

**AMENDMENT TO RULES COMMITTEE PRINT 115-**

**70**

**OFFERED BY MR. HUNTER OF CALIFORNIA**

Add at the end the following:

1 **DIVISION \_\_\_\_\_—COAST GUARD**  
2 **AUTHORIZATION ACT OF 2017**

3 **SEC. 1. SHORT TITLE.**

4 This Act may be cited as the “Coast Guard Author-  
5 ization Act of 2017”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this division is the following:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—REORGANIZATION OF TITLE 14, UNITED STATES CODE

Sec. 101. Initial matter.

Sec. 102. Subtitle I.

Sec. 103. Chapter 1.

Sec. 104. Chapter 3.

Sec. 105. Chapter 5.

Sec. 106. Chapter 7.

Sec. 107. Chapter 9.

Sec. 108. Chapter 11.

Sec. 109. Subtitle II.

Sec. 110. Chapter 19.

Sec. 111. Part II.

Sec. 112. Chapter 21.

Sec. 113. Chapter 23.

Sec. 114. Chapter 25.

Sec. 115. Part III.

Sec. 116. Chapter 27.

Sec. 117. Chapter 29.

Sec. 118. Subtitle III and chapter 37.

Sec. 119. Chapter 39.

Sec. 120. Chapter 41.

Sec. 121. Subtitle IV and chapter 49.

- Sec. 122. Chapter 51.
- Sec. 123. References.
- Sec. 124. Rule of construction.

## TITLE II—AUTHORIZATIONS

- Sec. 201. Amendments to title 14, United States Code, as amended by title I of this division.
- Sec. 202. Authorizations of appropriations.
- Sec. 203. Authorized levels of military strength and training.
- Sec. 204. Authorization of amounts for Fast Response Cutters.
- Sec. 205. Authorization of amounts for shoreside infrastructure.
- Sec. 206. Authorization of amounts for aircraft improvements.

## TITLE III—COAST GUARD

- Sec. 301. Amendments to title 14, United States Code, as amended by title I of this division.
- Sec. 302. Primary duties.
- Sec. 303. National Coast Guard Museum.
- Sec. 304. Unmanned aircraft.
- Sec. 305. Coast Guard health-care professionals; licensure portability.
- Sec. 306. Training; emergency response providers.
- Sec. 307. Incentive contracts for Coast Guard yard and industrial establishments.
- Sec. 308. Confidential investigative expenses.
- Sec. 309. Regular captains; retirement.
- Sec. 310. Conversion, alteration, and repair projects.
- Sec. 311. Contracting for major acquisitions programs.
- Sec. 312. Officer promotion zones.
- Sec. 313. Cross reference.
- Sec. 314. Commissioned service retirement.
- Sec. 315. Leave for birth or adoption of child.
- Sec. 316. Clothing at time of discharge.
- Sec. 317. Unfunded priorities list.
- Sec. 318. Safety of vessels of the Armed Forces.
- Sec. 319. Protecting against unmanned aircraft.
- Sec. 320. Air facilities.

## TITLE IV—PORTS AND WATERWAYS SAFETY

- Sec. 401. Codification of Ports and Waterways Safety Act.
- Sec. 402. Conforming amendments.
- Sec. 403. Transitional and savings provisions.
- Sec. 404. Rule of construction.
- Sec. 405. Advisory committee: repeal.
- Sec. 406. Regattas and marine parades.
- Sec. 407. Regulation of vessels in territorial waters of United States.
- Sec. 408. Port, harbor, and coastal facility security.

## TITLE V—MARITIME TRANSPORTATION SAFETY

- Sec. 501. Consistency in marine inspections.
- Sec. 502. Uninspected passenger vessels in St. Louis County, Minnesota.
- Sec. 503. Engine cut-off switch requirements.
- Sec. 504. Exception from survival craft requirements.
- Sec. 505. Safety standards.

- Sec. 506. Fishing safety grants.
- Sec. 507. Fishing, fish tender, and fish processing vessel certification.
- Sec. 508. Deadline for compliance with alternate safety compliance program.
- Sec. 509. Termination of unsafe operations; technical correction.
- Sec. 510. Technical corrections: Licenses, certificates of registry, and merchant mariner documents.
- Sec. 511. Clarification of logbook entries.
- Sec. 512. Certificates of documentation for recreational vessels.
- Sec. 513. Numbering for undocumented barges.
- Sec. 514. Backup global positioning system.
- Sec. 515. Scientific personnel.
- Sec. 516. Transparency.

#### TITLE VI—ADVISORY COMMITTEES

- Sec. 601. National maritime transportation advisory committees.
- Sec. 602. Maritime Security Advisory Committees.

#### TITLE VII—FEDERAL MARITIME COMMISSION

- Sec. 701. Short title.
- Sec. 702. Authorization of appropriations.
- Sec. 703. Reporting on impact of alliances on competition.
- Sec. 704. Definition of certain covered services.
- Sec. 705. Reports filed with the Commission.
- Sec. 706. Public participation.
- Sec. 707. Ocean transportation intermediaries.
- Sec. 708. Common carriers.
- Sec. 709. Negotiations.
- Sec. 710. Injunctive relief sought by the Commission.
- Sec. 711. Discussions.
- Sec. 712. Transparency.
- Sec. 713. Study of bankruptcy preparation and response.
- Sec. 714. Agreements unaffected.

#### TITLE VIII—MISCELLANEOUS

- Sec. 801. Repeal of obsolete reporting requirement.
- Sec. 802. Corrections to provisions enacted by Coast Guard Authorization Acts.
- Sec. 803. Officer evaluation report.
- Sec. 804. Extension of authority.
- Sec. 805. Coast Guard ROTC program.
- Sec. 806. Currency detection canine team program.
- Sec. 807. Center of expertise for Great Lakes oil spill search and response.
- Sec. 808. Public safety answering points and maritime search and rescue coordination.
- Sec. 809. Ship shoal lighthouse transfer: repeal.
- Sec. 810. Land exchange, Ayakulik Island, Alaska.
- Sec. 811. Use of Tract 43.
- Sec. 812. Coast Guard maritime domain awareness.
- Sec. 813. Monitoring.
- Sec. 814. Reimbursements for non-Federal construction costs of certain aids to navigation.
- Sec. 815. Towing safety management system fees.
- Sec. 816. Oil spill disbursements auditing and report.
- Sec. 817. Fleet requirements assessment and strategy.

- Sec. 818. National Security Cutter.
- Sec. 819. Acquisition plan for inland waterway and river tenders and bay-class icebreakers.
- Sec. 820. Great Lakes icebreaker acquisition.
- Sec. 821. Polar icebreakers.
- Sec. 822. Strategic assets in the Arctic.
- Sec. 823. Arctic planning criteria.
- Sec. 824. Vessel response plan audit.
- Sec. 825. Waters deemed not navigable waters of the United States for certain purposes.
- Sec. 826. Documentation of recreational vessels.
- Sec. 827. Equipment requirements; exemption from throwable personal flotation devices requirement.
- Sec. 828. Visual distress signals and alternative use.
- Sec. 829. Radar refresher training.
- Sec. 830. Commercial fishing vessel safety national communications plan.
- Sec. 831. Authorization for marine debris program.
- Sec. 832. Atlantic Coast port access route study recommendations.
- Sec. 833. Drawbridges.
- Sec. 834. Waiver.
- Sec. 835. Vessel waiver.
- Sec. 836. Temporary limitations.
- Sec. 837. Transfer of Coast Guard property in Jupiter Island, Florida, for inclusion in Hobe Sound National Wildlife Refuge.
- Sec. 838. Emergency response.
- Sec. 839. Drawbridges consultation.

1     **TITLE I—REORGANIZATION OF**  
 2     **TITLE 14, UNITED STATES CODE**

3     **SEC. 101. INITIAL MATTER.**

4             Title 14, United States Code, is amended by striking  
 5 the title designation, the title heading, and the table of  
 6 parts at the beginning and inserting the following:

7             **“TITLE 14—COAST GUARD**

“Subtitle	Sec.
<b>“I. Establishment, Powers, Duties, and Administration ....</b>	<b>101</b>
<b>“II. Personnel .....</b>	<b>1901</b>
<b>“III. Coast Guard Reserve and Auxiliary .....</b>	<b>3701</b>
<b>“IV. Coast Guard Authorizations and Reports to Congress .....</b>	<b>4901”.</b>

8     **SEC. 102. SUBTITLE I.**

9             Part I of title 14, United States Code, is amended  
 10 by striking the part designation, the part heading, and the

1 table of chapters at the beginning and inserting the fol-  
 2 lowing:

3 **“Subtitle I—Establishment, Powers,**  
 4 **Duties, and Administration**

“Chap.	Sec.
<b>“1. Establishment and Duties .....</b>	<b>101</b>
<b>“3. Composition and Organization .....</b>	<b>301</b>
<b>“5. Functions and Powers .....</b>	<b>501</b>
<b>“7. Cooperation .....</b>	<b>701</b>
<b>“9. Administration .....</b>	<b>901</b>
<b>“11. Acquisitions .....</b>	<b>1101”.</b>

5 **SEC. 103. CHAPTER 1.**

6 (a) INITIAL MATTER.—Chapter 1 of title 14, United  
 7 States Code, is amended by striking the chapter designa-  
 8 tion, the chapter heading, and the table of sections at the  
 9 beginning and inserting the following:

10 **“CHAPTER 1—ESTABLISHMENT AND**  
 11 **DUTIES**

“Sec.
“101. Establishment of Coast Guard.
“102. Primary duties.
“103. Department in which the Coast Guard operates.
“104. Removing restrictions.
“105. Secretary defined.”.

12 (b) REDESIGNATIONS AND TRANSFERS.—

13 (1) REQUIREMENT.—The sections of title 14,  
 14 United States Code, identified in the table provided  
 15 in paragraph (2) are amended—

16 (A) by redesignating the sections as de-  
 17 scribed in the table; and

1 (B) by transferring the sections, as nec-  
 2 essary, so that the sections appear after the  
 3 table of sections for chapter 1 of such title (as  
 4 added by subsection (a)), in the order in which  
 5 the sections are presented in the table.

6 (2) TABLE.—The table referred to in paragraph  
 7 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
1	Establishment of Coast Guard	101
2	Primary duties	102
3	Department in which the Coast Guard operates	103
652	Removing restrictions	104
4	Secretary defined	105

8 **SEC. 104. CHAPTER 3.**

9 (a) INITIAL MATTER.—Chapter 3 of title 14, United  
 10 States Code, is amended by striking the chapter designa-  
 11 tion, the chapter heading, and the table of sections at the  
 12 beginning and inserting the following:

13 **“CHAPTER 3—COMPOSITION AND**  
 14 **ORGANIZATION**

“Sec.

“301. Grades and ratings.

“302. Commandant; appointment.

“303. Retirement of Commandant.

“304. Vice Commandant; appointment.

“305. Vice admirals.

“306. Retirement.

“307. Vice admirals and admiral, continuity of grade.

- “308. Chief Acquisition Officer.  
 “309. Office of the Coast Guard Reserve; Director.  
 “310. Chief of Staff to President: appointment.  
 “311. Captains of the port.  
 “312. Prevention and response workforces.  
 “313. Centers of expertise for Coast Guard prevention and response.  
 “314. Marine industry training program.  
 “315. Training course on workings of Congress.  
 “316. National Coast Guard Museum.  
 “317. United States Coast Guard Band; composition; director.  
 “318. Environmental Compliance and Restoration Program.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
 3 United States Code, identified in the table provided  
 4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
 6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
 8 essary, so that the sections appear after the  
 9 table of sections for chapter 3 of such title (as  
 10 added by subsection (a)), in the order in which  
 11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
 13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
41	Grades and ratings	301
44	Commandant; appointment	302
46	Retirement of Commandant	303
47	Vice Commandant; appointment	304
50	Vice admirals	305

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
51	Retirement	306
52	Vice admirals and admiral, continuity of grade	307
56	Chief Acquisition Officer	308
53	Office of the Coast Guard Reserve; Director	309
54	Chief of Staff to President: appointment	310
57	Prevention and response workforces	312
58	Centers of expertise for Coast Guard prevention and response	313
59	Marine industry training program	314
60	Training course on workings of Congress	315
98	National Coast Guard Museum	316
336	United States Coast Guard Band; composition; director	317

1 (c) ADDITIONAL CHANGES.—

2 (1) IN GENERAL.—Chapter 3 of title 14, United  
3 States Code, is further amended—

4 (A) by inserting after section 310 (as so  
5 redesignated and transferred under subsection

6 (b)) the following:

7 **“§ 311. Captains of the port**

8 “Any officer, including any petty officer, may be des-  
9 ignated by the Commandant as captain of the port or  
10 ports or adjacent high seas or waters over which the  
11 United States has jurisdiction, as the Commandant deems



1 necessary to facilitate execution of Coast Guard duties.”;

2 and

3 (B) by inserting after section 317 (as so  
4 redesignated and transferred under subsection  
5 (b)) the following:

6 **“§ 318. Environmental Compliance and Restoration**  
7 **Program**

8 “(a) DEFINITIONS.—For the purposes of this sec-  
9 tion—

10 “(1) ‘environment’, ‘facility’, ‘person’, ‘release’,  
11 ‘removal’, ‘remedial’, and ‘response’ have the same  
12 meaning they have in section 101 of the Comprehen-  
13 sive Environmental Response, Compensation, and  
14 Liability Act (42 U.S.C. 9601);

15 “(2) ‘hazardous substance’ has the same mean-  
16 ing it has in section 101 of the Comprehensive Envi-  
17 ronmental Response, Compensation, and Liability  
18 Act (42 U.S.C. 9601), except that it also includes  
19 the meaning given ‘oil’ in section 311 of the Federal  
20 Water Pollution Control Act (33 U.S.C. 1321); and

21 “(3) ‘pollutant’ has the same meaning it has in  
22 section 502 of the Federal Water Pollution Control  
23 Act (33 U.S.C. 1362).

24 “(b) PROGRAM.—

1           “(1) The Secretary shall carry out a program  
2 of environmental compliance and restoration at cur-  
3 rent and former Coast Guard facilities.

4           “(2) Program goals include:

5               “(A) Identifying, investigating, and clean-  
6 ing up contamination from hazardous sub-  
7 stances and pollutants.

8               “(B) Correcting other environmental dam-  
9 age that poses an imminent and substantial  
10 danger to the public health or welfare or to the  
11 environment.

12               “(C) Demolishing and removing unsafe  
13 buildings and structures, including buildings  
14 and structures at former Coast Guard facilities.

15               “(D) Preventing contamination from haz-  
16 ardous substances and pollutants at current  
17 Coast Guard facilities.

18           “(3)(A) The Secretary shall respond to releases  
19 of hazardous substances and pollutants—

20               “(i) at each Coast Guard facility the  
21 United States owns, leases, or otherwise pos-  
22 sesses;

23               “(ii) at each Coast Guard facility the  
24 United States owned, leased, or otherwise pos-  
25 sessed when the actions leading to contamina-

1           tion from hazardous substances or pollutants  
2           occurred; and

3           “(iii) on each vessel the Coast Guard owns  
4           or operates.

5           “(B) Subparagraph (A) of this paragraph does  
6           not apply to a removal or remedial action when a po-  
7           tentially responsible person responds under section  
8           122 of the Comprehensive Environmental Response,  
9           Compensation, and Liability Act (42 U.S.C. 9622).

10          “(C) The Secretary shall pay a fee or charge  
11          imposed by a State authority for permit services for  
12          disposing of hazardous substances or pollutants from  
13          Coast Guard facilities to the same extent that non-  
14          governmental entities are required to pay for permit  
15          services. This subparagraph does not apply to a pay-  
16          ment that is the responsibility of a lessee, con-  
17          tractor, or other private person.

18          “(4) The Secretary may agree with another  
19          Federal agency for that agency to assist in carrying  
20          out the Secretary’s responsibilities under this sec-  
21          tion. The Secretary may enter into contracts, coop-  
22          erative agreements, and grant agreements with State  
23          and local governments to assist in carrying out the  
24          Secretary’s responsibilities under this section. Serv-  
25          ices that may be obtained under this paragraph in-

1 include identifying, investigating, and cleaning up off-  
2 site contamination that may have resulted from the  
3 release of a hazardous substance or pollutant at a  
4 Coast Guard facility.

5 “(5) Section 119 of the Comprehensive Envi-  
6 ronmental Response, Compensation, and Liability  
7 Act (42 U.S.C. 9619) applies to response action con-  
8 tractors that carry out response actions under this  
9 section. The Coast Guard shall indemnify response  
10 action contractors to the extent that adequate insur-  
11 ance is not generally available at a fair price at the  
12 time the contractor enters into the contract to cover  
13 the contractor’s reasonable, potential, long-term li-  
14 ability.

15 “(c) ENVIRONMENTAL COMPLIANCE AND RESTORA-  
16 TION ACCOUNT.—

17 “(1) There is established for the Coast Guard  
18 an account known as the Coast Guard Environ-  
19 mental Compliance and Restoration Account. All  
20 sums appropriated to carry out the Coast Guard’s  
21 environmental compliance and restoration functions  
22 under this section or another law shall be credited  
23 or transferred to the account and remain available  
24 until expended.

1           “(2) Funds may be obligated or expended from  
2           the account to carry out the Coast Guard’s environ-  
3           mental compliance and restoration functions under  
4           this section or another law.

5           “(3) In proposing the budget for any fiscal year  
6           under section 1105 of title 31, the President shall  
7           set forth separately the amount requested for the  
8           Coast Guard’s environmental compliance and res-  
9           toration activities under this section or another law.

10           “(4) Amounts recovered under section 107 of  
11           the Comprehensive Environmental Response, Com-  
12           pensation, and Liability Act (42 U.S.C. 9607) for  
13           the Secretary’s response actions at current and  
14           former Coast Guard facilities shall be credited to the  
15           account.

16           “(d) ANNUAL LIST OF PROJECTS TO CONGRESS.—  
17           The Commandant of the Coast Guard shall submit to the  
18           Committee on Transportation and Infrastructure of the  
19           House of Representatives and the Committee on Com-  
20           merce, Science, and Transportation of the Senate a  
21           prioritized list of projects eligible for environmental com-  
22           pliance and restoration funding for each fiscal year con-  
23           current with the President’s budget submission for that  
24           fiscal year.”.

1           (2) CONFORMING REPEALS.—Sections 634,  
2           690, 691, 692, and 693 of title 14, United States  
3           Code, are repealed.

4 **SEC. 105. CHAPTER 5.**

5           (a) INITIAL MATTER.—Chapter 5 of title 14, United  
6 States Code, is amended by striking the chapter designa-  
7 tion, the chapter heading, and the table of sections at the  
8 beginning and inserting the following:

9           **“CHAPTER 5—FUNCTIONS AND POWERS**

                  “SUBCHAPTER I—GENERAL POWERS

          “Sec.

          “501. Secretary; general powers.

          “502. Delegation of powers by the Secretary.

          “503. Regulations.

          “504. Commandant; general powers.

          “505. Functions and powers vested in the Commandant.

          “506. Prospective payment of funds necessary to provide medical care.

          “507. Appointment of judges.

                  “SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

          “521. Saving life and property.

          “522. Law enforcement.

          “523. Enforcement authority.

          “524. Enforcement of coastwise trade laws.

          “525. Special agents of the Coast Guard Investigative Service law enforcement  
                  authority.

          “526. Stopping vessels; indemnity for firing at or into vessel.

          “527. Safety of naval vessels.

                  “SUBCHAPTER III—AIDS TO NAVIGATION

          “541. Aids to navigation authorized.

          “542. Unauthorized aids to maritime navigation; penalty.

          “543. Interference with aids to navigation; penalty.

          “544. Aids to maritime navigation; penalty.

          “545. Marking of obstructions.

          “546. Deposit of damage payments.

          “547. Rewards for apprehension of persons interfering with aids to navigation.

                  “SUBCHAPTER IV—MISCELLANEOUS

          “561. Icebreaking in polar regions.

          “562. Appeals and waivers.

          “563. Notification of certain determinations.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 5 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
92	Secretary; general powers	501
631	Delegation of powers by the Secretary	502
633	Regulations	503
93	Commandant; general powers	504
632	Functions and powers vested in the Commandant	505
520	Prospective payment of funds necessary to provide medical care	506
153	Appointment of judges	507
88	Saving life and property	521
89	Law enforcement	522
99	Enforcement authority	523

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
100	Enforcement of coastwise trade laws	524
95	Special agents of the Coast Guard Investigative Service law enforcement authority	525
637	Stopping vessels; indemnity for firing at or into vessel	526
91	Safety of naval vessels	527
81	Aids to navigation authorized	541
83	Unauthorized aids to maritime navigation; penalty	542
84	Interference with aids to navigation; penalty	543
85	Aids to maritime navigation; penalty	544
86	Marking of obstructions	545
642	Deposit of damage payments	546
643	Rewards for apprehension of persons interfering with aids to navigation	547
87	Icebreaking in polar regions	561
101	Appeals and waivers	562
103	Notification of certain determinations	563

1 (c) ADDITIONAL CHANGES.—Chapter 5 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 501 (as so reded-  
4 igned and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—GENERAL POWERS”;

7 (2) by inserting before section 521 (as so reded-  
8 igned and transferred under subsection (b)) the  
9 following:



1 “SUBCHAPTER II—LIFE SAVING AND LAW  
2 ENFORCEMENT AUTHORITIES”;

3 (3) by inserting before section 541 (as so reded-  
4 igned and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER III—AIDS TO NAVIGATION”;

7 and

8 (4) by inserting before section 561 (as so reded-  
9 igned and transferred under subsection (b)) the  
10 following:

11 “SUBCHAPTER IV—MISCELLANEOUS”.

12 **SEC. 106. CHAPTER 7.**

13 (a) INITIAL MATTER.—Chapter 7 of title 14, United  
14 States Code, is amended by striking the chapter designa-  
15 tion, the chapter heading, and the table of sections at the  
16 beginning and inserting the following:

17 **“CHAPTER 7—COOPERATION**

“Sec.

“701. Cooperation with other agencies, States, territories, and political subdivi-  
sions.

“702. State Department.

“703. Treasury Department.

“704. Department of the Army and Department of the Air Force.

“705. Navy Department.

“706. United States Postal Service.

“707. Department of Commerce.

“708. Department of Health and Human Services.

“709. Maritime instruction.

“710. Assistance to foreign governments and maritime authorities.

“711. Coast Guard officers as attachés to missions.

“712. Contracts with Government-owned establishments for work and material.

“713. Nonappropriated fund instrumentalities: contracts with other agencies and  
instrumentalities to provide or obtain goods and services.

“714. Arctic maritime domain awareness.

“715. Oceanographic research.

“716. Arctic maritime transportation.

“717. Agreements.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 7 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
141	Cooperation with other agencies, States, territories, and political subdivisions	701
142	State Department	702
143	Treasury Department	703
144	Department of the Army and Department of the Air Force	704
145	Navy Department	705
146	United States Postal Service	706
147	Department of Commerce	707
147a	Department of Health and Human Services	708

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
148	Maritime instruction	709
149	Assistance to foreign governments and maritime authorities	710
150	Coast Guard officers as attachés to missions	711
151	Contracts with Government-owned establishments for work and material	712
152	Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services	713
154	Arctic maritime domain awareness	714
94	Oceanographic research	715
90	Arctic maritime transportation	716
102	Agreements	717

1 **SEC. 107. CHAPTER 9.**

2 (a) INITIAL MATTER.—Chapter 9 of title 14, United  
3 States Code, is amended by striking the chapter designa-  
4 tion, the chapter heading, and the table of sections at the  
5 beginning and inserting the following:

6 **“CHAPTER 9—ADMINISTRATION**

“SUBCHAPTER I—REAL AND PERSONAL PROPERTY

“Sec.

“901. Disposal of certain material.

“902. Employment of draftsmen and engineers.

“903. Use of certain appropriated funds.

“904. Local hire.

“905. Procurement authority for family housing.

“906. Air Station Cape Cod Improvements.

“907. Long-term lease of special purpose facilities.

“908. Long-term lease authority for lighthouse property.

“909. Small boat station rescue capability.

“910. Small boat station closures.

“911. Search and rescue center standards.

“912. Air facility closures.

- “913. Turnkey selection procedures.
- “914. Disposition of infrastructure related to E-LORAN.

“SUBCHAPTER II—MISCELLANEOUS

- “931. Oaths required for boards.
- “932. Administration of oaths.
- “933. Coast Guard ensigns and pennants.
- “934. Penalty for unauthorized use of words ‘Coast Guard’.
- “935. Coast Guard band recordings for commercial sale.
- “936. Confidentiality of medical quality assurance records; qualified immunity for participants.
- “937. Admiralty claims against the United States.
- “938. Claims for damage to property of the United States.
- “939. Accounting for industrial work.
- “940. Supplies and equipment from stock.
- “941. Coast Guard Supply Fund.
- “942. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services.
- “943. Arms and ammunition; immunity from taxation.
- “944. Confidential investigative expenses.
- “945. Assistance to film producers.
- “946. User fees.
- “947. Vessel construction bonding requirements.
- “948. Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care.
- “949. Telephone installation and charges.
- “950. Designation, powers, and accountability of deputy disbursing officials.
- “951. Aircraft accident investigations.”.

1           (b) REDESIGNATIONS AND TRANSFERS.—

2                   (1) REQUIREMENT.—The sections of title 14,  
3           United States Code, identified in the table provided  
4           in paragraph (2) are amended—

5                           (A) by redesignating the sections as de-  
6                           scribed in the table; and

7                           (B) by transferring the sections, as nec-  
8                           essary, so that the sections appear after the  
9                           table of sections for chapter 9 of such title (as  
10                          added by subsection (a)), in the order in which  
11                          the sections are presented in the table.

1 (2) TABLE.—The table referred to in paragraph  
 2 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
641	Disposal of certain material	901
653	Employment of draftsmen and engineers	902
656	Use of certain appropriated funds	903
666	Local hire	904
670	Procurement authority for family housing	905
671	Air Station Cape Cod Improvements	906
672	Long-term lease of special purpose facilities	907
672a	Long-term lease authority for lighthouse property	908
674	Small boat station rescue capability	909
675	Small boat station closures	910
676	Search and rescue center standards	911
676a	Air facility closures	912
677	Turnkey selection procedures	913
681	Disposition of infrastructure related to E-LORAN	914
635	Oaths required for boards	931
636	Administration of oaths	932
638	Coast Guard ensigns and pennants	933
639	Penalty for unauthorized use of words “Coast Guard”	934
640	Coast Guard band recordings for commercial sale	935
645	Confidentiality of medical quality assurance records; qualified immunity for participants	936
646	Admiralty claims against the United States	937

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
647	Claims for damage to property of the United States	938
648	Accounting for industrial work	939
649	Supplies and equipment from stock	940
650	Coast Guard Supply Fund	941
654	Public and commercial vessels and other watercraft; sale of fuel, supplies, and services	942
655	Arms and ammunition; immunity from taxation	943
658	Confidential investigative expenses	944
659	Assistance to film producers	945
664	User fees	946
667	Vessel construction bonding requirements	947
668	Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care	948
669	Telephone installation and charges	949
673	Designation, powers, and accountability of deputy disbursing officials	950
678	Aircraft accident investigations	951

1 (c) ADDITIONAL CHANGES.—Chapter 9 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 901 (as so reded-  
4 igned and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—REAL AND PERSONAL  
7 PROPERTY”;

8 and

1           (2) by inserting before section 931 (as so redес-  
 2           ignated and transferred under subsection (b)) the  
 3           following:

4           “SUBCHAPTER II—MISCELLANEOUS”.

5   **SEC. 108. CHAPTER 11.**

6           (a) INITIAL MATTER.—Chapter 11 of title 14, United  
 7   States Code, is amended by striking the chapter designa-  
 8   tion, the chapter heading, and the table of sections at the  
 9   beginning and inserting the following:

10           **“CHAPTER 11—ACQUISITIONS**

                  “SUBCHAPTER I—GENERAL PROVISIONS

          “Sec.

          “1101. Acquisition directorate.

          “1102. Improvements in Coast Guard acquisition management.

          “1103. Role of Vice Commandant in major acquisition programs.

          “1104. Recognition of Coast Guard personnel for excellence in acquisition.

          “1105. Prohibition on use of lead systems integrators.

          “1106. Required contract terms.

          “1107. Extension of major acquisition program contracts.

          “1108. Department of Defense consultation.

          “1109. Undefined contractual actions.

          “1110. Guidance on excessive pass-through charges.

          “1111. Mission need statement.

                  “SUBCHAPTER II—IMPROVED ACQUISITION PROCESS AND PROCEDURES

          “1131. Identification of major system acquisitions.

          “1132. Acquisition.

          “1133. Preliminary development and demonstration.

          “1134. Acquisition, production, deployment, and support.

          “1135. Acquisition program baseline breach.

          “1136. Acquisition approval authority.

                  “SUBCHAPTER III—PROCUREMENT

          “1151. Restriction on construction of vessels in foreign shipyards.

          “1152. Advance procurement funding.

          “1153. Prohibition on overhaul, repair, and maintenance of Coast Guard vessels  
                                   in foreign shipyards.

          “1154. Procurement of buoy chain.

                  “SUBCHAPTER IV—DEFINITIONS

          “1171. Definitions.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 11 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
561	Acquisition directorate	1101
562	Improvements in Coast Guard acquisition management	1102
578	Role of Vice Commandant in major acquisition programs	1103
563	Recognition of Coast Guard personnel for excellence in acquisition	1104
564	Prohibition on use of lead systems integrators	1105
565	Required contract terms	1106
579	Extension of major acquisition program contracts	1107
566	Department of Defense consultation	1108
567	Undefinitized contractual actions	1109



Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
568	Guidance on excessive pass-through charges	1110
569	Mission need statement	1111
571	Identification of major system acquisitions	1131
572	Acquisition	1132
573	Preliminary development and demonstration	1133
574	Acquisition, production, deployment, and support	1134
575	Acquisition program baseline breach	1135
576	Acquisition approval authority	1136
665	Restriction on construction of vessels in foreign shipyards	1151
577	Advance procurement funding	1152
96	Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards	1153
97	Procurement of buoy chain	1154
581	Definitions	1171

1 (c) ADDITIONAL CHANGES.—Chapter 11 of title 14,  
2 United States Code, is further amended—

3 (1) by striking all subdivision designations and  
4 headings in such chapter, except for—

5 (A) the chapter designation and heading  
6 added by subsection (a);

7 (B) the subchapter designations and head-  
8 ings added by this subsection; and

9 (C) any designation or heading of a section  
10 or a subdivision of a section;

1 (2) by inserting before section 1101 (as so re-  
 2 designated and transferred under subsection (b)) the  
 3 following:

4 “SUBCHAPTER I—GENERAL PROVISIONS”;

5 (3) by inserting before section 1131 (as so re-  
 6 designated and transferred under subsection (b)) the  
 7 following:

8 “SUBCHAPTER II—IMPROVED ACQUISITION  
 9 PROCESS AND PROCEDURES”;

10 (4) by inserting before section 1151 (as so re-  
 11 designated and transferred under subsection (b)) the  
 12 following:

13 “SUBCHAPTER III—PROCUREMENT”;

14 and

15 (5) by inserting before section 1171 (as so re-  
 16 designated and transferred under subsection (b)) the  
 17 following:

18 “SUBCHAPTER IV—DEFINITIONS”.

19 **SEC. 109. SUBTITLE II.**

20 (a) INITIAL MATTER.—Title 14, United States Code,  
 21 is further amended by inserting after chapter 11 (as  
 22 amended by section 108 of this title) the following:

23 **“Subtitle II—Personnel**

“Chap.	Sec.
<b>“19. Coast Guard Academy</b> .....	<b>1901</b>
<b>“21. Personnel; Officers</b> .....	<b>2101</b>
<b>“23. Personnel; Enlisted</b> .....	<b>2301</b>
<b>“25. Personnel; General Provisions</b> .....	<b>2501</b>

**“27. Pay, Allowances, Awards, and Other Rights and Benefits ..... 2701**  
**“29. Coast Guard Family Support, Child Care, and Housing ..... 2901”.**

1 (b) RESERVED CHAPTER NUMBERS.—

2 (1) CHAPTER 13.—Chapter 13 of title 14,  
3 United States Code, is amended by striking the  
4 chapter designation, the chapter heading, and the  
5 table of sections at the beginning.

6 (2) CHAPTER 14.—Chapter 14 of title 14,  
7 United States Code, is amended—

8 (A) by striking the chapter designation,  
9 the chapter heading, and the table of sections  
10 at the beginning; and

11 (B) by striking the subchapter designation  
12 and the subchapter heading for each of the sub-  
13 chapters of such chapter.

14 (3) CHAPTER 15.—Chapter 15 of title 14,  
15 United States Code, is amended—

16 (A) by striking the chapter designation,  
17 the chapter heading, and the table of sections  
18 at the beginning; and

19 (B) by striking the subchapter designation  
20 and the subchapter heading for each of the sub-  
21 chapters of such chapter.

22 (4) CHAPTER 17.—Chapter 17 of title 14,  
23 United States Code, is amended by striking the

1 chapter designation, the chapter heading, and the  
2 table of sections at the beginning.

3 (5) CHAPTER 18.—Chapter 18 of title 14,  
4 United States Code, is amended by striking the  
5 chapter designation, the chapter heading, and the  
6 table of sections at the beginning.

7 **SEC. 110. CHAPTER 19.**

8 (a) INITIAL MATTER.—Chapter 19 of title 14, United  
9 States Code, is amended by striking the chapter designa-  
10 tion, the chapter heading, and the table of sections at the  
11 beginning and inserting the following:

12 **“CHAPTER 19—COAST GUARD ACADEMY**

“SUBCHAPTER I—ADMINISTRATION

“Sec.

“1901. Administration of Academy.

“1902. Policy on sexual harassment and sexual violence.

“1903. Annual Board of Visitors.

“1904. Participation in Federal, State, or other educational research grants.

“SUBCHAPTER II—CADETS

“1921. Corps of Cadets authorized strength.

“1922. Appointments.

“1923. Admission of foreign nationals for instruction; restrictions; conditions.

“1924. Conduct.

“1925. Agreement.

“1926. Cadet applicants; preappointment travel to Academy.

“1927. Cadets; initial clothing allowance.

“1928. Cadets; degree of bachelor of science.

“1929. Cadets; appointment as ensign.

“1930. Cadets: charges and fees for attendance; limitation.

“SUBCHAPTER III—FACULTY

“1941. Civilian teaching staff.

“1942. Permanent commissioned teaching staff; composition.

“1943. Appointment of permanent commissioned teaching staff.

“1944. Grade of permanent commissioned teaching staff.

“1945. Retirement of permanent commissioned teaching staff.

“1946. Credit for service as member of civilian teaching staff.

“1947. Assignment of personnel as instructors.

“1948. Marine safety curriculum.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 19 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
181	Administration of Academy	1901
200	Policy on sexual harassment and sexual violence	1902
194	Annual Board of Visitors	1903
196	Participation in Federal, State, or other educational research grants	1904
195	Admission of foreign nationals for instruction; restrictions; conditions	1923
181a	Cadet applicants; preappointment travel to Academy	1926
183	Cadets; initial clothing allowance	1927

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
184	Cadets; degree of bachelor of science	1928
185	Cadets; appointment as ensign	1929
197	Cadets: charges and fees for attendance; limitation	1930
186	Civilian teaching staff	1941
187	Permanent commissioned teaching staff; composition	1942
188	Appointment of permanent commissioned teaching staff	1943
189	Grade of permanent commissioned teaching staff	1944
190	Retirement of permanent commissioned teaching staff	1945
191	Credit for service as member of civilian teaching staff	1946
192	Assignment of personnel as instructors	1947
199	Marine safety curriculum	1948

1 (c) ADDITIONAL CHANGES.—

2 (1) IN GENERAL.—Chapter 19 of title 14,  
3 United States Code, is further amended—

4 (A) by inserting before section 1901 (as so  
5 redesignated and transferred under subsection

6 (b)) the following:

7 “SUBCHAPTER I—ADMINISTRATION”;

8 (B) by inserting before section 1923 (as so  
9 redesignated and transferred under subsection

10 (b)) the following:

## 1                   “SUBCHAPTER II—CADETS

2   **“§ 1921. Corps of Cadets authorized strength**

3           “The number of cadets appointed annually to the  
4 Academy shall be as determined by the Secretary but the  
5 number appointed in any one year shall not exceed six  
6 hundred.

7   **“§ 1922. Appointments**

8           “Appointments to cadetships shall be made under  
9 regulations prescribed by the Secretary, who shall deter-  
10 mine age limits, methods of selection of applicants, term  
11 of service as a cadet before graduation, and all other mat-  
12 ters affecting such appointments. In the administration of  
13 this section, the Secretary shall take such action as may  
14 be necessary and appropriate to insure that female individ-  
15 uals shall be eligible for appointment and admission to the  
16 Coast Guard Academy, and that the relevant standards  
17 required for appointment, admission, training, graduation,  
18 and commissioning of female individuals shall be the same  
19 as those required for male individuals, except for those  
20 minimum essential adjustments in such standards re-  
21 quired because of physiological differences between male  
22 and female individuals.”;

23                   (C) by inserting before section 1926 (as so  
24 redesignated and transferred under subsection  
25 (b)) the following:

1 **“§ 1924. Conduct**

2 “The Secretary may summarily dismiss from the  
3 Coast Guard any cadet who, during his cadetship, is found  
4 unsatisfactory in either studies or conduct, or may be  
5 deemed not adapted for a career in the Coast Guard. Ca-  
6 dets shall be subject to rules governing discipline pre-  
7 scribed by the Commandant.

8 **“§ 1925. Agreement**

9 “(a) Each cadet shall sign an agreement with respect  
10 to the cadet’s length of service in the Coast Guard. The  
11 agreement shall provide that the cadet agrees to the fol-  
12 lowing:

13 “(1) That the cadet will complete the course of  
14 instruction at the Coast Guard Academy.

15 “(2) That upon graduation from the Coast  
16 Guard Academy the cadet—

17 “(A) will accept an appointment, if ten-  
18 dered, as a commissioned officer of the Coast  
19 Guard; and

20 “(B) will serve on active duty for at least  
21 five years immediately after such appointment.

22 “(3) That if an appointment described in para-  
23 graph (2) is not tendered or if the cadet is permitted  
24 to resign as a regular officer before the completion  
25 of the commissioned service obligation of the cadet,  
26 the cadet—



1           “(A) will accept an appointment as a com-  
2           missioned officer in the Coast Guard Reserve;  
3           and

4           “(B) will remain in that reserve component  
5           until completion of the commissioned service ob-  
6           ligation of the cadet.

7           “(b)(1) The Secretary may transfer to the Coast  
8           Guard Reserve, and may order to active duty for such pe-  
9           riod of time as the Secretary prescribes (but not to exceed  
10          four years), a cadet who breaches an agreement under  
11          subsection (a). The period of time for which a cadet is  
12          ordered to active duty under this paragraph may be deter-  
13          mined without regard to section 651(a) of title 10.

14          “(2) A cadet who is transferred to the Coast Guard  
15          Reserve under paragraph (1) shall be transferred in an  
16          appropriate enlisted grade or rating, as determined by the  
17          Secretary.

18          “(3) For the purposes of paragraph (1), a cadet shall  
19          be considered to have breached an agreement under sub-  
20          section (a) if the cadet is separated from the Coast Guard  
21          Academy under circumstances which the Secretary deter-  
22          mines constitute a breach by the cadet of the cadet’s  
23          agreement to complete the course of instruction at the  
24          Coast Guard Academy and accept an appointment as a

1 commissioned officer upon graduation from the Coast  
2 Guard Academy.

3 “(c) The Secretary shall prescribe regulations to  
4 carry out this section. Those regulations shall include—

5 “(1) standards for determining what con-  
6 stitutes, for the purpose of subsection (b), a breach  
7 of an agreement under subsection (a);

8 “(2) procedures for determining whether such a  
9 breach has occurred; and

10 “(3) standards for determining the period of  
11 time for which a person may be ordered to serve on  
12 active duty under subsection (b).

13 “(d) In this section, ‘commissioned service obliga-  
14 tion’, with respect to an officer who is a graduate of the  
15 Academy, means the period beginning on the date of the  
16 officer’s appointment as a commissioned officer and end-  
17 ing on the sixth anniversary of such appointment or, at  
18 the discretion of the Secretary, any later date up to the  
19 eighth anniversary of such appointment.

20 “(e)(1) This section does not apply to a cadet who  
21 is not a citizen or national of the United States.

22 “(2) In the case of a cadet who is a minor and who  
23 has parents or a guardian, the cadet may sign the agree-  
24 ment required by subsection (a) only with the consent of  
25 the parent or guardian.

1 “(f) A cadet or former cadet who does not fulfill the  
2 terms of the obligation to serve as specified under section  
3 (a), or the alternative obligation imposed under subsection  
4 (b), shall be subject to the repayment provisions of section  
5 303a(e) of title 37.”; and

6 (D) by inserting before section 1941 (as so  
7 redesignated and transferred under subsection  
8 (b)) the following:

9 “SUBCHAPTER III—FACULTY”.

10 (2) CONFORMING REPEAL.—Section 182 of title  
11 14, United States Code, is repealed.

12 **SEC. 111. PART II.**

13 Part II of title 14, United States Code, is amended  
14 by striking the part designation, the part heading, and the  
15 table of chapters at the beginning.

16 **SEC. 112. CHAPTER 21.**

17 (a) INITIAL MATTER.—Chapter 21 of title 14, United  
18 States Code, is amended by striking the chapter designa-  
19 tion, the chapter heading, and the table of sections at the  
20 beginning and inserting the following:

21 **“CHAPTER 21—PERSONNEL; OFFICERS**

“SUBCHAPTER I—APPOINTMENT AND PROMOTION

“Sec.

“2101. Original appointment of permanent commissioned officers.

“2102. Active duty promotion list.

“2103. Number and distribution of commissioned officers on active duty pro-  
motion list.

“2104. Appointment of temporary officers.

“2105. Rank of warrant officers.

- “2106. Selection boards; convening of boards.
  - “2107. Selection boards; composition of boards.
  - “2108. Selection boards; notice of convening; communication with board.
  - “2109. Selection boards; oath of members.
  - “2110. Number of officers to be selected for promotion.
  - “2111. Promotion zones.
  - “2112. Promotion year; defined.
  - “2113. Eligibility of officers for consideration for promotion.
  - “2114. United States Deputy Marshals in Alaska.
  - “2115. Selection boards; information to be furnished boards.
  - “2116. Officers to be recommended for promotion.
  - “2117. Selection boards; reports.
  - “2118. Selection boards; submission of reports.
  - “2119. Failure of selection for promotion.
  - “2120. Special selection boards; correction of errors.
  - “2121. Promotions; appointments.
  - “2122. Removal of officer from list of selectees for promotion.
  - “2123. Promotions; acceptance; oath of office.
  - “2124. Promotions; pay and allowances.
  - “2125. Wartime temporary service promotions.
  - “2126. Promotion of officers not included on active duty promotion list.
  - “2127. Recall to active duty during war or national emergency.
  - “2128. Recall to active duty with consent of officer.
  - “2129. Aviation cadets; appointment as Reserve officers.
- “SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS;  
SEPARATION FOR CAUSE
- “2141. Revocation of commissions during first five years of commissioned service.
  - “2142. Regular lieutenants (junior grade); separation for failure of selection for promotion.
  - “2143. Regular lieutenants; separation for failure of selection for promotion; continuation.
  - “2144. Regular Coast Guard; officers serving under temporary appointments.
  - “2145. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.
  - “2146. Discharge in lieu of retirement; separation pay.
  - “2147. Regular warrant officers: separation pay.
  - “2148. Separation for failure of selection for promotion or continuation; time of.
  - “2149. Regular captains; retirement.
  - “2150. Captains; continuation on active duty; involuntary retirement.
  - “2151. Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement.
  - “2152. Voluntary retirement after twenty years' service.
  - “2153. Voluntary retirement after thirty years' service.
  - “2154. Compulsory retirement.
  - “2155. Retirement for physical disability after selection for promotion; grade in which retired.
  - “2156. Deferment of retirement or separation for medical reasons.
  - “2157. Flag officers.
  - “2158. Review of records of officers.
  - “2159. Boards of inquiry.
  - “2160. Boards of review.

“2161. Composition of boards.

“2162. Rights and procedures.

“2163. Removal of officer from active duty; action by Secretary.

“2164. Officers considered for removal; retirement or discharge; separation benefits.

“2165. Relief of retired officer promoted while on active duty.

“SUBCHAPTER III—GENERAL PROVISIONS

“2181. Physical fitness of officers.

“2182. Multirater assessment of certain personnel.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 21 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
211	Original appointment of permanent commissioned officers	2101
41a	Active duty promotion list	2102
42	Number and distribution of commissioned officers on active duty promotion list	2103
214	Appointment of temporary officers	2104

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
215	Rank of warrant officers	2105
251	Selection boards; convening of boards	2106
252	Selection boards; composition of boards	2107
253	Selection boards; notice of convening; communication with board	2108
254	Selection boards; oath of members	2109
255	Number of officers to be selected for promotion	2110
256	Promotion zones	2111
256a	Promotion year; defined	2112
257	Eligibility of officers for consideration for promotion	2113
258	Selection boards; information to be furnished boards	2115
259	Officers to be recommended for promotion	2116
260	Selection boards; reports	2117
261	Selection boards; submission of reports	2118
262	Failure of selection for promotion	2119
263	Special selection boards; correction of errors	2120
271	Promotions; appointments	2121
272	Removal of officer from list of selectees for promotion	2122
273	Promotions; acceptance; oath of office	2123
274	Promotions; pay and allowances	2124
275	Wartime temporary service promotions	2125
276	Promotion of officers not included on active duty promotion list	2126
331	Recall to active duty during war or national emergency	2127
332	Recall to active duty with consent of officer	2128

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
373	Aviation cadets; appointment as Reserve officers	2129
281	Revocation of commissions during first five years of commissioned service	2141
282	Regular lieutenants (junior grade); separation for failure of selection for promotion	2142
283	Regular lieutenants; separation for failure of selection for promotion; continuation	2143
284	Regular Coast Guard; officers serving under temporary appointments	2144
285	Regular lieutenant commanders and commanders; retirement for failure of selection for promotion	2145
286	Discharge in lieu of retirement; separation pay	2146
286a	Regular warrant officers: separation pay	2147
287	Separation for failure of selection for promotion or continuation; time of	2148
288	Regular captains; retirement	2149
289	Captains; continuation on active duty; involuntary retirement	2150
290	Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement	2151
291	Voluntary retirement after twenty years' service	2152
292	Voluntary retirement after thirty years' service	2153
293	Compulsory retirement	2154
294	Retirement for physical disability after selection for promotion; grade in which retired	2155
295	Deferment of retirement or separation for medical reasons	2156
296	Flag officers	2157
321	Review of records of officers	2158

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
322	Boards of inquiry	2159
323	Boards of review	2160
324	Composition of boards	2161
325	Rights and procedures	2162
326	Removal of officer from active duty; action by Secretary	2163
327	Officers considered for removal; retirement or discharge; separation benefits	2164
333	Relief of retired officer promoted while on active duty	2165
335	Physical fitness of officers	2181
429	Multirater assessment of certain personnel	2182

1 (c) ADDITIONAL CHANGES.—Chapter 21 of title 14,  
2 United States Code, is further amended—

3 (1) by striking all subchapter designations and  
4 headings in such chapter, except for the subchapter  
5 designations and headings added by this subsection;

6 (2) by inserting before section 2101 (as so re-  
7 designated and transferred under subsection (b)) the  
8 following:

9 “SUBCHAPTER I—APPOINTMENT AND  
10 PROMOTION”;

11 (3) by inserting before section 2115 (as so re-  
12 designated and transferred under subsection (b)) the  
13 following:



1 **“§ 2114. United States Deputy Marshals in Alaska**

2 “Commissioned officers may be appointed as United  
3 States Deputy Marshals in Alaska.”;

4 (4) by inserting before section 2141 (as so re-  
5 designated and transferred under subsection (b)) the  
6 following:

7 “SUBCHAPTER II—DISCHARGES; RETIRE-  
8 MENTS; REVOCATION OF COMMISSIONS;  
9 SEPARATION FOR CAUSE”;

10 and

11 (5) by inserting before section 2181 (as so re-  
12 designated and transferred under subsection (b)) the  
13 following:

14 “SUBCHAPTER III—GENERAL PROVISIONS”.

15 **SEC. 113. CHAPTER 23.**

16 (a) INITIAL MATTER.—Chapter 23 of title 14, United  
17 States Code, is amended by striking the chapter designa-  
18 tion, the chapter heading, and the table of sections at the  
19 beginning and inserting the following:

20 **“CHAPTER 23—PERSONNEL; ENLISTED**

“Sec.

“2301. Recruiting campaigns.

“2302. Enlistments; term, grade.

“2303. Promotion.

“2304. Compulsory retirement at age of sixty-two.

“2305. Voluntary retirement after thirty years’ service.

“2306. Voluntary retirement after twenty years’ service.

“2307. Retirement of enlisted members: increase in retired pay.

“2308. Recall to active duty during war or national emergency.

“2309. Recall to active duty with consent of member.

“2310. Relief of retired enlisted member promoted while on active duty.

- “2311. Retirement in cases where higher grade or rating has been held.  
 “2312. Extension of enlistments.  
 “2313. Retention beyond term of enlistment in case of disability.  
 “2314. Detention beyond term of enlistment.  
 “2315. Inclusion of certain conditions in enlistment contract.  
 “2316. Discharge within three months before expiration of enlistment.  
 “2317. Aviation cadets; procurement; transfer.  
 “2318. Aviation cadets; benefits.  
 “2319. Critical skill training bonus.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
 3 United States Code, identified in the table provided  
 4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
 6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
 8 essary, so that the sections appear after the  
 9 table of sections for chapter 23 of such title (as  
 10 added by subsection (a)), in the order in which  
 11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
 13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
350	Recruiting campaigns	2301
351	Enlistments; term, grade	2302
352	Promotion	2303
353	Compulsory retirement at age of sixty-two	2304
354	Voluntary retirement after thirty years' service	2305
355	Voluntary retirement after twenty years' service	2306

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
357	Retirement of enlisted members: increase in retired pay	2307
359	Recall to active duty during war or national emergency	2308
360	Recall to active duty with consent of member	2309
361	Relief of retired enlisted member promoted while on active duty	2310
362	Retirement in cases where higher grade or rating has been held	2311
365	Extension of enlistments	2312
366	Retention beyond term of enlistment in case of disability	2313
367	Detention beyond term of enlistment	2314
369	Inclusion of certain conditions in enlistment contract	2315
370	Discharge within three months before expiration of enlistment	2316
371	Aviation cadets; procurement; transfer	2317
372	Aviation cadets; benefits	2318
374	Critical skill training bonus	2319

1 **SEC. 114. CHAPTER 25.**

2 (a) INITIAL MATTER.—Chapter 25 of title 14, United  
3 States Code, is amended by striking the chapter designa-  
4 tion, the chapter heading, and the table of sections at the  
5 beginning and inserting the following:

6 **“CHAPTER 25—PERSONNEL; GENERAL**  
7 **PROVISIONS**

“SUBCHAPTER I—GENERAL PROVISIONS

- “Sec.  
 “2501. Grade on retirement.  
 “2502. Retirement.  
 “2503. Status of recalled personnel.  
 “2504. Computation of retired pay.  
 “2505. Limitations on retirement and retired pay.  
 “2506. Suspension of payment of retired pay of members who are absent from  
 the United States to avoid prosecution.  
 “2507. Board for Correction of Military Records deadline.  
 “2508. Emergency leave retention authority.  
 “2509. Prohibition of certain involuntary administrative separations.  
 “2510. Sea service letters.  
 “2511. Investigations of flag officers and Senior Executive Service employees.  
 “2512. Leave policies for the Coast Guard.  
 “2513. Computation of length of service.

“SUBCHAPTER II—LIGHTHOUSE SERVICE

“2531. Personnel of former Lighthouse Service.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
 3 United States Code, identified in the table provided  
 4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
 6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
 8 essary, so that the sections appear after the  
 9 table of sections for chapter 25 of such title (as  
 10 added by subsection (a)), in the order in which  
 11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
 13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
334	Grade on retirement	2501

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
421	Retirement	2502
422	Status of recalled personnel	2503
423	Computation of retired pay	2504
424	Limitations on retirement and retired pay	2505
424a	Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution	2506
425	Board for Correction of Military Records deadline	2507
426	Emergency leave retention authority	2508
427	Prohibition of certain involuntary administrative separations	2509
428	Sea service letters	2510
430	Investigations of flag officers and Senior Executive Service employees	2511
431	Leave policies for the Coast Guard	2512
467	Computation of length of service	2513
432	Personnel of former Lighthouse Service	2531

1 (c) ADDITIONAL CHANGES.—Chapter 25 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 2501 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—GENERAL PROVISIONS”;

7 and

1 (2) by inserting before section 2531 (as so re-  
2 designated and transferred under subsection (b)) the  
3 following:

4 “SUBCHAPTER II—LIGHTHOUSE SERVICE”.

5 **SEC. 115. PART III.**

6 Part III of title 14, United States Code, is amended  
7 by striking the part designation, the part heading, and the  
8 table of chapters at the beginning.

9 **SEC. 116. CHAPTER 27.**

10 (a) INITIAL MATTER.—Chapter 27 of title 14, United  
11 States Code, is amended by striking the chapter designa-  
12 tion, the chapter heading, and the table of sections at the  
13 beginning and inserting the following:

14 **“CHAPTER 27—PAY, ALLOWANCES,**  
15 **AWARDS, AND OTHER RIGHTS AND**  
16 **BENEFITS**

“SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS

“Sec.

“2701. Procurement of personnel.

“2702. Training.

“2703. Contingent expenses.

“2704. Equipment to prevent accidents.

“2705. Clothing at time of discharge for good of service.

“2706. Right to wear uniform.

“2707. Protection of uniform.

“2708. Clothing for officers and enlisted personnel.

“2709. Procurement and sale of stores to members and civilian employees.

“2710. Disposition of effects of decedents.

“2711. Deserters; payment of expenses incident to apprehension and delivery;  
penalties.

“2712. Payment for the apprehension of stragglers.

“SUBCHAPTER II—AWARDS

“2731. Delegation of powers to make awards; rules and regulations.

“2732. Medal of honor.

- “2733. Medal of honor: duplicate medal.
- “2734. Medal of honor: presentation of Medal of Honor Flag.
- “2735. Coast Guard cross.
- “2736. Distinguished service medal.
- “2737. Silver star medal.
- “2738. Distinguished flying cross.
- “2739. Coast Guard medal.
- “2740. Insignia for additional awards.
- “2741. Time limit on award; report concerning deed.
- “2742. Honorable subsequent service as condition to award.
- “2743. Posthumous awards.
- “2744. Life-saving medals.
- “2745. Replacement of medals.
- “2746. Award of other medals.
- “2747. Awards and insignia for excellence in service or conduct.
- “2748. Presentation of United States flag upon retirement.

“SUBCHAPTER III—PAYMENTS

- “2761. Persons discharged as result of court-martial; allowances to.
- “2762. Shore patrol duty; payment of expenses.
- “2763. Compensatory absence from duty for military personnel at isolated duty stations.
- “2764. Monetary allowance for transportation of household effects.
- “2765. Retroactive payment of pay and allowances delayed by administrative error or oversight.
- “2766. Travel card management.
- “2767. Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States.
- “2768. Annual audit of pay and allowances of members undergoing permanent change of station.
- “2769. Remission of indebtedness.
- “2770. Special instruction at universities.
- “2771. Attendance at professional meetings.
- “2772. Education loan repayment program.
- “2773. Rations or commutation therefor in money.
- “2774. Sales of ration supplies to messes.
- “2775. Flight rations.
- “2776. Payments at time of discharge for good of service.
- “2777. Clothing for destitute shipwrecked persons.
- “2778. Advancement of public funds to personnel.
- “2779. Transportation to and from certain places of employment.”.

1           (b) REDESIGNATIONS AND TRANSFERS.—

2                   (1) REQUIREMENT.—The sections of title 14,  
 3           United States Code, identified in the table provided  
 4           in paragraph (2) are amended—

5                   (A) by redesignating the sections as de-  
 6                   scribed in the table; and

1 (B) by transferring the sections, as nec-  
 2 essary, so that the sections appear after the  
 3 table of sections for chapter 27 of such title (as  
 4 added by subsection (a)), in the order in which  
 5 the sections are presented in the table.

6 (2) TABLE.—The table referred to in paragraph  
 7 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
468	Procurement of personnel	2701
469	Training	2702
476	Contingent expenses	2703
477	Equipment to prevent accidents	2704
482	Clothing at time of discharge for good of service	2705
483	Right to wear uniform	2706
484	Protection of uniform	2707
485	Clothing for officers and enlisted personnel	2708
487	Procurement and sale of stores to members and civilian employees	2709
507	Disposition of effects of decedents	2710
508	Deserters; payment of expenses incident to apprehension and delivery; penalties	2711
644	Payment for the apprehension of stragglers	2712
499	Delegation of powers to make awards; rules and regulations	2731
491	Medal of honor	2732
504	Medal of honor: duplicate medal	2733



Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
505	Medal of honor: presentation of Medal of Honor Flag	2734
491a	Coast Guard cross	2735
492	Distinguished service medal	2736
492a	Silver star medal	2737
492b	Distinguished flying cross	2738
493	Coast Guard medal	2739
494	Insignia for additional awards	2740
496	Time limit on award; report concerning deed	2741
497	Honorable subsequent service as condition to award	2742
498	Posthumous awards	2743
500	Life-saving medals	2744
501	Replacement of medals	2745
502	Award of other medals	2746
503	Awards and insignia for excellence in service or conduct	2747
516	Presentation of United States flag upon retirement	2748
509	Persons discharged as result of court-martial; allowances to	2761
510	Shore patrol duty; payment of expenses	2762
511	Compensatory absence from duty for military personnel at isolated duty stations	2763
512	Monetary allowance for transportation of household effects	2764
513	Retroactive payment of pay and allowances delayed by administrative error or oversight	2765
517	Travel card management	2766

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
518	Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States	2767
519	Annual audit of pay and allowances of members undergoing permanent change of station	2768
461	Remission of indebtedness	2769
470	Special instruction at universities	2770
471	Attendance at professional meetings	2771
472	Education loan repayment program	2772
478	Rations or commutation therefor in money	2773
479	Sales of ration supplies to messes	2774
480	Flight rations	2775
481	Payments at time of discharge for good of service	2776
486	Clothing for destitute shipwrecked persons	2777
488	Advancement of public funds to personnel	2778
660	Transportation to and from certain places of employment	2779

1 (c) ADDITIONAL CHANGES.—Chapter 27 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 2701 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

1 “SUBCHAPTER I—PERSONNEL RIGHTS AND  
2 BENEFITS”;

3 (2) by inserting before section 2731 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER II—AWARDS”;

7 and

8 (3) by inserting before section 2761 (as so re-  
9 designated and transferred under subsection (b)) the  
10 following:

11 “SUBCHAPTER III—PAYMENTS”.

12 **SEC. 117. CHAPTER 29.**

13 (a) INITIAL MATTER.—Chapter 29 of title 14, United  
14 States Code, is amended by striking the chapter designa-  
15 tion, the chapter heading, and the table of sections at the  
16 beginning and inserting the following:

17 **“CHAPTER 29—COAST GUARD FAMILY**  
18 **SUPPORT, CHILD CARE, AND HOUSING**

“SUBCHAPTER I—COAST GUARD FAMILIES

“Sec.

“2901. Work-life policies and programs.

“2902. Surveys of Coast Guard families.

“2903. Reimbursement for adoption expenses.

“2904. Education and training opportunities for Coast Guard spouses.

“2905. Youth sponsorship initiatives.

“2906. Dependent school children.

“SUBCHAPTER II—COAST GUARD CHILD CARE

“2921. Definitions.

“2922. Child development services.

“2923. Child development center standards and inspections.

“2924. Child development center employees.

“2925. Parent partnerships with child development centers.

“SUBCHAPTER III—HOUSING

“2941. Definitions.

“2942. General authority.

“2943. Leasing and hiring of quarters; rental of inadequate housing.

“2944. Retired service members and dependents serving on advisory committees.

“2945. Conveyance of real property.

“2946. Coast Guard Housing Fund.

“2947. Reports.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 29 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
531	Work-life policies and programs	2901
532	Surveys of Coast Guard families	2902
541	Reimbursement for adoption expenses	2903
542	Education and training opportunities for Coast Guard spouses	2904

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
543	Youth sponsorship initiatives	2905
544	Dependent school children	2906
551	Definitions	2921
552	Child development services	2922
553	Child development center standards and inspections	2923
554	Child development center employees	2924
555	Parent partnerships with child development centers	2925
680	Definitions	2941
681	General authority	2942
475	Leasing and hiring of quarters; rental of inadequate housing	2943
680	Retired service members and dependents serving on advisory committees	2944
685	Conveyance of real property	2945
687	Coast Guard Housing Fund	2946
688	Reports	2947

1 (c) ADDITIONAL CHANGES.—Chapter 29 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 2901 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—COAST GUARD FAMILIES”;

7 (2) by inserting before section 2921 (as so re-  
8 designated and transferred under subsection (b)) the  
9 following:

1 “SUBCHAPTER II—COAST GUARD CHILD CARE”;

2 and

3 (3) by inserting before section 2941 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER III—HOUSING”.

7 **SEC. 118. SUBTITLE III AND CHAPTER 37.**

8 (a) INITIAL MATTER.—Title 14, United States Code,  
9 is further amended by adding after chapter 29 (as amend-  
10 ed by section 117 of this title) the following:

11 **“Subtitle III—Coast Guard Reserve**  
12 **and Auxiliary**

“Chap.	Sec.
<b>“37. Coast Guard Reserve .....</b>	<b>3701</b>
<b>“39. Coast Guard Auxiliary .....</b>	<b>3901</b>
<b>“41. General Provisions for Coast Guard Reserve and Auxiliary .....</b>	<b>4101</b>

13 **“CHAPTER 1—COAST GUARD RESERVE**

“SUBCHAPTER I—ADMINISTRATION

“Sec.

“3701. Organization.

“3702. Authorized strength.

“3703. Coast Guard Reserve Boards.

“3704. Grades and ratings; military authority.

“3705. Benefits.

“3706. Temporary members of the Reserve; eligibility and compensation.

“3707. Temporary members of the Reserve; disability or death benefits.

“3708. Temporary members of the Reserve; certificate of honorable service.

“3709. Reserve student aviation pilots; Reserve aviation pilots; appointments in  
commissioned grade.

“3710. Reserve student pre-commissioning assistance program.

“3711. Appointment or wartime promotion; retention of grade upon release from  
active duty.

“3712. Exclusiveness of service.

“3713. Active duty for emergency augmentation of regular forces.

“3714. Enlistment of members engaged in schooling.

“SUBCHAPTER II—PERSONNEL

- “3731. Definitions.
- “3732. Applicability of this subchapter.
- “3733. Suspension of this subchapter in time of war or national emergency.
- “3734. Effect of this subchapter on retirement and retired pay.
- “3735. Authorized number of officers.
- “3736. Precedence.
- “3737. Running mates.
- “3738. Constructive credit upon initial appointment.
- “3739. Promotion of Reserve officers on active duty.
- “3740. Promotion; recommendations of selection boards.
- “3741. Selection boards; appointment.
- “3742. Establishment of promotion zones under running mate system.
- “3743. Eligibility for promotion.
- “3744. Recommendation for promotion of an officer previously removed from an active status.
- “3745. Qualifications for promotion.
- “3746. Promotion; acceptance; oath of office.
- “3747. Date of rank upon promotion; entitlement to pay.
- “3748. Type of promotion; temporary.
- “3749. Effect of removal by the President or failure of consent of the Senate.
- “3750. Failure of selection for promotion.
- “3751. Failure of selection and removal from an active status.
- “3752. Retention boards; removal from an active status to provide a flow of promotion.
- “3753. Maximum ages for retention in an active status.
- “3754. Rear admiral and rear admiral (lower half); maximum service in grade.
- “3755. Appointment of a former Navy or Coast Guard officer.
- “3756. Grade on entry upon active duty.
- “3757. Recall of a retired officer; grade upon release.”.

1           (b) REDESIGNATIONS AND TRANSFERS.—

2                   (1) REQUIREMENT.—The sections of title 14,  
 3           United States Code, identified in the table provided  
 4           in paragraph (2) are amended—

5                           (A) by redesignating the sections as de-  
 6                           scribed in the table; and

7                           (B) by transferring the sections, as nec-  
 8                           essary, so that the sections appear after the  
 9                           table of sections for chapter 37 of such title (as  
 10                           added by subsection (a)), in the order in which  
 11                           the sections are presented in the table.

1 (2) TABLE.—The table referred to in paragraph  
 2 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
701	Organization	3701
702	Authorized strength	3702
703	Coast Guard Reserve Boards	3703
704	Grades and ratings; military authority	3704
705	Benefits	3705
706	Temporary members of the Reserve; eligibility and compensation	3706
707	Temporary members of the Reserve; disability or death benefits	3707
708	Temporary members of the Reserve; certificate of honorable service	3708
709	Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade	3709
709a	Reserve student pre-commissioning assistance program	3710
710	Appointment or wartime promotion; retention of grade upon release from active duty	3711
711	Exclusiveness of service	3712
712	Active duty for emergency augmentation of regular forces	3713
713	Enlistment of members engaged in schooling	3714
720	Definitions	3731
721	Applicability of this subchapter	3732
722	Suspension of this subchapter in time of war or national emergency	3733
723	Effect of this subchapter on retirement and retired pay	3734



Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
724	Authorized number of officers	3735
725	Precedence	3736
726	Running mates	3737
727	Constructive credit upon initial appointment	3738
728	Promotion of Reserve officers on active duty	3739
729	Promotion; recommendations of selection boards	3740
730	Selection boards; appointment	3741
731	Establishment of promotion zones under running mate system	3742
732	Eligibility for promotion	3743
733	Recommendation for promotion of an officer previously removed from an active status	3744
734	Qualifications for promotion	3745
735	Promotion; acceptance; oath of office	3746
736	Date of rank upon promotion; entitlement to pay	3747
737	Type of promotion; temporary	3748
738	Effect of removal by the President or failure of consent of the Senate	3749
739	Failure of selection for promotion	3750
740	Failure of selection and removal from an active status	3751
741	Retention boards; removal from an active status to provide a flow of promotion	3752
742	Maximum ages for retention in an active status	3753
743	Rear admiral and rear admiral (lower half); maximum service in grade	3754
744	Appointment of a former Navy or Coast Guard officer	3755

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
745	Grade on entry upon active duty	3756
746	Recall of a retired officer; grade upon release	3757

1 (c) **ADDITIONAL CHANGES.**—Chapter 37 of title 14,  
2 United States Code, is further amended—

3 (1) by inserting before section 3701 (as so re-  
4 designated and transferred under subsection (b)) the  
5 following:

6 “SUBCHAPTER I—ADMINISTRATION”;

7 and

8 (2) by inserting before section 3731 (as so re-  
9 designated and transferred under subsection (b)) the  
10 following:

11 “SUBCHAPTER II—PERSONNEL”.

12 **SEC. 119. CHAPTER 39.**

13 (a) **INITIAL MATTER.**—Title 14, United States Code,  
14 is further amended by adding after chapter 37 (as added  
15 by section 118 of this title) the following:

16 **“CHAPTER 39—COAST GUARD AUXILIARY**

“Sec.

“3901. Administration of the Coast Guard Auxiliary.

“3902. Purpose of the Coast Guard Auxiliary.

“3903. Eligibility; enrollments.

“3904. Members of the Auxiliary; status.

“3905. Disenrollment.

“3906. Membership in other organizations.

“3907. Use of member’s facilities.

“3908. Vessel deemed public vessel.

“3909. Aircraft deemed public aircraft.

“3910. Radio station deemed government station.

“3911. Availability of appropriations.

“3912. Assignment and performance of duties.

“3913. Injury or death in line of duty.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 39 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
821	Administration of the Coast Guard Auxiliary	3901
822	Purpose of the Coast Guard Auxiliary	3902
823	Eligibility; enrollments	3903
823a	Members of the Auxiliary; status	3904
824	Disenrollment	3905
825	Membership in other organizations	3906
826	Use of member's facilities	3907
827	Vessel deemed public vessel	3908

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
828	Aircraft deemed public aircraft	3909
829	Radio station deemed government station	3910
830	Availability of appropriations	3911
831	Assignment and performance of duties	3912
832	Injury or death in line of duty	3913

1 **SEC. 120. CHAPTER 41.**

2 (a) INITIAL MATTER.—Title 14, United States Code,  
3 is further amended by adding after chapter 39 (as added  
4 by section 119 of this title) the following:

5 **“CHAPTER 41—GENERAL PROVISIONS FOR**  
6 **COAST GUARD RESERVE AND AUXILIARY**

“Sec.

“4101. Flags; pennants; uniforms and insignia.

“4102. Penalty.

“4103. Limitation on rights of members of the Auxiliary and temporary members of the Reserve.

“4104. Availability of facilities and appropriations.”.

7 (b) REDESIGNATIONS AND TRANSFERS.—

8 (1) REQUIREMENT.—The sections of title 14,  
9 United States Code, identified in the table provided  
10 in paragraph (2) are amended—

11 (A) by redesignating the sections as de-  
12 scribed in the table; and

13 (B) by transferring the sections, as nec-  
14 essary, so that the sections appear after the  
15 table of sections for chapter 41 of such title (as

1 added by subsection (a)), in the order in which  
 2 the sections are presented in the table.

3 (2) TABLE.—The table referred to in paragraph  
 4 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
891	Flags; pennants; uniforms and insignia	4101
892	Penalty	4102
893	Limitation on rights of members of the Auxiliary and temporary members of the Reserve	4103
894	Availability of facilities and appropriations	4104

5 **SEC. 121. SUBTITLE IV AND CHAPTER 49.**

6 (a) INITIAL MATTER.—Title 14, United States Code,  
 7 is further amended by adding after chapter 41 (as added  
 8 by section 120 of this title) the following:

9 **“Subtitle IV—Coast Guard Author-**  
 10 **izations and Reports to Con-**  
 11 **gress**

“Chap.	Sec.
<b>“49. Authorizations</b> .....	<b>4901</b>
<b>“51. Reports</b> .....	<b>5101</b>

12 **“CHAPTER 49—AUTHORIZATIONS**

“Sec.
“4901. Requirement for prior authorization of appropriations.
“4902. Authorization of appropriations.
“4903. Authorization of personnel end strengths.
“4904. Authorized levels of military strength and training.”.

13 (b) REDESIGNATIONS AND TRANSFERS.—

1           (1) REQUIREMENT.—The sections of title 14,  
2           United States Code, identified in the table provided  
3           in paragraph (2) are amended—

4                   (A) by redesignating the sections as de-  
5                   scribed in the table; and

6                   (B) by transferring the sections, as nec-  
7                   essary, so that the sections appear after the  
8                   table of sections for chapter 49 of such title (as  
9                   added by subsection (a)), in the order in which  
10                  the sections are presented in the table.

11           (2) TABLE.—The table referred to in paragraph  
12           (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
2701	Requirement for prior authorization of appropriations	4901
2702	Authorization of appropriations	4902
2703	Authorization of personnel end strengths	4903
2704	Authorized levels of military strength and training	4904

13   **SEC. 122. CHAPTER 51.**

14           (a) INITIAL MATTER.—Title 14, United States Code,  
15           is further amended by adding after chapter 49 (as added  
16           by section 121 of this title) the following:

17                                   **“CHAPTER 51—REPORTS**

“Sec.

“5101. Transmission of annual Coast Guard authorization request.

“5102. Capital investment plan.

“5103. Major acquisitions.

“5104. Manpower requirements plan.

“5105. Inventory of real property.”.

1 (b) REDESIGNATIONS AND TRANSFERS.—

2 (1) REQUIREMENT.—The sections of title 14,  
3 United States Code, identified in the table provided  
4 in paragraph (2) are amended—

5 (A) by redesignating the sections as de-  
6 scribed in the table; and

7 (B) by transferring the sections, as nec-  
8 essary, so that the sections appear after the  
9 table of sections for chapter 51 of such title (as  
10 added by subsection (a)), in the order in which  
11 the sections are presented in the table.

12 (2) TABLE.—The table referred to in paragraph  
13 (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
2901	Transmission of annual Coast Guard authorization request	5101
2902	Capital investment plan	5102
2903	Major acquisitions	5103
2904	Manpower requirements plan	5104
679	Inventory of real property	5105

1 **SEC. 123. REFERENCES.**

2 (a) DEFINITIONS.—In this section, the following defi-  
3 nitions apply:

4 (1) REDESIGNATED SECTION.—The term “re-  
5 designated section” means a section of title 14,  
6 United States Code, that is redesignated by this  
7 title, as that section is so redesignated.

8 (2) SOURCE SECTION.—The term “source sec-  
9 tion” means a section of title 14, United States  
10 Code, that is redesignated by this title, as that sec-  
11 tion was in effect before the redesignation.

12 (b) REFERENCE TO SOURCE SECTION.—

13 (1) TREATMENT OF REFERENCE.—A reference  
14 to a source section, including a reference in a regu-  
15 lation, order, or other law, is deemed to refer to the  
16 corresponding redesignated section.

17 (2) TITLE 14.—In title 14, United States Code,  
18 each reference in the text of such title to a source  
19 section is amended by striking such reference and  
20 inserting a reference to the appropriate, as deter-  
21 mined using the tables located in this title, redesi-  
22 gnated section.

23 (c) OTHER CONFORMING AMENDMENTS.—

24 (1) REFERENCE TO SECTION 182.—Section  
25 1923(e) of title 14, United States Code, as so redes-



1       ignated by this title, is further amended by striking  
2       “section 182” and inserting “section 1922”.

3           (2) REFERENCES TO CHAPTER 11.—Title 14,  
4       United States Code, is further amended—

5           (A) in section 2146(d), as so redesignated  
6       by this title, by striking “chapter 11 of this  
7       title” and inserting “this chapter”; and

8           (B) in section 3739, as so redesignated by  
9       this title, by striking “chapter 11” each place  
10      that it appears and inserting “chapter 21”.

11          (3) REFERENCE TO CHAPTER 13.—Section  
12      3705(b) of title 14, United States Code, as so red-  
13      esignated by this title, is further amended by striking  
14      “chapter 13” and inserting “chapter 27”.

15          (4) REFERENCE TO CHAPTER 15.—Section  
16      308(b)(3) of title 14, United States Code, as so re-  
17      designated by this title, is further amended by strik-  
18      ing “chapter 15” and inserting “chapter 11”.

19          (5) REFERENCES TO CHAPTER 19.—Title 14,  
20      United States Code, is further amended—

21           (A) in section 4901(4), as so redesignated  
22      by this title, by striking “chapter 19” and in-  
23      serting “section 318”; and

1 (B) in section 4902(4), as so redesignated  
2 by this title, by striking “chapter 19” and in-  
3 serting “section 318”.

4 (6) REFERENCE TO CHAPTER 23.—Section  
5 701(a) of title 14, United States Code, as so redesign-  
6 dated by this title, is further amended by striking  
7 “chapter 23” and inserting “chapter 39”.

8 **SEC. 124. RULE OF CONSTRUCTION.**

9 This title, including the amendments made by this  
10 title, is intended only to reorganize title 14, United States  
11 Code, and may not be construed to alter—

12 (1) the effect of a provision of title 14, United  
13 States Code, including any authority or requirement  
14 therein;

15 (2) a department or agency interpretation with  
16 respect to title 14, United States Code; or

17 (3) a judicial interpretation with respect to title  
18 14, United States Code.

19 **TITLE II—AUTHORIZATIONS**

20 **SEC. 201. AMENDMENTS TO TITLE 14, UNITED STATES**  
21 **CODE, AS AMENDED BY TITLE I OF THIS DIVI-**  
22 **SION.**

23 Except as otherwise expressly provided, whenever in  
24 this title an amendment or repeal is expressed in terms  
25 of an amendment to, or a repeal of, a section or other

1 provision of title 14, United States Code, the reference  
2 shall be considered to be made to title 14, United States  
3 Code, as amended by title I of this division.

4 **SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.**

5 (a) IN GENERAL.—Section 4902 of title 14, United  
6 States Code, is amended to read as follows:

7 **“§ 4902. Authorizations of appropriations**

8 “(a) FISCAL YEAR 2018.—Funds are authorized to  
9 be appropriated for fiscal year 2018 for necessary ex-  
10 penses of the Coast Guard as follows:

11 “(1) For the operation and maintenance of the  
12 Coast Guard, not otherwise provided for,  
13 \$7,210,313,000 for fiscal year 2018.

14 “(2) For the acquisition, construction, renova-  
15 tion, and improvement of aids to navigation, shore  
16 facilities, vessels, and aircraft, including equipment  
17 related thereto, and for maintenance, rehabilitation,  
18 lease, and operation of facilities and equipment,  
19 \$2,694,745,000 for fiscal year 2018.

20 “(3) For the Coast Guard Reserve program, in-  
21 cluding operations and maintenance of the program,  
22 personnel and training costs, equipment, and serv-  
23 ices, \$114,875,000 for fiscal year 2018.

1           “(4) For the environmental compliance and res-  
2           toration functions of the Coast Guard under chapter  
3           3 of this title, \$13,397,000 for fiscal year 2018.

4           “(5) To the Commandant of the Coast Guard  
5           for research, development, test, and evaluation of  
6           technologies, materials, and human factors directly  
7           related to improving the performance of the Coast  
8           Guard’s mission with respect to search and rescue,  
9           aids to navigation, marine safety, marine environ-  
10          mental protection, enforcement of laws and treaties,  
11          ice operations, oceanographic research, and defense  
12          readiness, and for maintenance, rehabilitation, lease,  
13          and operation of facilities and equipment,  
14          \$29,141,000 for fiscal year 2018.

15          “(b) FISCAL YEAR 2019.—Funds are authorized to  
16          be appropriated for fiscal year 2019 for necessary ex-  
17          penses of the Coast Guard as follows:

18                 “(1)(A) For the operation and maintenance of  
19                 the Coast Guard, not otherwise provided for,  
20                 \$7,914,195,000 for fiscal year 2019.

21                 “(B) Of the amount authorized under subpara-  
22                 graph (A)—

23                         “(i) \$16,701,000 shall be for environ-  
24                         mental compliance and restoration; and

1           “(ii) \$199,360,000 shall be for the Coast  
2           Guard’s Medicare-eligible retiree health care  
3           fund contribution to the Department of De-  
4           fense.

