

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2741
OFFERED BY MR. GRAVES OF MISSOURI**

Page 5, beginning on line 13, strike “In addition to the amounts authorized under subsection (a)(2)” and insert “Of the amounts authorized to be appropriated under section 4902(2)(A) of title 14, United States Code”.

Page 6, strike lines 8 through 10 and insert the following:

1 (3) for fiscal year 2024, \$130,000,000 is au-
2 thorized to fund Phase I of waterfront improvements
3 of Coast Guard Base Seattle, including environ-
4 mental remediation consisting of dredging and struc-
5 tural improvements to piers and wharfs necessary to
6 complete the expansion of Base Seattle to homeport
7 3 Polar Security Cutters in Seattle, Washington.

Page 6, after line 23, insert the following (and re-designate accordingly):

8 (4) \$20,000,000 is authorized to procure long
9 lead time materials for a Great Lakes icebreaker at

1 least as capable as Coast Guard Cutter Mackinaw
2 (WLBB-30);

Page 7, strike line 22 and all that follows through
page 8, line 3 and insert the following:

3 (1) in subsection (i) by striking paragraph (4)
4 and inserting the following:

5 “(4) AUTHORIZATION OF APPROPRIATIONS.—
6 Out of funds made available under section
7 4902(1)(A) of title 14, \$3,000,000 shall be available
8 for each of fiscal years 2024 and 2025 for grants
9 under this subsection.”; and

10 (2) in subsection (j) by striking paragraph (4)
11 and inserting the following:

12 “(4) AUTHORIZATION OF APPROPRIATIONS.—
13 Out of funds made available under section
14 4902(1)(A) of title 14, \$3,000,000 shall be available
15 for each of fiscal years 2024 and 2025 for grants
16 under this subsection.”.

Page 9, after line 13, insert the following:

17 (c) FACILITY VISIT BY STATE SPONSOR OF TER-
18 RORISM.—Section 70011(b) of title 46, United States
19 Code, is amended—

20 (1) in paragraph (3) by striking “and” at the
21 end;

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

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

4 “(5) prohibiting a representative of a govern-
5 ment of country that the Secretary of State has de-
6 termined has repeatedly provided support for acts of
7 international terrorism under section 620A of the
8 Foreign Assistance Act of 1961 (22 U.S.C. 2371)
9 from visiting a facility for which a facility security
10 plan is required under section 70103(c).”.

Page 9, strike line 18 and all that follows through
page 11, line 11 (and redesignate accordingly).

Page 20, line 7, strike “deviation” and insert “rule”.

Page 20, after line 25, insert the following:

11 **SEC. 211. MARITIME DOMAIN AWARENESS IN COAST GUARD**
12 **SECTOR FOR PUERTO RICO AND VIRGIN IS-**
13 **LANDS.**

14 Not later than 180 days after the date of enactment
15 of this Act, the Commandant shall submit to the Com-
16 mittee on Transportation and Infrastructure of the House
17 of Representatives and the Committee on Commerce,
18 Science, and Transportation of the Senate a report con-
19 taining—

1 (1) an overview of the maritime domain aware-
2 ness in the area of responsibility of the Coast Guard
3 sector responsible for Puerto Rico and the United
4 States Virgin Islands, including—

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

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

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

14 (D) an estimate of the volume of traffic
15 engaged in illicit activity at sea in such area
16 and the type and description of any vessels used
17 to carry out illicit activities that such sector re-
18 sponded to during fiscal years 2020 through
19 2023; and

20 (E) the maritime domain awareness re-
21 quirements to effectively meet the mission of
22 such sector;

23 (2) a description of current actions taken by the
24 Coast Guard to partner with Federal, regional,

1 State, and local entities to meet the maritime do-
2 main awareness needs of such area;

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

9 (4) an identification of current technology and
10 assets the Coast Guard has to mitigate the gaps
11 identified in paragraph (3);

12 (5) an identification of capabilities needed to
13 mitigate such gaps, including any capabilities the
14 Coast Guard currently possesses that can be de-
15 ployed to the sector;

16 (6) an identification of technology and assets
17 the Coast Guard does not currently possess and are
18 needed to acquire in order to address such gaps; and

19 (7) an identification of any financial obstacles
20 that prevent the Coast Guard from deploying exist-
21 ing commercially available sensor technology to ad-
22 dress such gaps.

