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- Sec. 11710. Conveyance of certain property of National Oceanic and Atmospheric Administration in Juneau, Alaska.

TITLE CXVIII—TECHNICAL, CONFORMING, AND CLARIFYING  
AMENDMENTS

- Sec. 11801. Terms and vacancies.
- Sec. 11802. Passenger vessel security and safety requirements.
- Sec. 11803. Technical corrections.
- Sec. 11804. Transportation worker identification credential technical amendments.
- Sec. 11805. Reinstatement.
- Sec. 11806. Determination of budgetary effects.
- Sec. 11807. Technical amendment.
- Sec. 11808. Lighthouse service amendments.

1 (3) by inserting after paragraph (2) the fol-  
2 lowing:

3 “(3) in the case of a seaman employed on a ves-  
4 sel that is a catcher processor or fish processing ves-  
5 sel that employs more than 25 crewmembers, include  
6 a requirement that each crewmember shall be served  
7 not less than three meals a day that—

8 “(A) total not less than 3,100 calories; and

9 “(B) include adequate water and minerals  
10 in accordance with the United States Rec-  
11 ommended Daily Allowances; and”.

12 **TITLE CXVI—SEXUAL ASSAULT**  
13 **AND SEXUAL HARASSMENT**  
14 **PREVENTION AND RESPONSE**

15 **SEC. 11601. DEFINITIONS.**

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

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

21 (2) by inserting after paragraph (44) the fol-  
22 lowing:

23 “(45) ‘sexual assault’ means any form of abuse  
24 or contact as defined in chapter 109A of title 18, or

1 a substantially similar offense under State, local, or  
2 Tribal law.

3 “(46) ‘sexual harassment’ means—

4 “(A) conduct that—

5 “(i) involves unwelcome sexual ad-  
6 vances, requests for sexual favors, or delib-  
7 erate or repeated offensive comments or  
8 gestures of a sexual nature if any—

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

14 “(II) submission to, or rejection,  
15 of such conduct by an individual is  
16 used as a basis for decisions affecting  
17 that individual’s job, pay, career, ben-  
18 efits, or entitlements;

19 “(III) such conduct has the pur-  
20 pose or effect of unreasonably inter-  
21 fering with an individual’s work per-  
22 formance or creates an intimidating,  
23 hostile, or offensive work environment;  
24 or

1                   “(IV) conduct may have been by  
2                   an individual’s supervisor, a super-  
3                   visor in another area, a co-worker, or  
4                   another credentialed mariner; and

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

9                   “(B) any use or condonation associated  
10                  with first-hand or personal knowledge, by any  
11                  individual in a supervisory or command posi-  
12                  tion, of any form of sexual behavior to control,  
13                  influence, or affect the career, pay, benefits, en-  
14                  titlements, or employment of a subordinate; and

15                  “(C) any intentional or repeated unwel-  
16                  come verbal comment or gesture of a sexual na-  
17                  ture towards or about an individual by the indi-  
18                  vidual’s supervisor, a supervisor in another  
19                  area, a coworker, or another credentialed mar-  
20                  iner.”.

21                  (b) REPORT.—The Commandant shall submit to the  
22                  Committee on Transportation and Infrastructure of the  
23                  House of Representatives and the Committee on Com-  
24                  merce, Science, and Transportation of the Senate a report  
25                  describing any changes the Commandant may propose to

1 the definitions added by the amendments in subsection  
2 (a).

3 (c) CONFORMING AMENDMENTS.—

4 (1) AUTHORITY TO EXEMPT CERTAIN VES-  
5 SELS.—Section 2113(3) of title 46, United States  
6 Code, is amended by striking “section 2101(51)(A)”  
7 and inserting “section 2101(53)(A)”.

8 (2) UNINSPECTED PASSENGER VESSELS.—Sec-  
9 tion 4105 of title 46, United States Code, is amend-  
10 ed—

11 (A) in subsections (b)(1) and (c) by strik-  
12 ing “section 2101(51)” each place it appears  
13 and inserting “section 2101”; and

14 (B) in subsection (d) by striking “section  
15 2101(51)(A)” and inserting “section  
16 2101(53)(A)”.