5           “(2) For the procurement, construction, renova-  
6           tion, and improvement of aids to navigation, shore  
7           facilities, vessels, and aircraft, including equipment  
8           related thereto, and for maintenance, rehabilitation,  
9           lease, and operation of facilities and equipment,  
10          \$2,694,745,000 for fiscal year 2019.

11          “(3) To the Commandant of the Coast Guard  
12          for research, development, test, and evaluation of  
13          technologies, materials, and human factors directly  
14          related to improving the performance of the Coast  
15          Guard’s mission with respect to search and rescue,  
16          aids to navigation, marine safety, marine environ-  
17          mental protection, enforcement of laws and treaties,  
18          ice operations, oceanographic research, and defense  
19          readiness, and for maintenance, rehabilitation, lease,  
20          and operation of facilities and equipment,  
21          \$29,141,000 for fiscal year 2019.”.

22          (b) REPEAL.—On October 1, 2018—

23                 (1) section 4902(a) of title 14, United States  
24                 Code, as amended by subsection (a), shall be re-  
25                 pealed; and

1           (2) subsection 4902(b) of title 14, United  
2 States Code, as amended by subsection (a), shall be  
3 amended by striking “(b) FISCAL YEAR 2019.—”.

4 **SEC. 203. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
5 **AND TRAINING.**

6 Section 4904 of title 14, United States Code, is  
7 amended—

8           (1) in subsection (a), by striking “for each of  
9 fiscal years 2016 and 2017” and inserting “for fis-  
10 cal year 2018 and 44,500 for fiscal year 2019”; and

11           (2) in subsection (b), by striking “fiscal years  
12 2016 and 2017” and inserting “fiscal years 2018  
13 and 2019”.

14 **SEC. 204. AUTHORIZATION OF AMOUNTS FOR FAST RE-**  
15 **SPONSE CUTTERS.**

16           (a) IN GENERAL.—Of the amounts authorized under  
17 section 4902 of title 14, United States Code, as amended  
18 by this division, for each of fiscal years 2018 and 2019  
19 up to \$167,500,000 is authorized for the acquisition of  
20 3 Fast Response Cutters.

21           (b) TREATMENT OF ACQUIRED CUTTERS.—Any cut-  
22 ters acquired pursuant to subsection (a) shall be in addi-  
23 tion to the 58 cutters approved under the existing acquisi-  
24 tion baseline.

1 **SEC. 205. AUTHORIZATION OF AMOUNTS FOR SHORESIDE**  
2 **INFRASTRUCTURE.**

3 Of the amounts authorized under section 4902 of title  
4 14, United States Code, as amended by this division, for  
5 each of fiscal years 2018 and 2019 up to \$167,500,000  
6 is authorized for the Secretary of the department in which  
7 the Coast Guard is operating to fund the acquisition, con-  
8 struction, rebuilding, or improvement of Coast Guard  
9 shoreside infrastructure and facilities necessary to support  
10 Coast Guard operations and readiness.

11 **SEC. 206. AUTHORIZATION OF AMOUNTS FOR AIRCRAFT IM-**  
12 **PROVEMENTS.**

13 Of the amounts authorized under section 4902 of title  
14 14, United States Code, as amended by this division, for  
15 each of fiscal years 2018 and 2019 up to \$3,500,000 is  
16 authorized for the Secretary of the department in which  
17 the Coast Guard is operating to fund analysis and pro-  
18 gram development for improvements to or the replacement  
19 of rotary-wing aircraft.

20 **TITLE III—COAST GUARD**

21 **SEC. 301. AMENDMENTS TO TITLE 14, UNITED STATES**  
22 **CODE, AS AMENDED BY TITLE I OF THIS DIVI-**  
23 **SION.**

24 Except as otherwise expressly provided, whenever in  
25 this title an amendment or repeal is expressed in terms  
26 of an amendment to, or a repeal of, a section or other

1 provision of title 14, United States Code, the reference  
2 shall be considered to be made to title 14, United States  
3 Code, as amended by title I of this division.

4 **SEC. 302. PRIMARY DUTIES.**

5 Section 102(7) of title 14, United States Code, is  
6 amended to read as follows:

7 “(7) maintain a state of readiness to assist in  
8 the defense of the United States, including when  
9 functioning as a specialized service in the Navy pur-  
10 suant to section 103.”.

11 **SEC. 303. NATIONAL COAST GUARD MUSEUM.**

12 Section 316 of title 14, United States Code, is  
13 amended to read as follows:

14 **“§ 316. National Coast Guard Museum**

15 “(a) ESTABLISHMENT.—The Commandant may es-  
16 tablish a National Coast Guard Museum, on lands which  
17 will be federally owned and administered by the Coast  
18 Guard, and are located in New London, Connecticut, at,  
19 or in close proximity to, the Coast Guard Academy.

20 “(b) LIMITATION ON EXPENDITURES.—

21 “(1) The Secretary shall not expend any funds  
22 appropriated to the Coast Guard on the construction  
23 of any museum established under this section.

24 “(2) The Secretary shall fund the National  
25 Coast Guard Museum with nonappropriated and



1 non-Federal funds to the maximum extent prac-  
2 ticable. The priority use of Federal funds should be  
3 to preserve and protect historic Coast Guard arti-  
4 facts, including the design, fabrication, and installa-  
5 tion of exhibits or displays in which such artifacts  
6 are included.

7 “(3) The Secretary may expend funds appro-  
8 priated to the Coast Guard on the engineering and  
9 design of a National Coast Guard Museum.

10 “(c) FUNDING PLAN.—Before the date on which the  
11 Commandant establishes a National Coast Guard Museum  
12 under subsection (a), the Commandant shall provide to the  
13 Committee on Commerce, Science, and Transportation of  
14 the Senate and the Committee on Transportation and In-  
15 frastructure of the House of Representatives a plan for  
16 constructing, operating, and maintaining such a museum,  
17 including—

18 “(1) estimated planning, engineering, design,  
19 construction, operation, and maintenance costs;

20 “(2) the extent to which appropriated, non-  
21 appropriated, and non-Federal funds will be used for  
22 such purposes, including the extent to which there is  
23 any shortfall in funding for engineering, design, or  
24 construction; and

1           “(3) a certification by the Inspector General of  
2           the department in which the Coast Guard is oper-  
3           ating that the estimates provided pursuant to para-  
4           graphs (1) and (2) are reasonable and realistic.

5           “(d) AUTHORITY.—The Commandant may not estab-  
6           lish a national Coast Guard museum except as set forth  
7           in this section.”.

8           **SEC. 304. UNMANNED AIRCRAFT.**

9           (a) LAND-BASED UNMANNED AIRCRAFT SYSTEM  
10          PROGRAM.—Chapter 3 of title 14, United States Code, is  
11          amended by adding at the end the following:

12        **“§ 319. Land-based unmanned aircraft system pro-**  
13        **gram**

14        “(a) IN GENERAL.—Subject to the availability of ap-  
15        propriations, the Secretary shall establish a land-based un-  
16        manned aircraft system program under the control of the  
17        Commandant.

18        “(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In  
19        this section, the term ‘unmanned aircraft system’ has the  
20        meaning given that term in section 331 of the FAA Mod-  
21        ernization and Reform Act of 2012 (49 U.S.C. 40101  
22        note).”.

23        (b) LIMITATION ON UNMANNED AIRCRAFT SYS-  
24        TEMS.—Chapter 11 of title 14, United States Code, is  
25        amended by inserting after section 1154 the following:

1 **“§ 1155. Limitation on unmanned aircraft systems**

2 “(a) IN GENERAL.—During any fiscal year for which  
3 funds are appropriated for the design or construction of  
4 an Offshore Patrol Cutter, the Commandant—

5 “(1) may not award a contract for design of an  
6 unmanned aircraft system for use by the Coast  
7 Guard; and

8 “(2) may lease, acquire, or acquire the services  
9 of an unmanned aircraft system only if such sys-  
10 tem—

11 “(A) has been part of a program of record  
12 of, procured by, or used by a Federal entity (or  
13 funds for research, development, test, and eval-  
14 uation have been received from a Federal entity  
15 with regard to such system) before the date on  
16 which the Commandant leases, acquires, or ac-  
17 quires the services of the system; and

18 “(B) is leased, acquired, or utilized by the  
19 Commandant through an agreement with a  
20 Federal entity, unless such an agreement is not  
21 practicable or would be less cost-effective than  
22 an independent contract action by the Coast  
23 Guard.

24 “(b) SMALL UNMANNED AIRCRAFT EXEMPTION.—  
25 Subsection (a)(2) does not apply to small unmanned air-  
26 craft.

1 “(c) DEFINITIONS.—In this section, the terms ‘small  
2 unmanned aircraft’ and ‘unmanned aircraft system’ have  
3 the meanings given those terms in section 331 of the FAA  
4 Modernization and Reform Act of 2012 (49 U.S.C. 40101  
5 note).”.

6 (c) CLERICAL AMENDMENTS.—

7 (1) CHAPTER 3.—The analysis for chapter 3 of  
8 title 14, United States Code, is amended by adding  
9 at the end the following:

“319. Land-based unmanned aircraft system program.”.

10 (2) CHAPTER 11.—The analysis for chapter 11  
11 of title 14, United States Code, is amended by in-  
12 sserting after the item relating to section 1154 the  
13 following:

“1155. Limitation on unmanned aircraft systems.”.

14 (d) CONFORMING AMENDMENT.—Subsection (c) of  
15 section 1105 of title 14, United States Code, is repealed.

16 **SEC. 305. COAST GUARD HEALTH-CARE PROFESSIONALS;  
17 LICENSURE PORTABILITY.**

18 (a) IN GENERAL.—Chapter 5 of title 14, United  
19 States Code, is amended by inserting after section 507 the  
20 following:

21 **“§ 508. Coast Guard health-care professionals; licen-  
22 sure portability**

23 “(a) IN GENERAL.—Notwithstanding any other pro-  
24 vision of law regarding the licensure of health-care pro-

1 viders, a health-care professional described in subsection  
2 (b) may practice the health profession or professions of  
3 the health-care professional at any location in any State,  
4 the District of Columbia, or a Commonwealth, territory,  
5 or possession of the United States, regardless of where  
6 such health-care professional or the patient is located, if  
7 the practice is within the scope of the authorized Federal  
8 duties of such health-care professional.

9 “(b) DESCRIBED INDIVIDUALS.—A health-care pro-  
10 fessional described in this subsection is an individual—

11 “(1) who is—

12 “(A) a member of the Coast Guard;

13 “(B) a civilian employee of the Coast  
14 Guard;

15 “(C) a member of the Public Health Serv-  
16 ice who is assigned to the Coast Guard; or

17 “(D) any other health-care professional  
18 credentialed and privileged at a Federal health-  
19 care institution or location specially designated  
20 by the Secretary; and

21 “(2) who—

22 “(A) has a current license to practice med-  
23 icine, osteopathic medicine, dentistry, or an-  
24 other health profession; and

1                   “(B) is performing authorized duties for  
2                   the Coast Guard.

3                   “(c) DEFINITIONS.—In this section, the terms ‘li-  
4 cense’ and ‘health-care professional’ have the meanings  
5 given those terms in section 1094(e) of title 10.”.

6                   (b) CLERICAL AMENDMENT.—The analysis for chap-  
7 ter 5 of title 14, United States Code, is amended by insert-  
8 ing after the item relating to section 507 the following:  
                  “508. Coast Guard health-care professionals; licensure portability.”.

9                   (c) ELECTRONIC HEALTH RECORDS.—

10                   (1) SYSTEM.—The Commandant of the Coast  
11                   Guard is authorized to procure for the Coast Guard  
12                   an electronic health record system that—

13                   (A) has been competitively awarded by the  
14                   Department of Defense; and

15                   (B) ensures full integration with the De-  
16                   partment of Defense electronic health record  
17                   systems.

18                   (2) SUPPORT SERVICES.—

19                   (A) IN GENERAL.—The Commandant is  
20                   authorized to procure support services for the  
21                   electronic health record system procured under  
22                   paragraph (1) necessary to ensure full integra-  
23                   tion with the Department of Defense electronic  
24                   health record systems.

1 (B) SCOPE.—Support services procured  
2 pursuant to this paragraph may include services  
3 for the following:

4 (i) System integration support.

5 (ii) Hosting support.

6 (iii) Training, testing, technical, and  
7 data migration support.

8 (iv) Hardware support.

9 (v) Any other support the Com-  
10 mandant considers appropriate.

11 (3) AUTHORIZED PROCUREMENT ACTIONS.—

12 The Commandant is authorized to procure an elec-  
13 tronic health record system under this subsection  
14 through the following:

15 (A) A task order under the Department of  
16 Defense electronic health record contract.

17 (B) A sole source contract award.

18 (C) An agreement made pursuant to sec-  
19 tions 1535 and 1536 of title 31, United States  
20 Code.

21 (D) A contract or other procurement vehi-  
22 cle otherwise authorized.

23 (4) COMPETITION IN CONTRACTING; EXEMP-  
24 TION.—Procurement of an electronic health record  
25 system and support services pursuant to this sub-

1 section shall be exempt from the competition re-  
2 quirements of section 2304 of title 10, United States  
3 Code.

4 **SEC. 306. TRAINING; EMERGENCY RESPONSE PROVIDERS.**

5 (a) IN GENERAL.—Chapter 7 of title 14, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

8 **“§ 718. Training; emergency response providers**

9 “(a) IN GENERAL.—The Commandant may, on a re-  
10 imburseable or a non-reimbursable basis, make a training  
11 available to emergency response providers whenever the  
12 Commandant determines that—

13 “(1) a member of the Coast Guard, who is  
14 scheduled to participate in such training, is unable  
15 or unavailable to participate in such training;

16 “(2) no other member of the Coast Guard, who  
17 is assigned to the unit to which the member of the  
18 Coast Guard who is unable or unavailable to partici-  
19 pate in such training is assigned, is able or available  
20 to participate in such training; and

21 “(3) such training, if made available to such  
22 emergency response providers, would further the  
23 goal of interoperability among Federal agencies,  
24 non-Federal governmental agencies, or both.



1       “(b) EMERGENCY RESPONSE PROVIDERS DE-  
2 FINED.—In this section, the term ‘emergency response  
3 providers’ has the meaning given that term in section 2  
4 of the Homeland Security Act of 2002 (6 U.S.C. 101).

5       “(c) TREATMENT OF REIMBURSEMENT.—Any reim-  
6 bursements for a training that the Coast Guard receives  
7 under this section shall be credited to the appropriation  
8 used to pay the costs for such training.

9       “(d) STATUS; LIMITATION ON LIABILITY.—

10           “(1) STATUS.—Any individual to whom, as an  
11 emergency response provider, training is made avail-  
12 able under this section, who is not otherwise a Fed-  
13 eral employee, shall not, because of that training, be  
14 considered a Federal employee for any purpose (in-  
15 cluding the purposes of chapter 81 of title 5 (relat-  
16 ing to compensation for injury) and sections 2671  
17 through 2680 of title 28 (relating to tort claims)).

18           “(2) LIMITATION ON LIABILITY.—The United  
19 States shall not be liable for actions taken by an in-  
20 dividual in the course of training made available  
21 under this section.”.

22       (b) CLERICAL AMENDMENT.—The analysis for chap-  
23 ter 7 of title 14, United States Code, is amended by add-  
24 ing at the end the following:

“718. Training; emergency response providers.”.

1 **SEC. 307. INCENTIVE CONTRACTS FOR COAST GUARD YARD**  
2 **AND INDUSTRIAL ESTABLISHMENTS.**

3 Section 939 of title 14, United States Code, is  
4 amended—

5 (1) by inserting before “The Secretary may”  
6 the following: “(a) IN GENERAL.—”;

7 (2) in subsection (a), as so designated by para-  
8 graph (1) of this section, by striking the period at  
9 the end of the last sentence and inserting “or in ac-  
10 cordance with subsection (b).”;

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

12 “(b) INCENTIVE CONTRACTS.—

13 “(1) The parties to an order for industrial work  
14 to be performed by the Coast Guard Yard or a  
15 Coast Guard industrial establishment designated  
16 under subsection (a) may enter into an order or a  
17 cost-plus-incentive-fee order in accordance with this  
18 subsection.

19 “(2) If such parties enter into such an order or  
20 a cost-plus-incentive-fee order, an agreed-upon  
21 amount of any adjustment described in subsection  
22 (a) may be distributed as an incentive to the wage-  
23 grade industrial employees who complete the order.

24 “(3) Before entering into such an order or cost-  
25 plus-incentive-fee order such parties must agree that  
26 the wage-grade employees of the Coast Guard Yard

1 or Coast Guard industrial establishment will take ac-  
2 tion to improve the delivery schedule or technical  
3 performance agreed to in the order for industrial  
4 work to which such parties initially agreed.

5 “(4) Notwithstanding any other provision of  
6 law, if the industrial workforce of the Coast Guard  
7 Yard or Coast Guard industrial establishment satis-  
8 fies the performance target established in such an  
9 order or cost-plus-incentive-fee order—

10 “(A) the adjustment to be made pursuant  
11 to subsection (a) shall be reduced by an agreed-  
12 upon amount and distributed to such wage-  
13 grade industrial employees; and

14 “(B) the remainder of the adjustment shall  
15 be credited to the appropriation for such order  
16 current at that time.”.

17 **SEC. 308. CONFIDENTIAL INVESTIGATIVE EXPENSES.**

18 Section 944 of title 14, United States Code, is  
19 amended by striking “\$45,000” and inserting  
20 “\$250,000”.

21 **SEC. 309. REGULAR CAPTAINS; RETIREMENT.**

22 Section 2149(a) of title 14, United States Code, is  
23 amended—

24 (1) by striking “zone is” and inserting “zone,  
25 or from being placed at the top of the list of select-

1 es promulgated by the Secretary under section  
2 2121(a) of this title, is”; and

3 (2) by striking the period at the end and insert-  
4 ing “or placed at the top of the list of selectees, as  
5 applicable.”.

6 **SEC. 310. CONVERSION, ALTERATION, AND REPAIR**  
7 **PROJECTS.**

8 (a) IN GENERAL.—Chapter 9 of title 14, United  
9 States Code, as amended by this division, is further  
10 amended by inserting after section 951 the following:

11 **“§ 952. Construction of Coast Guard vessels and as-**  
12 **signment of vessel projects**

13 “The assignment of Coast Guard vessel conversion,  
14 alteration, and repair projects shall be based on economic  
15 and military considerations and may not be restricted by  
16 a requirement that certain parts of Coast Guard shipwork  
17 be assigned to a particular type of shipyard or geo-  
18 graphical area or by a similar requirement.”.

19 (b) CLERICAL AMENDMENT.—The analysis for chap-  
20 ter 9 of title 14, United States Code, is amended by insert-  
21 ing after the item relating to section 951 the following:

“952. Construction of Coast Guard vessels and assignment of vessel projects.”.

1 **SEC. 311. CONTRACTING FOR MAJOR ACQUISITIONS PRO-**  
2 **GRAMS.**

3 (a) GENERAL ACQUISITION AUTHORITY.—Section  
4 501(d) of title 14, United States Code, is amended by in-  
5 serting “aircraft, and systems,” after “vessels,”.

6 (b) CONTRACTING AUTHORITY.—Chapter 11 of title  
7 14, United States Code, as amended by this division, is  
8 further amended by inserting after section 1136 the fol-  
9 lowing:

10 **“§ 1137. Contracting for major acquisitions programs**

11 “(a) IN GENERAL.—In carrying out authorities pro-  
12 vided to the Secretary to design, construct, accept, or oth-  
13 erwise acquire assets and systems under section 501(d),  
14 the Secretary, acting through the Commandant or the  
15 head of an integrated program office established for a  
16 major acquisition program, may enter into contracts for  
17 a major acquisition program.

18 “(b) AUTHORIZED METHODS.—Contracts entered  
19 into under subsection (a)—

20 “(1) may be block buy contracts;

21 “(2) may be incrementally funded;

22 “(3) may include combined purchases, also  
23 known as economic order quantity purchases, of—

24 “(A) materials and components; and

25 “(B) long lead time materials; and

1           “(4) as provided in section 2306b of title 10,  
2           may be multiyear contracts.

3           “(c) SUBJECT TO APPROPRIATIONS.—Any contract  
4 entered into under subsection (a) shall provide that any  
5 obligation of the United States to make a payment under  
6 the contract is subject to the availability of amounts spe-  
7 cifically provided in advance for that purpose in subse-  
8 quent appropriations Acts.”.

9           (c) CLERICAL AMENDMENT.—The analysis for chap-  
10 ter 11 of title 14, United States Code, as amended by this  
11 division, is further amended by inserting after the item  
12 relating to section 1136 the following:

“1137. Contracting for major acquisitions programs.”.

13           (d) CONFORMING AMENDMENTS.—The following pro-  
14 visions are repealed:

15           (1) Section 223 of the Howard Coble Coast  
16 Guard and Maritime Transportation Act of 2014  
17 (14 U.S.C. 1152 note), and the item relating to that  
18 section in the table of contents in section 2 of such  
19 Act.

20           (2) Section 221(a) of the Coast Guard and  
21 Maritime Transportation Act of 2012 (14 U.S.C.  
22 1133 note).

23           (3) Section 207(a) of the Coast Guard Author-  
24 ization Act of 2016 (14 U.S.C. 561 note).

1 (e) INTERNAL REGULATIONS AND POLICY.—Not  
2 later than 180 days after the date of enactment of this  
3 Act, the Secretary of the department in which the Coast  
4 Guard is operating shall establish the internal regulations  
5 and policies necessary to exercise the authorities provided  
6 under this section, including the amendments made in this  
7 section.

8 (f) MULTIYEAR CONTRACTS.—The Secretary of the  
9 department in which the Coast Guard is operating is au-  
10 thorized to enter into a multiyear contract for the procure-  
11 ment of a tenth, eleventh, and twelfth National Security  
12 Cutter and associated government-furnished equipment.

13 **SEC. 312. OFFICER PROMOTION ZONES.**

14 Section 2111(a) of title 14, United States Code, is  
15 amended by striking “six-tenths.” and inserting “one-  
16 half.”.

17 **SEC. 313. CROSS REFERENCE.**

18 Section 2129(a) of title 14, United States Code, is  
19 amended by inserting “designated under section 2317”  
20 after “cadet”.

21 **SEC. 314. COMMISSIONED SERVICE RETIREMENT.**

22 For Coast Guard officers who retire in fiscal year  
23 2018 or 2019, the President may reduce the period of ac-  
24 tive commissioned service required under section 2152 of

1 title 14, United States Code, to a period of not less than  
2 8 years.

3 **SEC. 315. LEAVE FOR BIRTH OR ADOPTION OF CHILD.**

4 (a) POLICY.—Section 2512 of title 14, United States  
5 Code, is amended—

6 (1) by striking “Not later than 1 year” and in-  
7 serting the following:

8 “(a) IN GENERAL.—Except as provided in subsection  
9 (b), not later than 1 year”; and

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

11 “(b) LEAVE ASSOCIATED WITH BIRTH OR ADOPTION  
12 OF CHILD.—Notwithstanding subsection (a), sections 701  
13 and 704 of title 10, or any other provision of law, all offi-  
14 cers and enlisted members of the Coast Guard shall be  
15 authorized leave associated with the birth or adoption of  
16 a child during the 1-year period immediately following  
17 such birth or adoption and, at the discretion of the Com-  
18 manding Officer, such officer or enlisted member shall be  
19 permitted—

20 “(1) to take such leave in increments; and

21 “(2) to use flexible work schedules (pursuant to  
22 a program established by the Secretary in accord-  
23 ance with chapter 61 of title 5).”.

24 (b) FLEXIBLE WORK SCHEDULES.—Not later than  
25 180 days after the date of enactment of this Act, the Sec-



1 retary of the department in which the Coast Guard is op-  
2 erating shall ensure that a flexible work schedule program  
3 under chapter 61 of title 5, United States Code, is in place  
4 for officers and enlisted members of the Coast Guard.

5 **SEC. 316. CLOTHING AT TIME OF DISCHARGE.**

6 Section 2705 of title 14, United States Code, and the  
7 item relating to that section in the analysis for chapter  
8 27 of that title, are repealed.

9 **SEC. 317. UNFUNDED PRIORITIES LIST.**

10 (a) IN GENERAL.—Section 5102 of title 14, United  
11 States Code, is amended—

12 (1) by striking subsection (a) and inserting the  
13 following:

14 “(a) IN GENERAL.—On the date on which the Presi-  
15 dent submits to Congress a budget pursuant to section  
16 1105 of title 31, the Commandant shall submit to the  
17 Committee on Transportation and Infrastructure of the  
18 House of Representatives and the Committee on Com-  
19 merce, Science, and Transportation of the Senate a capital  
20 investment plan for the Coast Guard that identifies for  
21 each capital asset for which appropriations are proposed  
22 in that budget—

23 “(1) the proposed appropriations included in  
24 the budget;

1           “(2) the total estimated cost of completion  
2           based on the proposed appropriations included in the  
3           budget;

4           “(3) projected funding levels for each fiscal  
5           year for the next 5 fiscal years or until project com-  
6           pletion, whichever is earlier;

7           “(4) an estimated completion date based on the  
8           proposed appropriations included in the budget; and

9           “(5) an acquisition program baseline, as appli-  
10          cable.”; and

11          (2) by striking subsection (c) and inserting the  
12          following:

13          “(c) DEFINITIONS.—In this section, the term ‘new  
14          capital asset’ means—

15                 “(1) an acquisition program that does not have  
16                 an approved acquisition program baseline; or

17                 “(2) the acquisition of a capital asset in excess  
18                 of the number included in the approved acquisition  
19                 program baseline.”.

20          (b) UNFUNDED PRIORITIES.—Chapter 51 of title 14,  
21          United States Code, is amended by adding at the end the  
22          following:

23          **“§ 5106. Unfunded priorities list**

24                 “(a) IN GENERAL.—On the date on which the Presi-  
25                 dent submits to Congress a budget pursuant to section

1 1105 of title 31, the Commandant shall submit to the  
2 Committee on Transportation and Infrastructure of the  
3 House of Representatives and the Committee on Com-  
4 merce, Science, and Transportation of the Senate a list  
5 of each unfunded priority for the Coast Guard.

6 “(b) PRIORITIZATION.—The list required under sub-  
7 section (a) shall present the unfunded priorities in order  
8 from the highest priority to the lowest, as determined by  
9 the Commandant.

10 “(c) UNFUNDED PRIORITY DEFINED.—In this sec-  
11 tion, the term ‘unfunded priority’ means a program or  
12 mission requirement that—

13 “(1) has not been selected for funding in the  
14 applicable proposed budget;

15 “(2) is necessary to fulfill a requirement associ-  
16 ated with an operational need; and

17 “(3) the Commandant would have rec-  
18 ommended for inclusion in the applicable proposed  
19 budget had additional resources been available or  
20 had the requirement emerged before the budget was  
21 submitted.”.

22 (c) CLERICAL AMENDMENT.—The analysis for chap-  
23 ter 51 of title 14, United States Code, is amended by add-  
24 ing at the end the following:

“5106. Unfunded priorities list.”.

1 **SEC. 318. SAFETY OF VESSELS OF THE ARMED FORCES.**

2 (a) IN GENERAL.—Section 527 of title 14, United  
3 States Code, is amended—

4 (1) in the heading, by striking “**naval ves-**  
5 **sels**” and inserting “**vessels of the Armed**  
6 **Forces**”;

7 (2) in subsection (a), by striking “United  
8 States naval vessel” and inserting “vessel of the  
9 Armed Forces”;

10 (3) in subsection (b)—

11 (A) by striking “senior naval officer  
12 present in command” and inserting “senior offi-  
13 cer present in command”; and

14 (B) by striking “United States naval ves-  
15 sel” and inserting “vessel of the Armed  
16 Forces”; and

17 (4) by adding at the end the following:

18 “(e) For purposes of this title, the term ‘vessel of the  
19 Armed Forces’ means—

20 “(1) any vessel owned or operated by the De-  
21 partment of Defense or the Coast Guard, other than  
22 a time- or voyage-chartered vessel; and

23 “(2) any vessel owned and operated by the De-  
24 partment of Transportation that is designated by  
25 the Secretary of the department in which the Coast

1 Guard is operating as a vessel equivalent to a vessel  
2 described in paragraph (1).”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-  
4 ter 5 of title 14, United States Code, is further amended  
5 by striking the item relating to section 527 and inserting  
6 the following:

“527. Safety of vessels of the Armed Forces.”.

7 (c) CONFORMING AMENDMENTS.—Section  
8 2510(a)(1) of title 14, United States Code, is amended—

9 (1) by striking “armed forces” and inserting  
10 “Armed Forces”; and

11 (2) by striking “section 101(a) of title 10” and  
12 inserting “section 527(e)”.

13 **SEC. 319. PROTECTING AGAINST UNMANNED AIRCRAFT.**

14 (a) IN GENERAL.—Chapter 5 of title 14, United  
15 States Code, as amended by this division, is further  
16 amended by inserting after section 527 the following:

17 **“§ 528. Protecting against unmanned aircraft**

18 “(a) AUTHORITY.—Notwithstanding title 18 (includ-  
19 ing section 32, section 1030, sections 2510–2522, and sec-  
20 tions 3121–3127), and section 46502 of title 49, the Sec-  
21 retary, or the Secretary’s designee, may take such actions  
22 described in subsection (c)(1) as are necessary to mitigate  
23 the threat, as defined by the Secretary in consultation with  
24 the Secretary of Transportation, that an unmanned air-

1 craft system or unmanned aircraft poses to the safety or  
2 security of a covered vessel or aircraft.

3 “(b) COORDINATION WITH THE SECRETARY OF  
4 TRANSPORTATION.—The Secretary, or the Secretary’s  
5 designee, shall coordinate with the Secretary of Transpor-  
6 tation, including the Administrator of the Federal Avia-  
7 tion Administration, before issuing any guidance or imple-  
8 menting any program or procedures to carry out this sec-  
9 tion that might affect aviation safety, civilian aviation and  
10 aerospace operations, aircraft airworthiness, or the use of  
11 the airspace.

12 “(c) ACTIONS DESCRIBED.—

13 “(1) The actions described in this paragraph  
14 are the following:

15 “(A) Detect, identify, monitor, and track  
16 the unmanned aircraft system or unmanned air-  
17 craft, without prior consent, including by means  
18 of intercept or other access of a wire, oral, or  
19 electronic communication used to control the  
20 unmanned aircraft system or unmanned air-  
21 craft.

22 “(B) Warn the operator of the unmanned  
23 aircraft system or unmanned aircraft, including  
24 by passive or active, and direct or indirect phys-

1           ical, electronic, radio, and electromagnetic  
2           means.

3           “(C) Disrupt control of the unmanned air-  
4           craft system or unmanned aircraft, without  
5           prior consent, including by disabling the un-  
6           manned aircraft system or unmanned aircraft  
7           by intercepting, interfering, or causing inter-  
8           ference with wire, oral, electronic, or radio com-  
9           munications used to control the unmanned air-  
10          craft system or unmanned aircraft.

11          “(D) Seize or exercise control of the un-  
12          manned aircraft system or unmanned aircraft.

13          “(E) Seize or otherwise confiscate the un-  
14          manned aircraft system or unmanned aircraft.

15          “(F) Use reasonable force to disable, dam-  
16          age, or destroy the unmanned aircraft system  
17          or unmanned aircraft.

18          “(2) The Secretary shall develop the actions de-  
19          scribed in paragraph (1) in coordination with the  
20          Secretary of Transportation.

21          “(d) FORFEITURE.—Any unmanned aircraft system  
22          or unmanned aircraft described in subsection (a) that is  
23          seized by the Secretary is subject to forfeiture to the  
24          United States.

1       “(e) REGULATIONS.—The Secretary and the Sec-  
2 retary of Transportation may prescribe regulations and  
3 shall issue guidance in the respective areas of each Sec-  
4 retary to carry out this section. The Secretary and the  
5 Secretary of Transportation shall coordinate in the devel-  
6 opment of such guidance.

7       “(f) DEFINITIONS.—In this section:

8           “(1) The term ‘covered vessel or aircraft’ means  
9 a vessel or aircraft that—

10               “(A)(i) is a vessel or aircraft operated by  
11 the Coast Guard; or

12               “(ii) is a vessel the Coast Guard is assist-  
13 ing or escorting;

14               “(B) is located in the United States (in-  
15 cluding the territories and possessions of the  
16 United States); and

17               “(C) is directly involved in a mission of the  
18 Coast Guard pertaining to—

19                   “(i) assisting or escorting a vessel of  
20 the Department of Defense;

21                   “(ii) assisting or escorting a vessel of  
22 national security significance, a high inter-  
23 est vessel, a high capacity passenger vessel,  
24 or a high value unit, as those terms are de-  
25 fined by the Secretary;



1 “(iii) section 91(a) of this title;

2 “(iv) assistance in protecting the  
3 President or the Vice President (or other  
4 officer next in order of succession to the  
5 Office of the President) pursuant to the  
6 Presidential Protection Assistance Act of  
7 1976 (18 U.S.C. 3056 note);

8 “(v) protection of a National Special  
9 Security Event, as designated by the Sec-  
10 retary;

11 “(vi) air defense of the United States,  
12 including air sovereignty, ground-based air  
13 defense, and the National Capital Region  
14 integrated air defense system; or

15 “(vii) a search and rescue operation.

16 “(2) The terms ‘electronic communication’,  
17 ‘intercept’, ‘oral communication’, and ‘wire commu-  
18 nication’ have the meaning given those terms in sec-  
19 tion 2510 of title 18.

20 “(3) The term ‘National Special Security  
21 Event’ has the meaning given the term in section  
22 2001 of the Homeland Security Act of 2002 (6  
23 U.S.C. 601).

24 “(4) The terms ‘unmanned aircraft’ and ‘un-  
25 manned aircraft system’ have the meanings given

1 those terms in section 331 of the FAA Moderniza-  
2 tion and Reform Act of 2012 (Public Law 112–95;  
3 49 U.S.C. 40101 note).

4 “(g) PRESERVATION OF APPROPRIATE AUTHOR-  
5 ITY.—

6 “(1) Nothing in this section may be construed  
7 to vest in the Secretary any authority of the Sec-  
8 retary of Transportation or the Administrator of the  
9 Federal Aviation Administration under title 49.

10 “(2) Nothing in this section may be construed  
11 to vest in the Secretary of Transportation or the Ad-  
12 ministrator of the Federal Aviation Administration  
13 any authority of the Secretary under title 14.

14 “(h) PRIVACY PROTECTION.—Regulations or guid-  
15 ance issued under subsection (e) shall ensure that—

16 “(1) the interception or acquisition of or access  
17 to communications to or from an unmanned aircraft  
18 system under this section is conducted in a manner  
19 consistent with the Fourth Amendment to the  
20 United States Constitution and applicable Federal  
21 law;

22 “(2) communications to or from an unmanned  
23 aircraft system are intercepted, acquired, or accessed  
24 only to the extent necessary to support a function of  
25 the Department;

1           “(3) records of such communications are not  
2 maintained for more than 180 days unless the Sec-  
3 retary determines that maintenance of such  
4 records—

5           “(A) is necessary to support one or more  
6 functions of the Department; or

7           “(B) is required for a longer period to sup-  
8 port a civilian law enforcement agency or by  
9 any other applicable law or regulation; and

10          “(4) such communications are not disclosed  
11 outside the Department unless the disclosure—

12          “(A) would fulfill a function of the Depart-  
13 ment;

14          “(B) would support a civilian law enforce-  
15 ment agency or enforcement activities of a reg-  
16 ulatory agency in connection with a criminal or  
17 civil investigation of, or any regulatory action  
18 with regard to, any activity described under  
19 subsection (c); or

20          “(C) is otherwise required by law or regu-  
21 lation.

22          “(i) SEMI-ANNUAL BRIEFINGS REQUIRED.—

23          “(1) Not less than 180 days after the date of  
24 the enactment of the Coast Guard Authorization Act  
25 of 2017, and every 6 months thereafter until the au-

1       thority terminates pursuant to subsection (j), the Sec-  
2       retary and the Secretary of Transportation shall  
3       jointly provide a briefing to the Committee on Com-  
4       merce, Science, and Transportation of the Senate  
5       and the Committee on Transportation and Infra-  
6       structure of the House of Representatives on the ac-  
7       tivities carried out pursuant to this section. Such  
8       briefings shall include—

9               “(A) policies, programs, and procedures to  
10              mitigate or eliminate impacts of such activities  
11              to the National Airspace System;

12             “(B) a description of each instance where  
13              an action described in subsection (c)(1) has  
14              been taken;

15             “(C) how the Secretaries have informed  
16              the public as to the possible use of authorities  
17              under this section; and

18             “(D) how the Secretaries have engaged  
19              with Federal, State, and local law enforcement  
20              agencies to implement and use such authorities.

21             “(2) Each briefing under paragraph (1) shall be  
22              in unclassified form, but may be accompanied by an  
23              additional classified briefing.

24             “(j) TERMINATION OF AUTHORITY.—The authority  
25              pursuant to this section shall expire on December 31,

1 2020, for Department missions unless the President of the  
2 United States certifies to Congress, not less than 45 days  
3 prior to the expiration date that retaining authority pursu-  
4 ant to this section is in the national security interests of  
5 the United States, thereby extending the authority for  
6 those mission areas an additional 180 days.”.

7 (b) CLERICAL AMENDMENT.—The analysis for chap-  
8 ter 5 of title 14, United States Code, as amended by this  
9 division, is further amended by inserting after the item  
10 relating to section 527 the following:

“528. Protecting against unmanned aircraft.”.

11 **SEC. 320. AIR FACILITIES.**

12 Section 912 of title 14, United States Code, is  
13 amended—

14 (1) by striking subsection (a);

15 (2) by redesignating subsections (b) and (c) as  
16 subsections (a) and (b), respectively;

17 (3) in subsection (a) as redesignated—

18 (A) by amending paragraph (3) to read as  
19 follows:

20 “(3) PUBLIC NOTICE AND COMMENT.—

21 “(A) IN GENERAL.—Prior to closing an air  
22 facility, the Secretary shall provide opportuni-  
23 ties for public comment, including the con-  
24 vening of public meetings in communities in the  
25 area of responsibility of the air facility with re-

1           gard to the proposed closure or cessation of op-  
2           erations at the air facility.

3           “(B) PUBLIC MEETINGS.—Prior to con-  
4           vening a public meeting under subparagraph  
5           (A), the Secretary shall notify each congres-  
6           sional office representing any portion of the  
7           area of responsibility of the air station that is  
8           the subject to such public meeting of the sched-  
9           ule and location of such public meeting.”;

10           (B) in paragraph (4)—

11           (i) in the matter preceding subpara-  
12           graph (A) by striking “2015” and insert-  
13           ing “2017”; and

14           (ii) by amending subparagraph (A) to  
15           read as follows:

16           “(A) submit to the Congress a proposal for  
17           such closure, cessation, or reduction in oper-  
18           ations along with the budget of the President  
19           submitted to Congress under section 1105(a) of  
20           title 31 that includes—

21           “(i) a discussion of the determination  
22           made by the Secretary pursuant to para-  
23           graph (2); and

1 “(ii) a report summarizing the public  
2 comments received by the Secretary under  
3 paragraph (3)”; and

4 (C) by adding at the end the following:

5 “(5) CONGRESSIONAL REVIEW.—The Secretary  
6 may not close, cease operations, or significantly re-  
7 duce personnel and use of a Coast Guard air facility  
8 for which a written notice is provided under para-  
9 graph (4)(A) until a period of 18 months beginning  
10 on the date on which such notice is provided has  
11 elapsed.”.

12 **TITLE IV—PORTS AND**  
13 **WATERWAYS SAFETY**

14 **SEC. 401. CODIFICATION OF PORTS AND WATERWAYS SAFE-**  
15 **TY ACT.**

16 (a) CODIFICATION.—Subtitle VII of title 46, United  
17 States Code, is amended by inserting before chapter 701  
18 the following:

19 **“CHAPTER 700—PORTS AND WATERWAYS**  
20 **SAFETY**

“SUBCHAPTER A—VESSEL OPERATIONS

“70001. Vessel traffic services.

“70002. Special powers.

“70003. Port access routes.

“70004. Considerations by Secretary.

“70005. International agreements.

“SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

“70011. Waterfront safety.

“70012. Navigational hazards.

“70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

“SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

“70021. Conditions for entry to ports in the united states.

“SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY

“70031. Definitions.

“70032. Saint Lawrence Seaway.

“70033. Limitation on application to foreign vessels.

“70034. Regulations.

“70035. Investigatory powers.

“70036. Enforcement.

1 “SUBCHAPTER I—VESSEL OPERATIONS

2 “§ 70001. Vessel traffic services

3 “(a) Subject to the requirements of section 70004,  
4 the Secretary—

5 “(1) in any port or place under the jurisdiction  
6 of the United States, in the navigable waters of the  
7 United States, or in any area covered by an inter-  
8 national agreement negotiated pursuant to section  
9 70005, may construct, operate, maintain, improve,  
10 or expand vessel traffic services, that consist of  
11 measures for controlling or supervising vessel traffic  
12 or for protecting navigation and the marine environ-  
13 ment and that may include one or more of reporting  
14 and operating requirements, surveillance and com-  
15 munications systems, routing systems, and fairways;

16 “(2) shall require appropriate vessels that oper-  
17 ate in an area of a vessel traffic service to utilize or  
18 comply with that service;



1           “(3)(A) may require vessels to install and use  
2           specified navigation equipment, communications  
3           equipment, electronic relative motion analyzer equip-  
4           ment, or any electronic or other device necessary to  
5           comply with a vessel traffic service or that is nec-  
6           essary in the interests of vessel safety.

7           “(B) Notwithstanding subparagraph (A), the  
8           Secretary shall not require fishing vessels under 300  
9           gross tons as measured under section 14502, or an  
10          alternate tonnage measured under section 14302 as  
11          prescribed by the Secretary under section 14104, or  
12          recreational vessels 65 feet or less to possess or use  
13          the equipment or devices required by this subsection  
14          solely under the authority of this chapter;

15          “(4) may control vessel traffic in areas subject  
16          to the jurisdiction of the United States that the Sec-  
17          retary determines to be hazardous, or under condi-  
18          tions of reduced visibility, adverse weather, vessel  
19          congestion, or other hazardous circumstances, by—

20                  “(A) specifying times of entry, movement,  
21                  or departure;

22                  “(B) establishing vessel traffic routing  
23                  schemes;

1           “(C) establishing vessel size, speed, or  
2           draft limitations and vessel operating condi-  
3           tions; and

4           “(D) restricting operation, in any haz-  
5           ardous area or under hazardous conditions, to  
6           vessels that have particular operating character-  
7           istics or capabilities that the Secretary con-  
8           siders necessary for safe operation under the  
9           circumstances;

10          “(5) may require the receipt of prearrival mes-  
11          sages from any vessel, destined for a port or place  
12          subject to the jurisdiction of the United States, in  
13          sufficient time to permit advance vessel traffic plan-  
14          ning before port entry, which shall include any infor-  
15          mation that is not already a matter of record and  
16          that the Secretary determines necessary for the con-  
17          trol of the vessel and the safety of the port or the  
18          marine environment; and

19          “(6) may prohibit the use on vessels of elec-  
20          tronic or other devices that interfere with commu-  
21          nication and navigation equipment, except that such  
22          authority shall not apply to electronic or other de-  
23          vices certified to transmit in the maritime services  
24          by the Federal Communications Commission and

1 used within the frequency bands 157.1875–157.4375  
2 MHz and 161.7875–162.0375 MHz.

3 “(b) COOPERATIVE AGREEMENTS.—

4 “(1) IN GENERAL.—The Secretary may enter  
5 into cooperative agreements with public or private  
6 agencies, authorities, associations, institutions, cor-  
7 porations, organizations, or other persons to carry  
8 out the functions under subsection (a)(1).

9 “(2) LIMITATION.—

10 “(A) A nongovernmental entity may not  
11 under this subsection carry out an inherently  
12 governmental function.

13 “(B) As used in this paragraph, the term  
14 ‘inherently governmental function’ means any  
15 activity that is so intimately related to the pub-  
16 lic interest as to mandate performance by an  
17 officer or employee of the Federal Government,  
18 including an activity that requires either the ex-  
19 ercise of discretion in applying the authority of  
20 the Government or the use of judgment in mak-  
21 ing a decision for the Government.

22 “(c) LIMITATION OF LIABILITY FOR COAST GUARD  
23 VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL  
24 VESSEL TRAFFIC SERVICE OPERATORS.—

1           “(1) COAST GUARD VESSEL TRAFFIC SERVICE  
2           PILOTS.—Any pilot, acting in the course and scope  
3           of his or her duties while at a Coast Guard Vessel  
4           Traffic Service, who provides information, advice, or  
5           communication assistance while under the super-  
6           vision of a Coast Guard officer, member, or em-  
7           ployee shall not be liable for damages caused by or  
8           related to such assistance unless the acts or omis-  
9           sions of such pilot constitute gross negligence or  
10          willful misconduct.

11          “(2) NON-FEDERAL VESSEL TRAFFIC SERVICE  
12          OPERATORS.—An entity operating a non-Federal  
13          vessel traffic information service or advisory service  
14          pursuant to a duly executed written agreement with  
15          the Coast Guard, and any pilot acting on behalf of  
16          such entity, is not liable for damages caused by or  
17          related to information, advice, or communication as-  
18          sistance provided by such entity or pilot while so op-  
19          erating or acting unless the acts or omissions of  
20          such entity or pilot constitute gross negligence or  
21          willful misconduct.

22          **“§ 70002. Special powers**

23          “The Secretary may order any vessel, in a port or  
24          place subject to the jurisdiction of the United States or

1 in the navigable waters of the United States, to operate  
2 or anchor in a manner the Secretary directs if—

3 “(1) the Secretary has reasonable cause to be-  
4 lieve such vessel does not comply with any regulation  
5 issued under section 70034 or any other applicable  
6 law or treaty;

7 “(2) the Secretary determines such vessel does  
8 not satisfy the conditions for port entry set forth in  
9 section 70021 of this title; or

10 “(3) by reason of weather, visibility, sea condi-  
11 tions, port congestion, other hazardous cir-  
12 cumstances, or the condition of such vessel, the Sec-  
13 retary is satisfied such direction is justified in the  
14 interest of safety.

15 **“§ 70003. Port access routes**

16 “(a) AUTHORITY TO DESIGNATE.—Except as pro-  
17 vided in subsection (b) and subject to the requirements  
18 of subsection (c), in order to provide safe access routes  
19 for the movement of vessel traffic proceeding to or from  
20 ports or places subject to the jurisdiction of the United  
21 States, the Secretary shall designate necessary fairways  
22 and traffic separation schemes for vessels operating in the  
23 territorial sea of the United States and in high seas ap-  
24 proaches, outside the territorial sea, to such ports or  
25 places. Such a designation shall recognize, within the des-

1 igned area, the paramount right of navigation over all  
2 other uses.

3 “(b) LIMITATION.—

4 “(1) IN GENERAL.—No designation may be  
5 made by the Secretary under this section if—

6 “(A) the Secretary determines such a des-  
7 igation, as implemented, would deprive any  
8 person of the effective exercise of a right grant-  
9 ed by a lease or permit executed or issued  
10 under other applicable provisions of law; and

11 “(B) such right has become vested before  
12 the time of publication of the notice required by  
13 paragraph (1) of subsection (c).

14 “(2) CONSULTATION REQUIRED.—The Sec-  
15 retary shall make the determination under para-  
16 graph (1)(A) after consultation with the head of the  
17 agency responsible for executing the lease or issuing  
18 the permit.

19 “(c) CONSIDERATION OF OTHER USES.—Before  
20 making a designation under subsection (a), and in accord-  
21 ance with the requirements of section 70004, the Sec-  
22 retary shall—

23 “(1) undertake a study of the potential traffic  
24 density and the need for safe access routes for ves-  
25 sels in any area for which fairways or traffic separa-

1       tion schemes are proposed or that may otherwise be  
2       considered and publish notice of such undertaking in  
3       the Federal Register;

4               “(2) in consultation with the Secretary of State,  
5       the Secretary of the Interior, the Secretary of Com-  
6       merce, the Secretary of the Army, and the Gov-  
7       ernors of affected States, as their responsibilities  
8       may require, take into account all other uses of the  
9       area under consideration, including, as appropriate,  
10      the exploration for, or exploitation of, oil, gas, or  
11      other mineral resources, the construction or oper-  
12      ation of deepwater ports or other structures on or  
13      above the seabed or subsoil of the submerged lands  
14      or the Outer Continental Shelf of the United States,  
15      the establishment or operation of marine or estua-  
16      rine sanctuaries, and activities involving recreational  
17      or commercial fishing; and

18              “(3) to the extent practicable, reconcile the  
19      need for safe access routes with the needs of all  
20      other reasonable uses of the area involved.

21              “(d) STUDY.—In carrying out the Secretary’s respon-  
22      sibilities under subsection (c), the Secretary shall—

23              “(1) proceed expeditiously to complete any  
24      study undertaken; and

1           “(2) after completion of such a study, prompt-  
2       ly—

3           “(A) issue a notice of proposed rulemaking  
4       for the designation contemplated; or

5           “(B) publish in the Federal Register a no-  
6       tice that no designation is contemplated as a re-  
7       sult of the study and the reason for such deter-  
8       mination.

9       “(e) IMPLEMENTATION OF DESIGNATION.—In con-  
10      nection with a designation made under this section, the  
11      Secretary—

12           “(1) shall issue reasonable rules and regulations  
13      governing the use of such designated areas, includ-  
14      ing rules and regulations regarding the applicability  
15      of rules 9 and 10 of the International Regulations  
16      for Preventing Collisions at Sea, 1972, relating to  
17      narrow channels and traffic separation schemes, re-  
18      spectively, in waters where such regulations apply;

19           “(2) to the extent that the Secretary finds rea-  
20      sonable and necessary to effectuate the purposes of  
21      the designation, make the use of designated fairways  
22      and traffic separation schemes mandatory for spe-  
23      cific types and sizes of vessels, foreign and domestic,  
24      operating in the territorial sea of the United States  
25      and for specific types and sizes of vessels of the



1 United States operating on the high seas beyond the  
2 territorial sea of the United States;

3 “(3) may, from time to time, as necessary, ad-  
4 just the location or limits of designated fairways or  
5 traffic separation schemes in order to accommodate  
6 the needs of other uses that cannot be reasonably  
7 accommodated otherwise, except that such an ad-  
8 justment may not, in the judgment of the Secretary,  
9 unacceptably adversely affect the purpose for which  
10 the existing designation was made and the need for  
11 which continues; and

12 “(4) shall, through appropriate channels—

13 “(A) notify cognizant international organi-  
14 zations of any designation, or adjustment there-  
15 of; and

16 “(B) take action to seek the cooperation of  
17 foreign States in making it mandatory for ves-  
18 sels under their control to use, to the same ex-  
19 tent as required by the Secretary for vessels of  
20 the United States, any fairway or traffic sepa-  
21 ration scheme designated under this section in  
22 any area of the high seas.

23 **“§ 70004. Considerations by Secretary**

24 “In carrying out the duties of the Secretary under  
25 sections 70001, 70002, and 70003, the Secretary shall—

1           “(1) take into account all relevant factors con-  
2           cerning navigation and vessel safety, protection of  
3           the marine environment, and the safety and security  
4           of United States ports and waterways, including—

5                   “(A) the scope and degree of the risk or  
6                   hazard involved;

7                   “(B) vessel traffic characteristics and  
8                   trends, including traffic volume, the sizes and  
9                   types of vessels involved, potential interference  
10                  with the flow of commercial traffic, the presence  
11                  of any unusual cargoes, and other similar fac-  
12                  tors;

13                  “(C) port and waterway configurations and  
14                  variations in local conditions of geography, cli-  
15                  mate, and other similar factors;

16                  “(D) the need for granting exemptions for  
17                  the installation and use of equipment or devices  
18                  for use with vessel traffic services for certain  
19                  classes of small vessels, such as self-propelled  
20                  fishing vessels and recreational vessels;

21                  “(E) the proximity of fishing grounds, oil  
22                  and gas drilling and production operations, or  
23                  any other potential or actual conflicting activ-  
24                  ity;

25                  “(F) environmental factors;

1 “(G) economic impact and effects;

2 “(H) existing vessel traffic services; and

3 “(I) local practices and customs, including  
4 voluntary arrangements and agreements within  
5 the maritime community; and

6 “(2) at the earliest possible time, consult with  
7 and receive and consider the views of representatives  
8 of the maritime community, ports and harbor au-  
9 thorities or associations, environmental groups, and  
10 other persons who may be affected by the proposed  
11 actions.

12 **“§ 70005. International agreements**

13 “(a) TRANSMITTAL OF REGULATIONS.—The Sec-  
14 retary shall transmit, via the Secretary of State, to appro-  
15 priate international bodies or forums, any regulations  
16 issued under this subchapter, for consideration as inter-  
17 national standards.

18 “(b) AGREEMENTS.—The President is authorized  
19 and encouraged to—

20 “(1) enter into negotiations and conclude and  
21 execute agreements with neighboring nations, to es-  
22 tablish compatible vessel standards and vessel traffic  
23 services, and to establish, operate, and maintain  
24 international vessel traffic services, in areas and  
25 under circumstances of mutual concern; and

1           “(2) enter into negotiations, through appro-  
2           priate international bodies, and conclude and execute  
3           agreements to establish vessel traffic services in ap-  
4           propriate areas of the high seas.

5           “(c) OPERATIONS.—The Secretary, pursuant to any  
6           agreement negotiated under subsection (b) that is binding  
7           upon the United States in accordance with constitutional  
8           requirements, may—

9           “(1) require vessels operating in an area of a  
10          vessel traffic service to utilize or to comply with the  
11          vessel traffic service, including the carrying or in-  
12          stallation of equipment and devices as necessary for  
13          the use of the service; and

14          “(2) waive, by order or regulation, the applica-  
15          tion of any United States law or regulation con-  
16          cerning the design, construction, operation, equip-  
17          ment, personnel qualifications, and manning stand-  
18          ards for vessels operating in waters over which the  
19          United States exercises jurisdiction if such vessel is  
20          not en route to or from a United States port or  
21          place, and if vessels en route to or from a United  
22          States port or place are accorded equivalent waivers  
23          of laws and regulations of the neighboring nation,  
24          when operating in waters over which that nation ex-  
25          ercises jurisdiction.

1       “(d) SHIP REPORTING SYSTEMS.—The Secretary, in  
2 cooperation with the International Maritime Organization,  
3 may implement and enforce two mandatory ship reporting  
4 systems, consistent with international law, with respect to  
5 vessels subject to such reporting systems entering the fol-  
6 lowing areas of the Atlantic Ocean:

7           “(1) Cape Cod Bay, Massachusetts Bay, and  
8 Great South Channel (in the area generally bounded  
9 by a line starting from a point on Cape Ann, Massa-  
10 chusetts at 42 deg. 39’ N., 70 deg. 37’ W; then  
11 northeast to 42 deg. 45’ N., 70 deg. 13’ W; then  
12 southeast to 42 deg. 10’ N., 68 deg. 31’ W, then  
13 south to 41 deg. 00’ N., 68 deg. 31’ W; then west  
14 to 41 deg. 00’ N., 69 deg. 17’ W; then northeast to  
15 42 deg. 05’ N., 70 deg. 02’ W, then west to 42 deg.  
16 04’ N., 70 deg. 10’ W; and then along the Massa-  
17 chusetts shoreline of Cape Cod Bay and Massachu-  
18 setts Bay back to the point on Cape Ann at 42 deg.  
19 39’ N., 70 deg. 37’ W).

20           “(2) In the coastal waters of the Southeastern  
21 United States within about 25 nm along a 90 nm  
22 stretch of the Atlantic seaboard (in an area gen-  
23 erally extending from the shoreline east to longitude  
24 80 deg. 51.6’ W with the southern and northern

1 boundary at latitudes 30 deg. 00' N., 31 deg. 27'  
2 N., respectively).

3 “SUBCHAPTER II—PORTS AND WATERWAYS  
4 SAFETY

5 “§ 70011. Waterfront safety

6 “(a) IN GENERAL.—The Secretary may take such ac-  
7 tion as is necessary to—

8 “(1) prevent damage to, or the destruction of,  
9 any bridge or other structure on or in the navigable  
10 waters of the United States, or any land structure  
11 or shore area immediately adjacent to such waters;  
12 and

13 “(2) protect the navigable waters and the re-  
14 sources therein from harm resulting from vessel or  
15 structure damage, destruction, or loss.

16 “(b) ACTIONS AUTHORIZED.—Actions authorized by  
17 subsection (a) include—

18 “(1) establishing procedures, measures, and  
19 standards for the handling, loading, unloading, stor-  
20 age, stowage, and movement on a structure (includ-  
21 ing the emergency removal, control, and disposition)  
22 of explosives or other dangerous articles and sub-  
23 stances, including oil or hazardous material as those  
24 terms are defined in section 2101;

1           “(2) prescribing minimum safety equipment re-  
2           quirements for a structure to assure adequate pro-  
3           tection from fire, explosion, natural disaster, and  
4           other serious accidents or casualties;

5           “(3) establishing water or waterfront safety  
6           zones, or other measures, for limited, controlled, or  
7           conditional access and activity when necessary for  
8           the protection of any vessel, structure, waters, or  
9           shore area; and

10           “(4) establishing procedures for examination to  
11           assure compliance with the requirements prescribed  
12           under this section.

13           “(c) STATE LAW.—Nothing in this section, with re-  
14           spect to structures, prohibits a State or political subdivi-  
15           sion thereof from prescribing higher safety equipment re-  
16           quirements or safety standards than those that may be  
17           prescribed by regulations under this section.

18           **“§ 70012. Navigational hazards**

19           “(a) REPORTING PROCEDURE.—The Secretary shall  
20           establish a program to encourage fishermen and other ves-  
21           sel operators to report potential or existing navigational  
22           hazards involving pipelines to the Secretary through Coast  
23           Guard field offices.

24           “(b) SECRETARY’S RESPONSE.—

1           “(1) NOTIFICATION BY THE OPERATOR OF A  
2 PIPELINE.—Upon notification by the operator of a  
3 pipeline of a hazard to navigation with respect to  
4 that pipeline, the Secretary shall immediately notify  
5 Coast Guard headquarters, the Pipeline and Haz-  
6 arduous Materials Safety Administration, other af-  
7 fected Federal and State agencies, and vessel owners  
8 and operators in the pipeline’s vicinity.

9           “(2) NOTIFICATION BY OTHER PERSONS.—  
10 Upon notification by any other person of a hazard  
11 or potential hazard to navigation with respect to a  
12 pipeline, the Secretary shall promptly determine  
13 whether a hazard exists, and if so shall immediately  
14 notify Coast Guard headquarters, the Pipeline and  
15 Hazardous Materials Safety Administration, other  
16 affected Federal and State agencies, vessel owners  
17 and operators in the pipeline’s vicinity, and the  
18 owner and operator of the pipeline.

19           “(c) PIPELINE DEFINED.—For purposes of this sec-  
20 tion, the term ‘pipeline’ has the meaning given the term  
21 ‘pipeline facility’ in section 60101(a)(18) of title 49.



1 **“§ 70013. Requirement to notify Coast Guard of re-**  
2 **lease of objects into the navigable waters**  
3 **of the United States**

4 “(a) REQUIREMENT.—As soon as a person has  
5 knowledge of any release from a vessel or facility into the  
6 navigable waters of the United States of any object that  
7 creates an obstruction prohibited under section 10 of the  
8 Act of March 3, 1899, popularly known as the Rivers and  
9 Harbors Appropriations Act of 1899 (33 U.S.C. 403),  
10 such person shall notify the Secretary and the Secretary  
11 of the Army of such release.

12 “(b) RESTRICTION ON USE OF NOTIFICATION.—Any  
13 notification provided by an individual in accordance with  
14 subsection (a) may not be used against such individual  
15 in any criminal case, except a prosecution for perjury or  
16 for giving a false statement.

17 **“SUBCHAPTER III—CONDITION FOR ENTRY**  
18 **INTO PORTS IN THE UNITED STATES**  
19 **“§ 70021. Conditions for entry to ports in the United**  
20 **States**

21 “(a) IN GENERAL.—No vessel that is subject to chap-  
22 ter 37 shall operate in the navigable waters of the United  
23 States or transfer cargo or residue in any port or place  
24 under the jurisdiction of the United States, if such ves-  
25 sel—

1           “(1) has a history of accidents, pollution inci-  
2 dents, or serious repair problems that, as determined  
3 by the Secretary, creates reason to believe that such  
4 vessel may be unsafe or may create a threat to the  
5 marine environment;

6           “(2) fails to comply with any applicable regula-  
7 tion issued under section 70034, chapter 37, or any  
8 other applicable law or treaty;

9           “(3) discharges oil or hazardous material in vio-  
10 lation of any law of the United States or in a man-  
11 ner or quantities inconsistent with any treaty to  
12 which the United States is a party;

13           “(4) does not comply with any applicable vessel  
14 traffic service requirements;

15           “(5) is manned by one or more officers who are  
16 licensed by a certificating State that the Secretary  
17 has determined, pursuant to section 9101 of title 46,  
18 does not have standards for licensing and certifi-  
19 cation of seafarers that are comparable to or more  
20 stringent than United States standards or inter-  
21 national standards that are accepted by the United  
22 States;

23           “(6) is not manned in compliance with manning  
24 levels as determined by the Secretary to be necessary  
25 to insure the safe navigation of the vessel; or

1           “(7) while underway, does not have at least one  
2 licensed deck officer on the navigation bridge who is  
3 capable of clearly understanding English.

4           “(b) EXCEPTIONS.—

5           “(1) IN GENERAL.—The Secretary may allow  
6 provisional entry of a vessel that is not in compli-  
7 ance with subsection (a), if the owner or operator of  
8 such vessel proves, to the satisfaction of the Sec-  
9 retary, that such vessel is not unsafe or a threat to  
10 the marine environment, and if such entry is nec-  
11 essary for the safety of the vessel or persons aboard.

12           “(2) PROVISIONS NOT APPLICABLE.—Para-  
13 graphs (1), (2), (3), and (4) of subsection (a) of this  
14 section shall not apply to a vessel allowed provisional  
15 entry under paragraph (1) if the owner or operator  
16 of such vessel proves, to the satisfaction of the Sec-  
17 retary, that such vessel is no longer unsafe or a  
18 threat to the marine environment, and is no longer  
19 in violation of any applicable law, treaty, regulation,  
20 or condition, as appropriate.

1 “SUBCHAPTER IV—DEFINITIONS, REGULA-  
2 TIONS, ENFORCEMENT, INVESTIGATORY  
3 POWERS, APPLICABILITY

4 “§ 70031. Definitions

5 “As used in subchapters A through C and this sub-  
6 chapter, unless the context otherwise requires:

7 “(1) The term ‘marine environment’ means—

8 “(A) the navigable waters of the United  
9 States and the land and resources therein and  
10 thereunder;

11 “(B) the waters and fishery resources of  
12 any area over which the United States asserts  
13 exclusive fishery management authority;

14 “(C) the seabed and subsoil of the Outer  
15 Continental Shelf of the United States, the re-  
16 sources thereof, and the waters superjacent  
17 thereto; and

18 “(D) the recreational, economic, and scenic  
19 values of such waters and resources.

20 “(2) The term ‘Secretary’ means the Secretary  
21 of the department in which the Coast Guard is oper-  
22 ating, except that such term means the Secretary of  
23 Transportation with respect to the application of  
24 this chapter to the Saint Lawrence Seaway.

1           “(3) The term ‘navigable waters of the United  
2 States’ includes all waters of the territorial sea of  
3 the United States as described in Presidential Pro-  
4 clamation No. 5928 of December 27, 1988.

5 **“§ 70032. Saint Lawrence Seaway**

6           “The authority granted to the Secretary under sec-  
7 tions 70001, 70002, 70003, 7004, and 70011 may not be  
8 delegated with respect to the Saint Lawrence Seaway to  
9 any agency other than the Saint Lawrence Seaway Devel-  
10 opment Corporation. Any other authority granted the Sec-  
11 retary under subchapters A through C and this subchapter  
12 shall be delegated by the Secretary to the Saint Lawrence  
13 Seaway Development Corporation to the extent the Sec-  
14 retary determines such delegation is necessary for the  
15 proper operation of the Saint Lawrence Seaway.

16 **“§ 70033. Limitation on application to foreign vessels**

17           “Except pursuant to international treaty, convention,  
18 or agreement, to which the United States is a party, sub-  
19 chapters A through C and this subchapter shall not apply  
20 to any foreign vessel that is not destined for, or departing  
21 from, a port or place subject to the jurisdiction of the  
22 United States and that is in—

23           “(1) innocent passage through the territorial  
24 sea of the United States; or

1           “(2) transit through the navigable waters of the  
2           United States that form a part of an international  
3           strait.

4   **“§ 70034. Regulations**

5           “(a) IN GENERAL.—In accordance with section 553  
6           of title 5, the Secretary shall issue, and may from time  
7           to time amend or repeal, regulations necessary to imple-  
8           ment subchapters A through C and this subchapter.

9           “(b) CONSULTATION.—In the exercise of the regu-  
10          latory authority under subchapters A through C and this  
11          subchapter, the Secretary shall consult with, and receive  
12          and consider the views of all interested persons, includ-  
13          ing—

14                 “(1) interested Federal departments and agen-  
15                 cies;

16                 “(2) officials of State and local governments;

17                 “(3) representatives of the maritime commu-  
18                 nity;

19                 “(4) representatives of port and harbor authori-  
20                 ties or associations;

21                 “(5) representatives of environmental groups;

22                 “(6) any other interested persons who are  
23                 knowledgeable or experienced in dealing with prob-  
24                 lems involving vessel safety, port and waterways

1 safety, and protection of the marine environment;  
2 and

3 “(7) advisory committees consisting of all inter-  
4 ested segments of the public when the establishment  
5 of such committees is considered necessary because  
6 the issues involved are highly complex or controver-  
7 sial.

8 **“§ 70035. Investigatory powers**

9 “(a) SECRETARY.—The Secretary may investigate  
10 any incident, accident, or act involving the loss or destruc-  
11 tion of, or damage to, any structure subject to subchapters  
12 A through C and this subchapter, or that affects or may  
13 affect the safety or environmental quality of the ports,  
14 harbors, or navigable waters of the United States.

15 “(b) POWERS.—In an investigation under this sec-  
16 tion, the Secretary may issue subpoenas to require the at-  
17 tendance of witnesses and the production of documents or  
18 other evidence relating to such incident, accident, or act.  
19 If any person refuses to obey a subpoena, the Secretary  
20 may request the Attorney General to invoke the aid of the  
21 appropriate district court of the United States to compel  
22 compliance with the subpoena. Any district court of the  
23 United States may, in the case of refusal to obey a sub-  
24 poena, issue an order requiring compliance with the sub-  
25 poena, and failure to obey the order may be punished by

1 the court as contempt. Witnesses may be paid fees for  
2 travel and attendance at rates not exceeding those allowed  
3 in a district court of the United States.

4 **“§ 70036. Enforcement**

5 “(a) CIVIL PENALTY.—

6 “(1) IN GENERAL.—Any person who is found  
7 by the Secretary, after notice and an opportunity for  
8 a hearing, to have violated subchapters A through C  
9 or this subchapter or a regulation issued under sub-  
10 chapters A through C or this subchapter shall be lia-  
11 ble to the United States for a civil penalty, not to  
12 exceed \$25,000 for each violation. Each day of a  
13 continuing violation shall constitute a separate viola-  
14 tion. The amount of such civil penalty shall be as-  
15 sessed by the Secretary, or the Secretary’s designee,  
16 by written notice. In determining the amount of  
17 such penalty, the Secretary shall take into account  
18 the nature, circumstances, extent, and gravity of the  
19 prohibited acts committed and, with respect to the  
20 violator, the degree of culpability, any history of  
21 prior offenses, ability to pay, and such other matters  
22 as justice may require.

23 “(2) COMPROMISE, MODIFICATION, OR REMIS-  
24 SION.—The Secretary may compromise, modify, or  
25 remit, with or without conditions, any civil penalty



1 that is subject to imposition or that has been im-  
2 posed under this section.

3 “(3) FAILURE TO PAY PENALTY.—If any per-  
4 son fails to pay an assessment of a civil penalty  
5 after it has become final, the Secretary may refer  
6 the matter to the Attorney General of the United  
7 States, for collection in any appropriate district  
8 court of the United States.

9 “(b) CRIMINAL PENALTY.—

10 “(1) CLASS D FELONY.—Any person who will-  
11 fully and knowingly violates subchapters A through  
12 C or this subchapter or any regulation issued there-  
13 under commits a class D felony.

14 “(2) CLASS C FELONY.—Any person who, in  
15 the willful and knowing violation of subchapters A  
16 through C or this subchapter or of any regulation  
17 issued thereunder, uses a dangerous weapon, or en-  
18 gages in conduct that causes bodily injury or fear of  
19 imminent bodily injury to any officer authorized to  
20 enforce the provisions of such a subchapter or the  
21 regulations issued under such subchapter, commits a  
22 class C felony.

23 “(c) IN REM LIABILITY.—Any vessel that is used in  
24 violation of subchapters A, B, or C or this subchapter,  
25 or any regulations issued under such subchapter, shall be

1 liable in rem for any civil penalty assessed pursuant to  
2 subsection (a) and may be proceeded against in the United  
3 States district court for any district in which such vessel  
4 may be found.

5 “(d) INJUNCTION.—The United States district courts  
6 shall have jurisdiction to restrain violations of subchapter  
7 A, B, or C or this subchapter or of regulations issued  
8 under such subchapter, for cause shown.

9 “(e) DENIAL OF ENTRY.—Except as provided in sec-  
10 tion 70021, the Secretary may, subject to recognized prin-  
11 ciples of international law, deny entry by any vessel that  
12 is not in compliance with subchapter A, B, or C or this  
13 subchapter or the regulations issued under such sub-  
14 chapter—

15 “(1) into the navigable waters of the United  
16 States; or

17 “(2) to any port or place under the jurisdiction  
18 of the United States.

19 “(f) WITHHOLDING OF CLEARANCE.—

20 “(1) IN GENERAL.—If any owner, operator, or  
21 individual in charge of a vessel is liable for a penalty  
22 or fine under this section, or if reasonable cause ex-  
23 ists to believe that the owner, operator, or individual  
24 in charge may be subject to a penalty or fine under  
25 this section, the Secretary of the Treasury, upon the

1 request of the Secretary, shall with respect to such  
 2 vessel refuse or revoke any clearance required by  
 3 section 60105 of title 46.

4 “(2) GRANTING CLEARANCE REFUSED OR RE-  
 5 VOKED.—Clearance refused or revoked under this  
 6 subsection may be granted upon filing of a bond or  
 7 other surety satisfactory to the Secretary.”.

8 (b) CLERICAL AMENDMENT.—The analysis at the be-  
 9 ginning of such subtitle is amended by inserting before  
 10 the item relating to chapter 701 the following:

“**700. Ports and Waterways Safety .....70001.**”.

11 **SEC. 402. CONFORMING AMENDMENTS.**

12 (a) ELECTRONIC CHARTS.—

13 (1) TRANSFER OF PROVISION.—Section 4A of  
 14 the Ports and Waterways Safety Act (33 U.S.C.  
 15 1223a)—

16 (A) is redesignated as section 3105 of title  
 17 46, United States Code, and transferred to ap-  
 18 pear after section 3104 of that title; and

19 (B) is amended by striking subsection (b)  
 20 and inserting the following:

21 “(b) LIMITATION ON APPLICATION.—Except pursu-  
 22 ant to an international treaty, convention, or agreement,  
 23 to which the United States is a party, this section shall  
 24 not apply to any foreign vessel that is not destined for,

1 or departing from, a port or place subject to the jurisdic-  
2 tion of the United States and that is in—

3 “(1) innocent passage through the territorial  
4 sea of the United States; or

5 “(2) transit through the navigable waters of the  
6 United States that form a part of an international  
7 strait.”.

8 (2) CLERICAL AMENDMENT.—The analysis at  
9 the beginning of chapter 31 of such title is amended  
10 by adding at the end the following:

“3105. Electronic charts.”.

11 (b) PORT, HARBOR, AND COASTAL FACILITY SECUR-  
12 RITY.—

13 (1) TRANSFER OF PROVISIONS.—So much of  
14 section 7 of the Ports and Waterways Safety Act  
15 (33 U.S.C. 1226) as precedes subsection (c) of that  
16 section is redesignated as section 70116 of title 46,  
17 United States Code, and transferred so as to replace  
18 section 70116 of that title, as in effect before the  
19 enactment of this Act.

20 (2) DEFINITIONS, ADMINISTRATION, AND EN-  
21 FORCEMENT.—Section 70116 of title 46, United  
22 States Code, as amended by paragraph (1) of this  
23 subsection, is amended by adding at the end the fol-  
24 lowing:

1       “(c) DEFINITIONS, ADMINISTRATION, AND EN-  
2       FORCEMENT.—This section shall be treated as part of  
3       chapter 700 for purposes of sections 70031, 70032,  
4       70034, 70035, and 70036.”.

5           (3) CLERICAL AMENDMENT.—The analysis at  
6       the beginning of chapter 701 of such title is amend-  
7       ed by striking the item relating to section 70116 and  
8       inserting the following:

“70116. Port, harbor, and coastal facility security.”.

9           (c) NONDISCLOSURE OF PORT SECURITY PLANS.—  
10       Subsection (c) of section 7 of the Ports and Waterways  
11       Safety Act (33 U.S.C. 1226), as so designated before the  
12       application of subsection (b)(1) of this section—

13           (1) is redesignated as subsection (f) of section  
14       70103 of title 46, United States Code, and trans-  
15       ferred so as to appear after subsection (e) of such  
16       section; and

17           (2) is amended by striking “this Act” and in-  
18       serting “this chapter”.

19       (d) REPEAL.—Section 2307 of title 46, United States  
20       Code, and the item relating to that section in the analysis  
21       at the beginning of chapter 23 of that title, are repealed.

22       (e) REPEAL.—The Ports and Waterways Safety Act  
23       (33 U.S.C. 1221–1231, 1232–1232b), as amended by this  
24       division, is repealed.

1 **SEC. 403. TRANSITIONAL AND SAVINGS PROVISIONS.**

2 (a) **DEFINITIONS.**—In this section:

3 (1) **SOURCE PROVISION.**—The term “source  
4 provision” means a provision of law that is replaced  
5 by a title 46 provision under this title.

6 (2) **TITLE 46 PROVISION.**—The term “title 46  
7 provision” means a provision of title 46, United  
8 States Code, that is enacted by section 402 of this  
9 title.

10 (b) **CUTOFF DATE.**—The title 46 provisions replace  
11 certain provisions of law enacted before the date of the  
12 enactment of this Act. If a law enacted after that date  
13 amends or repeals a source provision, that law is deemed  
14 to amend or repeal, as the case may be, the corresponding  
15 title 46 provision. If a law enacted after that date is other-  
16 wise inconsistent with a title 46 provision or a provision  
17 of this title, that law supersedes the title 46 provision or  
18 provision of this title to the extent of the inconsistency.

19 (c) **ORIGINAL DATE OF ENACTMENT UNCHANGED.**—  
20 For purposes of determining whether one provision of law  
21 supersedes another based on enactment later in time, a  
22 title 46 provision is deemed to have been enacted on the  
23 date of enactment of the source provision that the title  
24 46 provision replaces.

25 (d) **REFERENCES TO TITLE 46 PROVISIONS.**—A ref-  
26 erence to a title 46 provision, including a reference in a

1 regulation, order, or other law, is deemed to refer to the  
2 corresponding source provision.

3 (e) REFERENCES TO SOURCE PROVISIONS.—A ref-  
4 erence to a source provision, including a reference in a  
5 regulation, order, or other law, is deemed to refer to the  
6 corresponding title 46 provision.

7 (f) REGULATIONS, ORDERS, AND OTHER ADMINIS-  
8 TRATIVE ACTIONS.—A regulation, order, or other admin-  
9 istrative action in effect under a source provision con-  
10 tinues in effect under the corresponding title 46 provision.

11 (g) ACTIONS TAKEN AND OFFENSES COMMITTED.—  
12 An action taken or an offense committed under a source  
13 provision is deemed to have been taken or committed  
14 under the corresponding title 46 provision.

15 **SEC. 404. RULE OF CONSTRUCTION.**

16 This title, including the amendments made by this  
17 title, is intended only to transfer provisions of the Ports  
18 and Waterways Safety Act to title 46, United States Code,  
19 and may not be construed to alter—

20 (1) the effect of a provision of the Ports and  
21 Waterways Safety Act, including any authority or  
22 requirement therein;

23 (2) a department or agency interpretation with  
24 respect to the Ports and Waterways Safety Act; or

1           (3) a judicial interpretation with respect to the  
2           Ports and Waterways Safety Act.

3 **SEC. 405. ADVISORY COMMITTEE: REPEAL.**

4           Section 18 of the Coast Guard Authorization Act of  
5 1991 (Public Law 102–241; 105 Stat. 2213) is repealed.

6 **SEC. 406. REGATTAS AND MARINE PARADES.**

7           (a) IN GENERAL.—Chapter 700 of title 46, United  
8 States Code, as established by section 401 of this title,  
9 is amended by adding at the end the following:

10          “SUBCHAPTER V—REGATTAS AND MARINE  
11                                       PARADES

12 **“§ 70041. Regattas and marine parades**

13          “(a) IN GENERAL.—The Commandant of the Coast  
14 Guard may issue regulations to promote the safety of life  
15 on navigable waters during regattas or marine parades.

16          “(b) DETAIL AND USE OF VESSELS.—To enforce  
17 regulations issued under this section—

18               “(1) the Commandant may detail any public  
19 vessel in the service of the Coast Guard and make  
20 use of any private vessel tendered gratuitously for  
21 that purpose; and

22               “(2) upon the request of the Commandant, the  
23 head of any other Federal department or agency  
24 may enforce the regulations by means of any public



1 vessel of such department and any private vessel  
2 tendered gratuitously for that purpose.

3 “(c) TRANSFER OF AUTHORITY.—The authority of  
4 the Commandant under this section may be transferred  
5 by the President for any special occasion to the head of  
6 another Federal department or agency whenever in the  
7 President’s judgment such transfer is desirable.

8 “(d) PENALTIES.—

9 “(1) IN GENERAL.—For any violation of regula-  
10 tions issued pursuant to this section the following  
11 penalties shall be incurred:

12 “(A) A licensed officer shall be liable to  
13 suspension or revocation of license in the man-  
14 ner prescribed by law for incompetency or mis-  
15 conduct.

16 “(B) Any person in charge of the naviga-  
17 tion of a vessel other than a licensed officer  
18 shall be liable to a penalty of \$5,000.

19 “(C) The owner of a vessel (including any  
20 corporate officer of a corporation owning the  
21 vessel) actually on board shall be liable to a  
22 penalty of \$5,000, unless the violation of regu-  
23 lations occurred without the owner’s knowledge.

24 “(D) Any other person shall be liable to a  
25 penalty of \$2,500.

1           “(2) MITIGATION OR REMISSION.—The Com-  
 2           mandant may mitigate or remit any penalty provided  
 3           for in this subsection in the manner prescribed by  
 4           law for the mitigation or remission of penalties for  
 5           violation of the navigation laws.”.

6           (b) CLERICAL AMENDMENT.—The analysis for chap-  
 7           ter 700 of title 46, United States Code, as established by  
 8           section 401 of this title, is amended by adding at the end  
 9           the following:

“SUBCHAPTER E—REGATTAS AND MARINE PARADES  
 “70041. Regattas and marine parades.”.

10           (c) REPEAL.—The Act of April 28, 1908 (35 Stat.  
 11           69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

12           **SEC. 407. REGULATION OF VESSELS IN TERRITORIAL WA-  
 13           TERS OF UNITED STATES.**

14           (a) ESTABLISHMENT OF SUBCHAPTER F.—Chapter  
 15           700 of title 46, United States Code, as established by sec-  
 16           tion 401 of this title, is amended by adding at the end  
 17           the following:

18           “SUBCHAPTER VI—REGULATION OF VESSELS  
 19           IN TERRITORIAL WATERS OF UNITED STATES

20           **“§ 70054. Definitions**

21           “In this subchapter:

22           “(1) UNITED STATES.—The term ‘United  
 23           States’ includes all territory and waters, continental

1 or insular, subject to the jurisdiction of the United  
2 States.

3 “(2) TERRITORIAL WATERS.—The term ‘terri-  
4 torial waters of the United States’ includes all wa-  
5 ters of the territorial sea of the United States as de-  
6 scribed in Presidential Proclamation 5928 of Decem-  
7 ber 27, 1988.”.

8 (b) REGULATION OF ANCHORAGE AND MOVEMENT  
9 OF VESSELS DURING NATIONAL EMERGENCY.—Section 1  
10 of title II of the Act of June 15, 1917 (40 Stat. 220, chap-  
11 ter 30; 50 U.S.C. 191), is amended—

12 (1) by striking the section designation and all  
13 that follows before “by proclamation” and inserting  
14 the following:

15 **“§ 70051. Regulation of anchorage and movement of**  
16 **vessels during national emergency**

17 “Whenever the President”;

18 (2) by striking “of the Treasury”;

19 (3) by striking “of the department in which the  
20 Coast Guard is operating”;

21 (4) by striking “this title” and inserting “this  
22 subchapter”; and

23 (5) by transferring the section so that the sec-  
24 tion appears before section 70054 of title 46, United

1 States Code (as added by subsection (a) of this sec-  
2 tion).

3 (c) SEIZURE AND FORFEITURE OF VESSEL; FINE  
4 AND IMPRISONMENT.—Section 2 of title II of the Act of  
5 June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 192),  
6 is amended—

7 (1) by striking the section designation and all  
8 that follows before “agent,” and inserting the fol-  
9 lowing:

10 **“§ 70052. Seizure and forfeiture of vessel; fine and im-  
11 prisonment**

12 “(a) IN GENERAL.—If any owner,”;

13 (2) by striking “this title” each place it appears  
14 and inserting “this subchapter”; and

15 (3) by transferring the section so that the sec-  
16 tion appears after section 70051 of title 46, United  
17 States Code (as transferred by subsection (b) of this  
18 section).

19 (d) ENFORCEMENT PROVISIONS.—Section 4 of title  
20 II of the Act of June 15, 1917 (40 Stat. 220, chapter  
21 30; 50 U.S.C. 194), is amended—

22 (1) by striking all before “may employ” and in-  
23 serting the following:

24 **“§ 70053. Enforcement provisions**

25 “The President”;

1 (2) by striking “the purpose of this title” and  
2 inserting “this subchapter”; and

3 (3) by transferring the section so that the sec-  
4 tion appears after section 70052 of title 46, United  
5 States Code (as transferred by subsection (c) of this  
6 section).

7 (e) CLERICAL AMENDMENT.—The analysis for chap-  
8 ter 700 of title 46, United States Code, as established by  
9 section 401 of this title, is amended by adding at the end  
10 the following:

“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF  
UNITED STATES

“70051. Regulation of anchorage and movement of vessels during national emer-  
gency.

“70052. Seizure and forfeiture of vessel; fine and imprisonment.

“70053. Enforcement provisions.

“70054. Definitions.”.

11 **SEC. 408. PORT, HARBOR, AND COASTAL FACILITY SECUR-**  
12 **RITY.**

13 (a) TRANSFER OF PROVISIONS.—So much of section  
14 7 of the Ports and Waterways Safety Act (33 U.S.C.  
15 1226) as precedes subsection (c) of that section is redesign-  
16 nated as section 70102a of title 46, United States Code,  
17 and transferred so as to appear after section 70102 of  
18 that title.

19 (b) DEFINITIONS, ADMINISTRATION, AND ENFORCE-  
20 MENT.—Section 70102a of title 46, United States Code,  
21 as amended by paragraph (1) of this subsection, is amend-  
22 ed by adding at the end the following:

1       “(c) DEFINITIONS, ADMINISTRATION, AND EN-  
2       FORCEMENT.—This section shall be treated as part of  
3       chapter 700 for purposes of sections 70031, 70032,  
4       70034, 70035, and 70036.”.

5       (c) CLERICAL AMENDMENT.—The analysis at the be-  
6       ginning of chapter 701 of such title is amended by insert-  
7       ing after the item relating to section 70102 the following:  
      “70102a. Port, harbor, and coastal facility security.”.

8       (d) NONDISCLOSURE OF PORT SECURITY PLANS.—  
9       Subsection (c) of section 7 of the Ports and Waterways  
10      Safety Act (33 U.S.C. 1226), as so designated before the  
11      application of subsection (b)(1) of this section—

12           (1) is redesignated as subsection (f) of section  
13           70103 of title 46, United States Code, and trans-  
14           ferred so as to appear after subsection (e) of such  
15           section; and

16           (2) is amended by striking “this Act” and in-  
17           serting “this chapter”.

18                   **TITLE V—MARITIME**  
19                   **TRANSPORTATION SAFETY**

20      **SEC. 501. CONSISTENCY IN MARINE INSPECTIONS.**

21      (a) IN GENERAL.—Section 3305 of title 46, United  
22      States Code, is amended by adding at the end the fol-  
23      lowing:

24           “(d)(1) The Commandant of the Coast Guard shall  
25      ensure that Officers in Charge, Marine Inspections con-

1 sistently interpret regulations and standards under this  
2 subtitle and chapter 700 to avoid disruption and undue  
3 expense to industry.

4 “(2)(A) Subject to subparagraph (B), in the event of  
5 a disagreement regarding the condition of a vessel or the  
6 interpretation of a regulation or standard referred to in  
7 subsection (a) between a local Officer in Charge, Marine  
8 Inspection conducting an inspection of the vessel and the  
9 Officer in Charge, Marine Inspection that issued the most  
10 recent certificate of inspection for the vessel, such Officers  
11 shall seek to resolve such disagreement.

12 “(B) If a disagreement described in subparagraph  
13 (A) involves vessel design or plan review, the Coast Guard  
14 marine safety center shall be included in all efforts to re-  
15 solve such disagreement.

16 “(C) If a disagreement described in subparagraph  
17 (A) or (B) cannot be resolved, the local Officer in Charge,  
18 Marine Inspection shall submit to the Commandant of the  
19 Coast Guard, through the cognizant Coast Guard district  
20 commander, a request for a final agency determination of  
21 the matter in disagreement.

22 “(3) The Commandant of the Coast Guard shall—  
23 “(A) provide to each person affected by a deci-  
24 sion or action by an Officer in Charge, Marine In-  
25 spection or by the Coast Guard marine safety center

1 all information necessary for such person to exercise  
2 any right to appeal such decision or action; and

3 “(B) if such an appeal is filed, process such ap-  
4 peal under parts 1 through 4 of title 46, Code of  
5 Federal Regulations, as in effect on the date of en-  
6 actment of the Coast Guard Authorization Act of  
7 2017.

8 “(4) In this section, the term ‘Officer in Charge, Ma-  
9 rine Inspection’ means any person from the civilian or  
10 military branch of the Coast Guard who—

11 “(A) is designated as such by the Commandant;  
12 and

13 “(B) under the superintendence and direction  
14 of the cognizant Coast Guard district commander, is  
15 in charge of an inspection zone for the performance  
16 of duties with respect to the inspections under, and  
17 enforcement and administration of, subtitle II, chap-  
18 ter 700, and regulations under such laws.”.

19 (b) REPORT ON MARINE INSPECTOR TRAINING.—  
20 Not later than 1 year after the date of the enactment of  
21 this Act, the Commandant of the Coast Guard shall sub-  
22 mit to the Committee on Commerce, Science, and Trans-  
23 portation of the Senate and the Committee on Transpor-  
24 tation and Infrastructure of the House of Representatives  
25 a report on the training, experience, and qualifications re-



1 quired for assignment as a marine inspector under section  
2 312 of title 14, United States Code, including—

3 (1) a description of any continuing education  
4 requirement, including a specific list of the required  
5 courses;

6 (2) a description of the training, including a  
7 specific list of the included courses, offered to a  
8 journeyman or an advanced journeyman marine in-  
9 spector to advance inspection expertise;

10 (3) a description of any training that was of-  
11 fered in the 15-year period before the date of the en-  
12 actment of this Act, but is no longer required or of-  
13 fered, including a specific list of the included  
14 courses, including the senior marine inspector course  
15 and any plan review courses;

16 (4) a justification for why a course described in  
17 paragraph (3) is no longer required or offered; and

18 (5) a list of the course content the Com-  
19 mandant considers necessary to promote consistency  
20 among marine inspectors in an environment of in-  
21 creasingly complex vessels and vessel systems.

22 **SEC. 502. UNINSPECTED PASSENGER VESSELS IN ST. LOUIS**  
23 **COUNTY, MINNESOTA.**

24 Section 4105 of title 46, United States Code, amend-  
25 ed—

1           (1) by redesignating subsection (c) as sub-  
2           section (d); and

3           (2) by inserting after subsection (b) the fol-  
4           lowing:

5           “(c) In applying this title with respect to an  
6           uninspected vessel of less than 25 feet overall in length  
7           that carries passengers on Crane Lake or waters contig-  
8           uous to such lake in St. Louis County, Minnesota, the Sec-  
9           retary shall substitute ‘12 passengers’ for ‘6 passengers’  
10          each place it appears in section 2101(42).”.

11   **SEC. 503. ENGINE CUT-OFF SWITCH REQUIREMENTS.**

12          (a) IN GENERAL.—Chapter 43 of title 46, United  
13          States Code, is amended by adding at the end the fol-  
14          lowing:

15    **“§ 4312. Engine cut-off switches**

16          “(a) INSTALLATION REQUIREMENT.—A manufac-  
17          turer, distributor, or dealer that installs propulsion ma-  
18          chinery and associated starting controls on a covered rec-  
19          reational vessel shall equip such vessel with an engine cut-  
20          off switch and engine cut-off switch link that meet Amer-  
21          ican Boat and Yacht Council Standard A-33, as in effect  
22          on the date of the enactment of the Coast Guard Author-  
23          ization Act of 2017.

24          “(b) EDUCATION ON CUT-OFF SWITCHES.—The  
25          Commandant of the Coast Guard, through the National

1 Boating Safety Advisory Committee established under sec-  
2 tion 15105, may initiate a boating safety program on the  
3 use and benefits of cut-off switches for recreational ves-  
4 sels.

5 “(c) AVAILABILITY OF STANDARD FOR INSPEC-  
6 TION.—

7 “(1) IN GENERAL.—Not later than 90 days  
8 after the date of the enactment of this section, the  
9 Commandant shall transmit American Boat and  
10 Yacht Council Standard A-33, as in effect on the  
11 date of enactment of the Coast Guard Authorization  
12 Act of 2017, to—

13 “(A) the Committee on Transportation and  
14 Infrastructure of the House of Representatives;

15 “(B) the Committee on Commerce,  
16 Science, and Transportation of the Senate; and

17 “(C) the Coast Guard Office of Design and  
18 Engineering Standards; and

19 “(D) the National Archives and Records  
20 Administration.

21 “(2) AVAILABILITY.—The standard submitted  
22 under paragraph (1) shall be kept on file and avail-  
23 able for public inspection at such Coast Guard office  
24 and the National Archives and Records Administra-  
25 tion.

1 “(d) DEFINITIONS.—In this section:

2 “(1) COVERED RECREATIONAL VESSEL.—The  
3 term ‘covered recreational vessel’ means a rec-  
4 reational vessel that is—

5 “(A) less than 26 feet overall in length;  
6 and

7 “(B) capable of developing 115 pounds or  
8 more of static thrust.

9 “(2) DEALER.—The term ‘dealer’ means any  
10 person who is engaged in the sale and distribution  
11 of recreational vessels or associated equipment to  
12 purchasers whom the seller in good faith believes to  
13 be purchasing any such vessel or associated equip-  
14 ment for purposes other than resale.

15 “(3) DISTRIBUTOR.—The term ‘distributor’  
16 means any person engaged in the sale and distribu-  
17 tion of recreational vessels and associated equipment  
18 for the purposes of resale.

19 “(4) MANUFACTURER.—The term ‘equipment  
20 manufacturer’ means any person engaged in the  
21 manufacture, construction, or assembly of rec-  
22 reational vessels or associated equipment, or the im-  
23 portation of recreational vessels into the United  
24 States for subsequent sale.

1           “(5) PROPULSION MACHINERY.—The term ‘pro-  
2           pulsion machinery’ means a self-contained propul-  
3           sion system, and includes, but is not limited to, in-  
4           board engines, outboard motors, and sterndrive en-  
5           gines.

6           “(6) STATIC THRUST.—The term ‘static thrust’  
7           means the forward or backwards thrust developed by  
8           propulsion machinery while stationary.”.

9           (b) CLERICAL AMENDMENT.—The analysis at the be-  
10          ginning of such chapter is amended by adding at the end  
11          the following:

          “4312. Engine cut-off switches.”.

12          (c) EFFECTIVE DATE.—Section 4312 of title 46,  
13          United States Code, as amended by this section, shall take  
14          effect one year after the date of the enactment of this Act.

15         **SEC. 504. EXCEPTION FROM SURVIVAL CRAFT REQUIRE-**  
16                                 **MENTS.**

17          Section 4502(b) of title 46, United States Code, is  
18          amended—

19                 (1) in paragraph (2)(B), by striking “a survival  
20                 craft” and inserting “subject to paragraph (3), a  
21                 survival craft”;

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

23                         “(3) Except for a nonapplicable vessel, an auxil-  
24                         iary craft shall satisfy the equipment requirement  
25                         under paragraph (2)(B) if such craft is—

1           “(A) necessary for normal fishing oper-  
2           ations;

3           “(B) readily accessible during an emer-  
4           gency; and

5           “(C) capable, in accordance with the Coast  
6           Guard capacity rating, when applicable, of safe-  
7           ly holding all individuals on board the vessel to  
8           which the craft functions as an auxiliary.”; and  
9           (3) by adding at the end the following:

10          “(k) For the purposes of this section, the term ‘auxil-  
11          iary craft’ means a vessel that is carried onboard a fishing  
12          vessel and is normally used to support fishing oper-  
13          ations.”.

14          **SEC. 505. SAFETY STANDARDS.**

15          Section 4502(f) of title 46, United States Code, is  
16          amended by striking paragraphs (2) and (3) and inserting  
17          the following:

18                 “(2) shall examine at dockside a vessel de-  
19                 scribed in subsection (b) at least once every 5 years,  
20                 but may require an exam at dockside every 2 years  
21                 for certain vessels described in subsection (b) if re-  
22                 quested by the owner or operator; and

23                 “(3) shall issue a certificate of compliance to a  
24                 vessel meeting the requirements of this chapter and  
25                 satisfying the requirements in paragraph (2).”.

1 **SEC. 506. FISHING SAFETY GRANTS.**

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

4 (1) in subsections (i) and (j), by striking “Sec-  
5 retary” each place it appears and inserting “Sec-  
6 retary of Health and Human Services”;

7 (2) in subsection (i)(2), as amended by para-  
8 graph (1), by inserting “, in consultation with and  
9 based on criteria established by the Commandant of  
10 the Coast Guard” after “Health and Human Serv-  
11 ices”;

12 (3) in subsection (i)(3), by striking “75” and  
13 inserting “50”;

14 (4) in subsection (i)(4), by striking  
15 “\$3,000,000 for each of fiscal years 2015 through  
16 2017” and inserting “\$3,000,000 for each of fiscal  
17 years 2018 through 2019”;

18 (5) in subsection (j)(2), as amended by para-  
19 graph (1), by inserting “, in consultation with and  
20 based on criteria established by the Commandant of  
21 the Coast Guard,” after “Health and Human Serv-  
22 ices”;

23 (6) in subsection (j)(3), by striking “75” and  
24 inserting “50”; and

25 (7) in subsection (j)(4), by striking  
26 “\$3,000,000 for each fiscal years 2015 through

1       2017” and inserting “\$3,000,000 for each of fiscal  
2       years 2018 through 2019”.

3       **SEC. 507. FISHING, FISH TENDER, AND FISH PROCESSING**  
4                               **VESSEL CERTIFICATION.**

5       Section 4503(f) of title 46, United States Code, as  
6       redesignated by section 508 of this title, is further amend-  
7       ed to read as follows:

8               “(f)(1) For purposes of this section and section  
9       4503a, the term ‘built’ means, with respect to a vessel,  
10       that the vessel’s construction has reached any of the fol-  
11       lowing stages:

12                       “(A) The vessel’s keel is laid.

13                       “(B) Construction identifiable with the vessel  
14       has begun and assembly of that vessel has com-  
15       menced comprising of at least 50 metric tons or one  
16       percent of the estimated mass of all structural mate-  
17       rial, whichever is less.

18               “(2) In the case of a vessel greater than 79 feet over-  
19       all in length, for purposes of paragraph (1)(A) a keel is  
20       deemed to be laid when a marine surveyor affirms that  
21       a structure adequate for serving as a keel for such vessel  
22       is in place and identified for use in the construction of  
23       such vessel.”.



1 **SEC. 508. DEADLINE FOR COMPLIANCE WITH ALTERNATE**  
2 **SAFETY COMPLIANCE PROGRAM.**

3 (a) IN GENERAL.—Section 4503(d) of title 46,  
4 United States Code, is redesignated as section 4503a and  
5 transferred to appear after section 4503 of such title.

6 (b) FISHING, FISH TENDER, AND FISH PROCESSING  
7 VESSEL CERTIFICATION.—Section 4503 of title 46,  
8 United States Code, is amended—

9 (1) by redesignating subsections (e), (f), and  
10 (g) as subsections (d), (e), and (f), respectively;

11 (2) in subsection (b), by striking “subsection  
12 (d)” and inserting “section 4503a”;

13 (3) in subsection (c)(2)(B)(ii)(I), by striking  
14 “subsection (e)” and inserting “subsection (d)”;

15 (4) in subsection (c)(2)(B)(ii)(II), by striking  
16 “subsection (f)” and inserting “subsection (e)”;

17 (5) in subsection (e)(1), as amended by para-  
18 graph (1) of this subsection, by striking “subsection  
19 (e)” each place it appears and inserting “subsection  
20 (d)”;

21 (6) in subsection (e)(2), as amended by para-  
22 graph (1) of this subsection, by striking “subsection  
23 (e)” each place it appears and inserting “subsection  
24 (d)”;

25 (c) ALTERNATE SAFETY COMPLIANCE PROGRAM.—  
26 Section 4503a of title 46, United States Code, as redesignig-

1 nated and transferred by subsection (a) of this section,  
2 is amended—

3 (1) by redesignating paragraphs (1), (2), (3),  
4 (4), and (5) as subsections (a), (b), (c), (d), and (e),  
5 respectively;

6 (2) by inserting before subsection (a), as so re-  
7 designated, the following:

8 **“§ 4503a. Alternate safety compliance program”;**

9 (3) in subsection (a), as redesignated by para-  
10 graph (1) of this subsection, by striking “After Jan-  
11 uary 1, 2020,” and all that follows through “the  
12 Secretary, if” and inserting “Subject to subsection  
13 (c), beginning on the date that is 3 years after the  
14 date that the Secretary prescribes an alternate safe-  
15 ty compliance program, a fishing vessel, fish proc-  
16 essing vessel, or fish tender vessel to which section  
17 4502(b) of this title applies shall comply with such  
18 an alternate safety compliance program, if”;

19 (4) in subsection (a), as so redesignated, by re-  
20 designating subparagraphs (A), (B), and (C) as  
21 paragraphs (1), (2), and (3), respectively;

22 (5) in subsection (b), as so redesignated, by  
23 striking “establishes standards for an alternate safe-  
24 ty compliance program, shall comply with such an  
25 alternative safety compliance program that is devel-

1       oped in cooperation with the commercial fishing in-  
2       dustry and prescribed by the Secretary” and insert-  
3       ing “prescribes an alternate safety compliance pro-  
4       gram under subsection (a), shall comply with such  
5       an alternate safety compliance program”;

6           (6) by amending subsection (c), as so redesign-  
7       nated, to read as follows:

8       “(c) For purposes of subsection (a), a separate alter-  
9       nate safety compliance program may be developed for a  
10      specific region or specific fishery.”;

11           (7) in subsection (d), as so redesignated—

12           (A) by striking “paragraph (1)” and in-  
13      serting “subsection (a)”; and

14           (B) by striking “that paragraph” each  
15      place it appears and inserting “that sub-  
16      section”;

17           (8) in subsection (e), as so redesignated, by—

18           (A) inserting “is not eligible to participate  
19      in an alternative safety compliance program  
20      prescribed under subsection (a) and” after  
21      “July 1, 2012”; and

22           (B) redesignating subparagraphs (A) and  
23      (B) as paragraphs (1) and (2), respectively;

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

1           “(f) For the purposes of this section, the term ‘built’  
2 has the meaning given that term in section 4503(f).”.

3           (d) CLERICAL AMENDMENT.—The analysis at the be-  
4 ginning of chapter 45 of such title is amended by inserting  
5 after the item relating to section 4503 the following

“4503a. Alternate safety compliance program.”.

6           (e) CONFORMING AMENDMENT.—Section 3104 of  
7 title 46, United States Code, is amended by striking “sec-  
8 tion 4503(e)” and inserting “section 4503(d)”.

9           (f) FINAL RULE.—Not later than 1 year after the  
10 date of enactment of this Act, the Secretary of the depart-  
11 ment in which the Coast Guard is operating shall issue  
12 a final rule implementing the requirements enumerated in  
13 section 4503(d) of title 46, as amended by subsection  
14 (b)(1) of this section.

15           (g) ALTERNATE SAFETY COMPLIANCE PROGRAM  
16 STATUS REPORT.—

17           (1) IN GENERAL.—Not later than January 1,  
18 2019, the Secretary of the department in which the  
19 Coast Guard is operating shall submit to the Com-  
20 mittee on Transportation and Infrastructure of the  
21 House of Representatives and the Committee on  
22 Commerce, Science, and Transportation of the Sen-  
23 ate a report on the status of the development of the  
24 alternate safety compliance program directed by sec-

1           tion 4503a of title 46, United States Code, as redesi-  
2           gnated by subsection (c).

3           (2) CONTENTS.—The report required under  
4           paragraph (1) shall include discussion of—

5                   (A) steps taken in the rulemaking process  
6                   to establish the alternate safety compliance pro-  
7                   gram;

8                   (B) communication and collaboration be-  
9                   tween the Coast Guard, the department in  
10                  which the Coast Guard is operating, and the  
11                  commercial fishing vessel industry regarding  
12                  the development of the alternate safety compli-  
13                  ance program;

14                  (C) consideration given to developing alter-  
15                  nate safety compliance programs for specific re-  
16                  gions and fisheries, as authorized in section  
17                  4503a(c) of such title, as redesignated by sub-  
18                  section (c);

19                  (D) any identified legislative changes nec-  
20                  essary to implement an effective alternate safe-  
21                  ty compliance program; and

22                  (E) the timeline and planned actions that  
23                  will be taken to implement regulations nec-  
24                  essary to fully establish an alternate safety  
25                  compliance program before January 1, 2020.

1 **SEC. 509. TERMINATION OF UNSAFE OPERATIONS; TECH-**  
2 **NICAL CORRECTION.**

3 Section 4505(2) of title 46, United States Code, is  
4 amended—

5 (1) by striking “4503(1)” and inserting  
6 “4503(a)(2)”; and

7 (2) by inserting before the period the following:  
8 “, except that this paragraph shall not apply with  
9 respect to a vessel to which section 4503a applies”.

10 **SEC. 510. TECHNICAL CORRECTIONS: LICENSES, CERTIFI-**  
11 **CATES OF REGISTRY, AND MERCHANT MAR-**  
12 **INER DOCUMENTS.**

13 Title 46, United States Code, is amended—

14 (1) in section 7106(b), by striking “merchant  
15 mariner’s document,” and inserting “license,”;

16 (2) in section 7107(b), by striking “merchant  
17 mariner’s document,” and inserting “certificate of  
18 registry,”;

19 (3) in section 7507(b)(1), by striking “licenses  
20 or certificates of registry” and inserting “merchant  
21 mariner documents”; and

22 (4) in section 7507(b)(2) by striking “merchant  
23 mariner’s document.” and inserting “license or cer-  
24 tificate of registry.”.

1 **SEC. 511. CLARIFICATION OF LOGBOOK ENTRIES.**

2 (a) IN GENERAL.—Section 11304 of title 46, United  
3 States Code, is amended—

4 (1) in subsection (a), by striking “an official  
5 logbook, which” and inserting “a logbook, which  
6 may be in any form, including electronic, and”; and

7 (2) in subsection (b), by amending paragraph  
8 (3) to read as follows:

9 “(3) Each illness of, and injury to, a seaman of  
10 the vessel, the nature of the illness or injury, and  
11 the medical treatment provided for the injury or ill-  
12 ness.”.

13 (b) TECHNICAL AMENDMENT.—Section 11304(b) is  
14 amended by striking “log book” and inserting “logbook”.

15 **SEC. 512. CERTIFICATES OF DOCUMENTATION FOR REC-**  
16 **REATIONAL VESSELS.**

17 Section 12105 of title 46, United States Code, is  
18 amended by adding at the end the following:

19 “(e) EFFECTIVE PERIOD.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graphs (2) and (3), a certificate of documentation  
22 issued under this part is valid for a 1-year period  
23 and may be renewed for additional 1-year periods.

24 “(2) RECREATIONAL VESSELS.—

25 “(A) IN GENERAL.—A certificate of docu-  
26 mentation for a recreational vessel and the re-

1 newal of such a certificate shall be effective for  
2 a 5-year period.

3 “(B) PHASE-IN PERIOD.—During the pe-  
4 riod beginning January 1, 2019, and ending  
5 December 31, 2021, the owner or operator of a  
6 recreational vessel may choose a period of effec-  
7 tiveness of between 1 and 5 years for such a  
8 certificate of documentation for such vessel or  
9 the renewal thereof.

10 “(C) FEES.—

11 “(i) REQUIREMENT.—The Secretary  
12 shall assess and collect a fee—

13 “(I) for the issuance of a certifi-  
14 cate of documentation for a rec-  
15 reational vessel that is equivalent to  
16 the fee established for the issuance of  
17 a certificate of documentation under  
18 section 2110; and

19 “(II) for the renewal of a certifi-  
20 cate of documentation for a rec-  
21 reational vessel that is equivalent to  
22 the number of years of effectiveness of  
23 the certificate of documentation multi-  
24 plied by the fee established for the re-



1 renewal of a certificate of documenta-  
2 tion under section 2110.

3 “(ii) TREATMENT.—Fees collected  
4 under this subsection—

5 “(I) shall be credited to the ac-  
6 count from which the costs of such  
7 issuance or renewal were paid; and

8 “(II) may remain available until  
9 expended.

10 “(3) NOTICE OF CHANGE IN INFORMATION.—

11 “(A) REQUIREMENT.—The owner of a ves-  
12 sel shall notify the Coast Guard of each change  
13 in the information on which the issuance of the  
14 certificate of documentation for the vessel is  
15 based that occurs before the expiration of the  
16 certificate under this subsection, by not later  
17 than 30 days after such change.

18 “(B) TERMINATION OF CERTIFICATE.—  
19 The certificate of documentation for a vessel  
20 shall terminate upon the expiration of such 30-  
21 day period if the owner has not notified the  
22 Coast Guard of such change before the end of  
23 such period.

24 “(4) STATE AND LOCAL AUTHORITY TO RE-  
25 MOVE ABANDONED AND DERELICT VESSELS.—Noth-

1       ing in this section shall be construed to limit the au-  
2       thority of a State or local authority from taking ac-  
3       tion to remove an abandoned or derelict vessel.”.

4   **SEC. 513. NUMBERING FOR UNDOCUMENTED BARGES.**

5       Section 12301(b) of title 46, United States Code, is  
6   amended—

7           (1) by striking “shall” and inserting “may”;

8       and

9           (2) by inserting “of” after “barge”.

10   **SEC. 514. BACKUP GLOBAL POSITIONING SYSTEM.**

11       (a) **SHORT TITLE.**—This section may be cited as the  
12   “National Timing Resilience and Security Act of 2018”.

13       (b) **IN GENERAL.**—Chapter 3 of title 49, United  
14   States Code, is amended by adding at the end the fol-  
15   lowing:

16   **“§ 312. Alternative timing system**

17       “(a) **IN GENERAL.**—Subject to the availability of ap-  
18   propriations and not later than 3 years after the date of  
19   the enactment of the National Timing Resilience and Se-  
20   curity Act of 2018, the Secretary shall establish a land-  
21   based, resilient, and reliable alternative timing system—

22           “(1) to reduce critical dependencies on, and  
23       provide a complement to and backup for, the timing  
24       component of the Global Positioning System; and

1           “(2) to ensure the availability of uncorrupted  
2           and non-degraded timing signals for military and ci-  
3           vilian users in the event that GPS timing signals are  
4           corrupted, degraded, unreliable, or otherwise un-  
5           available.

6           “(b) ESTABLISHMENT OF REQUIREMENTS.—

7           “(1) IN GENERAL.—Not later than 180 days  
8           after the date of enactment of the National Timing  
9           Resilience and Security Act of 2018, the Secretary  
10          shall establish requirements for the procurement of  
11          a land-based complement to and backup for the tim-  
12          ing component of GPS.

13          “(2) REQUIREMENTS.—The Secretary shall  
14          consider the following requirements for the system,  
15          to the degree practicable:

16                 “(A) Be wireless.

17                 “(B) Be terrestrial.

18                 “(C) Provide wide-area coverage.

19                 “(D) Be synchronized with coordinated  
20          universal time.

21                 “(E) Be resilient and extremely difficult to  
22          disrupt or degrade.

23                 “(F) Be able to penetrate underground  
24          and inside buildings.

1           “(G) Be capable of deployment to remote  
2 locations.

3           “(H) Incorporate the expertise of the pri-  
4 vate sector with respect to development, build-  
5 ing, and installation.

6           “(I) Be interoperable with and complement  
7 other similar positioning, navigation, and tim-  
8 ing systems, including enhanced long-range  
9 navigation systems and Nationwide Differential  
10 GPS systems.

11           “(J) Be available for use by Federal and  
12 non-Federal government agencies for public  
13 purposes at no cost.

14           “(K) Be capable of adaptation and expan-  
15 sion to provide position and navigation capabili-  
16 ties.

17           “(L) Incorporate the recommendations and  
18 next actions from any GPS back-up capability  
19 demonstration program initiated and completed  
20 by the Secretary, in coordination with other  
21 Federal agencies.

22           “(M) Incorporate such other requirements  
23 determined necessary by the Secretary.

24           “(c) IMPLEMENTATION PLAN.—Not later than 1 year  
25 after the date of enactment of the National Timing Resil-

1 ience and Security Act of 2018, the Secretary shall provide  
2 to the Committee on Commerce, Science, and Transpor-  
3 tation of the Senate and the Committee on Transportation  
4 and Infrastructure of the House of Representatives a plan  
5 to implement the establishment of the system authorized  
6 by subsection (a). Such plan shall describe the work nec-  
7 essary to provide a follow-on complementary and backup  
8 positioning and navigation capability.

9 “(d) FUNDING.—

10 “(1) IN GENERAL.—The Secretary of the de-  
11 partment in which the Coast Guard is operating  
12 shall transfer, without reimbursement, to the Sec-  
13 retary to carry out this section the following:

14 “(A) Notwithstanding section 914 of title  
15 14, or any other provision of law, such infra-  
16 structure comprising the Long-Range Naviga-  
17 tion (LORAN) system, including any real and  
18 personal property under the administrative con-  
19 trol of the Coast Guard and used for the  
20 LORAN system, as the Secretary determines  
21 necessary for the purposes described in sub-  
22 section (a).

23 “(B) Any funds specifically appropriated  
24 or made available for the purposes described in  
25 subsection (a), and such funds shall remain

1 available until expended, without fiscal year  
2 limitation.

3 “(2) LIABILITIES AND RESPONSIBILITIES.—

4 “(A) Nothing in this subsection may be  
5 construed to limit the application of or other-  
6 wise affect section 120(h) of the Comprehensive  
7 Environmental Response, Compensation, and  
8 Liability Act of 1980 (42 U.S.C. 9620(h)).

9 “(B) The Secretary shall assume all envi-  
10 ronmental compliance and restoration respon-  
11 sibilities and liabilities associated with real  
12 property transferred under paragraph (1)(A).

13 “(e) AGREEMENT.—

14 “(1) IN GENERAL.—Federal agencies may not  
15 make commitments under this section (including co-  
16 operative agreements (as that term is defined under  
17 section 6305 of title 31), leases, service contracts, or  
18 any other type of commitment) unless funds are spe-  
19 cifically provided for such purposes in advance in  
20 subsequent appropriations Acts, and only to the ex-  
21 tent that the full extent of anticipated costs stem-  
22 ming from such commitments is recorded as an obli-  
23 gation up front and in full at the time it is made.

24 “(2) COMPETITION REQUIRED.—The Secretary  
25 shall use competitive procedures similar to those au-

1       thorized under section 2667 of title 10 in selecting  
2       an entity to enter into an agreement to fulfill the  
3       purpose or this section.

4           “(3) DETERMINATION.—Prior to entering into  
5       any agreement under this subsection, the Secretary  
6       must determine that the use of such agreement is in  
7       the best financial interest of the Federal Govern-  
8       ment.

9       “(f) DEFINITIONS.—In this section:

10           “(1) ENTITY.—The term ‘entity’ means a non-  
11       Federal entity with the demonstrated technical ex-  
12       pertise and requisite administrative and financial re-  
13       sources to meet any such terms and conditions as  
14       may be established by the Secretary.

15           “(2) GPS.—The term ‘GPS’ means the Global  
16       Positioning System.

17           “(3) SECRETARY.—The term ‘Secretary’ means  
18       the Secretary of Transportation.”.

19       “(c) TABLE OF CONTENTS.—The table of contents for  
20       chapter 3 of title 49, United States Code, is amended by  
21       adding at the end the following:

      “312. Alternative timing system.”.

22       **SEC. 515. SCIENTIFIC PERSONNEL.**

23       Section 2101(31) of title 46, United States Code, is  
24       amended—

1           (1) by inserting “(A) Subject to subparagraph  
2           (B),” before the text; and

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

4           “(B)(i) Such term includes an individual who is  
5           on board an oceanographic research vessel only to—

6                   “(I) engage in scientific research;

7                   “(II) instruct in oceanography or lim-  
8                   nology; or

9                   “(III) receive instruction in oceanography  
10                  or limnology.

11           “(ii) For purposes of clause (i), the age of an  
12           individual may not be considered in determining  
13           whether the individual is described in such clause.”.

14 **SEC. 516. TRANSPARENCY.**

15           (a) **IN GENERAL.**—The Commandant of the Coast  
16           Guard shall publish any letter of determination issued by  
17           the Coast Guard National Vessel Documentation Center  
18           after the date of the enactment of this Act on the National  
19           Vessel Documentation Center website not later than 30  
20           days after the date of issuance of such letter of determina-  
21           tion.

22           (b) **AUDIT.**—

23                   (1) **IN GENERAL.**—The Comptroller General of  
24           the United States shall conduct an audit, the results  
25           of which shall be made publicly available, of—



1 (A) the method or process by which the  
2 Coast Guard National Vessel Documentation  
3 Center develops policy for and documents com-  
4 pliance with the requirements of section 67.97  
5 of title 46, Code of Federal Regulations, for the  
6 purpose of issuing endorsements under section  
7 12112 and 12113 of title 46, United States  
8 Code;

9 (B) the coordination between the Coast  
10 Guard and U.S. Customs and Border Protec-  
11 tion with respect to the enforcement of such re-  
12 quirements; and

13 (C) the extent to which the Secretary of  
14 the department in which the Coast Guard is op-  
15 erating and the Secretary of Transportation,  
16 through the Maritime Administration, have  
17 published and disseminated information to pro-  
18 mote compliance with applicable vessel con-  
19 struction requirements.

20 (2) REPORT.—Not later than 90 days after the  
21 audit under paragraph (1) is complete, the Comp-  
22 troller General of the United States shall submit to  
23 the Committee on Commerce, Science, and Trans-  
24 portation of the Senate and the Committee on  
25 Transportation and Infrastructure of the House of

1 Representatives a report regarding the results of  
2 and recommendations made pursuant to such audit.

3 (c) OUTLINE.—Not later than 180 days after the  
4 date of the submission of the Comptroller General of the  
5 United States report required under subsection (b), the  
6 Commandant of the Coast Guard shall submit to the Com-  
7 mittee on Commerce, Science, and Transportation of the  
8 Senate and the Committee on Transportation and Infra-  
9 structure of the House of Representatives an outline of  
10 plans—

11 (1) to enhance the transparency of the docu-  
12 mentation process, and communications with the  
13 maritime industry regarding such process over the  
14 next 5 years; and

15 (2) to implement the recommendations made by  
16 the Comptroller General of the United States in the  
17 report required under subsection (b)(2).

## 18 **TITLE VI—ADVISORY**

### 19 **COMMITTEES**

#### 20 **SEC. 601. NATIONAL MARITIME TRANSPORTATION ADVI-** 21 **SORY COMMITTEES.**

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

1                   **“PART K—NATIONAL MARITIME**  
2           **TRANSPORTATION ADVISORY COMMITTEES**  
3 **“CHAPTER 151—NATIONAL MARITIME**  
4           **TRANSPORTATION ADVISORY COM-**  
5           **MITTEES**

“Sec.

“15101. National Chemical Transportation Safety Advisory Committee.

“15102. National Commercial Fishing Safety Advisory Committee.

“15103. National Merchant Marine Personnel Advisory Committee.

“15104. National Merchant Mariner Medical Advisory Committee.

“15105. National Boating Safety Advisory Committee.

“15106. National Offshore Safety Advisory Committee.

“15107. National Navigation Safety Advisory Committee.

“15108. National Towing Safety Advisory Committee.

“15109. Administration.

6 **“§ 15101. National Chemical Transportation Safety**  
7                   **Advisory Committee**

8           “(a) ESTABLISHMENT.—There is established a Na-  
9 tional Chemical Transportation Safety Advisory Com-  
10 mittee (in this section referred to as the ‘Committee’).

11           “(b) FUNCTION.—The Committee shall advise the  
12 Secretary on matters relating to the safe and secure ma-  
13 rine transportation of hazardous materials.

14           “(c) MEMBERSHIP.—

15                   “(1) IN GENERAL.—The Committee shall con-  
16 sist of not more than 25 members appointed by the  
17 Secretary in accordance with this section and section  
18 15109 of this chapter.

19                   “(2) EXPERTISE.—Each member of the Com-  
20 mittee shall have particular expertise, knowledge,

1 and experience in matters relating to the function of  
2 the Committee.

3 “(3) REPRESENTATION.—Each member of the  
4 Committee shall represent 1 of the following:

5 “(A) Chemical manufacturing entities.

6 “(B) Entities related to marine handling  
7 or transportation of chemicals.

8 “(C) Vessel design and construction enti-  
9 ties.

10 “(D) Marine safety or security entities.

11 “(E) Marine environmental protection enti-  
12 ties.

13 “(4) DISTRIBUTION.—The Secretary shall,  
14 based on the needs of the Coast Guard, determine  
15 the number of members of the Committee who rep-  
16 resent each entity specified in paragraph (3). Nei-  
17 ther this paragraph nor any other provision of law  
18 shall be construed to require an equal distribution of  
19 members representing each entity specified in para-  
20 graph (3).

21 **“§ 15102. National Commercial Fishing Safety Advi-  
22 sory Committee**

23 “(a) ESTABLISHMENT.—There is established a Na-  
24 tional Commercial Fishing Safety Advisory Committee (in  
25 this section referred to as the ‘Committee’).

1 “(b) FUNCTION.—The Committee shall—

2 “(1) advise the Secretary on matters relating to  
3 the safe operation of vessels to which chapter 45 of  
4 this title applies, including the matters of—

5 “(A) navigation safety;

6 “(B) safety equipment and procedures;

7 “(C) marine insurance;

8 “(D) vessel design, construction, mainte-  
9 nance, and operation; and

10 “(E) personnel qualifications and training;

11 and

12 “(2) review regulations proposed under chapter  
13 45 of this title (during preparation of the regula-  
14 tions).

15 “(c) MEMBERSHIP.—

16 “(1) IN GENERAL.—The Committee shall con-  
17 sist of 18 members appointed by the Secretary in ac-  
18 cordance with this section and section 15109 of this  
19 chapter.

20 “(2) EXPERTISE.—Each member of the Com-  
21 mittee shall have particular expertise, knowledge,  
22 and experience in matters relating to the function of  
23 the Committee.

24 “(3) REPRESENTATION.—Members of the Com-  
25 mittee shall be appointed as follows:

1           “(A) 10 members shall represent the com-  
2           mercial fishing industry and—

3                   “(i) as a group, shall together reflect  
4           a regional and representational balance;  
5           and

6                   “(ii) as individuals, shall each have  
7           experience—

8                           “(I) in the operation of vessels to  
9           which chapter 45 of this title applies;  
10           or

11                           “(II) as a crew member or proc-  
12           essing line worker on a fish processing  
13           vessel.

14           “(B) 1 member shall represent naval archi-  
15           tects and marine engineers.

16           “(C) 1 member shall represent manufac-  
17           turers of equipment for vessels to which chapter  
18           45 of this title applies.

19           “(D) 1 member shall represent education  
20           and training professionals related to fishing ves-  
21           sel, fish processing vessel, and fish tender vessel  
22           safety and personnel qualifications.

23           “(E) 1 member shall represent under-  
24           writers that insure vessels to which chapter 45  
25           of this title applies.

1           “(F) 1 member shall represent owners of  
2 vessels to which chapter 45 of this title applies.

3           “(G) 3 members shall represent the gen-  
4 eral public and, to the extent possible, shall in-  
5 clude—

6                   “(i) an independent expert or consult-  
7 ant in maritime safety;

8                   “(ii) a marine surveyor who provides  
9 services to vessels to which chapter 45 of  
10 this title applies; and

11                   “(iii) a person familiar with issues af-  
12 fecting fishing communities and the fami-  
13 lies of fishermen.

14 **“§ 15103. National Merchant Marine Personnel Advi-  
15 sory Committee**

16           “(a) ESTABLISHMENT.—There is established a Na-  
17 tional Merchant Marine Personnel Advisory Committee (in  
18 this section referred to as the ‘Committee’).

19           “(b) FUNCTION.—The Committee shall advise the  
20 Secretary on matters relating to personnel in the United  
21 States merchant marine, including the training, qualifica-  
22 tions, certification, documentation, and fitness of mari-  
23 ners.

24           “(c) MEMBERSHIP.—

1           “(1) IN GENERAL.—The Committee shall con-  
2           sist of 19 members appointed by the Secretary in ac-  
3           cordance with this section and section 15109 of this  
4           chapter.

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

9           “(3) REPRESENTATION.—Members of the Com-  
10          mittee shall be appointed as follows:

11           “(A) 9 members shall represent mariners  
12          and, of the 9—

13           “(i) each shall—

14           “(I) be a citizen of the United  
15           States; and

16           “(II) hold an active license or  
17           certificate issued under chapter 71 of  
18           this title or a merchant mariner docu-  
19           ment issued under chapter 73 of this  
20           title;

21           “(ii) 3 shall be deck officers who rep-  
22           resent merchant marine deck officers and,  
23           of the 3—

24           “(I) 2 shall be licensed for oceans  
25           any gross tons;



1                   “(II) 1 shall be licensed for in-  
2 land river route with a limited or un-  
3 limited tonnage;

4                   “(III) 2 shall have a master’s li-  
5 cense or a master of towing vessels li-  
6 cense;

7                   “(IV) 1 shall have significant  
8 tanker experience; and

9                   “(V) to the extent practicable—

10                           “(aa) 1 shall represent  
11 labor; and

12                           “(bb) 1 shall represent man-  
13 agement;

14                   “(iii) 3 shall be engineering officers  
15 who represent merchant marine engineer-  
16 ing officers and, of the 3—

17                           “(I) 2 shall be licensed as chief  
18 engineer any horsepower;

19                           “(II) 1 shall be licensed as either  
20 a limited chief engineer or a des-  
21 ignated duty engineer; and

22                   “(III) to the extent practicable—

23                           “(aa) 1 shall represent  
24 labor; and

1                   “(bb) 1 shall represent man-  
2                   agement;

3                   “(iv) 2 shall be unlicensed seamen  
4                   who represent merchant marine unlicensed  
5                   seaman and, of the 2—

6                   “(I) 1 shall represent able-bodied  
7                   seamen; and

8                   “(II) 1 shall represent qualified  
9                   members of the engine department;  
10                  and

11                  “(v) 1 shall be a pilot who represents  
12                  merchant marine pilots.

13                  “(B) 6 members shall represent marine  
14                  educators and, of the 6—

15                  “(i) 3 shall be marine educators who  
16                  represent maritime academies and, of the  
17                  3—

18                  “(I) 2 shall represent State mari-  
19                  time academies (and are jointly rec-  
20                  ommended by such academies); and

21                  “(II) 1 shall represent either  
22                  State maritime academies or the  
23                  United States Merchant Marine Acad-  
24                  emy; and

1                   “(ii) 3 shall be marine educators who  
2                   represent other maritime training institu-  
3                   tions and, of the 3, 1 shall represent the  
4                   small vessel industry.

5                   “(C) 2 members shall represent shipping  
6                   companies employed in ship operation manage-  
7                   ment.

8                   “(D) 2 members shall represent the gen-  
9                   eral public.

10 **“§ 15104. National Merchant Mariner Medical Advi-  
11                   sory Committee**

12                   “(a) ESTABLISHMENT.—There is established a Na-  
13                   tional Merchant Mariner Medical Advisory Committee (in  
14                   this section referred to as the ‘Committee’).

15                   “(b) FUNCTION.—The Committee shall advise the  
16                   Secretary on matters relating to—

17                   “(1) medical certification determinations for the  
18                   issuance of licenses, certification of registry, and  
19                   merchant mariners’ documents with respect to mer-  
20                   chant mariners;

21                   “(2) medical standards and guidelines for the  
22                   physical qualifications of operators of commercial  
23                   vessels;

24                   “(3) medical examiner education; and

25                   “(4) medical research.

1 “(c) MEMBERSHIP.—

2 “(1) IN GENERAL.—The Committee shall con-  
3 sist of 14 members appointed by the Secretary in ac-  
4 cordance with this section and section 15109 of this  
5 chapter.

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

10 “(3) REPRESENTATION.—Members of the Com-  
11 mittee shall be appointed as follows:

12 “(A) 9 shall represent health-care profes-  
13 sionals and have particular expertise, knowl-  
14 edge, and experience regarding the medical ex-  
15 aminations of merchant mariners or occupa-  
16 tional medicine.

17 “(B) 5 shall represent professional mari-  
18 ners and have particular expertise, knowledge,  
19 and experience in occupational requirements for  
20 mariners.

21 **“§ 15105. National Boating Safety Advisory Com-**  
22 **mittee**

23 “(a) ESTABLISHMENT.—There is established a Na-  
24 tional Boating Safety Advisory Committee (in this section  
25 referred to as the ‘Committee’).

1       “(b) FUNCTION.—The Committee shall advise the  
2 Secretary on matters relating to national boating safety.

3       “(c) MEMBERSHIP.—

4           “(1) IN GENERAL.—The Committee shall con-  
5 sist of 21 members appointed by the Secretary in ac-  
6 cordance with this section and section 15109 of this  
7 chapter.

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

12           “(3) REPRESENTATION.—Members of the Com-  
13 mittee shall be appointed as follows:

14           “(A) 7 members shall represent State offi-  
15 cials responsible for State boating safety pro-  
16 grams.

17           “(B) 7 members shall represent rec-  
18 reational vessel and associated equipment man-  
19 ufacturers.

20           “(C) 7 members shall represent the gen-  
21 eral public or national recreational boating or-  
22 ganizations and, of the 7, at least 5 shall rep-  
23 resent national recreational boating organiza-  
24 tions.

1 **“§ 15106. National Offshore Safety Advisory Com-**  
2 **mittee**

3 “(a) ESTABLISHMENT.—There is established a Na-  
4 tional Offshore Safety Advisory Committee (in this section  
5 referred to as the ‘Committee’).

6 “(b) FUNCTION.—The Committee shall advise the  
7 Secretary on matters relating to activities directly involved  
8 with, or in support of, the exploration of offshore mineral  
9 and energy resources, to the extent that such matters are  
10 within the jurisdiction of the Coast Guard.

11 “(c) MEMBERSHIP.—

12 “(1) IN GENERAL.—The Committee shall con-  
13 sist of 15 members appointed by the Secretary in ac-  
14 cordance with this section and section 15109 of this  
15 chapter.

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

20 “(3) REPRESENTATION.—Members of the Com-  
21 mittee shall be appointed as follows:

22 “(A) 2 members shall represent entities  
23 engaged in the production of petroleum.

24 “(B) 2 members shall represent entities  
25 engaged in offshore drilling.

1           “(C) 2 members shall represent entities en-  
2           gaged in the support, by offshore supply vessels  
3           or other vessels, of offshore mineral and oil op-  
4           erations, including geophysical services.

5           “(D) 1 member shall represent entities en-  
6           gaged in the construction of offshore explo-  
7           ration and recovery facilities.

8           “(E) 1 member shall represent entities en-  
9           gaged in diving services related to offshore con-  
10          struction, inspection, and maintenance.

11          “(F) 1 member shall represent entities en-  
12          gaged in safety and training services related to  
13          offshore exploration and construction.

14          “(G) 1 member shall represent entities en-  
15          gaged in pipelaying services related to offshore  
16          construction.

17          “(H) 2 members shall represent individuals  
18          employed in offshore operations and, of the 2,  
19          1 shall have recent practical experience on a  
20          vessel or offshore unit involved in the offshore  
21          mineral and energy industry.

22          “(I) 1 member shall represent national en-  
23          vironmental entities.

24          “(J) 1 member shall represent deepwater  
25          ports.

1                   “(K) 1 member shall represent the general  
2                   public (but not a specific environmental group).

3   **“§ 15107. National Navigation Safety Advisory Com-**  
4                   **mittee**

5           “(a) ESTABLISHMENT.—There is established a Na-  
6   tional Navigation Safety Advisory Committee (in this sec-  
7   tion referred to as the ‘Committee’).

8           “(b) FUNCTION.—The Committee shall advise the  
9   Secretary on matters relating to maritime collisions,  
10 rammings, and groundings, Inland Rules of the Road,  
11 International Rules of the Road, navigation regulations  
12 and equipment, routing measures, marine information,  
13 and aids to navigation systems.

14          “(c) MEMBERSHIP.—

15               “(1) IN GENERAL.—The Committee shall con-  
16   sist of not more than 21 members appointed by the  
17   Secretary in accordance with this section and section  
18   15109 of this chapter.

19               “(2) EXPERTISE.—Each member of the Com-  
20   mittee shall have particular expertise, knowledge,  
21   and experience in matters relating to the function of  
22   the Committee.

23               “(3) REPRESENTATION.—Each member of the  
24   Committee shall represent 1 of the following:



1           “(A) Commercial vessel owners or opera-  
2           tors.

3           “(B) Professional mariners.

4           “(C) Recreational boaters.

5           “(D) The recreational boating industry.

6           “(E) State agencies responsible for vessel  
7           or port safety.

8           “(F) The Maritime Law Association.

9           “(4) DISTRIBUTION.—The Secretary shall,  
10          based on the needs of the Coast Guard, determine  
11          the number of members of the Committee who rep-  
12          resent each entity specified in paragraph (3). Nei-  
13          ther this paragraph nor any other provision of law  
14          shall be construed to require an equal distribution of  
15          members representing each entity specified in para-  
16          graph (3).

17       **“§ 15108. National Towing Safety Advisory Committee**

18          “(a) ESTABLISHMENT.—There is established a Na-  
19          tional Towing Safety Advisory Committee (in this section  
20          referred to as the ‘Committee’).

21          “(b) FUNCTION.—The Committee shall advise the  
22          Secretary on matters relating to shallow-draft inland navi-  
23          gation, coastal waterway navigation, and towing safety.

24          “(c) MEMBERSHIP.—

1           “(1) IN GENERAL.—The Committee shall con-  
2           sist of 18 members appointed by the Secretary in ac-  
3           cordance with this section and section 15109 of this  
4           chapter.

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

9           “(3) REPRESENTATION.—Members of the Com-  
10          mittee shall be appointed as follows:

11           “(A) 7 members shall represent the barge  
12           and towing industry, reflecting a regional geo-  
13           graphic balance.

14           “(B) 1 member shall represent the offshore  
15           mineral and oil supply vessel industry.

16           “(C) 1 member shall represent masters  
17           and pilots of towing vessels who hold active li-  
18           censes and have experience on the Western Riv-  
19           ers and the Gulf Intracoastal Waterway.

20           “(D) 1 member shall represent masters of  
21           towing vessels in offshore service who hold ac-  
22           tive licenses.

23           “(E) 1 member shall represent masters of  
24           active ship-docking or harbor towing vessels.

1           “(F) 1 member shall represent licensed  
2           and unlicensed towing vessel engineers with for-  
3           mal training and experience.

4           “(G) 2 members shall represent port dis-  
5           tricts, authorities, or terminal operators.

6           “(H) 2 members shall represent shippers  
7           and, of the 2, 1 shall be engaged in the ship-  
8           ment of oil or hazardous materials by barge.

9           “(I) 2 members shall represent the general  
10          public.

11   **“§ 15109. Administration**

12          “(a) MEETINGS.—Each committee established under  
13          this chapter shall, at least once each year, meet at the  
14          call of the Secretary or a majority of the members of the  
15          committee.

16          “(b) EMPLOYEE STATUS.—A member of a committee  
17          established under this chapter shall not be considered an  
18          employee of the Federal Government by reason of service  
19          on such committee, except for the purposes of the fol-  
20          lowing:

21                 “(1) Chapter 81 of title 5.

22                 “(2) Chapter 171 of title 28 and any other  
23          Federal law relating to tort liability.

24          “(c) COMPENSATION.—Notwithstanding subsection  
25          (b), a member of a committee established under this chap-

1 ter, when actually engaged in the performance of the du-  
2 ties of such committee, may—

3 “(1) receive compensation at a rate established  
4 by the Secretary, not to exceed the maximum daily  
5 rate payable under section 5376 of title 5; or

6 “(2) if not compensated in accordance with  
7 paragraph (1)—

8 “(A) be reimbursed for actual and reason-  
9 able expenses incurred in the performance of  
10 such duties; or

11 “(B) be allowed travel expenses, including  
12 per diem in lieu of subsistence, as authorized by  
13 section 5703 of title 5.

14 “(d) ACCEPTANCE OF VOLUNTEER SERVICES.—A  
15 member of a committee established under this chapter  
16 may serve on such committee on a voluntary basis without  
17 pay without regard to section 1342 of title 31 or any other  
18 law.

19 “(e) STATUS OF MEMBERS.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graph (2), with respect to a member of a committee  
22 established under this chapter whom the Secretary  
23 appoints to represent an entity or group—

1           “(A) the member is authorized to rep-  
2           resent the interests of the applicable entity or  
3           group; and

4           “(B) requirements under Federal law that  
5           would interfere with such representation and  
6           that apply to a special Government employee  
7           (as defined in section 202(a) of title 18), in-  
8           cluding requirements relating to employee con-  
9           duct, political activities, ethics, conflicts of in-  
10          terest, and corruption, do not apply to the  
11          member.

12          “(2) EXCEPTION.—Notwithstanding subsection  
13          (b), a member of a committee established under this  
14          chapter shall be treated as a special Government em-  
15          ployee for purposes of the committee service of the  
16          member if—

17                 “(A) the Secretary appointed the member  
18                 to represent the general public; or

19                 “(B) the member, without regard to serv-  
20                 ice on the committee, is a special Government  
21                 employee.

22          “(f) SERVICE ON COMMITTEE.—

23                 “(1) SOLICITATION OF NOMINATIONS.—Before  
24                 appointing an individual as a member of a com-  
25                 mittee established under this chapter, the Secretary

1 shall publish, in the Federal Register, a timely no-  
2 tice soliciting nominations for membership on such  
3 committee.

4 “(2) APPOINTMENTS.—

5 “(A) IN GENERAL.—After considering  
6 nominations received pursuant to a notice pub-  
7 lished under paragraph (1), the Secretary may,  
8 as necessary, appoint a member to the applica-  
9 ble committee established under this chapter.

10 “(B) PROHIBITION.—The Secretary shall  
11 not seek, consider, or otherwise use information  
12 concerning the political affiliation of a nominee  
13 in making an appointment to any committee es-  
14 tablished under this chapter.

15 “(3) SERVICE AT PLEASURE OF THE SEC-  
16 RETARY.—

17 “(A) IN GENERAL.—Each member of a  
18 committee established under this chapter shall  
19 serve at the pleasure of the Secretary.

20 “(B) EXCEPTION.—Notwithstanding sub-  
21 paragraph (A), a member of the committee es-  
22 tablished under section 15102 may only be re-  
23 moved prior to the end of the term of that  
24 member for just cause.

1           “(4) SECURITY BACKGROUND EXAMINATIONS.—

2           The Secretary may require an individual to have  
3           passed an appropriate security background examina-  
4           tion before appointment to a committee established  
5           under this chapter.

6           “(5) PROHIBITION.—

7           “(A) IN GENERAL.—Except as provided in  
8           subparagraph (B), a Federal employee may not  
9           be appointed as a member of a committee es-  
10          tablished under this chapter.

11          “(B) SPECIAL RULE FOR NATIONAL MER-  
12          CHANT MARINE PERSONNEL ADVISORY COM-  
13          MITTEE.—The Secretary may appoint a Federal  
14          employee to serve as a member of the National  
15          Merchant Marine Personnel Advisory Com-  
16          mittee to represent the interests of the United  
17          States Merchant Marine Academy and, notwith-  
18          standing paragraphs (1) and (2), may do so  
19          without soliciting, receiving, or considering  
20          nominations for such appointment.

21          “(6) TERMS.—

22          “(A) IN GENERAL.—The term of each  
23          member of a committee established under this  
24          chapter shall expire on December 31 of the

1           third full year after the effective date of the ap-  
2           pointment.

3           “(B) CONTINUED SERVICE AFTER TERM.—

4           When the term of a member of a committee es-  
5           tablished under this chapter ends, the member,  
6           for a period not to exceed 1 year, may continue  
7           to serve as a member until a successor is ap-  
8           pointed.

9           “(7) VACANCIES.—A vacancy on a committee  
10          established under this chapter shall be filled in the  
11          same manner as the original appointment.

12          “(8) SPECIAL RULE FOR REAPPOINTMENTS.—

13          Notwithstanding paragraphs (1) and (2), the Sec-  
14          retary may reappoint a member of a committee es-  
15          tablished under this chapter for any term, other  
16          than the first term of the member, without solici-  
17          ting, receiving, or considering nominations for such  
18          appointment.

19          “(g) STAFF SERVICES.—The Secretary shall furnish  
20          to each committee established under this chapter any staff  
21          and services considered by the Secretary to be necessary  
22          for the conduct of the committee’s functions.

23          “(h) CHAIRMAN; VICE CHAIRMAN.—



1           “(1) IN GENERAL.—Each committee established  
2           under this chapter shall elect a Chairman and Vice  
3           Chairman from among the committee’s members.

4           “(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—  
5           The Vice Chairman shall act as Chairman in the ab-  
6           sence or incapacity of, or in the event of a vacancy  
7           in the office of, the Chairman.

8           “(i) SUBCOMMITTEES AND WORKING GROUPS.—

9           “(1) IN GENERAL.—The Chairman of a com-  
10          mittee established under this chapter may establish  
11          and disestablish subcommittees and working groups  
12          for any purpose consistent with the function of the  
13          committee.

14          “(2) PARTICIPANTS.—Subject to conditions im-  
15          posed by the Chairman, members of a committee es-  
16          tablished under this chapter and additional persons  
17          drawn from entities or groups designated by this  
18          chapter to be represented on the committee or the  
19          general public may be assigned to subcommittees  
20          and working groups established under paragraph  
21          (1).

22          “(3) CHAIR.—Only committee members may  
23          chair subcommittees and working groups established  
24          under paragraph (1).

1       “(j) CONSULTATION, ADVICE, REPORTS, AND REC-  
2 OMMENDATIONS.—

3               “(1) CONSULTATION.—

4                       “(A) IN GENERAL.—Before taking any sig-  
5 nificant action, the Secretary shall consult with,  
6 and consider the information, advice, and rec-  
7 ommendations of, a committee established  
8 under this chapter if the function of the com-  
9 mittee is to advise the Secretary on matters re-  
10 lated to the significant action.

11                      “(B) INCLUSION.—For purposes of this  
12 paragraph, regulations proposed under chapter  
13 45 of this title are significant actions.

14               “(2) ADVICE, REPORTS, AND RECOMMENDA-  
15 TIONS.—Each committee established under this  
16 chapter shall submit, in writing, to the Secretary its  
17 advice, reports, and recommendations, in a form and  
18 at a frequency determined appropriate by the com-  
19 mittee.

20               “(3) EXPLANATION OF ACTIONS TAKEN.—Not  
21 later than 60 days after the date on which the Sec-  
22 retary receives recommendations from a committee  
23 under paragraph (2), the Secretary shall—

24                      “(A) publish the recommendations on a  
25 website accessible at no charge to the public;

1           “(B) if the recommendations are from the  
2 committee established under section 15102, es-  
3 tablish a mechanism for the submission of pub-  
4 lic comments on the recommendations; and

5           “(C) respond, in writing, to the committee  
6 regarding the recommendations, including by  
7 providing an explanation of actions taken re-  
8 garding the recommendations.

9           “(4) SUBMISSION TO CONGRESS.—

10           “(A) IN GENERAL.—The Secretary shall  
11 submit to the Committee on Transportation and  
12 Infrastructure of the House of Representatives  
13 and the Committee on Commerce, Science, and  
14 Transportation of the Senate the advice, re-  
15 ports, and recommendations received from com-  
16 mittees under paragraph (2).

17           “(B) ADDITIONAL SUBMISSION.—With re-  
18 spect to a committee established under section  
19 70112 and to which this section applies, the  
20 Secretary shall submit the advice, reports, and  
21 recommendations received from the committee  
22 under paragraph (2) to the Committee on  
23 Homeland Security of the House of Representa-  
24 tives in addition to the committees specified in  
25 subparagraph (A).

1 “(k) OBSERVERS.—Any Federal agency with matters  
2 under such agency’s administrative jurisdiction related to  
3 the function of a committee established under this chapter  
4 may designate a representative to—

5 “(1) attend any meeting of such committee; and

6 “(2) participate as an observer at meetings of  
7 such committee that relate to such a matter.

8 “(l) TERMINATION.—Each committee established  
9 under this chapter shall terminate on September 30,  
10 2027.”.

11 (b) CLERICAL AMENDMENT.—The analysis for sub-  
12 title II of title 46, United States Code, is amended by in-  
13 serting after the item relating to chapter 147 the fol-  
14 lowing:

“Part K—National Maritime Transportation Advisory Committees

**“151. National Maritime Transportation Advisory Com-  
mittees .....15101”.**

15 (c) CONFORMING AMENDMENTS.—

16 (1) COMMERCIAL FISHING SAFETY ADVISORY  
17 COMMITTEE.—Section 4508 of title 46, United  
18 States Code, and the item relating to that section in  
19 the analysis for chapter 45 of that title, are re-  
20 pealed.

21 (2) MERCHANT MARINER MEDICAL ADVISORY  
22 COMMITTEE.—Section 7115 of title 46, United  
23 States Code, and the item relating to that section in

1 the analysis for chapter 71 of that title, are re-  
2 pealed.

3 (3) MERCHANT MARINE PERSONNEL ADVISORY  
4 COMMITTEE.—

5 (A) REPEAL.—Section 8108 of title 46,  
6 United States Code, and the item relating to  
7 that section in the analysis for chapter 81 of  
8 that title, are repealed.

9 (B) CONFORMING AMENDMENT.—Section  
10 7510(c)(1)(C) of title 46, United States Code,  
11 is amended by inserting “National” before  
12 “Merchant Marine”.

13 (4) NATIONAL BOATING SAFETY ADVISORY  
14 COUNCIL.—

15 (A) REPEAL.—Section 13110 of title 46,  
16 United States Code, and the item relating to  
17 that section in the analysis for chapter 131 of  
18 that title, are repealed.

19 (B) CONFORMING AMENDMENTS.—

20 (i) REGULATIONS.—Section  
21 4302(c)(4) of title 46, United States Code,  
22 is amended by striking “Council estab-  
23 lished under section 13110 of this title”  
24 and inserting “Committee established  
25 under section 15105 of this title”.

1 (ii) REPAIR AND REPLACEMENT OF  
2 DEFECTS.—Section 4310(f) of title 46,  
3 United States Code, is amended by strik-  
4 ing “Advisory Council” and inserting “Ad-  
5 visory Committee”.

6 (5) NAVIGATION SAFETY ADVISORY COUNCIL.—  
7 Section 5 of the Inland Navigational Rules Act of  
8 1980 (33 U.S.C. 2073) is repealed.

9 (6) TOWING SAFETY ADVISORY COMMITTEE.—

10 (A) REPEAL.—Public Law 96–380 (33  
11 U.S.C. 1231a) is repealed.

12 (B) CONFORMING AMENDMENTS.—

13 (i) REDUCTION OF OIL SPILLS FROM  
14 SINGLE HULL NON-SELF-PROPELLED TANK  
15 VESSELS.—Section 3719 of title 46,  
16 United States Code, is amended by insert-  
17 ing “National” before “Towing Safety”.

18 (ii) SAFETY EQUIPMENT.—Section  
19 4102(f)(1) of title 46, United States Code,  
20 is amended by inserting “National” before  
21 “Towing Safety”.

22 (d) TREATMENT OF EXISTING COUNCILS AND COM-  
23 MITTEES.—Notwithstanding any other provision of law—

24 (1) an advisory council or committee substan-  
25 tially similar to an advisory committee established

1 under chapter 151 of title 46, United States Code,  
2 as added by this division, and that was in force or  
3 in effect on the day before the date of enactment of  
4 this section, including a council or committee the au-  
5 thority for which was repealed under subsection (c),  
6 may remain in force or in effect for a period of 2  
7 years from the date of enactment of this section, in-  
8 cluding that the charter, membership, and other as-  
9 pects of the council or committee may remain in  
10 force or in effect; and

11 (2) during the 2-year period referenced in para-  
12 graph (1)—

13 (A) requirements relating to the applicable  
14 advisory committee established under chapter  
15 151 of title 46, United States Code, shall be  
16 treated as satisfied by the substantially similar  
17 advisory council or committee; and

18 (B) the enactment of this section, includ-  
19 ing the amendments made in this section, shall  
20 not be the basis—

21 (i) to deem, find, or declare such  
22 council or committee, including the char-  
23 ter, membership, and other aspects thereof,  
24 void, not in force, or not in effect;

1 (ii) to suspend the activities of such  
2 council or committee; or

3 (iii) to bar the members of such coun-  
4 cil or committee from meeting.

5 **SEC. 602. MARITIME SECURITY ADVISORY COMMITTEES.**

6 (a) IN GENERAL.—Section 70112 of title 46, United  
7 States Code, is amended to read as follows:

8 **“§ 70112. Maritime Security Advisory Committees**

9 “(a) NATIONAL MARITIME SECURITY ADVISORY  
10 COMMITTEE.—

11 “(1) ESTABLISHMENT.—There is established a  
12 National Maritime Security Advisory Committee (in  
13 this subsection referred to as the ‘Committee’).

14 “(2) FUNCTION.—The Committee shall advise  
15 the Secretary on matters relating to national mari-  
16 time security.

17 “(3) MEMBERSHIP.—

18 “(A) IN GENERAL.—The Committee shall  
19 consist of at least 8 members, but not more  
20 than 21 members, appointed by the Secretary  
21 in accordance with this subsection and section  
22 15109 of this title.

23 “(B) EXPERTISE.—Each member of the  
24 Committee shall have particular expertise,



1 knowledge, and experience in matters relating  
2 to the function of the Committee.

3 “(C) REPRESENTATION.—Each of the fol-  
4 lowing shall be represented by at least 1 mem-  
5 ber of the Committee:

6 “(i) Port authorities.

7 “(ii) Facilities owners and operators.

8 “(iii) Terminal owners and operators.

9 “(iv) Vessel owners and operators.

10 “(v) Maritime labor organizations.

11 “(vi) The academic community.

12 “(vii) State and local governments.

13 “(viii) The maritime industry.

14 “(D) DISTRIBUTION.—If the Committee  
15 consists of at least 8 members who, together,  
16 satisfy the minimum representation require-  
17 ments of subparagraph (C), the Secretary shall,  
18 based on the needs of the Coast Guard, deter-  
19 mine the number of additional members of the  
20 Committee who represent each entity specified  
21 in that subparagraph. Neither this subpara-  
22 graph nor any other provision of law shall be  
23 construed to require an equal distribution of  
24 members representing each entity specified in  
25 subparagraph (C).

1           “(4) ADMINISTRATION.—For purposes of sec-  
2           tion 15109 of this title, the Committee shall be  
3           treated as a committee established under chapter  
4           151 of such title.

5           “(b) AREA MARITIME SECURITY ADVISORY COMMIT-  
6           TEES.—

7           “(1) IN GENERAL.—

8           “(A) ESTABLISHMENT.—The Secretary  
9           may—

10                   “(i) establish an Area Maritime Secu-  
11                   rity Advisory Committee for any port area  
12                   of the United States; and

13                   “(ii) request such a committee to re-  
14                   view the proposed Area Maritime Trans-  
15                   portation Security Plan developed under  
16                   section 70103(b) and make recommenda-  
17                   tions to the Secretary that the committee  
18                   considers appropriate.

19           “(B) ADDITIONAL FUNCTIONS AND MEET-  
20           INGS.—A committee established under this sub-  
21           section for an area—

22                   “(i) may advise, consult with, report  
23                   to, and make recommendations to the Sec-  
24                   retary on matters relating to maritime se-  
25                   curity in that area;

1           “(ii) may make available to the Con-  
2           gress recommendations that the committee  
3           makes to the Secretary; and

4           “(iii) shall meet at the call of—

5                   “(I) the Secretary, who shall call  
6                   such a meeting at least once during  
7                   each calendar year; or

8                   “(II) a majority of the com-  
9                   mittee.

10          “(2) MEMBERSHIP.—

11                   “(A) IN GENERAL.—Each committee es-  
12                   tablished under this subsection shall consist of  
13                   at least 7 members appointed by the Secretary,  
14                   each of whom has at least 5 years practical ex-  
15                   perience in maritime security operations.

16                   “(B) TERMS.—The term of each member  
17                   of a committee established under this sub-  
18                   section shall be for a period of not more than  
19                   5 years, specified by the Secretary.

20                   “(C) NOTICE.—Before appointing an indi-  
21                   vidual to a position on a committee established  
22                   under this subsection, the Secretary shall pub-  
23                   lish a notice in the Federal Register soliciting  
24                   nominations for membership on the committee.

1           “(D) BACKGROUND EXAMINATIONS.—The  
2           Secretary may require an individual to have  
3           passed an appropriate security background ex-  
4           amination before appointment to a committee  
5           established under this subsection.

6           “(E) REPRESENTATION.—Each committee  
7           established under this subsection shall be com-  
8           posed of individuals who represent the interests  
9           of the port industry, terminal operators, port  
10          labor organizations, and other users of the port  
11          areas.

12          “(3) CHAIRPERSON AND VICE CHAIRPERSON.—

13                 “(A) IN GENERAL.—Each committee es-  
14                 tablished under this subsection shall elect 1 of  
15                 the committee’s members as the Chairperson  
16                 and 1 of the committee’s members as the Vice  
17                 Chairperson.

18                 “(B) VICE CHAIRPERSON ACTING AS  
19                 CHAIRPERSON.—The Vice Chairperson shall act  
20                 as Chairperson in the absence or incapacity of  
21                 the Chairperson, or in the event of a vacancy in  
22                 the office of the Chairperson.

23          “(4) OBSERVERS.—

24                 “(A) IN GENERAL.—The Secretary shall,  
25                 and the head of any other interested Federal

1 agency may, designate a representative to par-  
2 ticipate as an observer with a committee estab-  
3 lished under this subsection.

4 “(B) ROLE.—The Secretary’s designated  
5 representative to a committee established under  
6 this subsection shall act as the executive sec-  
7 retary of the committee and shall perform the  
8 duties set forth in section 10(c) of the Federal  
9 Advisory Committee Act (5 U.S.C. App.).

10 “(5) CONSIDERATION OF VIEWS.—The Sec-  
11 retary shall consider the information, advice, and  
12 recommendations of each committee established  
13 under this subsection in formulating policy regarding  
14 matters affecting maritime security.

15 “(6) COMPENSATION AND EXPENSES.—

16 “(A) IN GENERAL.—A member of a com-  
17 mittee established under this subsection, when  
18 attending meetings of the committee or when  
19 otherwise engaged in the business of the com-  
20 mittee, is entitled to receive—

21 “(i) compensation at a rate fixed by  
22 the Secretary, not exceeding the daily  
23 equivalent of the current rate of basic pay  
24 in effect for GS–15 of the General Sched-

1                   ule under section 5332 of title 5 including  
2                   travel time; and

3                   “(ii) travel or transportation expenses  
4                   under section 5703 of title 5.

5                   “(B) STATUS.—A member of a committee  
6                   established under this subsection shall not be  
7                   considered to be an officer or employee of the  
8                   United States for any purpose based on the re-  
9                   ceipt of any payment under this paragraph.

10                  “(7) FACA.—The Federal Advisory Committee  
11                  Act (5 U.S.C. App.) does not apply to a committee  
12                  established under this subsection.”.

13                  (b) TREATMENT OF EXISTING COMMITTEE.—Not-  
14                  withstanding any other provision of law—

15                   (1) an advisory committee substantially similar  
16                   to the National Maritime Security Advisory Com-  
17                   mittee established under section 70112(a) of title  
18                   46, United States Code, as amended by this section,  
19                   and that was in force or in effect on the day before  
20                   the date of enactment of this section, may remain in  
21                   force or in effect for a period of 2 years from the  
22                   date of enactment of this section, including that the  
23                   charter, membership, and other aspects of the com-  
24                   mittee may remain in force or in effect; and

1           (2) during the 2-year period referenced in para-  
2 graph (1)—

3           (A) requirements relating to the National  
4 Maritime Security Advisory Committee estab-  
5 lished under section 70112(a) of title 46,  
6 United States Code, as amended by this sec-  
7 tion, shall be treated as satisfied by the sub-  
8 stantially similar advisory committee; and

9           (B) the enactment of this section, includ-  
10 ing the amendments made in this section, shall  
11 not be the basis—

12           (i) to deem, find, or declare such com-  
13 mittee, including the charter, membership,  
14 and other aspects thereof, void, not in  
15 force, or not in effect;

16           (ii) to suspend the activities of such  
17 committee; or

18           (iii) to bar the members of such com-  
19 mittee from meeting.

## 20 **TITLE VII—FEDERAL MARITIME** 21 **COMMISSION**

### 22 **SEC. 701. SHORT TITLE.**

23           This title may be cited as the “Federal Maritime  
24 Commission Authorization Act of 2017”.

1 **SEC. 702. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 308 of title 46, United States Code, is  
3 amended by striking “\$24,700,000 for each of fiscal years  
4 2016 and 2017” and inserting “\$28,012,310 for fiscal  
5 year 2018 and \$28,544,543 for fiscal year 2019”.

6 **SEC. 703. REPORTING ON IMPACT OF ALLIANCES ON COM-**  
7 **PETITION.**

8 Section 306 of title 46, United States Code, is  
9 amended—

10 (1) in subsection (b)—

11 (A) in paragraph (4), by striking “; and”  
12 and inserting a semicolon;

13 (B) in paragraph (5), by striking the pe-  
14 riod at the end and inserting “; and”; and

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

16 “(6) an analysis of the impacts on competition  
17 for the purchase of certain covered services by alli-  
18 ances of ocean common carriers acting pursuant to  
19 an agreement under this part between or among  
20 ocean common carriers, including a summary of ac-  
21 tions, including corrective actions, taken by the  
22 Commission to promote such competition.”; and

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

24 “(c) DEFINITION OF CERTAIN COVERED SERV-  
25 ICES.—In this section, the term ‘certain covered services’  
26 has the meaning given the term in section 40102.”.



1 **SEC. 704. DEFINITION OF CERTAIN COVERED SERVICES.**

2 Section 40102 of title 46, United States Code, is  
3 amended—

4 (1) by redesignating paragraphs (5) through  
5 (25) as paragraphs (6) through (26), respectively;  
6 and

7 (2) by inserting after paragraph (4), the fol-  
8 lowing:

9 “(5) CERTAIN COVERED SERVICES.—For pur-  
10 poses of sections 41105 and 41307, the term ‘cer-  
11 tain covered services’ means, with respect to a ves-  
12 sel—

13 “(A) the berthing or bunkering of the ves-  
14 sel;

15 “(B) the loading or unloading of cargo to  
16 or from the vessel to or from a point on a wharf  
17 or terminal;

18 “(C) the positioning, removal, or replace-  
19 ment of buoys related to the movement of the  
20 vessel; and

21 “(D) with respect to injunctive relief under  
22 section 41307, towing vessel services provided  
23 to such a vessel.”.

24 **SEC. 705. REPORTS FILED WITH THE COMMISSION.**

25 Section 40104(a) of title 46, United States Code, is  
26 amended to read as follows:

1 “(a) REPORTS.—

2 “(1) IN GENERAL.—The Federal Maritime  
3 Commission may require a common carrier or ma-  
4 rine terminal operator, or an officer, receiver, trust-  
5 ee, lessee, agent, or employee of the common carrier  
6 or marine terminal operator to file with the Commis-  
7 sion a periodical or special report, an account,  
8 record, rate, or charge, or a memorandum of facts  
9 and transactions related to the business of the com-  
10 mon carrier or marine terminal operator, as applica-  
11 ble.

12 “(2) REQUIREMENTS.—Any report, account,  
13 record, rate, charge, or memorandum required to be  
14 filed under paragraph (1) shall—

15 “(A) be made under oath if the Commis-  
16 sion requires; and

17 “(B) be filed in the form and within the  
18 time prescribed by the Commission.

19 “(3) LIMITATION.—The Commission shall—

20 “(A) limit the scope of any filing ordered  
21 under this section to fulfill the objective of the  
22 order; and

23 “(B) provide a reasonable period of time  
24 for respondents to respond based upon their ca-  
25 pabilities and the scope of the order.”.

1 **SEC. 706. PUBLIC PARTICIPATION.**

2 (a) NOTICE OF FILING.—Section 40304(a) of title  
3 46, United States Code, is amended to read as follows:

4 “(a) NOTICE OF FILING.—Not later than 7 days  
5 after the date an agreement is filed, the Federal Maritime  
6 Commission shall—

7 “(1) transmit a notice of the filing to the Fed-  
8 eral Register for publication; and

9 “(2) request interested persons to submit rel-  
10 evant information and documents.”.

11 (b) REQUEST FOR INFORMATION AND DOCU-  
12 MENTS.—Section 40304(d) of title 46, United States  
13 Code, is amended by striking “section” and inserting  
14 “part”.

15 (c) SAVING CLAUSE.—Nothing in this section, or the  
16 amendments made by this section, may be construed—

17 (1) to prevent the Federal Maritime Commis-  
18 sion from requesting from a person, at any time, any  
19 additional information or documents the Commission  
20 considers necessary to carry out chapter 403 of title  
21 46, United States Code;

22 (2) to prescribe a specific deadline for the sub-  
23 mission of relevant information and documents in re-  
24 sponse to a request under section 40304(a)(2) of  
25 title 46, United States Code; or

1           (3) to limit the authority of the Commission to  
2           request information under section 40304(d) of title  
3           46, United States Code.

4   **SEC. 707. OCEAN TRANSPORTATION INTERMEDIARIES.**

5           (a) **LICENSE REQUIREMENT.**—Section 40901(a) of  
6           title 46, United States Code, is amended by inserting “ad-  
7           vertise, hold oneself out, or” after “may not”.

8           (b) **APPLICABILITY.**—Section 40901 of title 46,  
9           United States Code, is amended by adding at the end the  
10          following:

11          “(c) **APPLICABILITY.**—Subsection (a) and section  
12          40902 do not apply to a person that performs ocean trans-  
13          portation intermediary services on behalf of an ocean  
14          transportation intermediary for which it is a disclosed  
15          agent.”.

16          (c) **FINANCIAL RESPONSIBILITY.**—Section 40902(a)  
17          of title 46, United States Code, is amended by inserting  
18          “advertise, hold oneself out, or” after “may not”.

19   **SEC. 708. COMMON CARRIERS.**

20          (a) Section 41104 of title 46, United States Code,  
21          is amended—

22                  (1) in the matter preceding paragraph (1), by  
23                  inserting “(a) **IN GENERAL.**—” before “A common  
24                  carrier”;

25                  (2) in subsection (a), as designated—

1 (A) by amending paragraph (11) to read  
2 as follows:

3 “(11) knowingly and willfully accept cargo from  
4 or transport cargo for the account of a non-vessel-  
5 operating common carrier that does not have a tariff  
6 as required by section 40501 of this title, or an  
7 ocean transportation intermediary that does not  
8 have a bond, insurance, or other surety as required  
9 by section 40902 of this title;”;

10 (B) in paragraph (12), by striking the pe-  
11 riod at the end and inserting “; or”; and

12 (C) by adding at the end the following:

13 “(13) continue to participate simultaneously in  
14 a rate discussion agreement and an agreement to  
15 share vessels, in the same trade, if the interplay of  
16 the authorities exercised by the specified agreements  
17 is likely, by a reduction in competition, to produce  
18 an unreasonable reduction in transportation service  
19 or an unreasonable increase in transportation cost.”;  
20 and

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

22 “(b) RULE OF CONSTRUCTION.—Notwithstanding  
23 any other provision of law, there is no private right of ac-  
24 tion to enforce the prohibition under subsection (a)(13).

1       “(c) AGREEMENT VIOLATION.—Participants in an  
2 agreement found by the Commission to violate subsection  
3 (a)(13) shall have 90 days from the date of such Commis-  
4 sion finding to withdraw from the agreement as necessary  
5 to comply with that subsection.”.

6       (b) APPLICATION.—Section 41104(a)(13) of title 46,  
7 United States Code, as amended, shall apply to any agree-  
8 ment filed or with an effective date before, on, or after  
9 the date of enactment of this Act.

10 **SEC. 709. NEGOTIATIONS.**

11       (a) CONCERTED ACTION.—Section 41105 of title 46,  
12 United States Code, is amended—

13           (1) by redesignating paragraphs (5) through  
14 (8) as paragraphs (7) through (10), respectively;  
15 and

16           (2) by inserting after paragraph (4) the fol-  
17 lowing:

18           “(5) negotiate with a tug or towing vessel serv-  
19 ice provider on any matter relating to rates or serv-  
20 ices provided within the United States by those tugs  
21 or towing vessels;

22           “(6) with respect to a vessel operated by an  
23 ocean common carrier within the United States, ne-  
24 gotiate for the purchase of certain covered services,  
25 unless the negotiations and any resulting agreements

1 are not in violation of the antitrust laws and are  
2 consistent with the purposes of this part, except that  
3 this paragraph does not prohibit the setting and  
4 publishing of a joint through rate by a conference,  
5 joint venture, or association of ocean common car-  
6 riers;”.

7 (b) **AUTHORITY.**—Chapter 411 of title 46, United  
8 States Code, is amended—

9 (1) by inserting after section 41105 the fol-  
10 lowing:

11 **“§ 41105A. Authority**

12 “Nothing in section 41105, as amended by the Fed-  
13 eral Maritime Commission Authorization Act of 2017,  
14 shall be construed to limit the authority of the Depart-  
15 ment of Justice regarding antitrust matters.”; and

16 (2) in the analysis at the beginning of chapter  
17 411, by inserting after the item relating to section  
18 41105 the following:

“41105A. Authority.”.

19 (c) **EXEMPTION.**—Section 40307(b)(1) of title 46,  
20 United States Code, is amended by inserting “tug opera-  
21 tors,” after “motor carriers,”.

22 **SEC. 710. INJUNCTIVE RELIEF SOUGHT BY THE COMMIS-**  
23 **SION.**

24 (a) **IN GENERAL.**—Section 41307(b) of title 46,  
25 United States Code is amended—

1           (1) in paragraph (1) by inserting “or to sub-  
2           stantially lessen competition in the purchasing of  
3           certain covered services” after “transportation cost”;  
4           and

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

6           “(4) COMPETITION FACTORS.—In making a de-  
7           termination under this subsection regarding whether  
8           an agreement is likely to substantially lessen com-  
9           petition in the purchasing of certain covered serv-  
10          ices, the Commission may consider any relevant  
11          competition factors in affected markets, including,  
12          without limitation, the competitive effect of agree-  
13          ments other than the agreement under review.”.

14          (b) APPLICATION.—Section 41307(b) of title 46,  
15          United States Code, as amended, shall apply to any agree-  
16          ment filed or with an effective date before, on, or after  
17          the date of enactment of this Act.

18          **SEC. 711. DISCUSSIONS.**

19          (a) IN GENERAL.—Section 303 of title 46, United  
20          States Code, is amended to read as follows:

21          **“§ 303. Meetings**

22          “(a) IN GENERAL.—The Federal Maritime Commis-  
23          sion shall be deemed to be an agency for purposes of sec-  
24          tion 552b of title 5.



1       “(b) RECORD.—The Commission, through its sec-  
2 retary, shall keep a record of its meetings and the votes  
3 taken on any action, order, contract, or financial trans-  
4 action of the Commission.

5       “(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

6           “(1) IN GENERAL.—Notwithstanding section  
7 552b of title 5, a majority of the Commissioners  
8 may hold a meeting that is not open to public obser-  
9 vation to discuss official agency business if—

10           “(A) no formal or informal vote or other  
11 official agency action is taken at the meeting;

12           “(B) each individual present at the meet-  
13 ing is a Commissioner or an employee of the  
14 Commission;

15           “(C) at least 1 Commissioner from each  
16 political party is present at the meeting, if ap-  
17 plicable; and

18           “(D) the General Counsel of the Commis-  
19 sion is present at the meeting.

20       “(2) DISCLOSURE OF NONPUBLIC COLLABO-  
21 RATIVE DISCUSSIONS.—Except as provided under  
22 paragraph (3), not later than 2 business days after  
23 the conclusion of a meeting under paragraph (1),  
24 the Commission shall make available to the public,  
25 in a place easily accessible to the public—

1           “(A) a list of the individuals present at the  
2 meeting; and

3           “(B) a summary of the matters discussed  
4 at the meeting, except for any matters the  
5 Commission properly determines may be with-  
6 held from the public under section 552b(c) of  
7 title 5.

8           “(3) EXCEPTION.—If the Commission properly  
9 determines matters may be withheld from the public  
10 under section 555b(c) of title 5, the Commission  
11 shall provide a summary with as much general infor-  
12 mation as possible on those matters withheld from  
13 the public.

14           “(4) ONGOING PROCEEDINGS.—If a meeting  
15 under paragraph (1) directly relates to an ongoing  
16 proceeding before the Commission, the Commission  
17 shall make the disclosure under paragraph (2) on  
18 the date of the final Commission decision.

19           “(5) PRESERVATION OF OPEN MEETINGS RE-  
20 QUIREMENTS FOR AGENCY ACTION.—Nothing in this  
21 subsection may be construed to limit the applica-  
22 bility of section 552b of title 5 with respect to a  
23 meeting of the Commissioners other than that de-  
24 scribed in this subsection.

1           “(6) STATUTORY CONSTRUCTION.—Nothing in  
2           this subsection may be construed—

3                   “(A) to limit the applicability of section  
4                   552b of title 5 with respect to any information  
5                   which is proposed to be withheld from the pub-  
6                   lic under paragraph (2)(B) of this subsection;  
7                   or

8                   “(B) to authorize the Commission to with-  
9                   hold from any individual any record that is ac-  
10                  cessible to that individual under section 552a of  
11                  title 5.”.

12          (b) TABLE OF CONTENTS.—The analysis at the be-  
13          ginning of chapter 3 of title 46, United States Code, is  
14          amended by amending the item relating to section 303 to  
15          read as follows:

          “303. Meetings.”.

16       **SEC. 712. TRANSPARENCY.**

17          (a) IN GENERAL.—Beginning not later than 60 days  
18          after the date of enactment of this Act, the Federal Mari-  
19          time Commission shall submit to the Committee on Com-  
20          merce, Science, and Transportation of the Senate and the  
21          Committee on Transportation and Infrastructure of the  
22          House of Representatives biannual reports that describe  
23          the Commission’s progress toward addressing the issues  
24          raised in each unfinished regulatory proceeding, regardless

1 of whether the proceeding is subject to a statutory or regu-  
2 latory deadline.

3 (b) **FORMAT OF REPORTS.**—Each report under sub-  
4 section (a) shall, among other things, clearly identify for  
5 each unfinished regulatory proceeding—

6 (1) the popular title;

7 (2) the current stage of the proceeding;

8 (3) an abstract of the proceeding;

9 (4) what prompted the action in question;

10 (5) any applicable statutory, regulatory, or judi-  
11 cial deadline;

12 (6) the associated docket number;

13 (7) the date the rulemaking was initiated;

14 (8) a date for the next action; and

15 (9) if a date for next action identified in the  
16 previous report is not met, the reason for the delay.

17 **SEC. 713. STUDY OF BANKRUPTCY PREPARATION AND RE-**  
18 **SPONSE.**

19 (a) **STUDY.**—The Comptroller General of the United  
20 States shall conduct a study that examines the immediate  
21 aftermath of a major ocean carrier bankruptcy and its im-  
22 pact through the supply chain. The study shall consider  
23 any financial mechanisms that could be used to mitigate  
24 the impact of any future bankruptcy events on the supply  
25 chain.

1 (b) REPORT.—No later than 1 year after the date  
2 of enactment of this Act, the Comptroller General of the  
3 United States shall submit to the Committee on Com-  
4 merce, Science, and Transportation of the Senate and the  
5 Committee on Transportation and Infrastructure of the  
6 House of Representatives a report containing the findings,  
7 conclusions, and recommendations, if any, from the study  
8 required under subsection (a).

9 **SEC. 714. AGREEMENTS UNAFFECTED.**

10 Nothing in this division may be construed—

11 (1) to limit or amend the definition of “agree-  
12 ment” in section 40102(1) of title 46, United States  
13 Code, with respect to the exclusion of maritime labor  
14 agreements; or

15 (2) to apply to a maritime labor agreement (as  
16 defined in section 40102(15) of that title).

17 **TITLE VIII—MISCELLANEOUS**

18 **SEC. 801. REPEAL OF OBSOLETE REPORTING REQUIRE-**  
19 **MENT.**

20 Subsection (h) of section 888 of the Homeland Secu-  
21 rity Act of 2002 (6 U.S.C. 468) is repealed.

22 **SEC. 802. CORRECTIONS TO PROVISIONS ENACTED BY**  
23 **COAST GUARD AUTHORIZATION ACTS.**

24 Section 604(b) of the Howard Coble Coast Guard and  
25 Maritime Transportation Act of 2014 (Public Law 113–

1 281; 128 Stat. 3061) is amended by inserting “and fishery  
2 endorsement” after “endorsement”.

3 **SEC. 803. OFFICER EVALUATION REPORT.**

4 (a) IN GENERAL.—Not later than 3 years after the  
5 date of the enactment of this Act, the Commandant of  
6 the Coast Guard shall reduce lieutenant junior grade eval-  
7 uation reports to the same length as an ensign or place  
8 lieutenant junior grade evaluations on an annual schedule.

9 (b) SURVEYS.—Not later than 1 year after the date  
10 of the enactment of this Act, the Commandant of the  
11 Coast Guard shall conduct surveys of—

12 (1) outgoing promotion board members and as-  
13 signment officers to determine, at a minimum—

14 (A) which sections of the officer evaluation  
15 report were most useful;

16 (B) which sections of the officer evaluation  
17 report were least useful;

18 (C) how to better reflect high performers;

19 and

20 (D) any recommendations for improving  
21 the officer evaluation report; and

22 (2) at least 10 percent of the officers from each  
23 grade of officers from O1 to O6 to determine how  
24 much time each member of the rating chain spends

1 on that member's portion of the officer evaluation  
2 report.

3 (c) REVISIONS.—

4 (1) IN GENERAL.—Not later than 4 years after  
5 the date of the completion of the surveys required by  
6 subsection (b), the Commandant of the Coast Guard  
7 shall revise the officer evaluation report, and provide  
8 corresponding directions, taking into account the re-  
9 quirements under paragraph (2).

10 (2) REQUIREMENTS.—In revising the officer  
11 evaluation report under paragraph (1), the Com-  
12 mandant shall—

13 (A) consider the findings of the surveys  
14 under subsection (b);

15 (B) improve administrative efficiency;

16 (C) reduce and streamline performance di-  
17 mensions and narrative text;

18 (D) eliminate redundancy with the officer  
19 specialty management system and any other  
20 record information systems that are used dur-  
21 ing the officer assignment or promotion process;

22 (E) provide for fairness and equity for  
23 Coast Guard officers with regard to promotion  
24 boards, selection panels, and the assignment  
25 process; and

1 (F) ensure officer evaluation responsibil-  
2 ities can be accomplished within normal work-  
3 ing hours—

4 (i) to minimize any impact to officer  
5 duties; and

6 (ii) to eliminate any need for an offi-  
7 cer to take liberty or leave for administra-  
8 tive purposes.

9 (d) REPORT.—

10 (1) IN GENERAL.—Not later than 545 days  
11 after the date of the enactment of this Act, the  
12 Commandant of the Coast Guard shall submit to the  
13 Committee on Commerce, Science, and Transpor-  
14 tation of the Senate and the Committee on Trans-  
15 portation and Infrastructure of the House of Rep-  
16 resentatives a report on the findings of the surveys  
17 under subsection (b).

18 (2) FORMAT.—The report under paragraph (1)  
19 shall be formatted by each rank, type of board, and  
20 position, as applicable.

21 **SEC. 804. EXTENSION OF AUTHORITY.**

22 Section 404 of the Coast Guard Authorization Act  
23 of 2010 (Public Law 111–281; 124 Stat. 2950) is amend-  
24 ed—



1           (1) in subsection (a), in the text preceding  
2           paragraph (1), by striking “sections 3304, 5333,  
3           and 5753” and inserting “section 3304”; and

4           (2) by striking subsection (b), and redesignig-  
5           nating subsection (c) as subsection (b).

6   **SEC. 805. COAST GUARD ROTC PROGRAM.**

7           Not later than 1 year after the date of enactment  
8           of this Act, the Commandant of the Coast Guard shall  
9           submit to the Committee on Commerce, Science, and  
10          Transportation of the Senate and the Committee on  
11          Transportation and Infrastructure of the House of Rep-  
12          resentatives a report on the costs and benefits of creating  
13          a Coast Guard Reserve Officers’ Training Corps Program  
14          based on the other Armed Forces programs.

15   **SEC. 806. CURRENCY DETECTION CANINE TEAM PROGRAM.**

16          (a) DEFINITIONS.—In this section:

17           (1) CANINE CURRENCY DETECTION TEAM.—

18           The term “canine currency detection team” means a  
19           canine and a canine handler that are trained to de-  
20           tect currency.

21           (2) SECRETARY.—The term “Secretary” means  
22           the Secretary of the department in which the Coast  
23           Guard is operating.

24          (b) ESTABLISHMENT.—Not later than 1 year after  
25          the date of enactment of this Act, the Secretary shall es-

1 tablish a program to allow the use of canine currency de-  
2 tection teams for purposes of Coast Guard maritime law  
3 enforcement, including underway vessel boardings.

4 (c) OPERATION.—The Secretary may cooperate with,  
5 or enter into an agreement with, the head of another Fed-  
6 eral agency to meet the requirements under subsection (b).

7 **SEC. 807. CENTER OF EXPERTISE FOR GREAT LAKES OIL**  
8 **SPILL SEARCH AND RESPONSE.**

9 (a) IN GENERAL.—Not later than 1 year after the  
10 date of enactment of this Act, the Commandant of the  
11 Coast Guard shall establish a Center of Expertise for  
12 Great Lakes Oil Spill Preparedness and Response (re-  
13 ferred to in this section as the “Center of Expertise”) in  
14 accordance with section 313 of title 14, United States  
15 Code, as amended by this division.

16 (b) LOCATION.—The Center of Expertise shall be lo-  
17 cated in close proximity to—

18 (1) critical crude oil transportation infrastruc-  
19 ture on and connecting the Great Lakes, such as  
20 submerged pipelines and high-traffic navigation  
21 locks; and

22 (2) an institution of higher education with ade-  
23 quate aquatic research laboratory facilities and capa-  
24 bilities and expertise in Great Lakes aquatic ecology,

1 environmental chemistry, fish and wildlife, and water  
2 resources.

3 (c) FUNCTIONS.—The Center of Expertise shall—

4 (1) monitor and assess, on an ongoing basis,  
5 the current state of knowledge regarding freshwater  
6 oil spill response technologies and the behavior and  
7 effects of oil spills in the Great Lakes;

8 (2) identify any significant gaps in Great Lakes  
9 oil spill research, including an assessment of major  
10 scientific or technological deficiencies in responses to  
11 past spills in the Great Lakes and other freshwater  
12 bodies, and seek to fill those gaps;

13 (3) conduct research, development, testing, and  
14 evaluation for freshwater oil spill response equip-  
15 ment, technologies, and techniques to mitigate and  
16 respond to oil spills in the Great Lakes;

17 (4) educate and train Federal, State, and local  
18 first responders located in Coast Guard District 9  
19 in—

20 (A) the incident command system struc-  
21 ture;

22 (B) Great Lakes oil spill response tech-  
23 niques and strategies; and

24 (C) public affairs; and

1 (5) work with academic and private sector re-  
2 sponse training centers to develop and standardize  
3 maritime oil spill response training and techniques  
4 for use on the Great Lakes.

5 (d) DEFINITION.—In this section, the term “Great  
6 Lakes” means Lake Superior, Lake Michigan, Lake  
7 Huron, Lake Erie, and Lake Ontario.

8 **SEC. 808. PUBLIC SAFETY ANSWERING POINTS AND MARI-**  
9 **TIME SEARCH AND RESCUE COORDINATION.**

10 Not later than 180 days after the date of the enact-  
11 ment of this Act—

12 (1) the Secretary of the department in which  
13 the Coast Guard is operating acting through the  
14 Commandant of the Coast Guard shall review Coast  
15 Guard policies and procedures for public safety an-  
16 swering points and search-and-rescue coordination  
17 with State and local law enforcement entities in  
18 order to—

19 (A) further minimize the possibility of  
20 maritime 911 calls being improperly routed;  
21 and

22 (B) assure the Coast Guard is able to ef-  
23 fectively carry out the Coast Guard’s maritime  
24 search and rescue mission; and

25 (2) the Commandant shall—

1 (A) formulate a national maritime public  
2 safety answering points policy; and

3 (B) submit a report to the Congress on  
4 such assessment and policy, which shall include  
5 an update to the report submitted in accord-  
6 ance with section 233 of the Howard Coble  
7 Coast Guard and Maritime Transportation Act  
8 of 2014.

9 **SEC. 809. SHIP SHOAL LIGHTHOUSE TRANSFER: REPEAL.**

10 Effective January 1, 2021, section 27 of the Coast  
11 Guard Authorization Act of 1991 (Public Law 102–241;  
12 105 Stat. 2218) is repealed.

13 **SEC. 810. LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.**

14 (a) LAND EXCHANGE; AYAKULIK ISLAND, ALAS-  
15 KA.—If the owner of Ayakulik Island, Alaska, offers to  
16 exchange the Island for the Tract—

17 (1) within 10 days after receiving such offer,  
18 the Secretary shall provide notice of the offer to the  
19 Commandant;

20 (2) within 90 days after receiving the notice  
21 under paragraph (1), the Commandant shall develop  
22 and transmit to the Secretary proposed operational  
23 restrictions on commercial activity conducted on the  
24 Tract, including the right of the Commandant to—

1 (A) order the immediate termination, for a  
2 period of up to 72 hours, of any activity occur-  
3 ring on or from the Tract that violates or  
4 threatens to violate one or more of such restric-  
5 tions; or

6 (B) commence a civil action for appro-  
7 priate relief, including a permanent or tem-  
8 porary injunction enjoining the activity that vio-  
9 lates or threatens to violate such restrictions;

10 (3) within 90 days after receiving the proposed  
11 operational restrictions from the Commandant, the  
12 Secretary shall transmit such restrictions to the  
13 owner of Ayakulik Island; and

14 (4) within 30 days after transmitting the pro-  
15 posed operational restrictions to the owner of  
16 Ayakulik Island, and if the owner agrees to such re-  
17 strictions, the Secretary shall convey all right, title,  
18 and interest of the United States in and to the  
19 Tract to the owner, subject to an easement granted  
20 to the Commandant to enforce such restrictions, in  
21 exchange for all right, title, and interest of such  
22 owner in and to Ayakulik Island.

23 (b) BOUNDARY REVISIONS.—The Secretary may  
24 make technical and conforming revisions to the boundaries  
25 of the Tract before the date of the exchange.

1 (c) PUBLIC LAND ORDER.—Effective on the date of  
2 an exchange under subsection (a), Public Land Order  
3 5550 shall have no force or effect with respect to sub-  
4 merged lands that are part of the Tract.

5 (d) FAILURE TO TIMELY RESPOND TO NOTICE.—If  
6 the Commandant does not transmit proposed operational  
7 restrictions to the Secretary within 30 days after receiving  
8 the notice under subsection (a)(1), the Secretary shall, by  
9 not later than 60 days after transmitting such notice, con-  
10 vey all right, title, and interest of the United States in  
11 and to the Tract to the owner of Ayakulik Island in ex-  
12 change for all right, title, and interest of such owner in  
13 and to Ayakulik Island.

14 (e) CERCLA NOT AFFECTED.—This section and an  
15 exchange under this section shall not be construed to limit  
16 the application of or otherwise affect section 120(h) of the  
17 Comprehensive Environmental Response, Compensation,  
18 and Liability Act of 1980 (42 U.S.C. 9620(h)).

19 (f) DEFINITIONS.—In this section:

20 (1) COMMANDANT.—The term “Commandant”  
21 means the Secretary of the department in which the  
22 Coast Guard is operating, acting through the Com-  
23 mandant of the Coast Guard.

24 (2) SECRETARY.—The term “Secretary” means  
25 the Secretary of the Interior.

1           (3) TRACT.—The term “Tract” means the land  
2           (including submerged land) depicted as “PRO-  
3           POSED PROPERTY EXCHANGE AREA” on the  
4           survey titled “PROPOSED PROPERTY EX-  
5           CHANGE PARCEL” and dated 3/22/17.

6 **SEC. 811. USE OF TRACT 43.**

7           Section 524(e)(2) of the Pribilof Island Transition  
8           Completion Act of 2016 (Public Law 114–120), as amend-  
9           ed by section 3533 of the Pribilof Island Transition Com-  
10          pletion Amendments Act of 2016 (subtitle B of title  
11          XXXV of Public Law 114-328), is amended by—

12           (1) striking “each month” and inserting “each  
13           April and October”; and

14           (2) striking “previous month” and inserting  
15           “previous six months”.

16 **SEC. 812. COAST GUARD MARITIME DOMAIN AWARENESS.**

17           (a) IN GENERAL.—The Secretary of the department  
18           in which the Coast Guard is operating shall seek to enter  
19           into an arrangement with the National Academy of  
20           Sciences not later than 60 days after the date of the enact-  
21           ment of this Act under which the Academy shall prepare  
22           an assessment of available unmanned, autonomous, or re-  
23           motely controlled maritime domain awareness technologies  
24           for use by the Coast Guard.

25           (b) ASSESSMENT.—The assessment shall—



1           (1) describe the potential limitations of current  
2           and emerging unmanned technologies used in the  
3           maritime domain for—

4                   (A) ocean observation;

5                   (B) vessel monitoring and identification;

6                   (C) weather observation;

7                   (D) to the extent practicable for consider-  
8           ation by the Academy, intelligence gathering,  
9           surveillance, and reconnaissance; and

10                  (E) communications;

11           (2) examine how technologies described in para-  
12           graph (1) can help prioritize Federal investment by  
13           examining;

14                   (A) affordability, including acquisition, op-  
15           erations, and maintenance;

16                   (B) reliability;

17                   (C) versatility;

18                   (D) efficiency; and

19                   (E) estimated service life and persistence  
20           of effort; and

21           (3) analyze whether the use of new and emerg-  
22           ing maritime domain awareness technologies can be  
23           used to—

24                   (A) carry out Coast Guard missions at  
25           lower costs;

1 (B) expand the scope and range of Coast  
2 Guard maritime domain awareness;

3 (C) allow the Coast Guard to more effi-  
4 ciently and effectively allocate Coast Guard ves-  
5 sels, aircraft, and personnel; and

6 (D) identify adjustments that would be  
7 necessary in Coast Guard policies, procedures,  
8 and protocols to incorporate unmanned tech-  
9 nologies to enhance efficiency.

10 (c) REPORT TO CONGRESS.—Not later than 1 year  
11 after entering into an arrangement with the Secretary  
12 under subsection (a), the National Academy of Sciences  
13 shall submit the assessment prepared under this section  
14 to the Committees on Transportation and Infrastructure  
15 and Homeland Security of the House of Representatives  
16 and the Committee on Commerce, Science, and Transpor-  
17 tation of the Senate.

18 (d) USE OF INFORMATION.—In formulating costs  
19 pursuant to subsection (b), the National Academy of  
20 Sciences may utilize information from other Coast Guard  
21 reports, assessments, or analyses regarding existing Coast  
22 Guard manpower requirements or other reports, assess-  
23 ments, or analyses for the acquisition of unmanned, auton-  
24 omous, or remotely controlled technologies by the Federal  
25 Government.

1 **SEC. 813. MONITORING.**

2 (a) IN GENERAL.—The Secretary of the department  
3 in which the Coast Guard is operating shall conduct a 1-  
4 year pilot program to determine the impact of persistent  
5 use of different types of surveillance systems on illegal  
6 maritime activities, including illegal, unreported, and un-  
7 regulated fishing, in the Western Pacific region.

8 (b) REQUIREMENTS.—The pilot program shall—

9 (1) consider the use of light aircraft-based de-  
10 tection systems that can identify potential illegal ac-  
11 tivity from high altitudes and produce enforcement-  
12 quality evidence at low altitudes; and

13 (2) be directed at detecting and deterring illegal  
14 maritime activities, including illegal, unreported, and  
15 unregulated fishing, and enhancing maritime domain  
16 awareness.

17 **SEC. 814. REIMBURSEMENTS FOR NON-FEDERAL CON-**  
18 **STRUCTION COSTS OF CERTAIN AIDS TO**  
19 **NAVIGATION.**

20 (a) IN GENERAL.—Subject to the availability of  
21 amounts specifically provided in advance in subsequent ap-  
22 propriations Acts and in accordance with this section, the  
23 Commandant of the Coast Guard may reimburse a non-  
24 Federal entity for costs incurred by the entity for a cov-  
25 ered project.

1 (b) CONDITIONS.—The Commandant may not pro-  
2 vide reimbursement under subsection (a) with respect to  
3 a covered project unless—

4 (1) the need for the project is a result of the  
5 completion of construction with respect to a federally  
6 authorized navigation channel;

7 (2) the Commandant determines, through an  
8 appropriate navigation safety analysis, that the  
9 project is necessary to ensure safe marine transpor-  
10 tation;

11 (3) the Commandant approves the design of the  
12 project to ensure that it meets all applicable Coast  
13 Guard aids-to-navigation standards and require-  
14 ments;

15 (4) the non-Federal entity agrees to transfer  
16 the project upon completion to the Coast Guard for  
17 operation and maintenance by the Coast Guard as a  
18 Federal aid to navigation;

19 (5) the non-Federal entity carries out the  
20 project in accordance with the same laws and regula-  
21 tions that would apply to the Coast Guard if the  
22 Coast Guard carried out the project, including ob-  
23 taining all permits required for the project under  
24 Federal and State law; and

1           (6) the Commandant determines that the  
2           project satisfies such additional requirements as may  
3           be established by the Commandant.

4           (c) LIMITATIONS.—Reimbursements under sub-  
5           section (a) may not exceed the following:

6           (1) For a single covered project, \$5,000,000.

7           (2) For all covered projects in a single fiscal  
8           year, \$5,000,000.

9           (d) EXPIRATION.—The authority granted under this  
10          section shall expire on the date that is 4 years after the  
11          date of enactment of this section.

12          (e) COVERED PROJECT DEFINED.—In this section,  
13          the term “covered project” means a project carried out—

14               (1) by a non-Federal entity to construct and es-  
15               tablish an aid to navigation that facilitates safe and  
16               efficient marine transportation on a Federal naviga-  
17               tion project authorized by title I of the Water Re-  
18               sources Development Act of 2007 (Public Law 110–  
19               114); and

20               (2) in an area that was affected by Hurricane  
21               Harvey.

22       **SEC. 815. TOWING SAFETY MANAGEMENT SYSTEM FEES.**

23          (a) REVIEW.—The Commandant of the Coast Guard  
24          shall—

1 (1) review and compare the costs to the Govern-  
2 ment of—

3 (A) towing vessel inspections performed by  
4 the Coast Guard; and

5 (B) such inspections performed by a third  
6 party; and

7 (2) based on such review and comparison, de-  
8 termine whether the costs to the Government of  
9 such inspections performed by a third party are dif-  
10 ferent than the costs to the Government of such in-  
11 spections performed by the Coast Guard.

12 (b) REVISION OF FEES.—If the Commandant deter-  
13 mines under subsection (a) that the costs to the Govern-  
14 ment of such inspections performed by a third party are  
15 different than the costs to the Government of such inspec-  
16 tions performed by the Coast Guard, then the Com-  
17 mandant shall revise the fee assessed by the Coast Guard  
18 for such inspections as necessary to conform to the re-  
19 quirements under section 9701 of title 31, United States  
20 Code, that such fee be based on the cost to the Govern-  
21 ment of such inspections and accurately reflect such costs.

22 **SEC. 816. OIL SPILL DISBURSEMENTS AUDITING AND RE-**  
23 **PORT.**

24 Section 1012 of the Oil Pollution Act of 1990 (33  
25 U.S.C. 2712) is amended—

1 (1) by repealing subsection (g);

2 (2) in subsection (l)(1), by striking “Within one  
3 year after the date of enactment of the Coast Guard  
4 Authorization Act of 2010, and annually thereafter,”  
5 and inserting “Each year, on the date on which the  
6 President submits to Congress a budget under sec-  
7 tion 1105 of title 31, United States Code,”; and

8 (3) by amending subsection (l)(2) to read as  
9 follows:

10 “(2) CONTENTS.—The report shall include—

11 “(A) a list of each incident that—

12 “(i) occurred in the preceding fiscal  
13 year; and

14 “(ii) resulted in disbursements from  
15 the Fund, for removal costs and damages,  
16 totaling \$500,000 or more;

17 “(B) a list of each incident that—

18 “(i) occurred in the fiscal year pre-  
19 ceding the preceding fiscal year; and

20 “(ii) resulted in disbursements from  
21 the Fund, for removal costs and damages,  
22 totaling \$500,000 or more; and

23 “(C) an accounting of any amounts reim-  
24 bursed to the Fund in the preceding fiscal year  
25 that were recovered from a responsible party

1           for an incident that resulted in disbursements  
2           from the Fund, for removal costs and damages,  
3           totaling \$500,000 or more.”.

4 **SEC. 817. FLEET REQUIREMENTS ASSESSMENT AND STRAT-**  
5 **EGY.**

6           (a) REPORT.—Not later than 1 year after the date  
7 of enactment of this Act, the Secretary of the department  
8 in which the Coast Guard is operating, in consultation  
9 with interested Federal and non-Federal stakeholders,  
10 shall submit to the Committee on Commerce, Science, and  
11 Transportation of the Senate and the Committee on  
12 Transportation and Infrastructure of the House of Rep-  
13 resentatives a report including—

14           (1) an assessment of Coast Guard at-sea oper-  
15 ational fleet requirements to support its statutory  
16 missions established in the Homeland Security Act  
17 of 2002 (6 U.S.C. 101 et seq.); and

18           (2) a strategic plan for meeting the require-  
19 ments identified under paragraph (1).

20           (b) CONTENTS.—The report under subsection (a)  
21 shall include—

22           (1) an assessment of—

23           (A) the extent to which the Coast Guard  
24 at-sea operational fleet requirements referred to  
25 in subsection (a)(1) are currently being met;



1 (B) the Coast Guard's current fleet, its  
2 operational lifespan, and how the anticipated  
3 changes in the age and distribution of vessels in  
4 the fleet will impact the ability to meet at-sea  
5 operational requirements;

6 (C) fleet operations and recommended im-  
7 provements to minimize costs and extend oper-  
8 ational vessel life spans; and

9 (D) the number of Fast Response Cutters,  
10 Offshore Patrol Cutters, and National Security  
11 Cutters needed to meet at-sea operational re-  
12 quirements as compared to planned acquisitions  
13 under the current programs of record;

14 (2) an analysis of—

15 (A) how the Coast Guard at-sea oper-  
16 ational fleet requirements are currently met, in-  
17 cluding the use of the Coast Guard's current  
18 cutter fleet, agreements with partners, char-  
19 tered vessels, and unmanned vehicle technology;  
20 and

21 (B) whether existing and planned cutter  
22 programs of record (including the Fast Re-  
23 sponse Cutter, Offshore Patrol Cutter, and Na-  
24 tional Security Cutter) will enable the Coast

1 Guard to meet at-sea operational requirements;  
2 and

3 (3) a description of—

4 (A) planned manned and unmanned vessel  
5 acquisition; and

6 (B) how such acquisitions will change the  
7 extent to which the Coast Guard at-sea oper-  
8 ational requirements are met.

9 (c) CONSULTATION AND TRANSPARENCY.—

10 (1) CONSULTATION.—In consulting with the  
11 Federal and non-Federal stakeholders under sub-  
12 section (a), the Secretary of the department in which  
13 the Coast Guard is operating shall—

14 (A) provide the stakeholders with opportu-  
15 nities for input—

16 (i) prior to initially drafting the re-  
17 port, including the assessment and stra-  
18 tegic plan; and

19 (ii) not later than 3 months prior to  
20 finalizing the report, including the assess-  
21 ment and strategic plan, for submission;  
22 and

23 (B) document the input and its disposition  
24 in the report.

1           (2) TRANSPARENCY.—All input provided under  
2           paragraph (1) shall be made available to the public.

3           (d) ENSURING MARITIME COVERAGE.—In order to  
4           meet Coast Guard mission requirements for search and  
5           rescue, ports, waterways, and coastal security, and mari-  
6           time environmental response during recapitalization of  
7           Coast Guard vessels, the Coast Guard shall ensure con-  
8           tinuity of the coverage, to the maximum extent prac-  
9           ticable, in the locations that may lose assets.

10 **SEC. 818. NATIONAL SECURITY CUTTER.**

11           (a) STANDARD METHOD FOR TRACKING.—The Com-  
12           mandant of the Coast Guard may not certify an eighth  
13           National Security Cutter as Ready for Operations before  
14           the date on which the Commandant provides to the Com-  
15           mittee on Transportation and Infrastructure of the House  
16           of Representatives and the Committee on Commerce,  
17           Science, and Transportation of the Senate—

18           (1) a notification of a new standard method for  
19           tracking operational employment of Coast Guard  
20           major cutters that does not include time during  
21           which such a cutter is away from its homeport for  
22           maintenance or repair; and

23           (2) a report analyzing cost and performance for  
24           different approaches to achieving varied levels of

1 operational employment using the standard method  
2 required by paragraph (1) that, at a minimum—

3 (A) compares over a 30-year period the av-  
4 erage annualized baseline cost and perform-  
5 ances for a certified National Security Cutter  
6 that operated for 185 days away from homeport  
7 or an equivalent alternative measure of oper-  
8 ational tempo—

9 (i) against the cost of a 15 percent in-  
10 crease in days away from homeport or an  
11 equivalent alternative measure of oper-  
12 ational tempo for a National Security Cut-  
13 ter; and

14 (ii) against the cost of the acquisition  
15 and operation of an additional National  
16 Security Cutter; and

17 (B) examines the optimal level of oper-  
18 ational employment of National Security Cut-  
19 ters to balance National Security Cutter cost  
20 and mission performance.

21 (b) CONFORMING AMENDMENTS.—

22 (1) Section 221(b) of the Coast Guard and  
23 Maritime Transportation Act of 2012 (126 Stat.  
24 1560) is repealed.

1           (2) Section 204(c)(1) of the Coast Guard Au-  
2           thorization Act of 2016 (130 Stat. 35) is repealed.

3 **SEC. 819. ACQUISITION PLAN FOR INLAND WATERWAY AND**  
4                   **RIVER TENDERS AND BAY-CLASS ICE-**  
5                   **BREAKERS.**

6           (a) ACQUISITION PLAN.—Not later than 270 days  
7 after the date of the enactment of this Act, the Com-  
8 mandant of the Coast Guard shall submit to the Com-  
9 mittee on Commerce, Science, and Transportation of the  
10 Senate and the Committee on Transportation and Infra-  
11 structure of the House of Representatives a plan to re-  
12 place or extend the life of the Coast Guard fleet of inland  
13 waterway and river tenders, and the Bay-class icebreakers.

14           (b) CONTENTS.—The plan under subsection (a) shall  
15 include—

16           (1) an analysis of the work required to extend  
17 the life of vessels described in subsection (a);

18           (2) recommendations for which, if any, such  
19 vessels it is cost effective to undertake a ship-life ex-  
20 tension or enhanced maintenance program;

21           (3) an analysis of the aids to navigation pro-  
22 gram to determine if advances in navigation tech-  
23 nology may reduce the needs for physical aids to  
24 navigation;

1           (4) recommendations for changes to physical  
2           aids to navigation and the distribution of such aids  
3           that reduce the need for the acquisition of vessels to  
4           replace the vessels described in subsection (a);

5           (5) a schedule for the acquisition of vessels to  
6           replace the vessels described in subsection (a), in-  
7           cluding the date on which the first vessel will be de-  
8           livered;

9           (6) the date such acquisition will be complete;

10          (7) a description of the order and location of re-  
11          placement vessels;

12          (8) an estimate of the cost per vessel and of the  
13          total cost of the acquisition program of record; and

14          (9) an analysis of whether existing vessels can  
15          be used.

16 **SEC. 820. GREAT LAKES ICEBREAKER ACQUISITION.**

17          (a) ICEBREAKING ON THE GREAT LAKES.—For fiscal  
18          years 2018 and 2019, the Commandant of the Coast  
19          Guard may use funds made available pursuant to section  
20          4902 of title 14, United States Code, as amended by this  
21          division, for the construction of an icebreaker that is at  
22          least as capable as the Coast Guard Cutter *Mackinaw* to  
23          enhance icebreaking capacity on the Great Lakes.

24          (b) ACQUISITION PLAN.—Not later than 45 days  
25          after the date of enactment of this Act, the Commandant

1 shall submit a plan to the Committee on Commerce,  
2 Science, and Transportation of the Senate and the Com-  
3 mittee on Transportation and Infrastructure of the House  
4 of Representatives for acquiring an icebreaker described  
5 in subsections (a) and (b). Such plan shall include—

6 (1) the details and schedule of the acquisition  
7 activities to be completed; and

8 (2) a description of how the funding for Coast  
9 Guard acquisition, construction, and improvements  
10 that was appropriated under the Consolidated Ap-  
11 propriations Act, 2017 (Public Law 115–31) will be  
12 allocated to support the acquisition activities re-  
13 ferred to in paragraph (1).

14 **SEC. 821. POLAR ICEBREAKERS.**

15 (a) ENHANCED MAINTENANCE PROGRAM FOR THE  
16 *POLAR STAR*.—

17 (1) IN GENERAL.—Subject to the availability of  
18 appropriations, the Commandant of the Coast Guard  
19 shall conduct an enhanced maintenance program on  
20 Coast Guard Cutter *Polar Star* (WAGB–10) to ex-  
21 tend the service life of such vessel until at least De-  
22 cember 31, 2025.

23 (2) REQUIREMENT FOR REPORT.—Not later  
24 than 180 days after the date of the enactment of the  
25 Coast Guard Authorization Act of 2017, the Sec-

1       retary of the department in which the Coast Guard  
2       is operating, in consultation with Naval Sea Systems  
3       Command, shall submit to the Committee on Com-  
4       merce, Science, and Transportation of the Senate  
5       and the Committee on Transportation and Infra-  
6       structure of the House of Representatives a detailed  
7       report describing a plan to extend the service life of  
8       the Coast Guard Cutter *Polar Star* (WAGB-10)  
9       until at least December 31, 2025, through an en-  
10      hanced maintenance program.

11           (3) CONTENT.—The report required by para-  
12      graph (2) shall include the following:

13           (A) An assessment and discussion of the  
14      enhanced maintenance program recommended  
15      by the National Academies of Sciences, Engi-  
16      neering, and Medicine’s Committee on Polar  
17      Icebreaker Cost Assessment in the letter report  
18      “Acquisition and Operation of Polar Ice-  
19      breakers: Fulfilling the Nation’s Needs”.

20           (B) An assessment and discussion of the  
21      Government Accountability Office’s concerns  
22      and recommendations regarding service life ex-  
23      tension work on Coast Guard Cutter *Polar Star*  
24      (WAGB-10) in the report “Status of the Coast



1 Guard's Polar Icebreaking Fleet Capability and  
2 Recapitalization Plan".

3 (C) Based upon a materiel condition as-  
4 sessment of the Coast Guard Cutter *Polar Star*  
5 (WAGB-10)—

6 (i) a description of the service life ex-  
7 tension needs of the vessel;

8 (ii) detailed information regarding  
9 planned shipyard work for each fiscal year  
10 to meet such needs; and

11 (iii) an estimate of the amount needed  
12 to be appropriated to complete the en-  
13 hanced maintenance program.

14 (D) A plan to ensure the vessel will main-  
15 tain seasonally operational status during the  
16 enhanced maintenance program.

17 (4) AUTHORIZATION OF APPROPRIATIONS.—

18 The Commandant of the Coast Guard may use  
19 funds made available pursuant to section 4902 of  
20 title 14, United States Code, as amended by section  
21 202 of this division, for the enhanced maintenance  
22 program described in the report required by sub-  
23 section (a).

24 (b) OVERDUE REPORT.—Upon the date of enactment  
25 of the Coast Guard Authorization Act of 2017, the Sec-

1 retary of the department in which the Coast Guard is op-  
2 erating shall submit to the Committee on Commerce,  
3 Science, and Transportation of the Senate and the Com-  
4 mittee on Transportation and Infrastructure of the House  
5 of Representatives the polar icebreaker recapitalization  
6 plan required under section 3523 of the National Defense  
7 Authorization Act for Fiscal Year 2017 (Public Law 114–  
8 328).

9 (c) COAST GUARD AND MARITIME TRANSPORTATION  
10 ACT OF 2012; AMENDMENT.—Section 222 of the Coast  
11 Guard and Maritime Transportation Act of 2012 (Public  
12 Law 112–213), as amended, is further amended as fol-  
13 lows:

- 14 (1) by striking subsections (a) through (d);  
15 (2) by redesignating subsections (e) through (g)  
16 as subsections (a) through (c), respectively;  
17 (3) in subsection (a), as redesignated—  
18 (A) in the matter preceding paragraph (1),  
19 by striking “Except as provided in subsection  
20 (c), the Commandant” and inserting “The  
21 Commandant”;  
22 (B) in paragraph (1) by striking “Polar  
23 Sea or”;

1 (C) in paragraph (2) by striking “either of  
2 the vessels” and inserting “the Polar Star or  
3 the Polar Sea”; and

4 (D) in paragraph (3) by striking “either of  
5 the vessels” each place it appears and inserting  
6 “the Polar Star”.

7 **SEC. 822. STRATEGIC ASSETS IN THE ARCTIC.**

8 (a) DEFINITION OF ARCTIC.—In this section, the  
9 term “Arctic” has the meaning given the term in section  
10 112 of the Arctic Research and Policy Act of 1984 (15  
11 U.S.C. 4111).

12 (b) SENSE OF CONGRESS.—It is the sense of Con-  
13 gress that—

14 (1) the Arctic continues to grow in significance  
15 to both the national security interests and the eco-  
16 nomic prosperity of the United States; and

17 (2) the Coast Guard must ensure it is posi-  
18 tioned to respond to any accident, incident, or threat  
19 with appropriate assets.

20 (c) REPORT.—Not later than 1 year after the date  
21 of enactment of this Act, the Commandant of the Coast  
22 Guard, in consultation with the Secretary of Defense and  
23 taking into consideration the Department of Defense 2016  
24 Arctic Strategy, shall submit to the Committee on Com-  
25 merce, Science, and Transportation of the Senate and the

1 Committee on Transportation and Infrastructure of the  
2 House of Representatives a report on the progress toward  
3 implementing the strategic objectives described in the  
4 United States Coast Guard Arctic Strategy dated May  
5 2013.

6 (d) CONTENTS.—The report under subsection (c)  
7 shall include—

8 (1) a description of the Coast Guard's progress  
9 toward each strategic objective identified in the  
10 United States Coast Guard Arctic Strategy dated  
11 May 2013;

12 (2) an assessment of the assets and infrastruc-  
13 ture necessary to meet the strategic objectives iden-  
14 tified in the United States Coast Guard Arctic  
15 Strategy dated May 2013 based on factors such  
16 as—

17 (A) response time;

18 (B) coverage area;

19 (C) endurance on scene;

20 (D) presence; and

21 (E) deterrence;

22 (3) an analysis of the sufficiency of the dis-  
23 tribution of National Security Cutters, Offshore Pa-  
24 trol Cutters, and Fast Response Cutters both sta-  
25 tioned in various Alaskan ports and in other loca-

1 tions to meet the strategic objectives identified in  
2 the United States Coast Guard Arctic Strategy,  
3 dated May 2013;

4 (4) plans to provide communications throughout  
5 the entire Coastal Western Alaska Captain of the  
6 Port zone to improve waterway safety and mitigate  
7 close calls, collisions, and other dangerous inter-  
8 actions between the shipping industry and subsist-  
9 ence hunters;

10 (5) plans to prevent marine casualties, when  
11 possible, by ensuring vessels avoid environmentally  
12 sensitive areas and permanent security zones;

13 (6) an explanation of—

14 (A) whether it is feasible to establish a ves-  
15 sel traffic service, using existing resources or  
16 otherwise; and

17 (B) whether an Arctic Response Center of  
18 Expertise is necessary to address the gaps in  
19 experience, skills, equipment, resources, train-  
20 ing, and doctrine to prepare, respond to, and  
21 recover spilled oil in the Arctic; and

22 (7) an assessment of whether sufficient agree-  
23 ments are in place to ensure the Coast Guard is re-  
24 ceiving the information it needs to carry out its re-  
25 sponsibilities.

1 **SEC. 823. ARCTIC PLANNING CRITERIA.**

2 (a) ALTERNATIVE PLANNING CRITERIA.—

3 (1) IN GENERAL.—For purposes of the Oil Pol-  
4 lution Act of 1990 (33 U.S.C. 2701 et seq.), the  
5 Commandant of the Coast Guard may approve a  
6 vessel response plan under section 311 of the Fed-  
7 eral Water Pollution Control Act (33 U.S.C. 1321)  
8 for a vessel operating in any area covered by the  
9 Captain of the Port Zone (as established by the  
10 Commandant) that includes the Arctic, if the Com-  
11 mandant verifies that—

12 (A) equipment required to be available for  
13 response under the plan has been tested and  
14 proven capable of operating in the environ-  
15 mental conditions expected in the area in which  
16 it is intended to be operated; and

17 (B) the operators of such equipment have  
18 conducted training on the equipment within the  
19 area covered by such Captain of the Port Zone.

20 (2) POST-APPROVAL REQUIREMENTS.—In ap-  
21 proving a vessel response plan under paragraph (1),  
22 the Commandant shall—

23 (A) require that the oil spill removal orga-  
24 nization identified in the vessel response plan  
25 conduct regular exercises and drills of the plan

1 in the area covered by the Captain of the Port  
2 Zone that includes the Arctic; and

3 (B) allow such oil spill removal organiza-  
4 tion to take credit for a response to an actual  
5 spill or release in the area covered by such Cap-  
6 tain of the Port Zone, instead of conducting an  
7 exercise or drill required under subparagraph  
8 (A), if the oil spill removal organization—

9 (i) documents which exercise or drill  
10 requirements were met during the re-  
11 sponse; and

12 (ii) submits a request for credit to,  
13 and receives approval from, the Com-  
14 mandant.

15 (b) REPORT.—

16 (1) IN GENERAL.—Not later than 120 days  
17 after the date of enactment of this Act, the Com-  
18 mandant of the Coast Guard shall submit to the  
19 Committee on Commerce, Science, and Transpor-  
20 tation of the Senate and the Committee on Trans-  
21 portation and Infrastructure of the House of Rep-  
22 resentatives a report on the oil spill prevention and  
23 response capabilities for the area covered by the  
24 Captain of the Port Zone (as established by the  
25 Commandant) that includes the Arctic.

1           (2) CONTENTS.—The report submitted under  
2 paragraph (1) shall include the following:

3           (A) A description of equipment and assets  
4 available for response under the vessel response  
5 plans approved for vessels operating in the area  
6 covered by the Captain of the Port Zone, in-  
7 cluding details on any providers of such equip-  
8 ment and assets.

9           (B) A description of the location of such  
10 equipment and assets, including an estimate of  
11 the time to deploy the equipment and assets.

12           (C) A determination of how effectively  
13 such equipment and assets are distributed  
14 throughout the area covered by the Captain of  
15 the Port Zone.

16           (D) A statement regarding whether the  
17 ability to maintain and deploy such equipment  
18 and assets is taken into account when meas-  
19 uring the equipment and assets available  
20 throughout the area covered by the Captain of  
21 the Port Zone.

22           (E) A validation of the port assessment  
23 visit process and response resource inventory  
24 for response under the vessel response plans ap-



1           proved for vessels operating in the area covered  
2           by the Captain of the Port Zone.

3           (F) A determination of the compliance rate  
4           with Federal vessel response plan regulations in  
5           the area covered by the Captain of the Port  
6           Zone during the previous 3 years.

7           (G) A description of the resources needed  
8           throughout the area covered by the Captain of  
9           the Port Zone to conduct port assessments, ex-  
10          ercises, response plan reviews, and spill re-  
11          sponses.

12          (c) DEFINITION OF ARCTIC.—In this section, the  
13          term “Arctic” has the meaning given the term under sec-  
14          tion 112 of the Arctic Research and Policy Act of 1984  
15          (15 U.S.C. 4111).

16          **SEC. 824. VESSEL RESPONSE PLAN AUDIT.**

17          (a) IN GENERAL.—Not later than 1 year after the  
18          date of enactment of this Act, the Comptroller General  
19          of the United States shall complete and submit to the  
20          Committee on Commerce, Science, and Transportation of  
21          the Senate and the Committee on Transportation and In-  
22          frastructure of the House of Representatives a comprehen-  
23          sive review of the processes and resources used by the  
24          Coast Guard to implement vessel response plan require-

1 ments under section 311 of the Federal Water Pollution  
2 Control Act (33 U.S.C. 1321).

3 (b) REQUIRED ELEMENTS OF REVIEW.—The review  
4 required under subsection (a) shall, at a minimum, in-  
5 clude—

6 (1) a study, or an audit if appropriate, of the  
7 processes the Coast Guard uses—

8 (A) to approve the vessel response plans  
9 referred to in subsection (a);

10 (B) to approve alternate planning criteria  
11 used in lieu of National Planning Criteria in  
12 approving such plans;

13 (C) to verify compliance with such plans;  
14 and

15 (D) to act in the event of a failure to com-  
16 ply with the requirements of such plans;

17 (2) an examination of all Federal and State  
18 agency resources used by the Coast Guard in car-  
19 rying out the processes identified under paragraph  
20 (1), including—

21 (A) the current staffing model and organi-  
22 zation;

23 (B) data, software, simulators, systems, or  
24 other technology, including those pertaining to

1 weather, oil spill trajectory modeling, and risk  
2 management;

3 (C) the total amount of time per fiscal  
4 year expended by Coast Guard personnel to ap-  
5 prove and verify compliance with vessel re-  
6 sponse plans; and

7 (D) the average amount of time expended  
8 by the Coast Guard for approval of, and  
9 verification of compliance with, a single vessel  
10 response plan;

11 (3) an analysis of how, including by what  
12 means or methods, the processes identified under  
13 paragraph (1)—

14 (A) ensure compliance with applicable law;

15 (B) are implemented by the Coast Guard,  
16 including at the district and sector levels;

17 (C) are informed by public comment and  
18 engagement with States, Indian Tribes, and  
19 other regional stakeholders;

20 (D) ensure availability and adequate oper-  
21 ational capability and capacity of required as-  
22 sets and equipment, including in cases in which  
23 contractual obligations may limit the avail-  
24 ability of such assets and equipment for re-  
25 sponse;

1 (E) provide for adequate asset and equip-  
2 ment mobilization time requirements, particu-  
3 larly with respect to—

4 (i) calculation and establishment of  
5 such requirements;

6 (ii) verifying compliance with such re-  
7 quirements; and

8 (iii) factoring in weather, including  
9 specific regional adverse weather as de-  
10 fined in section 155.1020 of title 33, Code  
11 of Federal Regulations, in calculating, es-  
12 tablishing, and verifying compliance with  
13 such requirements;

14 (F) ensure response plan updates and ves-  
15 sel compliance when changes occur in response  
16 planning criteria, asset and equipment mobiliza-  
17 tion times, or regional response needs, such as  
18 trends in transportation of high gravity oils or  
19 changes in vessel traffic volume; and

20 (G) enable effective action by the Coast  
21 Guard in the event of a failure to comply with  
22 response plan requirements;

23 (4) a determination regarding whether asset  
24 and equipment mobilization time requirements under

1 approved vessel response plans can be met by the  
2 vessels to which they apply; and

3 (5) recommendations for improving the proc-  
4 esses identified under paragraph (1), including rec-  
5 ommendations regarding the sufficiency of Coast  
6 Guard resources dedicated to those processes.

7 **SEC. 825. WATERS DEEMED NOT NAVIGABLE WATERS OF**  
8 **THE UNITED STATES FOR CERTAIN PUR-**  
9 **POSES.**

10 For purposes of the application of subtitle II of title  
11 46, United States Code, to the *Volunteer* (Hull Number  
12 CCA4108), the Illinois and Michigan Canal is deemed to  
13 not be navigable waters of the United States.

14 **SEC. 826. DOCUMENTATION OF RECREATIONAL VESSELS.**

15 Coast Guard personnel performing nonrecreational  
16 vessel documentation functions under subchapter II of  
17 chapter 121 of title 46, United States Code, may perform  
18 recreational vessel documentation under section 12114 of  
19 such title in any fiscal year in which—

20 (1) funds available for Coast Guard operating  
21 expenses may not be used for expenses incurred for  
22 recreational vessel documentation;

23 (2) fees collected from owners of yachts and  
24 credited to such use are insufficient to pay expenses  
25 of recreational vessel documentation; and

1           (3) there is a backlog of applications for rec-  
2           reational vessel documentation.

3 **SEC. 827. EQUIPMENT REQUIREMENTS; EXEMPTION FROM**  
4                           **THROWABLE PERSONAL FLOTATION DEVICES**  
5                           **REQUIREMENT.**

6           Not later than one year after the date of enactment  
7 of this Act, the Secretary of the department in which the  
8 Coast Guard is operating shall—

9           (1) prescribe regulations in part 160 of title 46,  
10          Code of Federal Regulations, that treat a marine  
11          throw bag, as that term is commonly used in the  
12          commercial whitewater rafting industry, as a type of  
13          lifesaving equipment; and

14          (2) revise section 175.17 of title 33, Code of  
15          Federal Regulations, to exempt rafts that are 16  
16          feet or more overall in length from the requirement  
17          to carry an additional throwable personal flotation  
18          device when such a marine throw bag is onboard and  
19          accessible.

20 **SEC. 828. VISUAL DISTRESS SIGNALS AND ALTERNATIVE**  
21                           **USE.**

22          (a) IN GENERAL.—The Secretary of the department  
23 in which the Coast Guard is operating shall develop a per-  
24 formance standard for the alternative use and possession  
25 of visual distress alerting and locating signals as man-

1 dated by carriage requirements for recreational boats in  
2 subpart C of part 175 of title 33, Code of Federal Regula-  
3 tions.

4 (b) REGULATIONS.—Not later than 180 days after  
5 the performance standard for alternative use and posses-  
6 sion of visual distress alerting and locating signals is final-  
7 ized, the Secretary shall revise part 175 of title 33, Code  
8 of Federal Regulations, to allow for carriage of such alter-  
9 native signal devices.

10 **SEC. 829. RADAR REFRESHER TRAINING.**

11 Not later than 60 days after the date of enactment  
12 of this Act, the Secretary of the department in which the  
13 Coast Guard is operating shall prescribe a final rule elimi-  
14 nating the requirement that a mariner actively using the  
15 mariner's credential complete an approved refresher or re-  
16 certification course to maintain a radar observer endorse-  
17 ment. This rulemaking shall be exempt from chapters 5  
18 and 6 of title 5, United States Code, and Executive Orders  
19 12866 and 13563.

20 **SEC. 830. COMMERCIAL FISHING VESSEL SAFETY NA-**  
21 **TIONAL COMMUNICATIONS PLAN.**

22 (a) REQUIREMENT FOR PLAN.—Not later than 1  
23 year after the date of enactment of this Act, the Secretary  
24 of the department in which the Coast Guard is operating  
25 shall develop and submit to the Committee on Commerce,

1 Science, and Transportation of the Senate and the Com-  
2 mittee on Transportation and Infrastructure of the House  
3 of Representatives a national communications plan for the  
4 purposes of—

5 (1) disseminating information to the commer-  
6 cial fishing vessel industry;

7 (2) conducting outreach with the commercial  
8 fishing vessel industry;

9 (3) facilitating interaction with the commercial  
10 fishing vessel industry; and

11 (4) releasing information collected under section  
12 15102 of title 46, United States Code, as added by  
13 this division, to the commercial fishing vessel indus-  
14 try.

15 (b) CONTENT.—The plan required by subsection (a),  
16 and each annual update, shall—

17 (1) identify staff, resources, and systems avail-  
18 able to the Secretary to ensure the widest dissemina-  
19 tion of information to the commercial fishing vessel  
20 industry;

21 (2) include a means to document all commu-  
22 nication and outreach conducted with the commer-  
23 cial fishing vessel industry; and

24 (3) include a mechanism to measure effective-  
25 ness of such plan.



1           (c) IMPLEMENTATION.—Not later than one year after  
2 submission of the initial plan, the Secretary of the depart-  
3 ment in which the Coast Guard is operating shall imple-  
4 ment the plan and shall at a minimum—

5           (1) leverage Coast Guard staff, resources, and  
6 systems available;

7           (2) monitor implementation nationwide to en-  
8 sure adherence to plan contents;

9           (3) allow each Captain of the Port to adopt the  
10 most effective strategy and means to communicate  
11 with commercial fishing vessel industry in that Cap-  
12 tain of the Port Zone;

13           (4) document communication and outreach; and

14           (5) solicit feedback from the commercial fishing  
15 vessel industry.

16           (d) REPORT AND UPDATES.—The Secretary of the  
17 department in which the Coast Guard is operating shall—

18           (1) submit to the Committee on Commerce,  
19 Science, and Transportation of the Senate and the  
20 Committee on Transportation and Infrastructure of  
21 the House of Representatives a report on the effec-  
22 tiveness of the plan to date and any updates to en-  
23 sure maximum impact of the plan one year after the  
24 date of enactment of this Act, and every 4 years  
25 thereafter; and

1           (2) include in such report input from individual  
2           Captains of the Port and any feedback received from  
3           the commercial fishing vessel industry.

4 **SEC. 831. AUTHORIZATION FOR MARINE DEBRIS PROGRAM.**

5           The Marine Debris Research, Prevention, and Reduc-  
6           tion Act is amended—

7           (1) in section 9 (33 U.S.C. 1958)—

8                   (A) by striking the em-dash and all that  
9                   follows through “(1)”; and

10                   (B) by striking “; and” and all that follows  
11                   through the end of the section and inserting a  
12                   period; and

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

14 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

15           “Of the amounts authorized for each fiscal year  
16           under section 4902 of title 14, United States Code, up  
17           to \$2,000,000 are authorized for the Commandant to  
18           carry out section 4 of this Act, of which not more than  
19           10 percent may be used for administrative costs.”.

20 **SEC. 832. ATLANTIC COAST PORT ACCESS ROUTE STUDY**  
21 **RECOMMENDATIONS.**

22           Not later than 30 days after the date of the enact-  
23           ment of the Act, the Commandant of the Coast Guard  
24           shall notify the Committee on Transportation and Infra-  
25           structure of the House of Representatives and the Com-

1 mittee on Commerce, Science, and Transportation of the  
2 Senate of action taken to carry out the recommendations  
3 contained in the final report issued by the Atlantic Coast  
4 Port Access Route Study (ACPARS) workgroup for which  
5 notice of availability was published March 14, 2016 (81  
6 Fed. Reg. 13307).

7 **SEC. 833. DRAWBRIDGES.**

8 Section 5 of the Act entitled “An Act making appro-  
9 priations for the construction, repair, and preservation of  
10 certain public works on rivers and harbors, and for other  
11 purposes”, approved August 18, 1894 (33 U.S.C. 499),  
12 is amended by adding at the end the following:

13 “(d) TEMPORARY CHANGES TO DRAWBRIDGE OPER-  
14 ATING SCHEDULES.—Notwithstanding section 553 of title  
15 5, United States Code, whenever a temporary change to  
16 the operating schedule of a drawbridge, lasting 180 days  
17 or less—

18 “(1) is approved—

19 “(A) the Secretary of the department in  
20 which the Coast Guard is operating shall—

21 “(i) issue a deviation approval letter  
22 to the bridge owner; and

23 “(ii) announce the temporary change  
24 in—

1                   “(I) the Local Notice to Mari-  
2                   ners;

3                   “(II) a broadcast notice to mari-  
4                   ners and through radio stations; or

5                   “(III) such other local media as  
6                   the Secretary considers appropriate;  
7                   and

8                   “(B) the bridge owner, except a railroad  
9                   bridge owner, shall notify—

10                   “(i) the public by publishing notice of  
11                   the temporary change in a newspaper of  
12                   general circulation published in the place  
13                   where the bridge is located;

14                   “(ii) the department, agency, or office  
15                   of transportation with jurisdiction over the  
16                   roadway that abuts the approaches to the  
17                   bridge; and

18                   “(iii) the law enforcement organiza-  
19                   tion with jurisdiction over the roadway  
20                   that abuts the approaches to the bridge; or

21                   “(2) is denied, the Secretary of the department  
22                   in which the Coast Guard is operating shall—

23                   “(A) not later than 10 days after the date  
24                   of receipt of the request, provide the bridge  
25                   owner in writing the reasons for the denial, in-

1 including any supporting data and evidence used  
2 to make the determination; and

3 “(B) provide the bridge owner a reasonable  
4 opportunity to address each reason for the de-  
5 nial and resubmit the request.

6 “(e) DRAWBRIDGE MOVEMENTS.—The Secretary of  
7 the department in which the Coast Guard is operating—

8 “(1) shall require a drawbridge operator to  
9 record each movement of the drawbridge in a log-  
10 book;

11 “(2) may inspect the logbook to ensure draw-  
12 bridge movement is in accordance with the posted  
13 operating schedule;

14 “(3) shall review whether deviations from the  
15 posted operating schedule are impairing vehicular  
16 and pedestrian traffic; and

17 “(4) may determine if the operating schedule  
18 should be adjusted for efficiency of maritime or ve-  
19 hicular and pedestrian traffic.

20 “(f) REQUIREMENTS.—

21 “(1) LOGBOOKS.—An operator of a drawbridge  
22 built across a navigable river or other water of the  
23 United States—

- 1           “(A) that opens the draw of such bridge  
2           for the passage of a vessel, shall record in a  
3           logbook—
- 4                   “(i) the bridge identification and date  
5                   of each opening;
- 6                   “(ii) the bridge tender or operator for  
7                   each opening;
- 8                   “(iii) each time it is opened for navi-  
9                   gation;
- 10                  “(iv) each time it is closed for naviga-  
11                  tion;
- 12                  “(v) the number and direction of ves-  
13                  sels passing through during each opening;
- 14                  “(vi) the types of vessels passing  
15                  through during each opening;
- 16                  “(vii) an estimated or known size  
17                  (height, length, and beam) of the largest  
18                  vessel passing through during each open-  
19                  ing;
- 20                  “(viii) for each vessel, the vessel name  
21                  and registration number if easily observ-  
22                  able; and
- 23                  “(ix) all maintenance openings, mal-  
24                  functions, or other comments; and

1           “(B) that remains open to navigation but  
2           closes to allow for trains to cross, shall record  
3           in a logbook—

4                   “(i) the bridge identification and date  
5                   of each opening and closing;

6                   “(ii) the bridge tender or operator;

7                   “(iii) each time it is opened to naviga-  
8                   tion;

9                   “(iv) each time it is closed to naviga-  
10                  tion; and

11                  “(v) all maintenance openings, clos-  
12                  ings, malfunctions, or other comments.

13           “(2) MAINTENANCE OF LOGBOOKS.—A draw-  
14           bridge operator shall maintain logbooks required  
15           under paragraph (1) for not less than 5 years.

16           “(3) SUBMISSION OF LOGBOOKS.—At the re-  
17           quest of the Secretary of the department in which  
18           the Coast Guard is operating, a drawbridge operator  
19           shall submit to the Secretary the logbook required  
20           under paragraph (1) as the Secretary considers nec-  
21           essary to carry out this section.

22           “(4) EXEMPTION.—The requirements under  
23           paragraph (1) shall be exempt from sections 3501 to  
24           3521 of title 44, United States Code.”.

1 **SEC. 834. WAIVER.**

2 Section 8902 of title 46, United States Code, shall  
3 not apply to the chain ferry DIANE (United States official  
4 number CG002692) when such vessel is operating on the  
5 Kalamazoo River in Saugatuck, Michigan.

6 **SEC. 835. VESSEL WAIVER.**

7 (a) IN GENERAL.—Upon enactment of this Act and  
8 notwithstanding sections (a)(2)(A) and 12113(a)(2) of  
9 title 46, United States Code, the Secretary shall issue a  
10 certificate of documentation with coastwise and fishery en-  
11 dorsements to the certificated vessel.

12 (b) REPLACEMENT VESSEL.—The certificated vessel  
13 shall qualify and not be precluded from operating as an  
14 Amendment 80 replacement vessel under the provisions of  
15 part 679 of title 50, Code of Federal Regulations.

16 (c) COAST GUARD REVIEW AND DETERMINATION.—

17 (1) REVIEW.—Not later than 30 days after the  
18 date of enactment of this section, the Secretary shall  
19 conduct and complete a review of the use of certain  
20 foreign fabricated steel components in the hull or su-  
21 perstructure of the certificated vessel.

22 (2) DETERMINATION.—Based on the review  
23 conducted under paragraph (1), the Secretary shall  
24 determine whether the shipyard that constructed the  
25 certificated vessel or the purchaser of the certifi-  
26 cated vessel knew before such components were pro-



1       cured or installed that the use of such components  
2       would violate requirements under sections  
3       12112(a)(2)(A) and 12113(a)(2) of title 46, United  
4       States Code.

5           (3) REVOCATION.—If the Secretary determines  
6       under paragraph (2) that the shipyard that con-  
7       structed the certificated vessel or the purchaser of  
8       the certificated vessel knew before such components  
9       were procured or installed that the use of such com-  
10      ponents would violate requirements under sections  
11      12112(a)(2)(A) and 12113(a)(2) of title 46, United  
12      States Code, the Secretary shall immediately revoke  
13      the certificate of documentation issued under sub-  
14      section (a).

15           (4) USE OF DOCUMENTS.—In conducting the  
16      review required under paragraph (1), the Secretary  
17      may request and review any information, cor-  
18      respondence, or documents related to the construc-  
19      tion of the certificated vessel, including from the  
20      shipyard that constructed the certificated vessel and  
21      the purchaser of the certificated vessel.

22           (d) TERMINATION.—If the contract for purchase of  
23      the certificated vessel that is in effect on the date of the  
24      enactment of this Act is terminated, the purchasing party  
25      to that contract shall be prohibited from entering into a

1 subsequent contract or agreement for purchase of such  
2 vessel.

3 (e) DEFINITION.—In this section—

4 (1) the term “Secretary” means the Secretary  
5 of the department in which the Coast Guard is oper-  
6 ating, acting through the Commandant of the Coast  
7 Guard; and

8 (2) the term “certificated vessel” means the  
9 vessel *America’s Finest* (United States official num-  
10 ber 1276760).

11 **SEC. 836. TEMPORARY LIMITATIONS.**

12 (a) LIMITATIONS.—

13 (1) IN GENERAL.—Upon the Coast Guard  
14 issuing a certificate of documentation with coastwise  
15 and fishery endorsements for the vessel “AMER-  
16 ICA’S FINEST” (United States official number  
17 1276760), and subject to subsection (b), the vessels  
18 described in paragraph (2) shall not collectively ex-  
19 ceed—

20 (A) the percentage of the harvest available  
21 in any Gulf of Alaska groundfish fisheries  
22 (other than fisheries subject to a limited access  
23 privilege program created by the North Pacific  
24 Fishery Management Council) that is equivalent  
25 to the total harvest by the vessels described in

1 paragraph (2) in those fisheries in the calendar  
2 years that a vessel described in paragraph (2)  
3 had harvest from 2012 through 2017 relative to  
4 the total allowable catch available to such ves-  
5 sels in the calendar years 2012 through 2017;  
6 or

7 (B) the percentage of processing of deliv-  
8 eries from other vessels in any Bering Sea,  
9 Aleutian Islands, and Gulf of Alaska groundfish  
10 fisheries (including fisheries subject to a limited  
11 access privilege program created by the North  
12 Pacific Fishery Management Council, or com-  
13 munity development quotas as described in sec-  
14 tion 305(i) of the Magnuson-Stevens Fishery  
15 Conservation and Management Act (16 U.S.C.  
16 1855(i))) that is equivalent to the total proc-  
17 essing of such deliveries by the vessels described  
18 in paragraph (2) in those fisheries in the cal-  
19 endar years 2012 through 2017 relative to the  
20 total allowable catch available in the calendar  
21 years 2012 through 2017.

22 (2) APPLICABLE VESSELS.—The limitations de-  
23 scribed in paragraph (1) shall apply, in the aggre-  
24 gate, to—

1 (A) the vessel AMERICA'S FINEST  
2 (United States official number 1276760);

3 (B) the vessel US INTREPID (United  
4 States official number 604439);

5 (C) the vessel AMERICAN NO. 1 (United  
6 States official number 610654);

7 (D) any replacement of a vessel described  
8 in subparagraph (A), (B), or (C); and

9 (E) any vessel assigned license number  
10 LLG3217 under the license limitation program  
11 under part 679 of title 50, Code of Federal  
12 Regulations.

13 (b) EXPIRATION.—The limitations described in sub-  
14 section (a) shall apply to a groundfish species in Bering  
15 Sea, Aleutian Islands, and Gulf of Alaska only until the  
16 earlier of—

17 (1) the end of the 6-year period beginning on  
18 the date of enactment of this Act; or

19 (2) the date on which the Secretary of Com-  
20 merce issues a final rule, based on recommendations  
21 developed by the North Pacific Fishery Management  
22 Council consistent with the Magnuson-Stevens Fish-  
23 ery Conservation and Management Act (16 U.S.C.  
24 1801 et seq.), that limits processing deliveries of  
25 that groundfish species from other vessels in any

1 Bering Sea, Aleutian Islands, and Gulf of Alaska  
2 groundfish fisheries that are not subject to conserva-  
3 tion and management measures under section 206 of  
4 the American Fisheries Act (16 U.S.C. 1851 note).

5 (c) EXISTING AUTHORITY.—Except for the measures  
6 required by this section, nothing in this title shall be con-  
7 strued to limit the authority of the North Pacific Fishery  
8 Management Council or the Secretary of Commerce under  
9 the Magnuson-Stevens Fishery Conservation and Manage-  
10 ment Act (16 U.S.C. 1801 et seq.).

11 **SEC. 837. TRANSFER OF COAST GUARD PROPERTY IN JUPI-**  
12 **TER ISLAND, FLORIDA, FOR INCLUSION IN**  
13 **HOBE SOUND NATIONAL WILDLIFE REFUGE.**

14 (a) TRANSFER.—Administrative jurisdiction over the  
15 property described in subsection (b) is transferred to the  
16 Secretary of the Interior.

17 (b) PROPERTY DESCRIBED.—The property described  
18 in this subsection is real property administered by the  
19 Coast Guard in the Town of Jupiter Island, Florida, com-  
20 prising Parcel #35-38-42-004-000-02590-6 (Bon Air  
21 Beach lots 259 and 260 located at 83 North Beach Road)  
22 and Parcel #35-38-42-004-000-02610-2 (Bon Air Beach  
23 lots 261 to 267), including any improvements thereon that  
24 are not authorized or required by another provision of law  
25 to be conveyed to another person.

1 (c) ADMINISTRATION.—The property described in  
2 subsection (b) is included in Hobe Sound National Wildlife  
3 Refuge, and shall be administered by the Secretary of the  
4 Interior acting through the United States Fish and Wild-  
5 life Service.

6 **SEC. 838. EMERGENCY RESPONSE.**

7 Not later than 90 days after the date of enactment  
8 of this Act, the Commandant of the Coast Guard shall  
9 request the Comptroller General of the United States to  
10 examine whether there are unnecessary regulatory barriers  
11 to the use of small passenger vessels, crewboats, and off-  
12 shore supply vessels in disaster response and provide rec-  
13 ommendations, as appropriate, to reduce such barriers.

14 **SEC. 839. DRAWBRIDGES CONSULTATION.**

15 (a) CONSULTATION.—In addition and subsequent to  
16 any rulemaking conducted under section 117.8 of title 33,  
17 Code of Federal Regulations, related to permanent  
18 changes to drawbridge openings that result from Amtrak  
19 service between New Orleans, Louisiana and Orlando,  
20 Florida, the Commandant shall consult with owners or op-  
21 erators of rail lines used for Amtrak passenger service be-  
22 tween New Orleans, Louisiana and Orlando, Florida and  
23 affected waterway users on changes to drawbridge oper-  
24 ating schedules necessary to facilitate the On Time Per-  
25 formance of passenger trains. These changes to schedules

1 shall not impact Coast Guard response times to oper-  
2 ational missions.

3 (b) TIMING.—Consultation in subsection (a) shall  
4 occur after commencement of Amtrak passenger service  
5 on the rail lines between New Orleans, Louisiana and Or-  
6 lando, Florida at the following intervals:

7 (1) Not less than 3 months following the com-  
8 mencement of Amtrak passenger service.

9 (2) Not less than 6 months following the com-  
10 mencement of Amtrak passenger service.

11 (c) REPORT.—If after conducting the consultations  
12 required by subsection (b)(2), the Commandant finds that  
13 permanent changes to drawbridge operations are nec-  
14 essary to mitigate delays in the movement of trains de-  
15 scribed in subsection (a) and that those changes do not  
16 unreasonably obstruct the navigability of the affected wa-  
17 terways, then the Commandant shall submit those find-  
18 ings to the Committee on Commerce, Science, and Trans-  
19 portation of the Senate and the Committee on Transpor-  
20 tation and Infrastructure of the House of Representatives.