1 **SEC. 212. 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) in the section heading by inserting
13 “**DRUG AND**” before “**MIGRANT**”;

14 (B) by striking “Not later than” and in-
15 serting the following:

16 “(a) IN GENERAL.—Not later than”;

17 (C) by inserting “drug and” before “mi-
18 grant interdictions”; and

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

20 “(b) CONTENTS.—In making information about
21 interdictions publicly available under subsection (a), the
22 Commandant shall include a description of the following:

23 “(1) The number of incidents in which drugs
24 were interdicted, the amount and type of drugs
25 interdicted, and the Coast Guard sectors and geo-

1 graphic areas of responsibility in which such inci-
2 dents occurred.

3 “(2) The number of incidents in which mi-
4 grants were interdicted, the number of migrants
5 interdicted, and the Coast Guard sectors and geo-
6 graphic areas of responsibility in which such inci-
7 dents occurred.”.

8 (b) CLERICAL AMENDMENT.—The analysis for chap-
9 ter 5 of title 14, United States Code, is amended by insert-
10 ing after the item relating to section 528 the following:

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

11 **SEC. 213. REPORT ON ESTABLISHMENT OF AN UNMANNED**
12 **SYSTEMS CAPABILITIES OFFICE.**

13 (a) IN GENERAL.—Not later than 1 year after the
14 date of enactment of this Act, the Commandant shall sub-
15 mit to the Committee on Commerce, Science, and Trans-
16 portation of the Senate and the Committee on Transpor-
17 tation and Infrastructure of the House of Representatives
18 a report that outlines a plan for establishing an unmanned
19 systems capabilities office within the Coast Guard respon-
20 sible for the acquisition and development of unmanned
21 system and counter-unmanned system technologies and to
22 expand the capabilities of the Coast Guard with respect
23 to such technologies

1 (b) CONTENTS.—The report required under sub-
2 section (a) shall include the following:

3 (1) A management strategy for the acquisition,
4 development, and deployment of unmanned system
5 and counter-unmanned system technologies.

6 (2) A service-wide coordination strategy to syn-
7 chronize and integrate efforts across the Coast
8 Guard in order to—

9 (A) support the primary duties of the
10 Coast Guard pursuant to section 102 of title
11 14, United States Code; and

12 (B) pursue expanded research, develop-
13 ment, testing, and evaluation opportunities and
14 funding to expand and accelerate identification
15 and transition of unmanned system and
16 counter-unmanned system technologies.

17 (3) The identification of contracting and acqui-
18 sition authorities needed to expedite the development
19 and deployment of unmanned system and counter-
20 unmanned system technologies.

21 (4) A detailed list of commercially available un-
22 manned system and counter-unmanned system tech-
23 nologies with capabilities determined to be useful for
24 the Coast Guard.

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

8 (6) Opportunities to obtain and share un-
9 manned system data from government and commer-
10 cial sources to improve maritime domain awareness.

11 (7) The development of a concept of operations
12 for a data ecosystem that supports and integrates
13 unmanned system and counter-unmanned system
14 technologies with key enablers, including enterprise
15 communications networks, data storage and manage-
16 ment, artificial intelligence and machine learning
17 tools, and information sharing and dissemination ca-
18 pabilities.

19 (c) DEFINITIONS.—In this section:

20 (1) COUNTER-UNMANNED SYSTEM.—The term
21 “counter-unmanned system” means a system or de-
22 vice capable of lawfully and safely disabling, dis-
23 rupting, or seizing control of an unmanned system,
24 including a counter-UAS system (as defined in sec-
25 tion 44801 of title 49, United States Code).

1 (2) UNMANNED SYSTEM.—The term “un-
2 manned system” means an unmanned surface, un-
3 dersea, or aircraft and associated elements (includ-
4 ing communication links and the components that
5 control the unmanned system) that are required for
6 the operator to operate the system safely and effi-
7 ciently, including an unmanned aircraft system (as
8 defined in section 44801 of title 49, United States
9 Code).

10 **SEC. 214. RULEMAKING REGARDING PORT ACCESS**
11 **ROUTES.**

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

18 **SEC. 215. GREAT LAKES ICEBREAKER.**

19 Not later than 30 days after the date of enactment
20 of this Act, the Commandant shall submit to the Com-
21 mittee on Transportation and Infrastructure of the House
22 of Representatives and the Committee on Commerce,
23 Science, and Transportation of the Senate a strategy de-
24 tailing how the Coast Guard will complete design and con-
25 struction of the Great Lakes icebreaker at least as capable

1 as the Coast Guard Cutter Mackinaw (WLBB–30) in not
2 more than 3 years after funding is provided for such ice-
3 breaker.

Page 24, after line 16, insert the following (and re-
designate accordingly):

4 **Subtitle B—Vessel Operations**

5 **SEC. 311. DEFINITIONS.**

6 In this subtitle:

7 (1) OUTER CONTINENTAL SHELF.—The term
8 “outer Continental Shelf” has the meaning given
9 such term in section 2 of the Outer Continental
10 Shelf Lands Act (43 U.S.C. 1331).

11 (2) RULING LETTER.—The term “ruling letter”
12 means any ruling letter or headquarters ruling letter
13 relating to the enforcement of chapters 121 and 551
14 of title 46, United States Code (commonly referred
15 to as the “Jones Act”), issued by the Commissioner
16 of U.S. Customs and Border Protection pursuant to
17 sections 502(a) or 625 of the Tariff Act of 1930 (19
18 U.S.C. 1502(a) and 1625).

19 (3) SECRETARY.—The term “Secretary” means
20 the Secretary of Homeland Security, acting through
21 the Commissioner of U.S. Customs and Border Pro-
22 tection.

1 **SEC. 312. NOTIFICATION.**

2 (a) **ADVANCE NOTIFICATION REQUIRED.**—Prior to
3 engaging in any activity or operations on the outer Conti-
4 nental Shelf, the operator of a foreign vessel used in such
5 activity or operations shall file with the Secretary a notifi-
6 cation describing all activities and operations to be per-
7 formed on the outer Continental Shelf and an identifica-
8 tion of applicable ruling letters issued by the Secretary
9 that have approved the use of a foreign vessel in a sub-
10 stantially similar activity or operation.

11 (b) **PUBLICATION OF NOTICES.**—

12 (1) **PUBLICATION.**—The Secretary shall publish
13 a notification under subsection (a) in the Customs
14 Bulletin and Decisions within 14 days of receipt of
15 such notification.

16 (2) **CONFIDENTIAL INFORMATION.**—The Sec-
17 retary shall redact any information exempt from dis-
18 closure under section 552 of title 5, United States
19 Code, in a notification published under paragraph
20 (1).

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

22 (a) **IN GENERAL.**—Section 55102 of title 46, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

25 “(d) **PUBLICATION OF PENALTY.**—

1 “(1) IN GENERAL.—Not later than 14 days
2 after the issuance of a pre-penalty notice or a pen-
3 alty, including a settlement, under subsection (c),
4 the Secretary of Homeland Security shall publish
5 such pre-penalty notice or a notification of such pen-
6 alty in the Customs Bulletin and Decisions to the
7 party impacted by the penalty.

8 “(2) CONTENTS.—A pre-penalty notice or pen-
9 alty notification published under paragraph (1) shall
10 include—

11 “(A) the name and the International Mari-
12 time Organization identification number of the
13 vessel that is the subject of the penalty;

14 “(B) the name of the owner of the vessel
15 that is the subject of the penalty;

16 “(C) the amount of the fine or value of
17 merchandise seized; and

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

20 (b) RULEMAKING.—Not later than 90 days after the
21 date of enactment of this Act, the Secretary shall issue
22 such regulations as are necessary to implement the
23 amendments made by subsection (a), including—

24 (1) regulations regarding the information to be
25 contained in a penalty notification under section

1 55102(d) of title 46, United States Code (as amend-
2 ed by such subsection); and

3 (2) any changes to existing regulations relating
4 to penalties issued by the Secretary.

Page 39, after line 3, insert the following:

5 “(I) Academic institutions.

Page 46, after line 24, insert the following:

6 **SEC. 337. 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
12 country in which the foreign society is
13 headquartered—

14 “(I) delegates that authority to
15 the American Bureau of Shipping; or

16 “(II) does not delegate that au-
17 thority to any classification society;
18 or”; and

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

20 “(5) CLARIFICATION ON AUTHORITY.—Nothing
21 in this subsection authorizes the Secretary to make

1 a delegation under paragraph (2) to a classification
2 society from the People’s Republic of China.”.

Page 49, strike line 1 and all that follows through
page 50, line 13 and insert the following:

3 **SEC. 403. TIMING OF REVIEW.**

4 Section 1017 of the Oil Pollution Act of 1990 (33
5 U.S.C. 2717) is amended by adding at the end the fol-
6 lowing:

7 “(g) **TIMING OF REVIEW.**—Before the date of com-
8 pletion of a removal action, no person may bring an action
9 under this Act, section 311 of the Federal Water Pollution
10 Control Act (33 U.S.C. 1321), or chapter 7 of title 5,
11 United States Code, challenging any decision relating to
12 such removal action that is made by an on-scene coordi-
13 nator appointed under the National Contingency Plan.”.