17 (3) GENERAL AUTHORITY.—Section  
18 1131(a)(1)(E) of title 49, United States Code, is  
19 amended by striking “section 2101(46)” and insert-  
20 ing “section 116”.

21 **SEC. 11602. CONVICTED SEX OFFENDER AS GROUNDS FOR**  
22 **DENIAL.**

23 (a) IN GENERAL.—Chapter 75 of title 46, United  
24 States Code, is amended by adding at the end the fol-  
25 lowing:

1 **“§ 7511. Convicted sex offender as grounds for denial**

2       “(a) SEXUAL ABUSE.—A license, certificate of reg-  
3 istry, or merchant mariner’s document authorized to be  
4 issued under this part shall be denied to an individual who  
5 has been convicted of a sexual offense prohibited under—

6               “(1) chapter 109A of title 18, except for sub-  
7 section (b) of section 2244 of title 18; or

8               “(2) a substantially similar offense under State,  
9 local, or Tribal law.

10       “(b) ABUSIVE SEXUAL CONTACT.—A license, certifi-  
11 cate of registry, or merchant mariner’s document author-  
12 ized to be issued under this part may be denied to an indi-  
13 vidual who within 5 years before applying for the license,  
14 certificate, or document, has been convicted of a sexual  
15 offense prohibited under subsection (b) of section 2244 of  
16 title 18, or a substantially similar offense under State,  
17 local, or Tribal law.”.

18       (b) CLERICAL AMENDMENT.—The analysis for chap-  
19 ter 75 of title 46, United States Code, is amended by add-  
20 ing at the end the following:

“7511. Convicted sex offender as grounds for denial.”.



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

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

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

14           “(2) ADMINISTRATIVE LAW JUDGE REVIEW.—

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

22                   “(B) LEGAL PROCEEDING.—A determina-  
23                   tion under paragraph (1)(A) that an individual  
24                   committed sexual harassment or sexual assault



1 is conclusive in suspension and revocation pro-  
2 ceedings.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-  
4 ter 77 of title 46, United States Code, is amended by in-  
5 serting after the item relating to section 7704 the fol-  
6 lowing:

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

7 **SEC. 11604. ACCOMMODATION; NOTICES.**

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

10 (1) in subsection (a)(3) by striking “and” at  
11 the end;

12 (2) in subsection (a)(4) by striking the period  
13 at the end and inserting “; and”;

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

16 “(5) each crew berthing area shall be equipped  
17 with information regarding—

18 “(A) vessel owner or company policies pro-  
19 hibiting sexual assault and sexual harassment,  
20 retaliation, and drug and alcohol usage; and

21 “(B) procedures and resources to report  
22 crimes, including sexual assault and sexual har-  
23 assment, including information—

1           “(i) on the telephone number, website  
2           address, and email address for reporting  
3           allegations of sexual assault and sexual  
4           harassment to the Coast Guard;

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

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

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

15          “(v) additional items specified in reg-  
16          ulations issued by, and at the discretion of,  
17          the Secretary of the department in which  
18          the Coast Guard is operating.”; and

19          (4) in subsection (d) by adding at the end the  
20          following: “In each washing space in a visible loca-  
21          tion there shall be information regarding procedures  
22          and resources to report crimes upon the vessel, in-  
23          cluding sexual assault and sexual harassment, and  
24          vessel owner or company policies prohibiting sexual

1 assault and sexual harassment, retaliation, and drug  
2 and alcohol usage.”.

3 **SEC. 11605. PROTECTION AGAINST DISCRIMINATION.**

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

6 (1) in paragraph (1)—

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

10 (B) by inserting after subparagraph (A)  
11 the following:

12 “(B) the seaman in good faith has reported or  
13 is about to report to the vessel owner, Coast Guard  
14 or other appropriate Federal agency or department  
15 sexual harassment or sexual assault against the sea-  
16 man or knowledge of sexual harassment or sexual  
17 assault against another seaman;”; and

18 (2) in paragraphs (2) and (3) by striking  
19 “paragraph (1)(B)” and inserting “paragraph  
20 (1)(C)”.

21 **SEC. 11606. ALCOHOL AT SEA.**

22 (a) IN GENERAL.—The Commandant shall seek to  
23 enter into an agreement with the National Academy of  
24 Sciences not later than 1 year after the date of enactment  
25 of this Act under which the National Academy of Sciences

1 shall prepare an assessment to determine safe levels of al-  
2cohol consumption and possession by crew members  
3 aboard vessels of the United States engaged in commercial  
4 service, except when such possession is associated with the  
5 commercial sale to individuals aboard the vessel who are  
6 not crew members.

7 (b) ASSESSMENT.—The assessment prepared pursu-  
8 ant to subsection (a) shall—

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

11 (2) take into account reported incidences of sex-  
12 ual harassment or sexual assault, as defined in sec-  
13 tion 2101 of title 46, United States Code; and

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

17 (c) SUBMISSION.—Upon completion of the assess-  
18 ment under this section, the National Academy of Sciences  
19 shall submit to the Committee on Commerce, Science, and  
20 Transportation of the Senate, the Committee on Trans-  
21 portation and Infrastructure of the House of Representa-  
22 tives, the Commandant, and the Secretary the assessment  
23 prepared pursuant to subsection (a).

24 (d) REGULATIONS.—The Commandant—

1           (1) shall, not later than 180 days after receiv-  
2           ing the submission of the assessment under sub-  
3           section (c), review the changes to regulations rec-  
4           ommended in such assessment; and

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

9           (e) SAVINGS CLAUSE.—To the extent the Com-  
10          mandant issues regulations establishing safe levels of alco-  
11          hol consumption in accordance with subsection (d), the  
12          Commandant may not issue regulations which prohibit—

13           (1) the owner or operator of a vessel from im-  
14           posing additional restrictions on the consumption of  
15           alcohol, including the prohibition of the consumption  
16           of alcohol on such vessels; and

17           (2) possession of alcohol associated with the  
18           commercial sale to individuals aboard the vessel who  
19           are not crew members.

20          (f) REPORT REQUIRED.—If, by the date that is 2  
21          years after the receipt of the assessment under subsection  
22          (c), the Commandant does not issue regulations under  
23          subsection (d), the Commandant shall provide a report by  
24          such date to the committees described in subsection (c)—

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

3 (2) providing other recommendations as nec-  
4 essary to ensure safety at sea.

5 **SEC. 11607. SURVEILLANCE REQUIREMENTS.**

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

9 **“CHAPTER 49—OCEANGOING NON-**  
10 **PASSENGER COMMERCIAL VESSELS**

“Sec.  
“4901. Surveillance requirements.

11 **“§ 4901. Surveillance requirements**

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

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

17 “(1) documented vessels with overnight accom-  
18 modations for at least 10 individuals on board that  
19 are—

20 “(A) on a voyage of at least 600 miles and  
21 crosses seaward of the Boundary Line; or

22 “(B) at least 24 meters (79 feet) in overall  
23 length and required to have a load line under  
24 chapter 51;

1           “(2) documented vessels of at least 500 gross  
2           tons as measured under section 14502, or an alter-  
3           nate tonnage measured under section 14302 as pre-  
4           scribed by the Secretary under section 14104 on an  
5           international voyage; and

6           “(3) vessels with overnight accommodations for  
7           at least 10 individuals on board that are operating  
8           for no less than 72 hours on waters superjacent to  
9           the outer Continental Shelf (as defined in section  
10          2(a) of the Outer Continental Shelf Lands Act (43  
11          U.S.C. 1331(a)).

12          “(c) PLACEMENT OF VIDEO AND AUDIO SURVEIL-  
13          LANCE EQUIPMENT.—

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

21           “(2) LOCATIONS.—Video and audio surveillance  
22          equipment shall be placed in passageways on to  
23          which doors from staterooms open. Such equipment  
24          shall be placed in a manner ensuring the visibility of  
25          every door in each such passageway.

1           “(d) NOTICE OF VIDEO AND AUDIO SURVEIL-  
2 LANCE.—The owner of a vessel to which this section ap-  
3 plies shall provide clear and conspicuous signs on board  
4 the vessel notifying the crew of the presence of video and  
5 audio surveillance equipment.

6           “(e) ACCESS TO VIDEO AND AUDIO RECORDS.—The  
7 owner of a vessel to which this section applies shall ensure  
8 that access to records of video and audio surveillance is  
9 not used as part of a labor action against a crew member  
10 or employment dispute unless used in a criminal or civil  
11 action.

12           “(f) RETENTION REQUIREMENTS.—The owner of a  
13 vessel to which this section applies shall retain all records  
14 of audio and video surveillance for not less than 1 year  
15 after the footage is obtained. Any video and audio surveil-  
16 lance found to be associated with an alleged incident  
17 should be preserved for not less than 5 years from the  
18 date of the alleged incident.

19           “(g) PERSONNEL TRAINING.—A vessel owner or em-  
20 ployer of a seafarer shall provide training for all individ-  
21 uals employed by the owner or employer for the purpose  
22 of responding to incidents of sexual assault or sexual har-  
23 assment, including—

24           “(1) such training to ensure the individuals—



1           “(A) retain audio and visual records and  
2           other evidence objectively; and

3           “(B) act impartially without influence from  
4           the company or others; and

5           “(2) training on applicable Federal, State, Trib-  
6           al, and local laws and regulations regarding sexual  
7           assault and sexual harassment investigations and re-  
8           porting requirements.

9           “(g) DEFINITION OF OWNER.—In this section, the  
10          term ‘owner’ means the owner, charterer, managing oper-  
11          ator, master, or other individual in charge of a vessel.

12          “(h) EXEMPTION.—Fishing vessels, fish processing  
13          vessels, and fish tender vessels are exempt from this sec-  
14          tion.”.

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

**“49. Oceangoing Non-Passenger Commercial Vessels ..... 4901”.**

19          **SEC. 11608. MASTER KEY CONTROL.**

20          (a) IN GENERAL.—Chapter 31 of title 46, United  
21          States Code, is amended by adding at the end the fol-  
22          lowing:

23          **“§ 3106. Master key control system**

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

1           “(1) ensure that such vessel is equipped with a  
2 vessel master key control system, manual or elec-  
3 tronic, which provides controlled access to all copies  
4 of the vessel’s master key of which access shall only  
5 be available to the individuals described in para-  
6 graph (2);

7           “(2) establish a list of all crew, identified by po-  
8 sition, allowed to access and use the master key and  
9 maintain such list upon the vessel, within owner  
10 records and included in the vessel safety manage-  
11 ment system;

12           “(3) record in a log book information on all ac-  
13 cess and use of the vessel’s master key, including—

14                   “(A) dates and times of access;

15                   “(B) the room or location accessed; and

16                   “(C) the name and rank of the crew mem-  
17 ber that used the master key; and

18           “(4) make the list under paragraph (2) and the  
19 log book under paragraph (3) available upon request  
20 to any agent of the Federal Bureau of Investigation,  
21 any member of the Coast Guard, and any law en-  
22 forcement officer performing official duties in the  
23 course and scope of an investigation.

24           “(b) PROHIBITED USE.—Crew not included on the  
25 list described in subsection (a)(2) shall not have access

1 to or use the master key unless in an emergency and shall  
2 immediately notify the master and owner of the vessel fol-  
3 lowing use of such key.

4 “(c) REQUIREMENTS FOR LOG BOOK.—The log book  
5 described in subsection (a)(3) and required to be included  
6 in a safety management system under section  
7 3203(a)(6)—

8 “(1) may be electronic; and

9 “(2) shall be located in a centralized location  
10 that is readily accessible to law enforcement per-  
11 sonnel.

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

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

20 (b) CLERICAL AMENDMENT.—The analysis for chap-  
21 ter 31 of title 46, United States Code, is amended by add-  
22 ing at the end the following:

“3106. Master key control system.”.

1 **SEC. 11609. REQUIREMENT TO REPORT SEXUAL ASSAULT**  
2 **AND HARASSMENT.**

3 Section 10104 of title 46, United States Code, is  
4 amended by striking subsections (a) and (b) and inserting  
5 the following:

6 “(a) MANDATORY REPORTING BY RESPONSIBLE EN-  
7 TITY OF A VESSEL.—

8 “(1) IN GENERAL.—The responsible entity of a  
9 vessel shall report to the Commandant any com-  
10 plaint or incident of harassment, sexual harassment,  
11 or sexual assault in violation of employer policy or  
12 law, of which such entity is made aware.

13 “(2) PENALTY.—A responsible entity of a ves-  
14 sel who knowingly fails to report in compliance with  
15 paragraph (1) is liable to the United States Govern-  
16 ment for a civil penalty of not more than \$50,000.

17 “(b) REPORTING PROCEDURES.—

18 “(1) RESPONSIBLE ENTITY OF A VESSEL RE-  
19 PORTING.—A report required under subsection (a)  
20 shall be made immediately after the responsible enti-  
21 ty of a vessel gains knowledge of a sexual assault or  
22 sexual harassment incident by the fastest tele-  
23 communication channel available to—

24 “(A) a single entity in the Coast Guard  
25 designated by the Commandant to receive such  
26 reports; and

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

4           “(2) CONTENTS.—Such shall include, to the  
5           best of the knowledge of the individual making the  
6           report—

7           “(A) the name, official position or role in  
8           relation to the vessel, and contact information  
9           of such individual;

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

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

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

15          “(E) a brief description of the alleged sexual  
16          harassment or sexual assault being re-  
17          ported.

18          “(3) RECEIVING REPORTS; COLLECTION OF IN-  
19          FORMATION.—

20          “(A) RECEIVING REPORTS.—With respect  
21          to reports submitted under subsection (a), the  
22          Commandant—

23                 “(i) may establish additional reporting  
24                 procedures, including procedures for re-  
25                 ceiving reports through—

1                   “(I) a single telephone number  
2                   that is continuously manned at all  
3                   times; and

4                   “(II) a single email address that  
5                   is continuously monitored; and

6                   “(ii) shall use procedures that include  
7                   preserving evidence in such reports and  
8                   providing emergency service referrals.

9                   “(B) COLLECTION OF INFORMATION.—  
10                  After receipt of the report made under sub-  
11                  section (a), the Coast Guard shall collect infor-  
12                  mation related to the identity of each alleged  
13                  victim, alleged perpetrator, and any witnesses  
14                  identified in the report through means designed  
15                  to protect, to the extent practicable, the per-  
16                  sonal identifiable information of such individ-  
17                  uals.

18                  “(c) SUBPOENA AUTHORITY.—

19                  “(1) IN GENERAL.—The Commandant may  
20                  compel the testimony of witnesses and the produc-  
21                  tion of any evidence by subpoena to determine com-  
22                  pliance with this section.

23                  “(2) JURISDICTIONAL LIMITS.—The jurisdic-  
24                  tional limits of a subpoena issued under this section  
25                  are the same as, and are enforceable in the same

1 manner as, subpoenas issued under chapter 63 of  
2 this title.

3 “(d) COMPANY AFTER-ACTION SUMMARY.—

4 “(1) A responsible entity of a vessel that makes  
5 a report under subsection (a) shall—

6 “(A) submit to the Commandant a docu-  
7 ment with detailed information to describe the  
8 actions taken by such entity after becoming  
9 aware of the sexual assault or sexual harass-  
10 ment incident, including the results of any in-  
11 vestigation into the complaint or incident and  
12 any action taken against the offending indi-  
13 vidual; and

14 “(B) make such submission not later than  
15 10 days after such entity made the report  
16 under subsection (a).

17 “(2) CIVIL PENALTY.—A responsible entity of a  
18 vessel that fails to comply with paragraph (1) is lia-  
19 ble to the United States Government for a civil pen-  
20 alty of \$25,000 and \$500 shall be added for each  
21 day of noncompliance, except that the total amount  
22 of a penalty with respect to a complaint or incident  
23 shall not exceed \$50,000 per violation.

24 “(e) INVESTIGATORY AUDIT.—The Commandant  
25 shall periodically perform an audit or other systematic re-

1 view of the submissions made under this section to deter-  
2 mine if there were any failures to comply with the require-  
3 ments of this section.

4 “(f) APPLICABILITY; REGULATIONS.—

5 “(1) REGULATIONS.— The Secretary may issue  
6 regulations to implement the requirements of this  
7 section.

8 “(2) INTERIM REPORTS.—Any report required  
9 to be made to the Commandant under this section  
10 shall be made to the Coast Guard National Com-  
11 mand Center, until regulations implementing the  
12 procedures required by this section are issued.

13 “(g) DEFINITION OF RESPONSIBLE ENTITY OF A  
14 VESSEL.—In this section, the term ‘responsible entity of  
15 a vessel’ means—

16 “(1) the owner, master, or managing operator  
17 of a documented vessel engaged in commercial serv-  
18 ice; or

19 “(2) the employer of a seafarer on such a ves-  
20 sel.”.

21 **SEC. 11610. SAFETY MANAGEMENT SYSTEM.**

22 (a) SAFETY MANAGEMENT SYSTEM.—Section 3203  
23 of title 46, United States Code, is amended—

24 (1) in subsection (a)—



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

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

5 “(5) with respect to sexual harassment and sex-  
6 ual assault, procedures for, and annual training re-  
7 quirements for all responsible persons and vessels to  
8 which this chapter applies on—

9 “(A) prevention;

10 “(B) bystander intervention;

11 “(C) reporting;

12 “(D) response; and

13 “(E) investigation;

14 “(6) the list required under section 3106(a)(2)  
15 and the log book required under section  
16 3106(a)(3);”;

17 (2) by redesignating subsections (b) and (c) as  
18 subsections (d) and (e), respectively; and

19 (3) by inserting after subsection (a) the fol-  
20 lowing:

21 “(b) PROCEDURES AND TRAINING REQUIRE-  
22 MENTS.—In prescribing regulations for the procedures  
23 and training requirements described in subsection (a)(5),  
24 such procedures and requirements shall be consistent with

1 the requirements to report sexual harassment or sexual  
2 assault under section 10104.

3 “(c) AUDITS.—

4 “(1) CERTIFICATES.—

5 “(A) SUSPENSION.—During an audit of a  
6 safety management system of a vessel required  
7 under section 10104(e), the Secretary may sus-  
8 pend the Safety Management Certificate issued  
9 for the vessel under section 3205 and issue a  
10 separate Safety Management Certificate for the  
11 vessel to be in effect for a 3-month period be-  
12 ginning on the date of the issuance of such sep-  
13 arate certificate.

14 “(B) REVOCATION.—At the conclusion of  
15 an audit of a safety management system re-  
16 quired under section 10104(e), the Secretary  
17 shall revoke the Safety Management Certificate  
18 issued for the vessel under section 3205 if the  
19 Secretary determines—

20 “(i) that the holder of the Safety  
21 Management Certificate knowingly, or re-  
22 peatedly, failed to comply with section  
23 10104; or

1                   “(ii) other failure of the safety man-  
2                   agement system resulted in the failure to  
3                   comply with such section.

4                   “(2) DOCUMENTS OF COMPLIANCE.—

5                   “(A) IN GENERAL.—Following an audit of  
6                   the safety management system of a vessel re-  
7                   quired under section 10104(e), the Secretary  
8                   may audit the safety management system of the  
9                   responsible person for the vessel.

10                  “(B) SUSPENSION.—During an audit  
11                  under subparagraph (A), the Secretary may  
12                  suspend the Document of Compliance issued to  
13                  the responsible person under section 3205 and  
14                  issue a separate Document of Compliance to  
15                  such person to be in effect for a 3-month period  
16                  beginning on the date of the issuance of such  
17                  separate document.

18                  “(C) REVOCATION.—At the conclusion of  
19                  an assessment or an audit of a safety manage-  
20                  ment system under subparagraph (A), the Sec-  
21                  retary shall revoke the Document of Compliance  
22                  issued to the responsible person if the Secretary  
23                  determines—

1                   “(i) that the holder of the Document  
2                   of Compliance knowingly, or repeatedly,  
3                   failed to comply with section 10104; or

4                   “(ii) that other failure of the safety  
5                   management system resulted in the failure  
6                   to comply with such section.”.

7           (b) VERIFICATION OF COMPLIANCE.—Section  
8 3205(c)(1) of title 46, United States Code, is amended  
9 by inserting “, or upon discovery from other sources of  
10 information acquired by the Coast Guard, including a dis-  
11 covery made during an audit or systematic review con-  
12 ducted under section 10104(e) of a failure of a responsible  
13 person or vessel to comply with a requirement of a safety  
14 management system for which a Safety Management Cer-  
15 tificate and a Document of compliance has been issued  
16 under this section, including a failure to comply with regu-  
17 lations prescribed under section 3203(a)(7) and (8),”  
18 after “periodically”.

19 **SEC. 11611. REPORTS TO CONGRESS.**

20           (a) IN GENERAL.—Chapter 101 of title 46, United  
21 States Code, is amended by adding at the end the fol-  
22 lowing:

23 **“§ 10105. Reports to Congress**

24           “(a) IN GENERAL.—Not later than 1 year after the  
25 date of enactment of the Don Young Coast Guard Author-

1 ization Act of 2022, and on an annual basis thereafter,  
2 the Commandant shall submit to the Committee on Com-  
3 merce, Science, and Transportation of the Senate and the  
4 Committee on Transportation and Infrastructure of the  
5 House of Representatives a report that includes—

6           “(1) the number of reports received under sec-  
7 tion 10104;

8           “(2) the number of penalties issued under such  
9 section;

10           “(3) the number of open investigations under  
11 such section, completed investigations under such  
12 section, and the outcomes of such open or completed  
13 investigations;

14           “(4) the number of assessments or audits con-  
15 ducted under section 3203 and the outcome of those  
16 assessments or audits;

17           “(5) a statistical analysis of compliance with  
18 the safety management system criteria under section  
19 3203;

20           “(6) the number of credentials denied or re-  
21 voked due to sexual harassment, sexual assault, or  
22 related offenses; and

23           “(7) recommendations to support efforts of the  
24 Coast Guard to improve investigations and oversight  
25 of sexual harassment and sexual assault in the mari-

1 time sector, including funding requirements and leg-  
2 islative change proposals necessary to ensure compli-  
3 ance with title CXVI of the Don Young Coast Guard  
4 Authorization Act of 2022 and the amendments  
5 made by such title.

6 “(b) PRIVACY.—In collecting the information re-  
7 quired under subsection (a), the Commandant shall collect  
8 such information in a manner that protects the privacy  
9 rights of individuals who are subjects of such informa-  
10 tion.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-  
12 ter 101 of title 46, United States Code, is amended by  
13 adding at the end the following:

“10105. Reports to Congress.”.

14 **TITLE CXVII—NATIONAL OCE-**  
15 **ANIC AND ATMOSPHERIC AD-**  
16 **MINISTRATION**

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

20 **SEC. 11701. DEFINITIONS.**

21 Section 212(b) of the National Oceanic and Atmos-  
22 pheric Administration Commissioned Officer Corps Act of  
23 2002 (33 U.S.C. 3002(b)) is amended by adding at the  
24 end the following: