

NDAA 2023 - HR 7776 became Public Law 117-263 on 23 Dec 2022

SEC. 11320. USE OF DEVICES BROADCASTING ON AIS FOR PURPOSES OF MARKING FISHING GEAR.

The Secretary shall, within the Eleventh Coast Guard District, Thirteenth Coast Guard District, Fourteenth Coast Guard District, and Seventeenth Coast Guard District, suspend enforcement of individuals using automatic identification systems devices to mark fishing equipment during the period beginning on the date of enactment of this Act and ending on the earlier of--

- (1) the date that is 2 years after such date of enactment; or
- (2) the date on which the Federal Communications Commission promulgates a final rule to authorize a device used to mark fishing equipment to operate in radio frequencies assigned for Automatic Identification System stations.

Subtitle D--Environmental Issues

SEC. 11321. NOTIFICATION OF COMMUNICATION OUTAGES.

(a) Upgrades to Rescue 21 System in Alaska.--Not later than August 30, 2023, the Commandant shall ensure the timely upgrade of the Rescue 21 system in Alaska so as to achieve 98 percent operational availability of remote fixed facility sites.

(b) Plan to Reduce Outages.--

(1) In general.--Not later than 180 days after the date of enactment of this Act, the Commandant shall develop an operations and maintenance plan for the Rescue 21 system in Alaska that anticipates maintenance needs so as to reduce Rescue 21 system outages to the maximum extent practicable.

(2) Public availability.--The plan required under paragraph (1) shall be made available to the public on a publicly accessible website.

(c) Report Required.--Not later than 180 days after the date of enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that--

(1) contains a plan for the Coast Guard to notify mariners of radio outages for towers owned and operated by the Seventeenth Coast Guard District;

(2) addresses in such plan how the Seventeenth Coast Guard will--

(A) disseminate updates regarding outages on social media not less frequently than every 48 hours;

(B) provide updates on a publicly accessible website not less frequently than every 48 hours;

(C) develop methods for notifying mariners in areas in which cellular connectivity does not exist; and

(D) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(3) identifies technology gaps that need to be mitigated in order to implement the plan and provides a budgetary assessment necessary to implement the plan.

(d) Contingency Plan.--

(1) In general.--Not later than 180 days after the date of enactment of this Act, the Commandant shall, in collaboration with relevant Federal, State, Tribal, and other relevant entities (including the North Pacific Fishery Management Council, the National Oceanic and Atmospheric Administration Weather Service, the National Oceanic and Atmospheric Administration Fisheries Service, agencies of the State of Alaska, local radio stations, and stakeholders), establish a contingency plan to ensure that notifications of an outage of the Rescue 21 system in Alaska are broadly disseminated in advance of such an outage.

(2) Elements.--The contingency plan required under paragraph (1) shall require the Coast Guard to--

(A) disseminate updates regarding outages of the Rescue 21 system in Alaska on social media not less frequently than every 48 hours during an outage;

(B) provide updates on a publicly accessible website not less frequently than every 48 hours during an outage;

(C) notify mariners in areas in which cellular connectivity does not exist;

(D) develop and advertise a web-based communications update hub on AM/FM radio for mariners; and

(E) identify technology gaps necessary to implement the plan and provides a budgetary assessment necessary to implement the plan.

SEC. 11322. IMPROVEMENTS TO COMMUNICATION WITH FISHING INDUSTRY AND RELATED STAKEHOLDERS.

(a) In General.--The Commandant, in coordination with the National Commercial Fishing Safety Advisory Committee established by section 15102 of title 46, United States Code, shall develop a publicly accessible website that contains all information related to fishing industry activities, including vessel safety, inspections, enforcement, hazards, training, regulations (including proposed regulations), outages of the Rescue 21 system in Alaska and similar outages, and any other fishing-related activities.

(b) Automatic Communications.--The Commandant shall provide methods for regular and automatic email communications with stakeholders who elect, through the website developed under subsection (a), to receive

such communications.

SEC. 11323. ADVANCE NOTIFICATION OF MILITARY OR OTHER EXERCISES.

In consultation with the Secretary of Defense, the Secretary of State, and commercial fishing industry participants, the Commandant shall develop and publish on a publicly available website a plan for notifying United States mariners and the operators of United States fishing vessels in advance of--

(1) military exercises in the exclusive economic zone (as defined in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802)); or

(2) other military activities that will impact recreational or commercial activities.