUAL REPORT.*—

15 (1) *IN GENERAL.*—*Not later than 1 year after*
16 *the date of enactment of this Act, and annually there-*
17 *after, the Secretary shall submit to Congress a report*
18 *containing information on each letter of nonapplica-*
19 *bility of section 8109 of title 46, United States Code,*
20 *with respect to a covered facility that was issued by*
21 *the Secretary during the preceding year.*

22 (2) *CONTENTS.*—*The report under paragraph (1)*
23 *shall include, for each covered facility—*

24 (A) *the name and International Maritime*
25 *Organization number;*

1 (B) the nation in which the covered facility
2 is documented;

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

4 (D) for any covered facility that was pre-
5 viously issued a letter of nonapplicability in a
6 prior year, any changes in the information de-
7 scribed in subparagraphs (A) through (C).

8 (c) *REGULATIONS.*—Not later than 90 days after the
9 date of the enactment of this Act, the Secretary shall pro-
10 mulgate regulations that specify the documentary and other
11 requirements for the issuance of an exemption under the
12 amendment made by this section.

13 (d) *EXISTING EXEMPTIONS.*—

14 (1) *EFFECT OF AMENDMENTS; TERMINATION.*—
15 Each exemption under section 30(c)(2) of the Outer
16 Continental Shelf Lands Act (43 U.S.C. 1356(c)(2))
17 issued before the date of the enactment of this Act—

18 (A) shall not be affected by the amendments
19 made by this section during the 120-day period
20 beginning on the date of the enactment of this
21 Act; and

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

23 (2) *NOTIFICATION OF HOLDERS.*—Not later than
24 60 days after the date of the enactment of this Act,
25 the Secretary shall notify all persons that hold such

1 *an exemption that it will expire as provided in para-*
2 *graph (1).*

3 *(e) CLERICAL AMENDMENT.—The analysis for chapter*
4 *81 of the title 46, United States Code, is amended by adding*
5 *at the end the following:*

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

6 **SEC. 347. CLASSIFICATION SOCIETIES.**

7 *Section 3316(d) of title 46, United States Code, is*
8 *amended—*

9 *(1) by amending paragraph (2)(B)(i) to read as*
10 *follows:*

11 *“(i) the government of the foreign country in*
12 *which the foreign society is headquartered—*

13 *“(I) delegates that authority to the Amer-*
14 *ican Bureau of Shipping; or*

15 *“(II) does not delegate that authority to any*
16 *classification society; or”;* and

17 *(2) by adding at the end the following:*

18 *“(5) CLARIFICATION ON AUTHORITY.—Nothing*
19 *in this subsection authorizes the Secretary to make a*
20 *delegation under paragraph (2) to a classification so-*
21 *ciety from the People’s Republic of China.”.*

1 **TITLE IV—OIL POLLUTION**
2 **INCIDENT LIABILITY**

3 **SEC. 401. VESSEL RESPONSE PLANS.**

4 *Section 311(j)(6) of the Federal Water Pollution Con-*
5 *trol Act (33 U.S.C. 1321(j)(6)) is amended to read as fol-*
6 *lows:*

7 “(6) *EQUIPMENT REQUIREMENTS, VERIFICATION,*
8 *AND INSPECTION.—The President may require—*

9 “(A) *periodic inspection of containment*
10 *booms, skimmers, vessels, and other major equip-*
11 *ment used to remove discharges;*

12 “(B) *periodic inspection of vessels, salvage*
13 *and marine firefighting equipment, and other*
14 *major equipment used to respond to vessel cas-*
15 *ualties and prevent discharges;*

16 “(C) *periodic verification of capabilities to*
17 *appropriately, and in a timely manner, respond*
18 *to a worst case discharge, or a substantial threat*
19 *of a discharge, including—*

20 “(i) *drills, with or without prior no-*
21 *tice;*

22 “(ii) *review of contracts and relevant*
23 *third-party agreements;*

24 “(iii) *testing of equipment;*

25 “(iv) *review of training; and*

1 “(v) other evaluations of response ca-
2 pabilities, as determined appropriate by the
3 President; and

4 “(D) vessels operating on navigable waters
5 and carrying oil or a hazardous substance in
6 bulk as cargo, and nontank vessels carrying oil
7 of any kind as fuel for main propulsion, to carry
8 appropriate removal equipment that employs the
9 best technology economically feasible and that is
10 compatible with the safe operation of the vessel.”.

11 **SEC. 402. USE OF MARINE CASUALTY INVESTIGATIONS.**

12 Section 6308 of title 46, United States Code, is amend-
13 ed—

14 (1) in subsection (a) by striking “initiated” and
15 inserting “conducted”; and

16 (2) by adding at the end the following:

17 “(e) For purposes of this section, an administrative
18 proceeding conducted by the United States includes pro-
19 ceedings under section 7701 and claims adjudicated under
20 section 1013 of the Oil Pollution Act of 1990 (33 U.S.C.
21 2713).”.

22 **SEC. 403. TIMING OF REVIEW.**

23 Section 1017 of the Oil Pollution Act of 1990 (33
24 U.S.C. 2717) is amended by adding at the end the following:

1 “(g) *TIMING OF REVIEW.*—Before the date of comple-
2 tion of a removal action, no person may bring an action
3 under this Act, section 311 of the Federal Water Pollution
4 Control Act (33 U.S.C. 1321), or chapter 7 of title 5, United
5 States Code, challenging any decision relating to such re-
6 moval action that is made by an on-scene coordinator ap-
7 pointed under the National Contingency Plan.”.

8 **TITLE V—TECHNICAL, CON-**
9 **FORMING, AND CLARIFYING**
10 **AMENDMENTS**

11 **SEC. 501. TECHNICAL AND CONFORMING AMENDMENTS.**

12 (a) *PROHIBITION ON ENTRY AND OPERATION.*—Sec-
13 tion 70022(b)(1) of title 46, United States Code, is amended
14 by striking “Federal Register” and inserting “the Federal
15 Register”.

16 (b) *PORT, HARBOR, AND COASTAL FACILITY SECUR-*
17 *ITY.*—Section 70116(b) of title 46, United States Code, is
18 amended—

19 (1) in paragraph (1) by striking “terrorism
20 cyber” and inserting “terrorism, cyber”; and

21 (2) in paragraph (2) by inserting a comma after
22 “acts of terrorism”.

23 (c) *ENFORCEMENT BY STATE AND LOCAL OFFICERS.*—
24 Section 70118(a) of title 46, United States Code, is amend-
25 ed—

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

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

7 (d) *CHAPTER 701 DEFINITIONS.—Section 70131(2) of*
8 *title 46, United States Code, is amended—*

9 (1) *by striking “section 1 of title II of the Act*
10 *of June 15, 1917 (50 U.S.C. 191)” and inserting “sec-*
11 *tion 70051”; and*

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

Union Calendar No. 91

118TH CONGRESS
1ST Session

H. R. 2741

[Report No. 118-119]

A BILL

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

JUNE 27, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed