AMENDMENT TO RULES COMMITTEE PRINT 115–70

OFFERED BY MR. HUNTER OF CALIFORNIA

Add at the end the following:

DIVISION ___—COAST GUARD AUTHORIZATION ACT OF 2017

SEC. 1. SHORT TITLE.

This Act may be cited as the “Coast Guard Authorization Act of 2017”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this division is the following:

1. Short title.
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. 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. 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.

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

“TITLE 14—COAST GUARD

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

SEC. 102. SUBTITLE I.

Part I of title 14, United States Code, is amended by striking the part designation, the part heading, and the
table of chapters at the beginning and inserting the fol-
lowing:

“Subtitle I—Establishment, Powers, 
Duties, and Administration

`` Chap. 
``1. Establishment and Duties ........................................ 101
``3. Composition and Organization .................................. 301
``5. Functions and Powers ............................................. 501
``7. Cooperation .................................................................. 701
``9. Administration .......................................................... 901
``11. Acquisitions ............................................................ 1101".

SEC. 103. CHAPTER 1.

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

“CHAPTER 1—ESTABLISHMENT AND 
DUTIES

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

(b) REDESIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as de-
scribed in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 1 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

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

SEC. 104. CHAPTER 3.

(a) INITIAL MATTER.—Chapter 3 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 3—COMPOSITION AND ORGANIZATION"

‘‘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.’’.

(b) REDENIZATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 3 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

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<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>Grades and ratings</td>
<td>301</td>
</tr>
<tr>
<td>44</td>
<td>Commandant; appointment</td>
<td>302</td>
</tr>
<tr>
<td>46</td>
<td>Retirement of Commandant</td>
<td>303</td>
</tr>
<tr>
<td>47</td>
<td>Vice Commandant; appointment</td>
<td>304</td>
</tr>
<tr>
<td>50</td>
<td>Vice admirals</td>
<td>305</td>
</tr>
</tbody>
</table>
## Table of Changes

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

### (c) ADDITIONAL CHANGES.—

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

(A) by inserting after section 310 (as so redesignated and transferred under subsection (b)) the following:

> **§ 311. Captains of the port**

> "Any officer, including any petty officer, may be designated by the Commandant as captain of the port or ports or adjacent high seas or waters over which the United States has jurisdiction, as the Commandant deems
necessary to facilitate execution of Coast Guard duties.”;

and

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

“§ 318. Environmental Compliance and Restoration Program

“(a) DEFINITIONS.—For the purposes of this section—

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

“(2) ‘hazardous substance’ has the same meaning it has in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), except that it also includes the meaning given ‘oil’ in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

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

“(b) PROGRAM.—
“(1) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.

“(2) Program goals include:

“(A) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.

“(B) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.

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

“(D) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.

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

“(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;

“(ii) at each Coast Guard facility the United States owned, leased, or otherwise possessed when the actions leading to contamination—
tion from hazardous substances or pollutants occurred; and

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

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

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

“(4) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary’s responsibilities under this section. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary’s responsibilities under this section. Services that may be obtained under this paragraph in-
clude identifying, investigating, and cleaning up off-
site contamination that may have resulted from the
release of a hazardous substance or pollutant at a
Coast Guard facility.

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

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

“(1) There is established for the Coast Guard
an account known as the Coast Guard Environ-
mental Compliance and Restoration Account. All
sums appropriated to carry out the Coast Guard’s
environmental compliance and restoration functions
under this section or another law shall be credited
or transferred to the account and remain available
until expended.
“(2) Funds may be obligated or expended from the account to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law.

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

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

“(d) Annual List of Projects to Congress.—The Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President’s budget submission for that fiscal year.”.
(2) CONFORMING REPEALS.—Sections 634, 690, 691, 692, and 693 of title 14, United States Code, are repealed.

SEC. 105. CHAPTER 5.

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

“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.”.
(b) **REDESIGNATIONS AND TRANSFERS.**—

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

(A) by redesignating the sections as described in the table; and 

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 5 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

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<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>92</td>
<td>Secretary; general powers</td>
<td>501</td>
</tr>
<tr>
<td>631</td>
<td>Delegation of powers by the Secretary</td>
<td>502</td>
</tr>
<tr>
<td>633</td>
<td>Regulations</td>
<td>503</td>
</tr>
<tr>
<td>93</td>
<td>Commandant; general powers</td>
<td>504</td>
</tr>
<tr>
<td>632</td>
<td>Functions and powers vested in the Commandant</td>
<td>505</td>
</tr>
<tr>
<td>520</td>
<td>Prospective payment of funds necessary to provide medical care</td>
<td>506</td>
</tr>
<tr>
<td>153</td>
<td>Appointment of judges</td>
<td>507</td>
</tr>
<tr>
<td>88</td>
<td>Saving life and property</td>
<td>521</td>
</tr>
<tr>
<td>89</td>
<td>Law enforcement</td>
<td>522</td>
</tr>
<tr>
<td>99</td>
<td>Enforcement authority</td>
<td>523</td>
</tr>
</tbody>
</table>
(c) ADDITIONAL CHANGES.—Chapter 5 of title 14, United States Code, is further amended—

(1) by inserting before section 501 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL POWERS”;

(2) by inserting before section 521 (as so redesignated and transferred under subsection (b)) the following:
“SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES”;

(3) by inserting before section 541 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—AIDS TO NAVIGATION”;

and

(4) by inserting before section 561 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER IV—MISCELLANEOUS”.

SEC. 106. CHAPTER 7.

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

“CHAPTER 7—COOPERATION

1 See.
2 701. Cooperation with other agencies, States, territories, and political subdivisions.
3 702. State Department.
4 703. Treasury Department.
5 704. Department of the Army and Department of the Air Force.
6 705. Navy Department.
7 706. United States Postal Service.
8 707. Department of Commerce.
10 709. Maritime instruction.
11 710. Assistance to foreign governments and maritime authorities.
12 711. Coast Guard officers as attaches to missions.
13 712. Contracts with Government-owned establishments for work and material.
14 713. Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services.
15 714. Arctic maritime domain awareness.
16 715. Oceanographic research.
“716. Arctic maritime transportation.
“717. Agreements.”.

(b) REDESIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 7 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
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<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>141</td>
<td>Cooperation with other agencies, States, territories, and political subdivisions</td>
<td>701</td>
</tr>
<tr>
<td>142</td>
<td>State Department</td>
<td>702</td>
</tr>
<tr>
<td>143</td>
<td>Treasury Department</td>
<td>703</td>
</tr>
<tr>
<td>144</td>
<td>Department of the Army and Department of the Air Force</td>
<td>704</td>
</tr>
<tr>
<td>145</td>
<td>Navy Department</td>
<td>705</td>
</tr>
<tr>
<td>146</td>
<td>United States Postal Service</td>
<td>706</td>
</tr>
<tr>
<td>147</td>
<td>Department of Commerce</td>
<td>707</td>
</tr>
<tr>
<td>147a</td>
<td>Department of Health and Human Services</td>
<td>708</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
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<td>-------------------------------------------</td>
</tr>
<tr>
<td>148</td>
<td>Maritime instruction</td>
<td>709</td>
</tr>
<tr>
<td>149</td>
<td>Assistance to foreign governments and maritime authorities</td>
<td>710</td>
</tr>
<tr>
<td>150</td>
<td>Coast Guard officers as attachés to missions</td>
<td>711</td>
</tr>
<tr>
<td>151</td>
<td>Contracts with Government-owned establishments for work and material</td>
<td>712</td>
</tr>
<tr>
<td>152</td>
<td>Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services</td>
<td>713</td>
</tr>
<tr>
<td>154</td>
<td>Arctic maritime domain awareness</td>
<td>714</td>
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<tr>
<td>94</td>
<td>Oceanographic research</td>
<td>715</td>
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<td>90</td>
<td>Arctic maritime transportation</td>
<td>716</td>
</tr>
<tr>
<td>102</td>
<td>Agreements</td>
<td>717</td>
</tr>
</tbody>
</table>

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

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

3 **“CHAPTER 9—ADMINISTRATION**

4 **“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.
"949. Telephone installation and charges.
"950. Designation, powers, and accountability of deputy disbursing officials.
"951. Aircraft accident investigations.”.

(b) REDISEIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 9 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.
(2) **Table.**—The table referred to in paragraph 1 is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>641 Disposal of certain material</td>
<td>901</td>
</tr>
<tr>
<td>653 Employment of draftsmen and engineers</td>
<td>902</td>
</tr>
<tr>
<td>656 Use of certain appropriated funds</td>
<td>903</td>
</tr>
<tr>
<td>666 Local hire</td>
<td>904</td>
</tr>
<tr>
<td>670 Procurement authority for family housing</td>
<td>905</td>
</tr>
<tr>
<td>671 Air Station Cape Cod Improvements</td>
<td>906</td>
</tr>
<tr>
<td>672 Long-term lease of special purpose facilities</td>
<td>907</td>
</tr>
<tr>
<td>672a Long-term lease authority for lighthouse property</td>
<td>908</td>
</tr>
<tr>
<td>674 Small boat station rescue capability</td>
<td>909</td>
</tr>
<tr>
<td>675 Small boat station closures</td>
<td>910</td>
</tr>
<tr>
<td>676 Search and rescue center standards</td>
<td>911</td>
</tr>
<tr>
<td>676a Air facility closures</td>
<td>912</td>
</tr>
<tr>
<td>677 Turnkey selection procedures</td>
<td>913</td>
</tr>
<tr>
<td>681 Disposition of infrastructure related to E–LORAN</td>
<td>914</td>
</tr>
<tr>
<td>635 Oaths required for boards</td>
<td>931</td>
</tr>
<tr>
<td>636 Administration of oaths</td>
<td>932</td>
</tr>
<tr>
<td>638 Coast Guard ensigns and pennants</td>
<td>933</td>
</tr>
<tr>
<td>639 Penalty for unauthorized use of words “Coast Guard”</td>
<td>934</td>
</tr>
<tr>
<td>640 Coast Guard band recordings for commercial sale</td>
<td>935</td>
</tr>
<tr>
<td>645 Confidentiality of medical quality assurance records; qualified immunity for participants</td>
<td>936</td>
</tr>
<tr>
<td>646 Admiralty claims against the United States</td>
<td>937</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>647</td>
<td>Claims for damage to property of the United States</td>
</tr>
<tr>
<td>648</td>
<td>Accounting for industrial work</td>
</tr>
<tr>
<td>649</td>
<td>Supplies and equipment from stock</td>
</tr>
<tr>
<td>650</td>
<td>Coast Guard Supply Fund</td>
</tr>
<tr>
<td>654</td>
<td>Public and commercial vessels and other watercraft; sale of fuel, supplies, and services</td>
</tr>
<tr>
<td>655</td>
<td>Arms and ammunition; immunity from taxation</td>
</tr>
<tr>
<td>658</td>
<td>Confidential investigative expenses</td>
</tr>
<tr>
<td>659</td>
<td>Assistance to film producers</td>
</tr>
<tr>
<td>664</td>
<td>User fees</td>
</tr>
<tr>
<td>667</td>
<td>Vessel construction bonding requirements</td>
</tr>
<tr>
<td>668</td>
<td>Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care</td>
</tr>
<tr>
<td>669</td>
<td>Telephone installation and charges</td>
</tr>
<tr>
<td>673</td>
<td>Designation, powers, and accountability of deputy disbursing officials</td>
</tr>
<tr>
<td>678</td>
<td>Aircraft accident investigations</td>
</tr>
</tbody>
</table>

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

2. (1) by inserting before section 901 (as so redesignated and transferred under subsection (b)) the following:

3. "SUBCHAPTER I—REAL AND PERSONAL PROPERTY";

4. and
(2) by inserting before section 931 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER II—MISCELLANEOUS".

SEC. 108. CHAPTER 11.

(a) INITIAL MATTER.—Chapter 11 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"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. Undefinitized 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.".
(b) REDESIGNATIONS AND TRANSFERS.—

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

   (A) by redesignating the sections as described in the table; and

   (B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 11 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>561</td>
<td>Acquisition directorate</td>
<td>1101</td>
</tr>
<tr>
<td>562</td>
<td>Improvements in Coast Guard acquisition management</td>
<td>1102</td>
</tr>
<tr>
<td>578</td>
<td>Role of Vice Commandant in major acquisition programs</td>
<td>1103</td>
</tr>
<tr>
<td>563</td>
<td>Recognition of Coast Guard personnel for excellence in acquisition</td>
<td>1104</td>
</tr>
<tr>
<td>564</td>
<td>Prohibition on use of lead systems integrators</td>
<td>1105</td>
</tr>
<tr>
<td>565</td>
<td>Required contract terms</td>
<td>1106</td>
</tr>
<tr>
<td>579</td>
<td>Extension of major acquisition program contracts</td>
<td>1107</td>
</tr>
<tr>
<td>566</td>
<td>Department of Defense consultation</td>
<td>1108</td>
</tr>
<tr>
<td>567</td>
<td>Undefinitized contractual actions</td>
<td>1109</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>568</td>
<td>568 Guidance on excessive pass-through charges</td>
<td>1110</td>
</tr>
<tr>
<td>569</td>
<td>569 Mission need statement</td>
<td>1111</td>
</tr>
<tr>
<td>571</td>
<td>571 Identification of major system acquisitions</td>
<td>1131</td>
</tr>
<tr>
<td>572</td>
<td>572 Acquisition</td>
<td>1132</td>
</tr>
<tr>
<td>573</td>
<td>573 Preliminary development and demonstration</td>
<td>1133</td>
</tr>
<tr>
<td>574</td>
<td>574 Acquisition, production, deployment, and support</td>
<td>1134</td>
</tr>
<tr>
<td>575</td>
<td>575 Acquisition program baseline breach</td>
<td>1135</td>
</tr>
<tr>
<td>576</td>
<td>576 Acquisition approval authority</td>
<td>1136</td>
</tr>
<tr>
<td>665</td>
<td>665 Restriction on construction of vessels in foreign shipyards</td>
<td>1151</td>
</tr>
<tr>
<td>577</td>
<td>577 Advance procurement funding</td>
<td>1152</td>
</tr>
<tr>
<td>96</td>
<td>96 Prohibition on overhaul, repair, and maintenance of Coast Guard ves-</td>
<td>1153</td>
</tr>
<tr>
<td></td>
<td>sels in foreign shipyards</td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>97 Procurement of buoy chain</td>
<td>1154</td>
</tr>
<tr>
<td>581</td>
<td>581 Definitions</td>
<td>1171</td>
</tr>
</tbody>
</table>

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

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

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

(B) the subchapter designations and headings added by this subsection; and

(C) any designation or heading of a section or a subdivision of a section;
(2) by inserting before section 1101 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

(3) by inserting before section 1131 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—IMPROVED ACQUISITION PROCESS AND PROCEDURES”;  

(4) by inserting before section 1151 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—PROCUREMENT”;  

and

(5) by inserting before section 1171 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER IV—DEFINITIONS”.

SEC. 109. SUBTITLE II.

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

“Subtitle II—Personnel

<table>
<thead>
<tr>
<th>Chap.</th>
<th>Sec.</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.</td>
<td>1901</td>
</tr>
<tr>
<td>21.</td>
<td>2101</td>
</tr>
<tr>
<td>23.</td>
<td>2301</td>
</tr>
<tr>
<td>25.</td>
<td>2501</td>
</tr>
</tbody>
</table>
“27. Pay, Allowances, Awards, and Other Rights and Benefits .......................................................... 2701
“29. Coast Guard Family Support, Child Care, and Housing ............................................................... 2901”.

(b) RESERVED CHAPTER NUMBERS.—

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

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

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

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

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

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

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(4) CHAPTER 17.—Chapter 17 of title 14, United States Code, is amended by striking the
chapter designation, the chapter heading, and the
table of sections at the beginning.

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

**SEC. 110. CHAPTER 19.**

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

```
"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.
```
“1948. Marine safety curriculum.”.

(b) **REDESIGNATIONS AND TRANSFERS.**

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 19 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>181</td>
<td>Administration of Academy</td>
<td>1901</td>
</tr>
<tr>
<td>200</td>
<td>Policy on sexual harassment and sexual violence</td>
<td>1902</td>
</tr>
<tr>
<td>194</td>
<td>Annual Board of Visitors</td>
<td>1903</td>
</tr>
<tr>
<td>196</td>
<td>Participation in Federal, State, or other educational research grants</td>
<td>1904</td>
</tr>
<tr>
<td>195</td>
<td>Admission of foreign nationals for instruction; restrictions; conditions</td>
<td>1923</td>
</tr>
<tr>
<td>181a</td>
<td>Cadet applicants; preappointment travel to Academy</td>
<td>1926</td>
</tr>
<tr>
<td>183</td>
<td>Cadets; initial clothing allowance</td>
<td>1927</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>184</td>
<td>Cadets; degree of bachelor of science</td>
<td>1928</td>
</tr>
<tr>
<td>185</td>
<td>Cadets; appointment as ensign</td>
<td>1929</td>
</tr>
<tr>
<td>197</td>
<td>Cadets: charges and fees for attendance; limitation</td>
<td>1930</td>
</tr>
<tr>
<td>186</td>
<td>Civilian teaching staff</td>
<td>1941</td>
</tr>
<tr>
<td>187</td>
<td>Permanent commissioned teaching staff; composition</td>
<td>1942</td>
</tr>
<tr>
<td>188</td>
<td>Appointment of permanent commissioned teaching staff</td>
<td>1943</td>
</tr>
<tr>
<td>189</td>
<td>Grade of permanent commissioned teaching staff</td>
<td>1944</td>
</tr>
<tr>
<td>190</td>
<td>Retirement of permanent commissioned teaching staff</td>
<td>1945</td>
</tr>
<tr>
<td>191</td>
<td>Credit for service as member of civilian teaching staff</td>
<td>1946</td>
</tr>
<tr>
<td>192</td>
<td>Assignment of personnel as instructors</td>
<td>1947</td>
</tr>
<tr>
<td>199</td>
<td>Marine safety curriculum</td>
<td>1948</td>
</tr>
</tbody>
</table>

(e) ADDITIONAL CHANGES.—

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

   (A) by inserting before section 1901 (as so redesignated and transferred under subsection (b)) the following:

   “SUBCHAPTER I—ADMINISTRATION”;

   (B) by inserting before section 1923 (as so redesignated and transferred under subsection (b)) the following:
“SUBCHAPTER II—CADETS

§ 1921. Corps of Cadets authorized strength

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

§ 1922. Appointments

“Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments. In the administration of this section, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals.”;

(C) by inserting before section 1926 (as so redesignated and transferred under subsection (b)) the following:
§ 1924. Conduct

The Secretary may summarily dismiss from the Coast Guard any cadet who, during his cadetship, is found unsatisfactory in either studies or conduct, or may be deemed not adapted for a career in the Coast Guard. Cadets shall be subject to rules governing discipline prescribed by the Commandant.

§ 1925. Agreement

(a) Each cadet shall sign an agreement with respect to the cadet’s length of service in the Coast Guard. The agreement shall provide that the cadet agrees to the following:

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

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

(A) will accept an appointment, if tendered, as a commissioned officer of the Coast Guard; and

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

(3) That if an appointment described in paragraph (2) is not tendered or if the cadet is permitted to resign as a regular officer before the completion of the commissioned service obligation of the cadet, the cadet—
“(A) will accept an appointment as a commissioned officer in the Coast Guard Reserve; and

“(B) will remain in that reserve component until completion of the commissioned service obligation of the cadet.

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

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

“(3) For the purposes of paragraph (1), a cadet shall be considered to have breached an agreement under subsection (a) if the cadet is separated from the Coast Guard Academy under circumstances which the Secretary determines constitute a breach by the cadet of the cadet’s agreement to complete the course of instruction at the Coast Guard Academy and accept an appointment as a
commissioned officer upon graduation from the Coast Guard Academy.

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

“(1) standards for determining what constitutes, for the purpose of subsection (b), a breach of an agreement under subsection (a);

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

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

“(d) In this section, ‘commissioned service obligation’, with respect to an officer who is a graduate of the Academy, means the period beginning on the date of the officer’s appointment as a commissioned officer and ending on the sixth anniversary of such appointment or, at the discretion of the Secretary, any later date up to the eighth anniversary of such appointment.

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

“(2) In the case of a cadet who is a minor and who has parents or a guardian, the cadet may sign the agreement required by subsection (a) only with the consent of the parent or guardian.
“(f) A cadet or former cadet who does not fulfill the terms of the obligation to serve as specified under section (a), or the alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(c) of title 37.”; and

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

“SUBCHAPTER III—FACULTY”.

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

SEC. 111. PART II.

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

SEC. 112. CHAPTER 21.

(a) INITIAL MATTER.—Chapter 21 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“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 promotion 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.”.

(b) REDESIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 21 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>211</td>
<td>Original appointment of permanent commissioned officers</td>
<td>2101</td>
</tr>
<tr>
<td>41a</td>
<td>Active duty promotion list</td>
<td>2102</td>
</tr>
<tr>
<td>42</td>
<td>Number and distribution of commissioned officers on active duty promotion list</td>
<td>2103</td>
</tr>
<tr>
<td>214</td>
<td>Appointment of temporary officers</td>
<td>2104</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>215</td>
<td>Rank of warrant officers</td>
<td>2105</td>
</tr>
<tr>
<td>251</td>
<td>Selection boards; convening of boards</td>
<td>2106</td>
</tr>
<tr>
<td>252</td>
<td>Selection boards; composition of boards</td>
<td>2107</td>
</tr>
<tr>
<td>253</td>
<td>Selection boards; notice of convening; communication with board</td>
<td>2108</td>
</tr>
<tr>
<td>254</td>
<td>Selection boards; oath of members</td>
<td>2109</td>
</tr>
<tr>
<td>255</td>
<td>Number of officers to be selected for promotion</td>
<td>2110</td>
</tr>
<tr>
<td>256</td>
<td>Promotion zones</td>
<td>2111</td>
</tr>
<tr>
<td>256a</td>
<td>Promotion year; defined</td>
<td>2112</td>
</tr>
<tr>
<td>257</td>
<td>Eligibility of officers for consideration for promotion</td>
<td>2113</td>
</tr>
<tr>
<td>258</td>
<td>Selection boards; information to be furnished boards</td>
<td>2115</td>
</tr>
<tr>
<td>259</td>
<td>Officers to be recommended for promotion</td>
<td>2116</td>
</tr>
<tr>
<td>260</td>
<td>Selection boards; reports</td>
<td>2117</td>
</tr>
<tr>
<td>261</td>
<td>Selection boards; submission of reports</td>
<td>2118</td>
</tr>
<tr>
<td>262</td>
<td>Failure of selection for promotion</td>
<td>2119</td>
</tr>
<tr>
<td>263</td>
<td>Special selection boards; correction of errors</td>
<td>2120</td>
</tr>
<tr>
<td>271</td>
<td>Promotions; appointments</td>
<td>2121</td>
</tr>
<tr>
<td>272</td>
<td>Removal of officer from list of selectees for promotion</td>
<td>2122</td>
</tr>
<tr>
<td>273</td>
<td>Promotions; acceptance; oath of office</td>
<td>2123</td>
</tr>
<tr>
<td>274</td>
<td>Promotions; pay and allowances</td>
<td>2124</td>
</tr>
<tr>
<td>275</td>
<td>Wartime temporary service promotions</td>
<td>2125</td>
</tr>
<tr>
<td>276</td>
<td>Promotion of officers not included on active duty promotion list</td>
<td>2126</td>
</tr>
<tr>
<td>331</td>
<td>Recall to active duty during war or national emergency</td>
<td>2127</td>
</tr>
<tr>
<td>332</td>
<td>Recall to active duty with consent of officer</td>
<td>2128</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
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<tr>
<td>--------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>373</td>
<td>Aviation cadets; appointment as Reserve officers</td>
<td>2129</td>
</tr>
<tr>
<td>281</td>
<td>Revocation of commissions during first five years of commissioned service</td>
<td>2141</td>
</tr>
<tr>
<td>282</td>
<td>Regular lieutenants (junior grade); separation for failure of selection for promotion</td>
<td>2142</td>
</tr>
<tr>
<td>283</td>
<td>Regular lieutenants; separation for failure of selection for promotion; continuation</td>
<td>2143</td>
</tr>
<tr>
<td>284</td>
<td>Regular Coast Guard; officers serving under temporary appointments</td>
<td>2144</td>
</tr>
<tr>
<td>285</td>
<td>Regular lieutenant commanders and commanders; retirement for failure of selection for promotion</td>
<td>2145</td>
</tr>
<tr>
<td>286</td>
<td>Discharge in lieu of retirement; separation pay</td>
<td>2146</td>
</tr>
<tr>
<td>286a</td>
<td>Regular warrant officers; separation pay</td>
<td>2147</td>
</tr>
<tr>
<td>287</td>
<td>Separation for failure of selection for promotion or continuation; time of</td>
<td>2148</td>
</tr>
<tr>
<td>288</td>
<td>Regular captains; retirement</td>
<td>2149</td>
</tr>
<tr>
<td>289</td>
<td>Captains; continuation on active duty; involuntary retirement</td>
<td>2150</td>
</tr>
<tr>
<td>290</td>
<td>Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement</td>
<td>2151</td>
</tr>
<tr>
<td>291</td>
<td>Voluntary retirement after twenty years’ service</td>
<td>2152</td>
</tr>
<tr>
<td>292</td>
<td>Voluntary retirement after thirty years’ service</td>
<td>2153</td>
</tr>
<tr>
<td>293</td>
<td>Compulsory retirement</td>
<td>2154</td>
</tr>
<tr>
<td>294</td>
<td>Retirement for physical disability after selection for promotion; grade in which retired</td>
<td>2155</td>
</tr>
<tr>
<td>295</td>
<td>Deferment of retirement or separation for medical reasons</td>
<td>2156</td>
</tr>
<tr>
<td>296</td>
<td>Flag officers</td>
<td>2157</td>
</tr>
<tr>
<td>321</td>
<td>Review of records of officers</td>
<td>2158</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>322</td>
<td>Boards of inquiry</td>
<td>2159</td>
</tr>
<tr>
<td>323</td>
<td>Boards of review</td>
<td>2160</td>
</tr>
<tr>
<td>324</td>
<td>Composition of boards</td>
<td>2161</td>
</tr>
<tr>
<td>325</td>
<td>Rights and procedures</td>
<td>2162</td>
</tr>
<tr>
<td>326</td>
<td>Removal of officer from active duty; action by Secretary</td>
<td>2163</td>
</tr>
<tr>
<td>327</td>
<td>Officers considered for removal; retirement or discharge; separation benefits</td>
<td>2164</td>
</tr>
<tr>
<td>333</td>
<td>Relief of retired officer promoted while on active duty</td>
<td>2165</td>
</tr>
<tr>
<td>335</td>
<td>Physical fitness of officers</td>
<td>2181</td>
</tr>
<tr>
<td>429</td>
<td>Multirater assessment of certain personnel</td>
<td>2182</td>
</tr>
</tbody>
</table>

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

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

(2) by inserting before section 2101 (as so redesignated and transferred under subsection (b)) the following:

```
"SUBCHAPTER I—APPOINTMENT AND PROMOTION";
```

(3) by inserting before section 2115 (as so redesignated and transferred under subsection (b)) the following:
§ 2114. United States Deputy Marshals in Alaska

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

(4) by inserting before section 2141 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS; SEPARATION FOR CAUSE”;

and

(5) by inserting before section 2181 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—GENERAL PROVISIONS”.

SEC. 113. CHAPTER 23.

(a) INITIAL MATTER.—Chapter 23 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 23—PERSONNEL; ENLISTED
42

“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.”.

(b) **Redesignations and Transfers.**—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 23 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>350</td>
<td>Recruiting campaigns</td>
<td>2301</td>
</tr>
<tr>
<td>351</td>
<td>Enlistments; term, grade</td>
<td>2302</td>
</tr>
<tr>
<td>352</td>
<td>Promotion</td>
<td>2303</td>
</tr>
<tr>
<td>353</td>
<td>Compulsory retirement at age of sixty-two</td>
<td>2304</td>
</tr>
<tr>
<td>354</td>
<td>Voluntary retirement after thirty years’ service</td>
<td>2305</td>
</tr>
<tr>
<td>355</td>
<td>Voluntary retirement after twenty years’ service</td>
<td>2306</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>357</td>
<td>Retirement of enlisted members: increase in retired pay</td>
<td>2307</td>
</tr>
<tr>
<td>359</td>
<td>Recall to active duty during war or national emergency</td>
<td>2308</td>
</tr>
<tr>
<td>360</td>
<td>Recall to active duty with consent of member</td>
<td>2309</td>
</tr>
<tr>
<td>361</td>
<td>Relief of retired enlisted member promoted while on active duty</td>
<td>2310</td>
</tr>
<tr>
<td>362</td>
<td>Retirement in cases where higher grade or rating has been held</td>
<td>2311</td>
</tr>
<tr>
<td>365</td>
<td>Extension of enlistments</td>
<td>2312</td>
</tr>
<tr>
<td>366</td>
<td>Retention beyond term of enlistment in case of disability</td>
<td>2313</td>
</tr>
<tr>
<td>367</td>
<td>Detention beyond term of enlistment</td>
<td>2314</td>
</tr>
<tr>
<td>369</td>
<td>Inclusion of certain conditions in enlistment contract</td>
<td>2315</td>
</tr>
<tr>
<td>370</td>
<td>Discharge within three months before expiration of enlistment</td>
<td>2316</td>
</tr>
<tr>
<td>371</td>
<td>Aviation cadets; procurement; transfer</td>
<td>2317</td>
</tr>
<tr>
<td>372</td>
<td>Aviation cadets; benefits</td>
<td>2318</td>
</tr>
<tr>
<td>374</td>
<td>Critical skill training bonus</td>
<td>2319</td>
</tr>
</tbody>
</table>

1 SEC. 114. CHAPTER 25.

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

“CHAPTER 25—PERSONNEL; GENERAL 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.”.

(b) REDesignATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 25 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>334</td>
<td>Grade on retirement</td>
<td>2501</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only-not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------</td>
</tr>
<tr>
<td>421</td>
<td>Retirement</td>
<td>2502</td>
</tr>
<tr>
<td>422</td>
<td>Status of recalled personnel</td>
<td>2503</td>
</tr>
<tr>
<td>423</td>
<td>Computation of retired pay</td>
<td>2504</td>
</tr>
<tr>
<td>424</td>
<td>Limitations on retirement and retired pay</td>
<td>2505</td>
</tr>
<tr>
<td>424a</td>
<td>Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution</td>
<td>2506</td>
</tr>
<tr>
<td>425</td>
<td>Board for Correction of Military Records deadline</td>
<td>2507</td>
</tr>
<tr>
<td>426</td>
<td>Emergency leave retention authority</td>
<td>2508</td>
</tr>
<tr>
<td>427</td>
<td>Prohibition of certain involuntary administrative separations</td>
<td>2509</td>
</tr>
<tr>
<td>428</td>
<td>Sea service letters</td>
<td>2510</td>
</tr>
<tr>
<td>430</td>
<td>Investigations of flag officers and Senior Executive Service employees</td>
<td>2511</td>
</tr>
<tr>
<td>431</td>
<td>Leave policies for the Coast Guard</td>
<td>2512</td>
</tr>
<tr>
<td>467</td>
<td>Computation of length of service</td>
<td>2513</td>
</tr>
<tr>
<td>432</td>
<td>Personnel of former Lighthouse Service</td>
<td>2531</td>
</tr>
</tbody>
</table>

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

2  (1) by inserting before section 2501 (as so redesignated and transferred under subsection (b)) the following:

3  “SUBCHAPTER I—GENERAL PROVISIONS”; and
(2) by inserting before section 2531 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—LIGHTHOUSE SERVICE”.

SEC. 115. PART III.

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

SEC. 116. CHAPTER 27.

(a) INITIAL MATTER.—Chapter 27 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 27—PAY, ALLOWANCES, AWARDS, AND OTHER RIGHTS AND 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.
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."

(b) REDESIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and
(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 27 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
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<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
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</thead>
<tbody>
<tr>
<td>468</td>
<td>Procurement of personnel</td>
<td>2701</td>
</tr>
<tr>
<td>469</td>
<td>Training</td>
<td>2702</td>
</tr>
<tr>
<td>476</td>
<td>Contingent expenses</td>
<td>2703</td>
</tr>
<tr>
<td>477</td>
<td>Equipment to prevent accidents</td>
<td>2704</td>
</tr>
<tr>
<td>482</td>
<td>Clothing at time of discharge for good of service</td>
<td>2705</td>
</tr>
<tr>
<td>483</td>
<td>Right to wear uniform</td>
<td>2706</td>
</tr>
<tr>
<td>484</td>
<td>Protection of uniform</td>
<td>2707</td>
</tr>
<tr>
<td>485</td>
<td>Clothing for officers and enlisted personnel</td>
<td>2708</td>
</tr>
<tr>
<td>487</td>
<td>Procurement and sale of stores to members and civilian employees</td>
<td>2709</td>
</tr>
<tr>
<td>507</td>
<td>Disposition of effects of decedents</td>
<td>2710</td>
</tr>
<tr>
<td>508</td>
<td>Deserters; payment of expenses incident to apprehension and delivery; penalties</td>
<td>2711</td>
</tr>
<tr>
<td>644</td>
<td>Payment for the apprehension of stragglers</td>
<td>2712</td>
</tr>
<tr>
<td>499</td>
<td>Delegation of powers to make awards; rules and regulations</td>
<td>2731</td>
</tr>
<tr>
<td>491</td>
<td>Medal of honor</td>
<td>2732</td>
</tr>
<tr>
<td>504</td>
<td>Medal of honor; duplicate medal</td>
<td>2733</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>505</td>
<td>Medal of honor; presentation of Medal of Honor Flag</td>
<td>2734</td>
</tr>
<tr>
<td>491a</td>
<td>Coast Guard cross</td>
<td>2735</td>
</tr>
<tr>
<td>492</td>
<td>Distinguished service medal</td>
<td>2736</td>
</tr>
<tr>
<td>492a</td>
<td>Silver star medal</td>
<td>2737</td>
</tr>
<tr>
<td>492b</td>
<td>Distinguished flying cross</td>
<td>2738</td>
</tr>
<tr>
<td>493</td>
<td>Coast Guard medal</td>
<td>2739</td>
</tr>
<tr>
<td>494</td>
<td>Insignia for additional awards</td>
<td>2740</td>
</tr>
<tr>
<td>496</td>
<td>Time limit on award; report concerning deed</td>
<td>2741</td>
</tr>
<tr>
<td>497</td>
<td>Honorable subsequent service as condition to award</td>
<td>2742</td>
</tr>
<tr>
<td>498</td>
<td>Posthumous awards</td>
<td>2743</td>
</tr>
<tr>
<td>500</td>
<td>Life-saving medals</td>
<td>2744</td>
</tr>
<tr>
<td>501</td>
<td>Replacement of medals</td>
<td>2745</td>
</tr>
<tr>
<td>502</td>
<td>Award of other medals</td>
<td>2746</td>
</tr>
<tr>
<td>503</td>
<td>Awards and insignia for excellence in service or conduct</td>
<td>2747</td>
</tr>
<tr>
<td>516</td>
<td>Presentation of United States flag upon retirement</td>
<td>2748</td>
</tr>
<tr>
<td>509</td>
<td>Persons discharged as result of court-martial; allowances to</td>
<td>2761</td>
</tr>
<tr>
<td>510</td>
<td>Shore patrol duty; payment of expenses</td>
<td>2762</td>
</tr>
<tr>
<td>511</td>
<td>Compensatory absence from duty for military personnel at isolated duty stations</td>
<td>2763</td>
</tr>
<tr>
<td>512</td>
<td>Monetary allowance for transportation of household effects</td>
<td>2764</td>
</tr>
<tr>
<td>513</td>
<td>Retroactive payment of pay and allowances delayed by administrative error or oversight</td>
<td>2765</td>
</tr>
<tr>
<td>517</td>
<td>Travel card management</td>
<td>2766</td>
</tr>
</tbody>
</table>
1 (c) ADDITIONAL CHANGES.—Chapter 27 of title 14, United States Code, is further amended—
2 (1) by inserting before section 2701 (as so re-
3 designated and transferred under subsection (b)) the following:
“SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS”;

(2) by inserting before section 2731 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—AWARDS”; and

(3) by inserting before section 2761 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—PAYMENTS”.

SEC. 117. CHAPTER 29.

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

“CHAPTER 29—COAST GUARD FAMILY 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.
(b) **Redesignations and Transfers.**—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 29 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>531</td>
<td>Work-life policies and programs</td>
<td>2901</td>
</tr>
<tr>
<td>532</td>
<td>Surveys of Coast Guard families</td>
<td>2902</td>
</tr>
<tr>
<td>541</td>
<td>Reimbursement for adoption expenses</td>
<td>2903</td>
</tr>
<tr>
<td>542</td>
<td>Education and training opportunities for Coast Guard spouses</td>
<td>2904</td>
</tr>
</tbody>
</table>
(c) ADDITIONAL CHANGES.—Chapter 29 of title 14, United States Code, is further amended—

(1) by inserting before section 2901 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER I—COAST GUARD FAMILIES";

(2) by inserting before section 2921 (as so redesignated and transferred under subsection (b)) the following:
“Subchapter II—Coast Guard Child Care”;

and

(3) by inserting before section 2941 (as so redesignated and transferred under subsection (b)) the following:

“Subchapter III—Housing”.

SEC. 118. Subtitle III AND CHAPTER 37.

(a) Initial Matter.—Title 14, United States Code, is further amended by adding after chapter 29 (as amended by section 117 of this title) the following:

“Subtitle III—Coast Guard Reserve and Auxiliary

Chap.  Sec.
37. Coast Guard Reserve .................................................. 3701
39. Coast Guard Auxiliary .................................................. 3901
41. General Provisions for Coast Guard Reserve and Auxiliary ....................................... 4101

“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.”.

(b) REDESIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 37 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.
(2) **Table.**—The table referred to in paragraph (1) is the following:

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>701</td>
<td>Organization</td>
<td>3701</td>
</tr>
<tr>
<td>702</td>
<td>Authorized strength</td>
<td>3702</td>
</tr>
<tr>
<td>703</td>
<td>Coast Guard Reserve Boards</td>
<td>3703</td>
</tr>
<tr>
<td>704</td>
<td>Grades and ratings; military authority</td>
<td>3704</td>
</tr>
<tr>
<td>705</td>
<td>Benefits</td>
<td>3705</td>
</tr>
<tr>
<td>706</td>
<td>Temporary members of the Reserve; eligibility and compensation</td>
<td>3706</td>
</tr>
<tr>
<td>707</td>
<td>Temporary members of the Reserve; disability or death benefits</td>
<td>3707</td>
</tr>
<tr>
<td>708</td>
<td>Temporary members of the Reserve; certificate of honorable service</td>
<td>3708</td>
</tr>
<tr>
<td>709</td>
<td>Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade</td>
<td>3709</td>
</tr>
<tr>
<td>709a</td>
<td>Reserve student pre-commissioning assistance program</td>
<td>3710</td>
</tr>
<tr>
<td>710</td>
<td>Appointment or wartime promotion; retention of grade upon release from active duty</td>
<td>3711</td>
</tr>
<tr>
<td>711</td>
<td>Exclusiveness of service</td>
<td>3712</td>
</tr>
<tr>
<td>712</td>
<td>Active duty for emergency augmentation of regular forces</td>
<td>3713</td>
</tr>
<tr>
<td>713</td>
<td>Enlistment of members engaged in schooling</td>
<td>3714</td>
</tr>
<tr>
<td>720</td>
<td>Definitions</td>
<td>3731</td>
</tr>
<tr>
<td>721</td>
<td>Applicability of this subchapter</td>
<td>3732</td>
</tr>
<tr>
<td>722</td>
<td>Suspension of this subchapter in time of war or national emergency</td>
<td>3733</td>
</tr>
<tr>
<td>723</td>
<td>Effect of this subchapter on retirement and retired pay</td>
<td>3734</td>
</tr>
<tr>
<td>Title 14 section number before redesignation</td>
<td>Section heading (provided for identification purposes only—not amended)</td>
<td>Title 14 section number after redesignation</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>724</td>
<td>Authorized number of officers</td>
<td>3735</td>
</tr>
<tr>
<td>725</td>
<td>Precedence</td>
<td>3736</td>
</tr>
<tr>
<td>726</td>
<td>Running mates</td>
<td>3737</td>
</tr>
<tr>
<td>727</td>
<td>Constructive credit upon initial appointment</td>
<td>3738</td>
</tr>
<tr>
<td>728</td>
<td>Promotion of Reserve officers on active duty</td>
<td>3739</td>
</tr>
<tr>
<td>729</td>
<td>Promotion; recommendations of selection boards</td>
<td>3740</td>
</tr>
<tr>
<td>730</td>
<td>Selection boards; appointment</td>
<td>3741</td>
</tr>
<tr>
<td>731</td>
<td>Establishment of promotion zones under running mate system</td>
<td>3742</td>
</tr>
<tr>
<td>732</td>
<td>Eligibility for promotion</td>
<td>3743</td>
</tr>
<tr>
<td>733</td>
<td>Recommendation for promotion of an officer previously removed from an active status</td>
<td>3744</td>
</tr>
<tr>
<td>734</td>
<td>Qualifications for promotion</td>
<td>3745</td>
</tr>
<tr>
<td>735</td>
<td>Promotion; acceptance; oath of office</td>
<td>3746</td>
</tr>
<tr>
<td>736</td>
<td>Date of rank upon promotion; entitlement to pay</td>
<td>3747</td>
</tr>
<tr>
<td>737</td>
<td>Type of promotion; temporary</td>
<td>3748</td>
</tr>
<tr>
<td>738</td>
<td>Effect of removal by the President or failure of consent of the Senate</td>
<td>3749</td>
</tr>
<tr>
<td>739</td>
<td>Failure of selection for promotion</td>
<td>3750</td>
</tr>
<tr>
<td>740</td>
<td>Failure of selection and removal from an active status</td>
<td>3751</td>
</tr>
<tr>
<td>741</td>
<td>Retention boards; removal from an active status to provide a flow of promotion</td>
<td>3752</td>
</tr>
<tr>
<td>742</td>
<td>Maximum ages for retention in an active status</td>
<td>3753</td>
</tr>
<tr>
<td>743</td>
<td>Rear admiral and rear admiral (lower half); maximum service in grade</td>
<td>3754</td>
</tr>
<tr>
<td>744</td>
<td>Appointment of a former Navy or Coast Guard officer</td>
<td>3755</td>
</tr>
</tbody>
</table>
(c) ADDITIONAL CHANGES.—Chapter 37 of title 14, United States Code, is further amended—

(1) by inserting before section 3701 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—ADMINISTRATION”;

and

(2) by inserting before section 3731 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—PERSONNEL”.

SEC. 119. CHAPTER 39.

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

“CHAPTER 39—COAST GUARD AUXILIARY

Sec. 3901. Administration of the Coast Guard Auxiliary.
Sec. 3902. Purpose of the Coast Guard Auxiliary.
Sec. 3903. Eligibility; enrollments.
Sec. 3904. Members of the Auxiliary; status.
Sec. 3905. Disenrollment.
Sec. 3906. Membership in other organizations.
Sec. 3907. Use of member’s facilities.
Sec. 3908. Vessel deemed public vessel.
Sec. 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.”.

(b) REDesignATIONS And Transfers.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 39 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>821</td>
<td>Administration of the Coast Guard Auxiliary</td>
<td>3901</td>
</tr>
<tr>
<td>822</td>
<td>Purpose of the Coast Guard Auxiliary</td>
<td>3902</td>
</tr>
<tr>
<td>823</td>
<td>Eligibility; enrollments</td>
<td>3903</td>
</tr>
<tr>
<td>823a</td>
<td>Members of the Auxiliary; status</td>
<td>3904</td>
</tr>
<tr>
<td>824</td>
<td>Disenrollment</td>
<td>3905</td>
</tr>
<tr>
<td>825</td>
<td>Membership in other organizations</td>
<td>3906</td>
</tr>
<tr>
<td>826</td>
<td>Use of member’s facilities</td>
<td>3907</td>
</tr>
<tr>
<td>827</td>
<td>Vessel deemed public vessel</td>
<td>3908</td>
</tr>
</tbody>
</table>
SEC. 120. CHAPTER 41.

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

```
CHAPTER 41—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY
```

(b) REDESIGNATIONS AND TRANSFERS.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 41 of such title (as
added by subsection (a)), in the order in which
the sections are presented in the table.

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

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

SEC. 121. SUBTITLE IV AND CHAPTER 49.

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

“Subtitle IV—Coast Guard Authorizations and Reports to Congress

“CHAPTER 49—AUTHORIZATIONS

(b) REDESIGNATIONS AND TRANSFERS.—
(1) **Requirement.**—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 49 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2701</td>
<td>Requirement for prior authorization of appropriations</td>
<td>4901</td>
</tr>
<tr>
<td>2702</td>
<td>Authorization of appropriations</td>
<td>4902</td>
</tr>
<tr>
<td>2703</td>
<td>Authorization of personnel end strengths</td>
<td>4903</td>
</tr>
<tr>
<td>2704</td>
<td>Authorized levels of military strength and training</td>
<td>4904</td>
</tr>
</tbody>
</table>

**SEC. 122. CHAPTER 51.**

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

"**CHAPTER 51—REPORTS**

""Sec. 5101. Transmission of annual Coast Guard authorization request."
“(b) REDesignations and Transfers.—

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

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 51 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

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

<table>
<thead>
<tr>
<th>Title 14 section number before redesignation</th>
<th>Section heading (provided for identification purposes only—not amended)</th>
<th>Title 14 section number after redesignation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2901</td>
<td>Transmission of annual Coast Guard authorization request</td>
<td>5101</td>
</tr>
<tr>
<td>2902</td>
<td>Capital investment plan</td>
<td>5102</td>
</tr>
<tr>
<td>2903</td>
<td>Major acquisitions</td>
<td>5103</td>
</tr>
<tr>
<td>2904</td>
<td>Manpower requirements plan</td>
<td>5104</td>
</tr>
<tr>
<td>679</td>
<td>Inventory of real property</td>
<td>5105</td>
</tr>
</tbody>
</table>
SEC. 123. REFERENCES.

(a) Definitions.—In this section, the following definitions apply:

   (1) Redesignated Section.—The term “re-designated section” means a section of title 14, United States Code, that is redesignated by this title, as that section is so redesignated.

   (2) Source Section.—The term “source section” means a section of title 14, United States Code, that is redesignated by this title, as that section was in effect before the redesignation.

(b) Reference to Source Section.—

   (1) Treatment of Reference.—A reference to a source section, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding redesignated section.

   (2) Title 14.—In title 14, United States Code, each reference in the text of such title to a source section is amended by striking such reference and inserting a reference to the appropriate, as determined using the tables located in this title, redesignated section.

(c) Other Conforming Amendments.—

   (1) Reference to Section 182.—Section 1923(c) of title 14, United States Code, as so redesignated.
ignated by this title, is further amended by striking
“section 182” and inserting “section 1922”.

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

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

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

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

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

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

(A) in section 4901(4), as so redesignated
by this title, by striking “chapter 19” and in-
serting “section 318”; and
(B) in section 4902(4), as so redesignated by this title, by striking “chapter 19” and inserting “section 318”.

(6) Reference to chapter 23.—Section 701(a) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 23” and inserting “chapter 39”.

SEC. 124. RULE OF CONSTRUCTION.

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

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

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

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

TITLE II—AUTHORIZATIONS

SEC. 201. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS DIVISION.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other
provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this division.

SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.

(a) In General.—Section 4902 of title 14, United States Code, is amended to read as follows:

§ 4902. Authorizations of appropriations

“(a) Fiscal Year 2018.—Funds are authorized to be appropriated for fiscal year 2018 for necessary expenses of the Coast Guard as follows:

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

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $2,694,745,000 for fiscal year 2018.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services, $114,875,000 for fiscal year 2018.
“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 3 of this title, $13,397,000 for fiscal year 2018.

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

“(b) Fiscal Year 2019.—Funds are authorized to be appropriated for fiscal year 2019 for necessary expenses of the Coast Guard as follows:

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

“(B) Of the amount authorized under subparagraph (A)—

“(i) $16,701,000 shall be for environmental compliance and restoration; and
“(ii) $199,360,000 shall be for the Coast Guard’s Medicare-eligible retiree health care fund contribution to the Department of Defense.

“(2) For the procurement, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $2,694,745,000 for fiscal year 2019.

“(3) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, $29,141,000 for fiscal year 2019.”.

(b) REPEAL.—On October 1, 2018—

(1) section 4902(a) of title 14, United States Code, as amended by subsection (a), shall be repealed; and
SEC. 203. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

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

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

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

SEC. 204. AUTHORIZATION OF AMOUNTS FOR FAST RESPONSE CUTTERS.

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

(b) TREATMENT OF ACQUIRED CUTTERS.—Any cutters acquired pursuant to subsection (a) shall be in addition to the 58 cutters approved under the existing acquisition baseline.
SEC. 205. AUTHORIZATION OF AMOUNTS FOR SHORESIDE INFRASTRUCTURE.

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

SEC. 206. AUTHORIZATION OF AMOUNTS FOR AIRCRAFT IMPROVEMENTS.

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

TITLE III—COAST GUARD

SEC. 301. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS DIVISION.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other
provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this division.

SEC. 302. PRIMARY DUTIES.

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

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

SEC. 303. NATIONAL COAST GUARD MUSEUM.

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

“§ 316. National Coast Guard Museum

“(a) Establishment.—The Commandant may establish a National Coast Guard Museum, on lands which will be federally owned and administered by the Coast Guard, and are located in New London, Connecticut, at, or in close proximity to, the Coast Guard Academy.

“(b) Limitation on Expenditures.—

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

“(2) The Secretary shall fund the National Coast Guard Museum with nonappropriated and
non-Federal funds to the maximum extent practicable. The priority use of Federal funds should be to preserve and protect historic Coast Guard artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.

“(3) The Secretary may expend funds appropriated to the Coast Guard on the engineering and design of a National Coast Guard Museum.

“(c) FUNDING PLAN.—Before the date on which the Commandant establishes a National Coast Guard Museum under subsection (a), the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for constructing, operating, and maintaining such a museum, including—

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

“(2) the extent to which appropriated, non-appropriated, and non-Federal funds will be used for such purposes, including the extent to which there is any shortfall in funding for engineering, design, or construction; and
“(3) a certification by the Inspector General of
the department in which the Coast Guard is oper-
ating that the estimates provided pursuant to para-
graphs (1) and (2) are reasonable and realistic.
“(d) AUTHORITY.—The Commandant may not estab-
lish a national Coast Guard museum except as set forth
in this section.”.

SEC. 304. UNMANNED AIRCRAFT.

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

“§ 319. Land-based unmanned aircraft system pro-
gram
“(a) IN GENERAL.—Subject to the availability of ap-
propriations, the Secretary shall establish a land-based un-
manned aircraft system program under the control of the
Commandant.
“(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In
this section, the term ‘unmanned aircraft system’ has the
meaning given that term in section 331 of the FAA Mod-
ernization and Reform Act of 2012 (49 U.S.C. 40101
note).”.

(b) LIMITATION ON UNMANNED AIRCRAFT SYS-
TEMS.—Chapter 11 of title 14, United States Code, is
amended by inserting after section 1154 the following:
§ 1155. Limitation on unmanned aircraft systems

(a) In General.—During any fiscal year for which funds are appropriated for the design or construction of an Offshore Patrol Cutter, the Commandant—

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

(2) may lease, acquire, or acquire the services of an unmanned aircraft system only if such system—

(A) has been part of a program of record of, procured by, or used by a Federal entity (or funds for research, development, test, and evaluation have been received from a Federal entity with regard to such system) before the date on which the Commandant leases, acquires, or acquires the services of the system; and

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

(b) SMALL UNMANNED AIRCRAFT EXEMPTION.—Subsection (a)(2) does not apply to small unmanned aircraft.
“(c) DEFINITIONS.—In this section, the terms ‘small unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).”.

(e) CLERICAL AMENDMENTS.—

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

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

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

“1155. Limitation on unmanned aircraft systems.”.

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

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

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

“§ 508. Coast Guard health-care professionals; licensure portability

“(a) IN GENERAL.—Notwithstanding any other provision of law regarding the licensure of health-care pro-
viders, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, regardless of where such health-care professional or the patient is located, if the practice is within the scope of the authorized Federal duties of such health-care professional.

“(b) DESCRIBED INDIVIDUALS.—A health-care professional described in this subsection is an individual—

“(1) who is—

“(A) a member of the Coast Guard;

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

“(C) a member of the Public Health Service who is assigned to the Coast Guard; or

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

“(2) who—

“(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and
“(B) is performing authorized duties for
the Coast Guard.

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

(b) CLERICAL AMENDMENT.—The analysis for chap-
ter 5 of title 14, United States Code, is amended by insert-
ing after the item relating to section 507 the following:

“508. Coast Guard health-care professionals; licensure portability.”.

(e) ELECTRONIC HEALTH RECORDS.—

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

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

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

(2) SUPPORT SERVICES.—

(A) IN GENERAL.—The Commandant is
authorized to procure support services for the
electronic health record system procured under
paragraph (1) necessary to ensure full integra-
tion with the Department of Defense electronic
health record systems.
(B) SCOPE.—Support services procured pursuant to this paragraph may include services for the following:

(i) System integration support.

(ii) Hosting support.

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

(iv) Hardware support.

(v) Any other support the Commandant considers appropriate.

(3) AUTHORIZED PROCUREMENT ACTIONS.—The Commandant is authorized to procure an electronic health record system under this subsection through the following:

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

(B) A sole source contract award.

(C) An agreement made pursuant to sections 1535 and 1536 of title 31, United States Code.

(D) A contract or other procurement vehicle otherwise authorized.

(4) COMPETITION IN CONTRACTING; EXEMPTION.—Procurement of an electronic health record system and support services pursuant to this sub-
section shall be exempt from the competition re-
requirements of section 2304 of title 10, United States
Code.

SEC. 306. TRAINING; EMERGENCY RESPONSE PROVIDERS.

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

“§ 718. Training; emergency response providers

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

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

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

“(3) such training, if made available to such
emergency response providers, would further the
goal of interoperability among Federal agencies,
non-Federal governmental agencies, or both.
“(b) Emergency Response Providers Defined.—In this section, the term ‘emergency response providers’ has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

“(c) Treatment of Reimbursement.—Any reimbursements for a training that the Coast Guard receives under this section shall be credited to the appropriation used to pay the costs for such training.

“(d) Status; Limitation on Liability.—

“(1) Status.—Any individual to whom, as an emergency response provider, training is made available under this section, who is not otherwise a Federal employee, shall not, because of that training, be considered a Federal employee for any purpose (including the purposes of chapter 81 of title 5 (relating to compensation for injury) and sections 2671 through 2680 of title 28 (relating to tort claims)).

“(2) Limitation on Liability.—The United States shall not be liable for actions taken by an individual in the course of training made available under this section.”.

(b) Clerical Amendment.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“718. Training; emergency response providers.”.
SEC. 307. INCENTIVE CONTRACTS FOR COAST GUARD YARD AND INDUSTRIAL ESTABLISHMENTS.

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

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

(2) in subsection (a), as so designated by paragraph (1) of this section, by striking the period at the end of the last sentence and inserting “or in accordance with subsection (b).”; and

(3) by adding at the end the following:

“(b) INCENTIVE CONTRACTS.—

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

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

“(3) Before entering into such an order or cost-plus-incentive-fee order such parties must agree that the wage-grade employees of the Coast Guard Yard
or Coast Guard industrial establishment will take action to improve the delivery schedule or technical performance agreed to in the order for industrial work to which such parties initially agreed.

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

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

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

SEC. 308. CONFIDENTIAL INVESTIGATIVE EXPENSES.

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

SEC. 309. REGULAR CAPTAINS; RETIREMENT.

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

(1) by striking “zone is” and inserting “zone, or from being placed at the top of the list of select-
ees promulgated by the Secretary under section 2121(a) of this title, is”; and

(2) by striking the period at the end and inserting “or placed at the top of the list of selectees, as applicable.”.

SEC. 310. CONVERSION, ALTERATION, AND REPAIR PROJECTS.

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

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

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

(b) Clerical Amendment.—The analysis for chapter 9 of title 14, United States Code, is amended by inserting after the item relating to section 951 the following:

“952. Construction of Coast Guard vessels and assignment of vessel projects.”.
SEC. 311. CONTRACTING FOR MAJOR ACQUISITIONS PROGRAMS.

(a) General Acquisition Authority.—Section 501(d) of title 14, United States Code, is amended by inserting “aircraft, and systems,” after “vessels,”.

(b) Contracting Authority.—Chapter 11 of title 14, United States Code, as amended by this division, is further amended by inserting after section 1136 the following:

“§ 1137. Contracting for major acquisitions programs

“(a) In General.—In carrying out authorities provided to the Secretary to design, construct, accept, or otherwise acquire assets and systems under section 501(d), the Secretary, acting through the Commandant or the head of an integrated program office established for a major acquisition program, may enter into contracts for a major acquisition program.

“(b) Authorized Methods.—Contracts entered into under subsection (a)—

“(1) may be block buy contracts;

“(2) may be incrementally funded;

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

“(A) materials and components; and

“(B) long lead time materials; and
“(4) as provided in section 2306b of title 10,
may be multiyear contracts.

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

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

“1137. Contracting for major acquisitions programs.”.

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

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

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

(3) Section 207(a) of the Coast Guard Author-
(e) **Internal Regulations and Policy.**—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall establish the internal regulations and policies necessary to exercise the authorities provided under this section, including the amendments made in this section.

(f) **Multiyear Contracts.**—The Secretary of the department in which the Coast Guard is operating is authorized to enter into a multiyear contract for the procurement of a tenth, eleventh, and twelfth National Security Cutter and associated government-furnished equipment.

**SEC. 312. Officer Promotion Zones.**

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

**SEC. 313. Cross Reference.**

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

**SEC. 314. Commissioned Service Retirement.**

For Coast Guard officers who retire in fiscal year 2018 or 2019, the President may reduce the period of active commissioned service required under section 2152 of
title 14, United States Code, to a period of not less than 8 years.

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

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

(1) by striking “Not later than 1 year” and inserting the following:

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

(2) by adding at the end the following:

“(b) LEAVE ASSOCIATED WITH BIRTH OR ADOPTION OF CHILD.—Notwithstanding subsection (a), sections 701 and 704 of title 10, or any other provision of law, all officers and enlisted members of the Coast Guard shall be authorized leave associated with the birth or adoption of a child during the 1-year period immediately following such birth or adoption and, at the discretion of the Commanding Officer, such officer or enlisted member shall be permitted—

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

“(2) to use flexible work schedules (pursuant to a program established by the Secretary in accordance with chapter 61 of title 5).”.

(b) FLEXIBLE WORK SCHEDULES.—Not later than 180 days after the date of enactment of this Act, the Sec-
retary of the department in which the Coast Guard is oper-
erating shall ensure that a flexible work schedule program
under chapter 61 of title 5, United States Code, is in place
for officers and enlisted members of the Coast Guard.

SEC. 316. CLOTHING AT TIME OF DISCHARGE.

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

SEC. 317. UNFUNDED PRIORITIES LIST.

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

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

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

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

“(3) projected funding levels for each fiscal year for the next 5 fiscal years or until project completion, whichever is earlier;

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

“(5) an acquisition program baseline, as applicable.”; and

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

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

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

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

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

“§ 5106. Unfunded priorities list

“(a) IN GENERAL.—On the date on which the President submits to Congress a budget pursuant to section
1105 of title 31, the Commandant shall submit to the
Committee on Transportation and Infrastructure of the
House of Representatives and the Committee on Com-
merce, Science, and Transportation of the Senate a list
of each unfunded priority for the Coast Guard.

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

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

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

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

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

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

“5106. Unfunded priorities list.”.
SEC. 318. SAFETY OF VESSELS OF THE ARMED FORCES.

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

(1) in the heading, by striking “naval vessels” and inserting “vessels of the Armed Forces”;

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

(3) in subsection (b)—

(A) by striking “senior naval officer present in command” and inserting “senior officer present in command”; and

(B) by striking “United States naval vessel” and inserting “vessel of the Armed Forces”; and

(4) by adding at the end the following:

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

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

“(2) any vessel owned and operated by the Department of Transportation that is designated by the Secretary of the department in which the Coast
Guard is operating as a vessel equivalent to a vessel described in paragraph (1).”.

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

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

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

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

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

SEC. 319. PROTECTING AGAINST UNMANNED AIRCRAFT.

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

“§ 528. Protecting against unmanned aircraft

“(a) AUTHORITY.—Notwithstanding title 18 (including section 32, section 1030, sections 2510–2522, and sections 3121–3127), and section 46502 of title 49, the Secretary, or the Secretary’s designee, may take such actions described in subsection (c)(1) as are necessary to mitigate the threat, as defined by the Secretary in consultation with the Secretary of Transportation, that an unmanned air-
craft system or unmanned aircraft poses to the safety or
security of a covered vessel or aircraft.

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

"(c) ACTIONS DESCRIBED.—

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

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

“(B) Warn the operator of the unmanned
aircraft system or unmanned aircraft, including
by passive or active, and direct or indirect phys-
ical, electronic, radio, and electromagnetic means.

“(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

“(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

“(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

“(F) Use reasonable force to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

“(2) The Secretary shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation.

“(d) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft described in subsection (a) that is seized by the Secretary is subject to forfeiture to the United States.
“(e) REGULATIONS.—The Secretary and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary to carry out this section. The Secretary and the Secretary of Transportation shall coordinate in the development of such guidance.

“(f) DEFINITIONS.—In this section:

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

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

“(ii) is a vessel the Coast Guard is assisting or escorting;

“(B) is located in the United States (including the territories and possessions of the United States); and

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

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

“(ii) assisting or escorting a vessel of national security significance, a high interest vessel, a high capacity passenger vessel, or a high value unit, as those terms are defined by the Secretary;
“(iii) section 91(a) of this title;

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

“(v) protection of a National Special Security Event, as designated by the Secretary;

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

“(vii) a search and rescue operation.

“(2) The terms ‘electronic communication’, ‘intercept’, ‘oral communication’, and ‘wire communication’ have the meaning given those terms in section 2510 of title 18.


“(4) The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given
those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

“(g) PRESERVATION OF APPROPRIATE AUTHORITY.—

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

“(2) Nothing in this section may be construed to vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary under title 14.

“(h) PRIVACY PROTECTION.—Regulations or guidance issued under subsection (e) shall ensure that—

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

“(2) communications to or from an unmanned aircraft system are intercepted, acquired, or accessed only to the extent necessary to support a function of the Department;
“(3) records of such communications are not maintained for more than 180 days unless the Secretary determines that maintenance of such records—

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

“(B) is required for a longer period to support a civilian law enforcement agency or by any other applicable law or regulation; and

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

“(A) would fulfill a function of the Department;

“(B) would support a civilian law enforcement agency or enforcement activities of a regulatory agency in connection with a criminal or civil investigation of, or any regulatory action with regard to, any activity described under subsection (c); or

“(C) is otherwise required by law or regulation.

“(i) Semi-Annual Briefings Required.—

“(1) Not less than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2017, and every 6 months thereafter until the au-
authority terminates pursuit to subsection (j), the Secretary and the Secretary of Transportation shall jointly provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the activities carried out pursuant to this section. Such briefings shall include—

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

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

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

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

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

“(j) TERMINATION OF AUTHORITY.—The authority pursuant to this section shall expire on December 31,
2020, for Department missions unless the President of the United States certifies to Congress, not less than 45 days prior to the expiration date that retaining authority pursuant to this section is in the national security interests of the United States, thereby extending the authority for those mission areas an additional 180 days.”.

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

“528. Protecting against unmanned aircraft.”.

SEC. 320. AIR FACILITIES.

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

(1) by striking subsection (a);

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

(3) in subsection (a) as redesignated—

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

“(3) PUBLIC NOTICE AND COMMENT.—

“(A) IN GENERAL.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with respect to the plan for closing the air facility.”.
gard to the proposed closure or cessation of operations at the air facility.

“(B) PUBLIC MEETINGS.—Prior to convening a public meeting under subparagraph (A), the Secretary shall notify each congressional office representing any portion of the area of responsibility of the air station that is the subject to such public meeting of the schedule and location of such public meeting.”;

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A) by striking “2015” and inserting “2017”; and

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

“(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 that includes—

“(i) a discussion of the determination made by the Secretary pursuant to paragraph (2); and
“(ii) a report summarizing the public comments received by the Secretary under paragraph (3)”; and
(C) by adding at the end the following:
“(5) CONGRESSIONAL REVIEW.—The Secretary may not close, cease operations, or significantly reduce personnel and use of a Coast Guard air facility for which a written notice is provided under paragraph (4)(A) until a period of 18 months beginning on the date on which such notice is provided has elapsed.”.

TITLE IV—PORTS AND WATERWAYS SAFETY

SEC. 401. CODIFICATION OF PORTS AND WATERWAYS SAFETY ACT.

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

“CHAPTER 700—PORTS AND WATERWAYS 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


“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.

“SUBCHAPTER I—VESSEL OPERATIONS

“§ 70001. Vessel traffic services

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

“(1) in any port or place under the jurisdiction of the United States, in the navigable waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

“(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;
“(3)(A) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety.

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

“(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

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

“(B) establishing vessel traffic routing schemes;
“(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

“(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

“(5) may require the receipt of prearrival messages from any vessel, destined for a port or place subject to the jurisdiction of the United States, in sufficient time to permit advance vessel traffic planning before port entry, which shall include any information that is not already a matter of record and that the Secretary determines necessary for the control of the vessel and the safety of the port or the marine environment; and

“(6) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such authority shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and
used within the frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz.

“(b) COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into cooperative agreements with public or private agencies, authorities, associations, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)(1).

“(2) LIMITATION.—

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

“(B) As used in this paragraph, the term ‘inherently governmental function’ means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of judgment in making a decision for the Government.

“(c) LIMITATION OF LIABILITY FOR COAST GUARD VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.—
“(1) COAST GUARD VESSEL TRAFFIC SERVICE PILOTS.—Any pilot, acting in the course and scope of his or her duties while at a Coast Guard Vessel Traffic Service, who provides information, advice, or communication assistance while under the supervision of a Coast Guard officer, member, or employee shall not be liable for damages caused by or related to such assistance unless the acts or omissions of such pilot constitute gross negligence or willful misconduct.

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

“§ 70002. Special powers

“The Secretary may order any vessel, in a port or place subject to the jurisdiction of the United States or
in the navigable waters of the United States, to operate
or anchor in a manner the Secretary directs if—

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

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

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

§ 70003. Port access routes

“(a) Authority To Designate.—Except as pro-
vided in subsection (b) and subject to the requirements
of subsection (c), in order to provide safe access routes
for the movement of vessel traffic proceeding to or from
ports or places subject to the jurisdiction of the United
States, the Secretary shall designate necessary fairways
and traffic separation schemes for vessels operating in the
territorial sea of the United States and in high seas ap-
proaches, outside the territorial sea, to such ports or
places. Such a designation shall recognize, within the des-
ignated area, the paramount right of navigation over all
other uses.

“(b) LIMITATION.—

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

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

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

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

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

“(1) undertake a study of the potential traffic
density and the need for safe access routes for ves-
sels in any area for which fairways or traffic separa-
tion schemes are proposed or that may otherwise be considered and publish notice of such undertaking in the Federal Register;

“(2) in consultation with the Secretary of State, the Secretary of the Interior, the Secretary of Commerce, the Secretary of the Army, and the Governors of affected States, as their responsibilities may require, take into account all other uses of the area under consideration, including, as appropriate, the exploration for, or exploitation of, oil, gas, or other mineral resources, the construction or operation of deepwater ports or other structures on or above the seabed or subsoil of the submerged lands or the Outer Continental Shelf of the United States, the establishment or operation of marine or estuarine sanctuaries, and activities involving recreational or commercial fishing; and

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

“(d) STUDY.—In carrying out the Secretary’s responsibilities under subsection (c), the Secretary shall—

“(1) proceed expeditiously to complete any study undertaken; and
“(2) after completion of such a study, promptly—

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

“(B) publish in the Federal Register a notice that no designation is contemplated as a result of the study and the reason for such determination.

“(e) IMPLEMENTATION OF DESIGNATION.—In connection with a designation made under this section, the Secretary—

“(1) shall issue reasonable rules and regulations governing the use of such designated areas, including rules and regulations regarding the applicability of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to narrow channels and traffic separation schemes, respectively, in waters where such regulations apply;

“(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of the designation, make the use of designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States and for specific types and sizes of vessels of the
United States operating on the high seas beyond the territorial sea of the United States;

“(3) may, from time to time, as necessary, adjust the location or limits of designated fairways or traffic separation schemes in order to accommodate the needs of other uses that cannot be reasonably accommodated otherwise, except that such an adjustment may not, in the judgment of the Secretary, unacceptably adversely affect the purpose for which the existing designation was made and the need for which continues; and

“(4) shall, through appropriate channels—

“(A) notify cognizant international organizations of any designation, or adjustment thereof; and

“(B) take action to seek the cooperation of foreign States in making it mandatory for vessels under their control to use, to the same extent as required by the Secretary for vessels of the United States, any fairway or traffic separation scheme designated under this section in any area of the high seas.

§ 70004. Considerations by Secretary

“In carrying out the duties of the Secretary under sections 70001, 70002, and 70003, the Secretary shall—
“(1) take into account all relevant factors concerning navigation and vessel safety, protection of the marine environment, and the safety and security of United States ports and waterways, including—

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

“(B) vessel traffic characteristics and trends, including traffic volume, the sizes and types of vessels involved, potential interference with the flow of commercial traffic, the presence of any unusual cargoes, and other similar factors;

“(C) port and waterway configurations and variations in local conditions of geography, climate, and other similar factors;

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

“(E) the proximity of fishing grounds, oil and gas drilling and production operations, or any other potential or actual conflicting activity;

“(F) environmental factors;
“(G) economic impact and effects;

“(H) existing vessel traffic services; and

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

“(2) at the earliest possible time, consult with and receive and consider the views of representatives of the maritime community, ports and harbor authorities or associations, environmental groups, and other persons who may be affected by the proposed actions.

“§ 70005. International agreements

“(a) TRANSMITTAL OF REGULATIONS.—The Secretary shall transmit, via the Secretary of State, to appropriate international bodies or forums, any regulations issued under this subchapter, for consideration as international standards.

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

“(1) enter into negotiations and conclude and execute agreements with neighboring nations, to establish compatible vessel standards and vessel traffic services, and to establish, operate, and maintain international vessel traffic services, in areas and under circumstances of mutual concern; and
“(2) enter into negotiations, through appropriate international bodies, and conclude and execute agreements to establish vessel traffic services in appropriate areas of the high seas.

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

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

“(2) waive, by order or regulation, the application of any United States law or regulation concerning the design, construction, operation, equipment, personnel qualifications, and manning standards for vessels operating in waters over which the United States exercises jurisdiction if such vessel is not en route to or from a United States port or place, and if vessels en route to or from a United States port or place are accorded equivalent waivers of laws and regulations of the neighboring nation, when operating in waters over which that nation exercises jurisdiction.
“(d) SHIP REPORTING SYSTEMS.—The Secretary, in cooperation with the International Maritime Organization, may implement and enforce two mandatory ship reporting systems, consistent with international law, with respect to vessels subject to such reporting systems entering the following areas of the Atlantic Ocean:

“(1) Cape Cod Bay, Massachusetts Bay, and Great South Channel (in the area generally bounded by a line starting from a point on Cape Ann, Massachusetts at 42 deg. 39′ N., 70 deg. 37′ W; then northeast to 42 deg. 45′ N., 70 deg. 13′ W; then southeast to 42 deg. 10′ N., 68 deg. 31′ W, then south to 41 deg. 00′ N., 68 deg. 31′ W; then west to 41 deg. 00′ N., 69 deg. 17′ W; then northeast to 42 deg. 05′ N., 70 deg. 02′ W, then west to 42 deg. 04′ N., 70 deg. 10′ W; and then along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann at 42 deg. 39′ N., 70 deg. 37′ W).

“(2) In the coastal waters of the Southeastern United States within about 25 nm along a 90 nm stretch of the Atlantic seaboard (in an area generally extending from the shoreline east to longitude 80 deg. 51.6′ W with the southern and northern
boundary at latitudes 30 deg. 00′ N., 31 deg. 27′ N., respectively).

“SUBCHAPTER II—PORTS AND WATERWAYS SAFETY

“§ 70011. Waterfront safety

“(a) In General.—The Secretary may take such action as is necessary to—

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

“(2) protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss.

“(b) Actions Authorized.—Actions authorized by subsection (a) include—

“(1) establishing procedures, measures, and standards for the handling, loading, unloading, storage, stowage, and movement on a structure (including the emergency removal, control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in section 2101;
“(2) prescribing minimum safety equipment requirements for a structure to assure adequate protection from fire, explosion, natural disaster, and other serious accidents or casualties;

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

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

“(c) STATE LAW.—Nothing in this section, with respect to structures, prohibits a State or political subdivision thereof from prescribing higher safety equipment requirements or safety standards than those that may be prescribed by regulations under this section.

“§ 70012. Navigational hazards

“(a) REPORTING PROCEDURE.—The Secretary shall establish a program to encourage fishermen and other vessel operators to report potential or existing navigational hazards involving pipelines to the Secretary through Coast Guard field offices.

“(b) SECRETARY’S RESPONSE.—
“(1) Notification by the Operator of a Pipeline.—Upon notification by the operator of a pipeline of a hazard to navigation with respect to that pipeline, the Secretary shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, and vessel owners and operators in the pipeline’s vicinity.

“(2) Notification by Other Persons.— Upon notification by any other person of a hazard or potential hazard to navigation with respect to a pipeline, the Secretary shall promptly determine whether a hazard exists, and if so shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline’s vicinity, and the owner and operator of the pipeline.

“(c) Pipeline Defined.—For purposes of this section, the term ‘pipeline’ has the meaning given the term ‘pipeline facility’ in section 60101(a)(18) of title 49.
§ 70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States

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

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

§ 70021. Conditions for entry to ports in the United States

(a) IN GENERAL.—No vessel that is subject to chapter 37 shall operate in the navigable waters of the United States or transfer cargo or residue in any port or place under the jurisdiction of the United States, if such vessel—
“(1) has a history of accidents, pollution incidents, or serious repair problems that, as determined by the Secretary, creates reason to believe that such vessel may be unsafe or may create a threat to the marine environment;

“(2) fails to comply with any applicable regulation issued under section 70034, chapter 37, or any other applicable law or treaty;

“(3) discharges oil or hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with any treaty to which the United States is a party;

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

“(5) is manned by one or more officers who are licensed by a certificating State that the Secretary has determined, pursuant to section 9101 of title 46, does not have standards for licensing and certification of seafarers that are comparable to or more stringent than United States standards or international standards that are accepted by the United States;

“(6) is not manned in compliance with manning levels as determined by the Secretary to be necessary to insure the safe navigation of the vessel; or
“(7) while underway, does not have at least one licensed deck officer on the navigation bridge who is capable of clearly understanding English.

“(b) EXCEPTIONS.—

“(1) IN GENERAL.—The Secretary may allow provisional entry of a vessel that is not in compliance with subsection (a), if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is not unsafe or a threat to the marine environment, and if such entry is necessary for the safety of the vessel or persons aboard.

“(2) PROVISIONS NOT APPLICABLE.—Paragraphs (1), (2), (3), and (4) of subsection (a) of this section shall not apply to a vessel allowed provisional entry under paragraph (1) if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is no longer unsafe or a threat to the marine environment, and is no longer in violation of any applicable law, treaty, regulation, or condition, as appropriate.
“§ 70031. Definitions

“As used in subchapters A through C and this subchapter, unless the context otherwise requires:

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

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

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

“(C) the seabed and subsoil of the Outer Continental Shelf of the United States, the resources thereof, and the waters superjacent thereto; and

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

“(2) The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating, except that such term means the Secretary of Transportation with respect to the application of this chapter to the Saint Lawrence Seaway.
“(3) The term ‘navigable waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

§ 70032. Saint Lawrence Seaway

“The authority granted to the Secretary under sections 70001, 70002, 70003, 7004, and 70011 may not be delegated with respect to the Saint Lawrence Seaway to any agency other than the Saint Lawrence Seaway Development Corporation. Any other authority granted the Secretary under subchapters A through C and this subchapter shall be delegated by the Secretary to the Saint Lawrence Seaway Development Corporation to the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

§ 70033. Limitation on application to foreign vessels

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

“(1) innocent passage through the territorial sea of the United States; or
“(2) transit through the navigable waters of the United States that form a part of an international strait.

§ 70034. Regulations

“(a) In General.—In accordance with section 553 of title 5, the Secretary shall issue, and may from time to time amend or repeal, regulations necessary to implement subchapters A through C and this subchapter.

“(b) Consultation.—In the exercise of the regulatory authority under subchapters A through C and this subchapter, the Secretary shall consult with, and receive and consider the views of all interested persons, including—

“(1) interested Federal departments and agencies;

“(2) officials of State and local governments;

“(3) representatives of the maritime community;

“(4) representatives of port and harbor authorities or associations;

“(5) representatives of environmental groups;

“(6) any other interested persons who are knowledgeable or experienced in dealing with problems involving vessel safety, port and waterways
safety, and protection of the marine environment;
and
“(7) advisory committees consisting of all inter-
ested segments of the public when the establishment
of such committees is considered necessary because
the issues involved are highly complex or controver-
sial.

“§ 70035. Investigatory powers
“(a) SECRETARY.—The Secretary may investigate
any incident, accident, or act involving the loss or destruc-
tion of, or damage to, any structure subject to subchapters
A through C and this subchapter, or that affects or may
affect the safety or environmental quality of the ports,
harbors, or navigable waters of the United States.
“(b) POWERS.—In an investigation under this sec-
tion, the Secretary may issue subpoenas to require the at-
tendance of witnesses and the production of documents or
other evidence relating to such incident, accident, or act.
If any person refuses to obey a subpoena, the Secretary
may request the Attorney General to invoke the aid of the
appropriate district court of the United States to compel
compliance with the subpoena. Any district court of the
United States may, in the case of refusal to obey a sub-
poena, issue an order requiring compliance with the sub-
poena, and failure to obey the order may be punished by
the court as contempt. Witnesses may be paid fees for travel and attendance at rates not exceeding those allowed in a district court of the United States.

“§ 70036. Enforcement

“(a) Civil Penalty.—

“(1) In general.—Any person who is found by the Secretary, after notice and an opportunity for a hearing, to have violated subchapters A through C or this subchapter or a regulation issued under subchapters A through C or this subchapter shall be liable to the United States for a civil penalty, not to exceed $25,000 for each violation. Each day of a continuing violation shall constitute a separate violation. The amount of such civil penalty shall be assessed by the Secretary, or the Secretary’s designee, by written notice. In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

“(2) Compromise, modification, or remission.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty
that is subject to imposition or that has been im-
posed under this section.

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

“(b) Criminal penalty.—

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

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

“(c) In rem liability.—Any vessel that is used in
violation of subchapters A, B, or C or this subchapter,
or any regulations issued under such subchapter, shall be
liable in rem for any civil penalty assessed pursuant to
subsection (a) and may be proceeded against in the United
States district court for any district in which such vessel
may be found.

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

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

"(1) into the navigable waters of the United
States; or

"(2) to any port or place under the jurisdiction
of the United States.

"(f) WITHHOLDING OF CLEARANCE.—

"(1) IN GENERAL.—If any owner, operator, or
individual in charge of a vessel is liable for a penalty
or fine under this section, or if reasonable cause ex-
ists to believe that the owner, operator, or individual
in charge may be subject to a penalty or fine under
this section, the Secretary of the Treasury, upon the
request of the Secretary, shall with respect to such
vessel refuse or revoke any clearance required by
section 60105 of title 46.

“(2) Granting clearance refused or revoked.—Clearance refused or revoked under this
subsection may be granted upon filing of a bond or
other surety satisfactory to the Secretary.”.

(b) Clerical Amendment.—The analysis at the be-

ginning of such subtitle is amended by inserting before
the item relating to chapter 701 the following:

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

SEC. 402. CONFORMING AMENDMENTS.

(a) Electronic Charts.—

(1) Transfer of Provision.—Section 4A of
the Ports and Waterways Safety Act (33 U.S.C.
1223a)—

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

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

“(b) Limitation on Application.—Except pursu-
ant to an international treaty, convention, or agreement,
to which the United States is a party, this section shall
not apply to any foreign vessel that is not destined for,
or departing from, a port or place subject to the jurisdiction of the United States and that is in—

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

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

(2) C LERICAL AMENDMENT.—The analysis at the beginning of chapter 31 of such title is amended by adding at the end the following:

“3105. Electronic charts.”.

(b) P ORT, H ARBOR, AND C OASTAL F ACILITY S ECU RITY.—

(1) T RANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred so as to replace section 70116 of that title, as in effect before the enactment of this Act.

(2) D EFINITIONS, A DMINISTRATION, AND E NFORCEMENT.—Section 70116 of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:
“(c) **DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.**—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”.

(3) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 701 of such title is amended by striking the item relating to section 70116 and inserting the following:

“70116. Port, harbor, and coastal facility security.”.

(e) **Nondisclosure of Port Security Plans.**—

Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

(d) **Repeal.**—Section 2307 of title 46, United States Code, and the item relating to that section in the analysis at the beginning of chapter 23 of that title, are repealed.

(e) **Repeal.**—The Ports and Waterways Safety Act (33 U.S.C. 1221–1231, 1232–1232b), as amended by this division, is repealed.
SEC. 403. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) Definitions.—In this section:

(1) Source provision.—The term “source provision” means a provision of law that is replaced by a title 46 provision under this title.

(2) Title 46 provision.—The term “title 46 provision” means a provision of title 46, United States Code, that is enacted by section 402 of this title.

(b) Cutoff Date.—The title 46 provisions replace certain provisions of law enacted before the date of the enactment of this Act. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 46 provision. If a law enacted after that date is otherwise inconsistent with a title 46 provision or a provision of this title, that law supersedes the title 46 provision or provision of this title to the extent of the inconsistency.

(c) Original Date of Enactment Unchanged.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, a title 46 provision is deemed to have been enacted on the date of enactment of the source provision that the title 46 provision replaces.

(d) References to Title 46 Provisions.—A reference to a title 46 provision, including a reference in a
regulation, order, or other law, is deemed to refer to the corresponding source provision.

(e) **REFERENCES TO SOURCE PROVISIONS.**—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(f) **REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.**—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

(g) **ACTIONS TAKEN AND OFFENSES COMMITTED.**—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.

**SEC. 404. RULE OF CONSTRUCTION.**

This title, including the amendments made by this title, is intended only to transfer provisions of the Ports and Waterways Safety Act to title 46, United States Code, and may not be construed to alter—

(1) the effect of a provision of the Ports and Waterways Safety Act, including any authority or requirement therein;

(2) a department or agency interpretation with respect to the Ports and Waterways Safety Act; or
(3) a judicial interpretation with respect to the Ports and Waterways Safety Act.

SEC. 405. ADVISORY COMMITTEE: REPEAL.


SEC. 406. REGATTAS AND MARINE PARADES.

(a) In general.—Chapter 700 of title 46, United States Code, as established by section 401 of this title, is amended by adding at the end the following:

“SUBCHAPTER V—REGATTAS AND MARINE PARADES

§ 70041. Regattas and marine parades

“(a) In general.—The Commandant of the Coast Guard may issue regulations to promote the safety of life on navigable waters during regattas or marine parades.

“(b) Detail and use of vessels.—To enforce regulations issued under this section—

“(1) the Commandant may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for that purpose; and

“(2) upon the request of the Commandant, the head of any other Federal department or agency may enforce the regulations by means of any public
vessel of such department and any private vessel
tendered gratuitously for that purpose.

“(c) TRANSFER OF AUTHORITY.—The authority of
the Commandant under this section may be transferred
by the President for any special occasion to the head of
another Federal department or agency whenever in the
President’s judgment such transfer is desirable.

“(d) PENALTIES.—

“(1) IN GENERAL.—For any violation of regula-
tions issued pursuant to this section the following
penalties shall be incurred:

“(A) A licensed officer shall be liable to
suspension or revocation of license in the man-
ner prescribed by law for incompetency or mis-
conduct.

“(B) Any person in charge of the naviga-
tion of a vessel other than a licensed officer
shall be liable to a penalty of $5,000.

“(C) The owner of a vessel (including any
corporate officer of a corporation owning the
vessel) actually on board shall be liable to a
penalty of $5,000, unless the violation of regu-
lations occurred without the owner’s knowledge.

“(D) Any other person shall be liable to a
penalty of $2,500.
“(2) MITIGATION OR REMISSION.—The Commandant may mitigate or remit any penalty provided for in this subsection in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this title, is amended by adding at the end the following:

“SUBCHAPTER E—REGATTAS AND MARINE PARADES

“70041. Regattas and marine parades.”.

(c) REPEAL.—The Act of April 28, 1908 (35 Stat. 69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

SEC. 407. REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES.

(a) ESTABLISHMENT OF SUBCHAPTER F.—Chapter 700 of title 46, United States Code, as established by section 401 of this title, is amended by adding at the end the following:

“SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

§ 70054. Definitions

“In this subchapter:

“(1) UNITED STATES.—The term ‘United States’ includes all territory and waters, continental
or insular, subject to the jurisdiction of the United States.

“(2) Territorial waters.—The term ‘territorial waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.”.

(b) Regulation of Anchorage and Movement of Vessels During National Emergency.—Section 1 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 191), is amended—

(1) by striking the section designation and all that follows before “by proclamation” and inserting the following:

“§ 70051. Regulation of anchorage and movement of vessels during national emergency

“Whenever the President”;

(2) by striking “of the Treasury”;

(3) by striking “of the department in which the Coast Guard is operating”;

(4) by striking “this title” and inserting “this subchapter”; and

(5) by transferring the section so that the section appears before section 70054 of title 46, United
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States Code (as added by subsection (a) of this sec-

tion).

(c) Seizure and Forfeiture of Vessel; Fine

and Imprisonment.—Section 2 of title II of the Act of

is amended—

(1) by striking the section designation and all

that follows before “agent,” and inserting the fol-

lowing:

“§ 70052. Seizure and forfeiture of vessel; fine and im-

prisonment

“(a) In General.—If any owner,”;

(2) by striking “this title” each place it appears

and inserting “this subchapter”; and

(3) by transferring the section so that the sec-

tion appears after section 70051 of title 46, United

States Code (as transferred by subsection (b) of this

section).

(d) Enforcement Provisions.—Section 4 of title

II of the Act of June 15, 1917 (40 Stat. 220, chapter

30; 50 U.S.C. 194), is amended—

(1) by striking all before “may employ” and in-

serting the following:

“§ 70053. Enforcement provisions

“The President”;
(2) by striking “the purpose of this title” and inserting “this subchapter”; and

(3) by transferring the section so that the section appears after section 70052 of title 46, United States Code (as transferred by subsection (c) of this section).

(e) CLERICAL AMENDMENT.—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this title, is amended by adding at the end the following:

“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“70051. Regulation of anchorage and movement of vessels during national emergency.

“70052. Seizure and forfeiture of vessel; fine and imprisonment.

“70053. Enforcement provisions.

“70054. Definitions.”.

SEC. 408. PORT, HARBOR, AND COASTAL FACILITY SECURITY.

(a) TRANSFER OF PROVISIONS.—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70102a of title 46, United States Code, and transferred so as to appear after section 70102 of that title.

(b) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—Section 70102a of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:
“(c) DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”.

(c) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 701 of such title is amended by inserting after the item relating to section 70102 the following:

“70102a. Port, harbor, and coastal facility security.”.

(d) NONDISCLOSURE OF PORT SECURITY PLANS.—

Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

TITLE V—MARITIME TRANSPORTATION SAFETY

SEC. 501. CONSISTENCY IN MARINE INSPECTIONS.

(a) IN GENERAL.—Section 3305 of title 46, United States Code, is amended by adding at the end the following:

“(d)(1) The Commandant of the Coast Guard shall ensure that Officers in Charge, Marine Inspections con-
sistently interpret regulations and standards under this subtitle and chapter 700 to avoid disruption and undue expense to industry.

“(2)(A) Subject to subparagraph (B), in the event of a disagreement regarding the condition of a vessel or the interpretation of a regulation or standard referred to in subsection (a) between a local Officer in Charge, Marine Inspection conducting an inspection of the vessel and the Officer in Charge, Marine Inspection that issued the most recent certificate of inspection for the vessel, such Officers shall seek to resolve such disagreement.

“(B) If a disagreement described in subparagraph (A) involves vessel design or plan review, the Coast Guard marine safety center shall be included in all efforts to resolve such disagreement.

“(C) If a disagreement described in subparagraph (A) or (B) cannot be resolved, the local Officer in Charge, Marine Inspection shall submit to the Commandant of the Coast Guard, through the cognizant Coast Guard district commander, a request for a final agency determination of the matter in disagreement.

“(3) The Commandant of the Coast Guard shall—

“(A) provide to each person affected by a decision or action by an Officer in Charge, Marine Inspection or by the Coast Guard marine safety center
all information necessary for such person to exercise 
any right to appeal such decision or action; and 

“(B) if such an appeal is filed, process such ap-
peal under parts 1 through 4 of title 46, Code of 
Federal Regulations, as in effect on the date of en-
actment of the Coast Guard Authorization Act of 
2017.

“(4) In this section, the term ‘Officer in Charge, Ma-
rine Inspection’ means any person from the civilian or 
military branch of the Coast Guard who—

“(A) is designated as such by the Commandant; 
and

“(B) under the superintendence and direction 
of the cognizant Coast Guard district commander, is 
in charge of an inspection zone for the performance 
of duties with respect to the inspections under, and 
enforcement and administration of, subtitle II, chap-
ter 700, and regulations under such laws.”.

(b) REPORT ON MARINE INSPECTOR TRAINING.—
Not later than 1 year after the date of the enactment of 
this Act, the Commandant of the Coast Guard shall sub-
mit to the Committee on Commerce, Science, and Trans-
portation of the Senate and the Committee on Transpor-
tation and Infrastructure of the House of Representatives 
a report on the training, experience, and qualifications re-
quired for assignment as a marine inspector under section 312 of title 14, United States Code, including—

(1) a description of any continuing education requirement, including a specific list of the required courses;

(2) a description of the training, including a specific list of the included courses, offered to a journeyman or an advanced journeyman marine inspector to advance inspection expertise;

(3) a description of any training that was offered in the 15-year period before the date of the enactment of this Act, but is no longer required or offered, including a specific list of the included courses, including the senior marine inspector course and any plan review courses;

(4) a justification for why a course described in paragraph (3) is no longer required or offered; and

(5) a list of the course content the Commandant considers necessary to promote consistency among marine inspectors in an environment of increasingly complex vessels and vessel systems.

SEC. 502. UNINSPECTED PASSENGER VESSELS IN ST. LOUIS COUNTY, MINNESOTA.

Section 4105 of title 46, United States Code, amended—
(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute ‘12 passengers’ for ‘6 passengers’ each place it appears in section 2101(42).”

SEC. 503. ENGINE CUT-OFF SWITCH REQUIREMENTS.

(a) In general.—Chapter 43 of title 46, United States Code, is amended by adding at the end the following:

“§ 4312. Engine cut-off switches

“(a) INSTALLATION REQUIREMENT.—A manufacturer, distributor, or dealer that installs propulsion machinery and associated starting controls on a covered recreational vessel shall equip such vessel with an engine cut-off switch and engine cut-off switch link that meet American Boat and Yacht Council Standard A-33, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2017.

“(b) EDUCATION ON CUT-OFF SWITCHES.—The Commandant of the Coast Guard, through the National
Boating Safety Advisory Committee established under section 15105, may initiate a boating safety program on the use and benefits of cut-off switches for recreational vessels.

“(c) Availability of Standard for Inspection.—

“(1) In general.—Not later than 90 days after the date of the enactment of this section, the Commandant shall transmit American Boat and Yacht Council Standard A–33, as in effect on the date of enactment of the Coast Guard Authorization Act of 2017, to—

“(A) the Committee on Transportation and Infrastructure of the House of Representatives;

“(B) the Committee on Commerce, Science, and Transportation of the Senate; and

“(C) the Coast Guard Office of Design and Engineering Standards; and

“(D) the National Archives and Records Administration.

“(2) Availability.—The standard submitted under paragraph (1) shall be kept on file and available for public inspection at such Coast Guard office and the National Archives and Records Administration.
“(d) DEFINITIONS.—In this section:

“(1) COVERED RECREATIONAL VESSEL.—The term ‘covered recreational vessel’ means a recreational vessel that is—

“(A) less than 26 feet overall in length;

and

“(B) capable of developing 115 pounds or more of static thrust.

“(2) DEALER.—The term ‘dealer’ means any person who is engaged in the sale and distribution of recreational vessels or associated equipment to purchasers whom the seller in good faith believes to be purchasing any such vessel or associated equipment for purposes other than resale.

“(3) DISTRIBUTOR.—The term ‘distributor’ means any person engaged in the sale and distribution of recreational vessels and associated equipment for the purposes of resale.

“(4) MANUFACTURER.—The term ‘equipment manufacturer’ means any person engaged in the manufacture, construction, or assembly of recreational vessels or associated equipment, or the importation of recreational vessels into the United States for subsequent sale.
“(5) PROPULSION MACHINERY.—The term ‘propulsion machinery’ means a self-contained propulsion system, and includes, but is not limited to, inboard engines, outboard motors, and sterndrive engines.

“(6) STATIC THRUST.—The term ‘static thrust’ means the forward or backwards thrust developed by propulsion machinery while stationary.”.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended by adding at the end the following:

“4312. Engine cut-off switches.”.

(c) EFFECTIVE DATE.—Section 4312 of title 46, United States Code, as amended by this section, shall take effect one year after the date of the enactment of this Act.

SEC. 504. EXCEPTION FROM SURVIVAL CRAFT REQUIREMENTS.

Section 4502(b) of title 46, United States Code, is amended—

(1) in paragraph (2)(B), by striking “a survival craft” and inserting “subject to paragraph (3), a survival craft”;

(2) by adding at the end the following:

“(3) Except for a nonapplicable vessel, an auxiliary craft shall satisfy the equipment requirement under paragraph (2)(B) if such craft is—
“(A) necessary for normal fishing operations;

“(B) readily accessible during an emergency; and

“(C) capable, in accordance with the Coast Guard capacity rating, when applicable, of safely holding all individuals on board the vessel to which the craft functions as an auxiliary.”; and

(3) by adding at the end the following:

“(k) For the purposes of this section, the term ‘auxiliary craft’ means a vessel that is carried onboard a fishing vessel and is normally used to support fishing operations.”.

SEC. 505. SAFETY STANDARDS.

Section 4502(f) of title 46, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) shall examine at dockside a vessel described in subsection (b) at least once every 5 years, but may require an exam at dockside every 2 years for certain vessels described in subsection (b) if requested by the owner or operator; and

“(3) shall issue a certificate of compliance to a vessel meeting the requirements of this chapter and satisfying the requirements in paragraph (2).”.
SEC. 506. FISHING SAFETY GRANTS.

Section 4502 of title 46, United States Code, is amended—

(1) in subsections (i) and (j), by striking “Secretary” each place it appears and inserting “Secretary of Health and Human Services”;

(2) in subsection (i)(2), as amended by paragraph (1), by inserting “, in consultation with and based on criteria established by the Commandant of the Coast Guard” after “Health and Human Services”;

(3) in subsection (i)(3), by striking “75” and inserting “50”;

(4) in subsection (i)(4), by striking “$3,000,000 for each of fiscal years 2015 through 2017” and inserting “$3,000,000 for each of fiscal years 2018 through 2019”;

(5) in subsection (j)(2), as amended by paragraph (1), by inserting “, in consultation with and based on criteria established by the Commandant of the Coast Guard,” after “Health and Human Services”;

(6) in subsection (j)(3), by striking “75” and inserting “50”; and

(7) in subsection (j)(4), by striking “$3,000,000 for each fiscal years 2015 through
2017” and inserting “$3,000,000 for each of fiscal
years 2018 through 2019”.

SEC. 507. FISHING, FISH TENDER, AND FISH PROCESSING
VEssel CERTIFICATION.

Section 4503(f) of title 46, United States Code, as
redesignated by section 508 of this title, is further amend-
ed to read as follows:

“(f)(1) For purposes of this section and section
4503a, the term ‘built’ means, with respect to a vessel,
that the vessel’s construction has reached any of the fol-
lowing stages:

“(A) The vessel’s keel is laid.

“(B) Construction identifiable with the vessel
has begun and assembly of that vessel has com-
menced comprising of at least 50 metric tons or one
percent of the estimated mass of all structural mate-
rial, whichever is less.

“(2) In the case of a vessel greater than 79 feet over-
all in length, for purposes of paragraph (1)(A) a keel is
deemed to be laid when a marine surveyor affirms that
a structure adequate for serving as a keel for such vessel
is in place and identified for use in the construction of
such vessel.”.
SEC. 508. DEADLINE FOR COMPLIANCE WITH ALTERNATE
SAFETY COMPLIANCE PROGRAM.

(a) In General.—Section 4503(d) of title 46, United States Code, is redesignated as section 4503a and transferred to appear after section 4503 of such title.

(b) Fishing, Fish Tender, and Fish Processing Vessel Certification.—Section 4503 of title 46, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively;

(2) in subsection (b), by striking “subsection (d)” and inserting “section 4503a”;

(3) in subsection (c)(2)(B)(ii)(I), by striking “subsection (e)” and inserting “subsection (d)”;

(4) in subsection (c)(2)(B)(ii)(II), by striking “subsection (f)” and inserting “subsection (e)”;

(5) in subsection (e)(1), as amended by paragraph (1) of this subsection, by striking “subsection (e)” each place it appears and inserting “subsection (d)”;

(6) in subsection (e)(2), as amended by paragraph (1) of this subsection, by striking “subsection (e)” each place it appears and inserting “subsection (d)”;

(c) Alternate Safety Compliance Program.—Section 4503a of title 46, United States Code, as redesig-
nated and transferred by subsection (a) of this section,
is amended—

(1) by redesignating paragraphs (1), (2), (3),
(4), and (5) as subsections (a), (b), (c), (d), and (e),
respectively;

(2) by inserting before subsection (a), as so re-
designated, the following:

“§ 4503a. Alternate safety compliance program”;

(3) in subsection (a), as redesignated by para-
graph (1) of this subsection, by striking “After Jan-
uary 1, 2020,” and all that follows through “the
Secretary, if” and inserting “Subject to subsection
c, beginning on the date that is 3 years after the
date that the Secretary prescribes an alternate safe-
ty compliance program, a fishing vessel, fish proc-
cessing vessel, or fish tender vessel to which section
4502(b) of this title applies shall comply with such
an alternate safety compliance program, if”;

(4) in subsection (a), as so redesignated, by re-
designating subparagraphs (A), (B), and (C) as
paragraphs (1), (2), and (3), respectively;

(5) in subsection (b), as so redesignated, by
striking “establishes standards for an alternate safe-
ty compliance program, shall comply with such an
alternative safety compliance program that is devel-
oped in cooperation with the commercial fishing indus-
try and prescribed by the Secretary” and insert-
ing “prescribes an alternate safety compliance pro-
gram under subsection (a), shall comply with such
an alternate safety compliance program”;

(6) by amending subsection (c), as so redesign-
ned, to read as follows:

“(c) For purposes of subsection (a), a separate alter-
nate safety compliance program may be developed for a
specific region or specific fishery.”;

(7) in subsection (d), as so redesignated—

(A) by striking “paragraph (1)” and in-
serting “subsection (a)”;

(B) by striking “that paragraph” each
place it appears and inserting “that sub-
section”;

(8) in subsection (e), as so redesignated, by—

(A) inserting “is not eligible to participate
in an alternative safety compliance program
prescribed under subsection (a) and” after
“July 1, 2012”; and

(B) redesignating subparagraphs (A) and
(B) as paragraphs (1) and (2), respectively;

(9) by adding at the end the following:
“(f) For the purposes of this section, the term ‘built’ has the meaning given that term in section 4503(f).”.

(d) CLERICAL AMENDMENT.—The analysis at the beginning of chapter 45 of such title is amended by inserting after the item relating to section 4503 the following “4503a. Alternate safety compliance program.”.

(e) CONFORMING AMENDMENT.—Section 3104 of title 46, United States Code, is amended by striking “section 4503(e)” and inserting “section 4503(d)”.

(f) FINAL RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing the requirements enumerated in section 4503(d) of title 46, as amended by subsection (b)(1) of this section.

(g) ALTERNATE SAFETY COMPLIANCE PROGRAM STATUS REPORT.—

(1) IN GENERAL.—Not later than January 1, 2019, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the development of the alternate safety compliance program directed by sec-
tion 4503a of title 46, United States Code, as redesignated by subsection (c).

(2) CONTENTS.—The report required under paragraph (1) shall include discussion of—

(A) steps taken in the rulemaking process to establish the alternate safety compliance program;

(B) communication and collaboration between the Coast Guard, the department in which the Coast Guard is operating, and the commercial fishing vessel industry regarding the development of the alternate safety compliance program;

(C) consideration given to developing alternate safety compliance programs for specific regions and fisheries, as authorized in section 4503a(c) of such title, as redesignated by subsection (c);

(D) any identified legislative changes necessary to implement an effective alternate safety compliance program; and

(E) the timeline and planned actions that will be taken to implement regulations necessary to fully establish an alternate safety compliance program before January 1, 2020.
SEC. 509. TERMINATION OF UNSAFE OPERATIONS; TECHNICAL CORRECTION.

Section 4505(2) of title 46, United States Code, is amended—

(1) by striking “4503(1)” and inserting “4503(a)(2)”; and

(2) by inserting before the period the following:

“, except that this paragraph shall not apply with respect to a vessel to which section 4503a applies”.

SEC. 510. TECHNICAL CORRECTIONS: LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINER DOCUMENTS.

Title 46, United States Code, is amended—

(1) in section 7106(b), by striking “merchant mariner’s document,” and inserting “license,”;

(2) in section 7107(b), by striking “merchant mariner’s document,” and inserting “certificate of registry,”;

(3) in section 7507(b)(1), by striking “licenses or certificates of registry” and inserting “merchant mariner documents”; and

(4) in section 7507(b)(2) by striking “merchant mariner’s document.” and inserting “license or certificate of registry.”.
SEC. 511. CLARIFICATION OF LOGBOOK ENTRIES.

(a) In General.—Section 11304 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “an official logbook, which” and inserting “a logbook, which may be in any form, including electronic, and”; and

(2) in subsection (b), by amending paragraph (3) to read as follows:

“(3) Each illness of, and injury to, a seaman of the vessel, the nature of the illness or injury, and the medical treatment provided for the injury or illness.”.

(b) Technical Amendment.—Section 11304(b) is amended by striking “log book” and inserting “logbook”.

SEC. 512. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Section 12105 of title 46, United States Code, is amended by adding at the end the following:

“(e) Effective Period.—

“(1) In General.—Except as provided in paragraphs (2) and (3), a certificate of documentation issued under this part is valid for a 1-year period and may be renewed for additional 1-year periods.

“(2) Recreational vessels.—

“(A) In General.—A certificate of documentation for a recreational vessel and the re-
newal of such a certificate shall be effective for a 5-year period.

“(B) PHASE-IN PERIOD.—During the period beginning January 1, 2019, and ending December 31, 2021, the owner or operator of a recreational vessel may choose a period of effectiveness of between 1 and 5 years for such a certificate of documentation for such vessel or the renewal thereof.

“(C) FEES.—

“(i) REQUIREMENT.—The Secretary shall assess and collect a fee—

“(I) for the issuance of a certificate of documentation for a recreational vessel that is equivalent to the fee established for the issuance of a certificate of documentation under section 2110; and

“(II) for the renewal of a certificate of documentation for a recreational vessel that is equivalent to the number of years of effectiveness of the certificate of documentation multiplied by the fee established for the re-
newal of a certificate of documentation under section 2110.

“(ii) Treatment.—Fees collected under this subsection—

“(I) shall be credited to the account from which the costs of such issuance or renewal were paid; and

“(II) may remain available until expended.

“(3) Notice of change in information.—

“(A) Requirement.—The owner of a vessel shall notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation for the vessel is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change.

“(B) Termination of certificate.—

The certificate of documentation for a vessel shall terminate upon the expiration of such 30-day period if the owner has not notified the Coast Guard of such change before the end of such period.

“(4) State and local authority to remove abandoned and derelict vessels.—Noth-
ing in this section shall be construed to limit the au-
thority of a State or local authority from taking ac-
tion to remove an abandoned or derelict vessel.”.

SEC. 513. NUMBERING FOR UNDOCUMENTED BARGES.

Section 12301(b) of title 46, United States Code, is
amended—

(1) by striking “shall” and inserting “may”;

and

(2) by inserting “of” after “barge”.

SEC. 514. BACKUP GLOBAL POSITIONING SYSTEM.

(a) Short Title.—This section may be cited as the
“National Timing Resilience and Security Act of 2018”.

(b) In General.—Chapter 3 of title 49, United
States Code, is amended by adding at the end the fol-
lowing:

“§ 312. Alternative timing system

“(a) In General.—Subject to the availability of ap-
propriations and not later than 3 years after the date of
the enactment of the National Timing Resilience and Se-
curity Act of 2018, the Secretary shall establish a land-
based, resilient, and reliable alternative timing system—

“(1) to reduce critical dependencies on, and

provide a complement to and backup for, the timing
component of the Global Positioning System; and
“(2) to ensure the availability of uncorrupted and non-degraded timing signals for military and civilian users in the event that GPS timing signals are corrupted, degraded, unreliable, or otherwise unavailable.

“(b) ESTABLISHMENT OF REQUIREMENTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary shall establish requirements for the procurement of a land-based complement to and backup for the timing component of GPS.

“(2) REQUIREMENTS.—The Secretary shall consider the following requirements for the system, to the degree practicable:

“(A) Be wireless.

“(B) Be terrestrial.

“(C) Provide wide-area coverage.

“(D) Be synchronized with coordinated universal time.

“(E) Be resilient and extremely difficult to disrupt or degrade.

“(F) Be able to penetrate underground and inside buildings.
“(G) Be capable of deployment to remote locations.

“(H) Incorporate the expertise of the private sector with respect to development, building, and installation.

“(I) Be interoperable with and complement other similar positioning, navigation, and timing systems, including enhanced long-range navigation systems and Nationwide Differential GPS systems.

“(J) Be available for use by Federal and non-Federal government agencies for public purposes at no cost.

“(K) Be capable of adaptation and expansion to provide position and navigation capabilities.

“(L) Incorporate the recommendations and next actions from any GPS back-up capability demonstration program initiated and completed by the Secretary, in coordination with other Federal agencies.

“(M) Incorporate such other requirements determined necessary by the Secretary.

“(c) IMPLEMENTATION PLAN.—Not later than 1 year after the date of enactment of the National Timing Resil-
ience and Security Act of 2018, the Secretary shall provide
to the Committee on Commerce, Science, and Transpor-
tation of the Senate and the Committee on Transportation
and Infrastructure of the House of Representatives a plan
to implement the establishment of the system authorized
by subsection (a). Such plan shall describe the work nec-
essary to provide a follow-on complementary and backup
positioning and navigation capability.

“(d) FUNDING.—

“(1) IN GENERAL.—The Secretary of the de-
partment in which the Coast Guard is operating
shall transfer, without reimbursement, to the Sec-
retary to carry out this section the following:

“(A) Notwithstanding section 914 of title
14, or any other provision of law, such infra-
structure comprising the Long-Range Naviga-
tion (LORAN) system, including any real and
personal property under the administrative con-
trol of the Coast Guard and used for the
LORAN system, as the Secretary determines
necessary for the purposes described in sub-
section (a).

“(B) Any funds specifically appropriated
or made available for the purposes described in
subsection (a), and such funds shall remain
available until expended, without fiscal year
limitation.

“(2) LIABILITIES AND RESPONSIBILITIES.—

“(A) Nothing in this subsection may be
construed to limit the application of or other-
wise affect section 120(h) of the Comprehensive
Environmental Response, Compensation, and
Liability Act of 1980 (42 U.S.C. 9620(h)).

“(B) The Secretary shall assume all envi-
ronmental compliance and restoration respon-
sibilities and liabilities associated with real
property transferred under paragraph (1)(A).

“(e) AGREEMENT.—

“(1) IN GENERAL.—Federal agencies may not
make commitments under this section (including co-
operative agreements (as that term is defined under
section 6305 of title 31), leases, service contracts, or
any other type of commitment) unless funds are spe-
cifically provided for such purposes in advance in
subsequent appropriations Acts, and only to the ex-
tent that the full extent of anticipated costs stem-
ing from such commitments is recorded as an obli-
gation up front and in full at the time it is made.

“(2) COMPETITION REQUIRED.—The Secretary
shall use competitive procedures similar to those au-
authorized under section 2667 of title 10 in selecting
an entity to enter into an agreement to fulfill the
purpose or this section.

“(3) DETERMINATION.—Prior to entering into
any agreement under this subsection, the Secretary
must determine that the use of such agreement is in
the best financial interest of the Federal Govern-
ment.

“(f) DEFINITIONS.—In this section:

“(1) ENTITY.—The term ‘entity’ means a non-
Federal entity with the demonstrated technical ex-
pertise and requisite administrative and financial re-
sources to meet any such terms and conditions as
may be established by the Secretary.

“(2) GPS.—The term ‘GPS’ means the Global
Positioning System.

“(3) SECRETARY.—The term ‘Secretary’ means
the Secretary of Transportation.”.

(c) TABLE OF CONTENTS.—The table of contents for
chapter 3 of title 49, United States Code, is amended by
adding at the end the following:

“312. Alternative timing system.”.

SEC. 515. SCIENTIFIC PERSONNEL.

Section 2101(31) of title 46, United States Code, is
amended—
(1) by inserting “(A) Subject to subparagraph (B),” before the text; and

(2) by adding at the end the following:

“(B)(i) Such term includes an individual who is on board an oceanographic research vessel only to—

“(I) engage in scientific research;

“(II) instruct in oceanography or limnology; or

“(III) receive instruction in oceanography or limnology.

“(ii) For purposes of clause (i), the age of an individual may not be considered in determining whether the individual is described in such clause.”.

SEC. 516. TRANSPARENCY.

(a) IN GENERAL.—The Commandant of the Coast Guard shall publish any letter of determination issued by the Coast Guard National Vessel Documentation Center after the date of the enactment of this Act on the National Vessel Documentation Center website not later than 30 days after the date of issuance of such letter of determination.

(b) AUDIT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an audit, the results of which shall be made publicly available, of—
(A) the method or process by which the Coast Guard National Vessel Documentation Center develops policy for and documents compliance with the requirements of section 67.97 of title 46, Code of Federal Regulations, for the purpose of issuing endorsements under section 12112 and 12113 of title 46, United States Code;

(B) the coordination between the Coast Guard and U.S. Customs and Border Protection with respect to the enforcement of such requirements; and

(C) the extent to which the Secretary of the department in which the Coast Guard is operating and the Secretary of Transportation, through the Maritime Administration, have published and disseminated information to promote compliance with applicable vessel construction requirements.

(2) REPORT.—Not later than 90 days after the audit under paragraph (1) is complete, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of
Representatives a report regarding the results of and recommendations made pursuant to such audit.

(c) OUTLINE.—Not later than 180 days after the date of the submission of the Comptroller General of the United States report required under subsection (b), the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an outline of plans—

(1) to enhance the transparency of the documentation process, and communications with the maritime industry regarding such process over the next 5 years; and

(2) to implement the recommendations made by the Comptroller General of the United States in the report required under subsection (b)(2).

TITLE VI—ADVISORY COMMITTEES

SEC. 601. NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES.

(a) IN GENERAL.—Subtitle II of title 46, United States Code, is amended by adding at the end the following:
“PART K—NATIONAL MARITIME
TRANSPORTATION ADVISORY COMMITTEES

“CHAPTER 151—NATIONAL MARITIME
TRANSPORTATION ADVISORY COMMITTEES

Sec.
15101. National Chemical Transportation Safety Advisory Committee.
15108. National Towing Safety Advisory Committee.
15109. Administration.

§ 15101. National Chemical Transportation Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Chemical Transportation Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to the safe and secure marine transportation of hazardous materials.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of not more than 25 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge,
and experience in matters relating to the function of
the Committee.

“(3) REPRESENTATION.—Each member of the
Committee shall represent 1 of the following:

“(A) Chemical manufacturing entities.

“(B) Entities related to marine handling
or transportation of chemicals.

“(C) Vessel design and construction enti-
ties.

“(D) Marine safety or security entities.

“(E) Marine environmental protection enti-
ties.

“(4) DISTRIBUTION.—The Secretary shall,
based on the needs of the Coast Guard, determine
the number of members of the Committee who rep-
represent each entity specified in paragraph (3). Nei-
ther this paragraph nor any other provision of law
shall be construed to require an equal distribution of
members representing each entity specified in para-
graph (3).

“§15102. National Commercial Fishing Safety Advi-
sory Committee

“(a) ESTABLISHMENT.—There is established a Na-
tional Commercial Fishing Safety Advisory Committee (in
this section referred to as the ‘Committee’).
“(b) FUNCTION.—The Committee shall—

“(1) advise the Secretary on matters relating to
the safe operation of vessels to which chapter 45 of
this title applies, including the matters of—

“(A) navigation safety;
“(B) safety equipment and procedures;
“(C) marine insurance;
“(D) vessel design, construction, maintenance, and operation; and
“(E) personnel qualifications and training;

and

“(2) review regulations proposed under chapter
45 of this title (during preparation of the regula-
tions).

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall con-
sist of 18 members appointed by the Secretary in ac-
cordance with this section and section 15109 of this
chapter.

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

“(3) REPRESENTATION.—Members of the Com-
mittee shall be appointed as follows:
“(A) 10 members shall represent the commercial fishing industry and—

“(i) as a group, shall together reflect a regional and representational balance; and

“(ii) as individuals, shall each have experience—

“(I) in the operation of vessels to which chapter 45 of this title applies; or

“(II) as a crew member or processing line worker on a fish processing vessel.

“(B) 1 member shall represent naval architects and marine engineers.

“(C) 1 member shall represent manufacturers of equipment for vessels to which chapter 45 of this title applies.

“(D) 1 member shall represent education and training professionals related to fishing vessel, fish processing vessel, and fish tender vessel safety and personnel qualifications.

“(E) 1 member shall represent underwriters that insure vessels to which chapter 45 of this title applies.
“(F) 1 member shall represent owners of
vessels to which chapter 45 of this title applies.
“(G) 3 members shall represent the gen-
eral public and, to the extent possible, shall in-
clude—
“(i) an independent expert or consult-
ant in maritime safety;
“(ii) a marine surveyor who provides
services to vessels to which chapter 45 of
this title applies; and
“(iii) a person familiar with issues af-
fecting fishing communities and the fami-
lies of fishermen.

“§ 15103. National Merchant Marine Personnel Advi-
sory Committee

“(a) Establishment.—There is established a Na-
tional Merchant Marine Personnel Advisory Committee (in
this section referred to as the ‘Committee’).
“(b) Function.—The Committee shall advise the
Secretary on matters relating to personnel in the United
States merchant marine, including the training, qualifica-
tions, certification, documentation, and fitness of mari-
ners.
“(c) Membership.—
“(1) IN GENERAL.—The Committee shall consist of 19 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 9 members shall represent mariners and, of the 9—

“(i) each shall—

“(I) be a citizen of the United States; and

“(II) hold an active license or certificate issued under chapter 71 of this title or a merchant mariner document issued under chapter 73 of this title;

“(ii) 3 shall be deck officers who represent merchant marine deck officers and, of the 3—

“(I) 2 shall be licensed for oceans any gross tons;
“(II) I shall be licensed for inland river route with a limited or unlimited tonnage;

“(III) I shall have a master’s license or a master of towing vessels license;

“(IV) I shall have significant tanker experience; and

“(V) to the extent practicable—

“(aa) I shall represent labor; and

“(bb) I shall represent management;

“(iii) 3 shall be engineering officers who represent merchant marine engineering officers and, of the 3—

“(I) 2 shall be licensed as chief engineer any horsepower;

“(II) I shall be licensed as either a limited chief engineer or a designated duty engineer; and

“(III) to the extent practicable—

“(aa) I shall represent labor; and
“(bb) 1 shall represent management;

“(iv) 2 shall be unlicensed seamen who represent merchant marine unlicensed seaman and, of the 2—

“(I) 1 shall represent able-bodied seamen; and

“(II) 1 shall represent qualified members of the engine department; and

“(v) 1 shall be a pilot who represents merchant marine pilots.

“(B) 6 members shall represent marine educators and, of the 6—

“(i) 3 shall be marine educators who represent maritime academies and, of the 3—

“(I) 2 shall represent State maritime academies (and are jointly recommended by such academies); and

“(II) 1 shall represent either State maritime academies or the United States Merchant Marine Academy; and
“(ii) 3 shall be marine educators who represent other maritime training institutions and, of the 3, 1 shall represent the small vessel industry.

“(C) 2 members shall represent shipping companies employed in ship operation management.

“(D) 2 members shall represent the general public.

“§ 15104. National Merchant Mariner Medical Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Merchant Mariner Medical Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to—

“(1) medical certification determinations for the issuance of licenses, certification of registry, and merchant mariners’ documents with respect to merchant mariners;

“(2) medical standards and guidelines for the physical qualifications of operators of commercial vessels;

“(3) medical examiner education; and

“(4) medical research.
“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 14 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 9 shall represent health-care professionals and have particular expertise, knowledge, and experience regarding the medical examinations of merchant mariners or occupational medicine.

“(B) 5 shall represent professional mariners and have particular expertise, knowledge, and experience in occupational requirements for mariners.

“§ 15105. National Boating Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Boating Safety Advisory Committee (in this section referred to as the ‘Committee’).
“(b) Function.—The Committee shall advise the Secretary on matters relating to national boating safety.

“(c) Membership.—

“(1) In General.—The Committee shall consist of 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) Expertise.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) Representation.—Members of the Committee shall be appointed as follows:

“(A) 7 members shall represent State officials responsible for State boating safety programs.

“(B) 7 members shall represent recreational vessel and associated equipment manufacturers.

“(C) 7 members shall represent the general public or national recreational boating organizations and, of the 7, at least 5 shall represent national recreational boating organizations.
§ 15106. National Offshore Safety Advisory Committee

(a) Establishment.—There is established a National Offshore Safety Advisory Committee (in this section referred to as the ‘Committee’).

(b) Function.—The Committee shall advise the Secretary on matters relating to activities directly involved with, or in support of, the exploration of offshore mineral and energy resources, to the extent that such matters are within the jurisdiction of the Coast Guard.

(c) Membership.—

(1) In general.—The Committee shall consist of 15 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

(2) Expertise.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) Representation.—Members of the Committee shall be appointed as follows:

(A) 2 members shall represent entities engaged in the production of petroleum.

(B) 2 members shall represent entities engaged in offshore drilling.
“(C) 2 members shall represent entities engaged in the support, by offshore supply vessels or other vessels, of offshore mineral and oil operations, including geophysical services.

“(D) 1 member shall represent entities engaged in the construction of offshore exploration and recovery facilities.

“(E) 1 member shall represent entities engaged in diving services related to offshore construction, inspection, and maintenance.

“(F) 1 member shall represent entities engaged in safety and training services related to offshore exploration and construction.

“(G) 1 member shall represent entities engaged in pipelaying services related to offshore construction.

“(H) 2 members shall represent individuals employed in offshore operations and, of the 2, 1 shall have recent practical experience on a vessel or offshore unit involved in the offshore mineral and energy industry.

“(I) 1 member shall represent national environmental entities.

“(J) 1 member shall represent deepwater ports.
“(K) 1 member shall represent the general public (but not a specific environmental group).

“§15107. National Navigation Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Navigation Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to maritime collisions, rammings, and groundings, Inland Rules of the Road, International Rules of the Road, navigation regulations and equipment, routing measures, marine information, and aids to navigation systems.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of not more than 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Each member of the Committee shall represent 1 of the following:
“(A) Commercial vessel owners or operators.

“(B) Professional mariners.

“(C) Recreational boaters.

“(D) The recreational boating industry.

“(E) State agencies responsible for vessel or port safety.


“(4) DISTRIBUTION.—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

§ 15108. National Towing Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Towing Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to shallow-draft inland navigation, coastal waterway navigation, and towing safety.

“(c) MEMBERSHIP.—
“(1) IN GENERAL.—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 7 members shall represent the barge and towing industry, reflecting a regional geographic balance.

“(B) 1 member shall represent the offshore mineral and oil supply vessel industry.

“(C) 1 member shall represent masters and pilots of towing vessels who hold active licenses and have experience on the Western Rivers and the Gulf Intracoastal Waterway.

“(D) 1 member shall represent masters of towing vessels in offshore service who hold active licenses.

“(E) 1 member shall represent masters of active ship-docking or harbor towing vessels.
“(F) 1 member shall represent licensed and unlicensed towing vessel engineers with formal training and experience.

“(G) 2 members shall represent port districts, authorities, or terminal operators.

“(H) 2 members shall represent shippers and, of the 2, 1 shall be engaged in the shipment of oil or hazardous materials by barge.

“(I) 2 members shall represent the general public.

§15109. Administration

“(a) MEETINGS.—Each committee established under this chapter shall, at least once each year, meet at the call of the Secretary or a majority of the members of the committee.

“(b) EMPLOYEE STATUS.—A member of a committee established under this chapter shall not be considered an employee of the Federal Government by reason of service on such committee, except for the purposes of the following:

“(1) Chapter 81 of title 5.

“(2) Chapter 171 of title 28 and any other Federal law relating to tort liability.

“(c) COMPENSATION.—Notwithstanding subsection (b), a member of a committee established under this chap-
(1) receiving compensation at a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5; or

(2) if not compensated in accordance with paragraph (1)—

(A) be reimbursed for actual and reasonable expenses incurred in the performance of such duties; or

(B) be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

(d) Acceptance of Volunteer Services.—A member of a committee established under this chapter may serve on such committee on a voluntary basis without pay without regard to section 1342 of title 31 or any other law.

(e) Status of Members.—

(1) In General.—Except as provided in paragraph (2), with respect to a member of a committee established under this chapter whom the Secretary appoints to represent an entity or group—
“(A) the member is authorized to represent the interests of the applicable entity or group; and

“(B) requirements under Federal law that would interfere with such representation and that apply to a special Government employee (as defined in section 202(a) of title 18), including requirements relating to employee conduct, political activities, ethics, conflicts of interest, and corruption, do not apply to the member.

“(2) Exception.—Notwithstanding subsection (b), a member of a committee established under this chapter shall be treated as a special Government employee for purposes of the committee service of the member if—

“(A) the Secretary appointed the member to represent the general public; or

“(B) the member, without regard to service on the committee, is a special Government employee.

“(f) Service on Committee.—

“(1) Solicitation of nominations.—Before appointing an individual as a member of a committee established under this chapter, the Secretary

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shall publish, in the Federal Register, a timely notice soliciting nominations for membership on such committee.

“(2) APPOINTMENTS.—

“(A) IN GENERAL.—After considering nominations received pursuant to a notice published under paragraph (1), the Secretary may, as necessary, appoint a member to the applicable committee established under this chapter.

“(B) PROHIBITION.—The Secretary shall not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to any committee established under this chapter.

“(3) SERVICE AT PLEASURE OF THE SECRETARY.—

“(A) IN GENERAL.—Each member of a committee established under this chapter shall serve at the pleasure of the Secretary.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a member of the committee established under section 15102 may only be removed prior to the end of the term of that member for just cause.
“(4) Security background examinations.—

The Secretary may require an individual to have passed an appropriate security background examination before appointment to a committee established under this chapter.

“(5) Prohibition.—

“(A) In general.—Except as provided in subparagraph (B), a Federal employee may not be appointed as a member of a committee established under this chapter.

“(B) Special rule for national merchant marine personnel advisory committee.—The Secretary may appoint a Federal employee to serve as a member of the National Merchant Marine Personnel Advisory Committee to represent the interests of the United States Merchant Marine Academy and, notwithstanding paragraphs (1) and (2), may do so without soliciting, receiving, or considering nominations for such appointment.

“(6) Terms.—

“(A) In general.—The term of each member of a committee established under this chapter shall expire on December 31 of the
third full year after the effective date of the appointment.

“(B) CONTINUED SERVICE AFTER TERM.—

When the term of a member of a committee established under this chapter ends, the member, for a period not to exceed 1 year, may continue to serve as a member until a successor is appointed.

“(7) VACANCIES.—A vacancy on a committee established under this chapter shall be filled in the same manner as the original appointment.

“(8) SPECIAL RULE FOR REAPPOINTMENTS.—

Notwithstanding paragraphs (1) and (2), the Secretary may reappoint a member of a committee established under this chapter for any term, other than the first term of the member, without soliciting, receiving, or considering nominations for such appointment.

“(g) STAFF SERVICES.—The Secretary shall furnish to each committee established under this chapter any staff and services considered by the Secretary to be necessary for the conduct of the committee’s functions.

“(h) CHAIRMAN; VICE CHAIRMAN.—
“(1) IN GENERAL.—Each committee established under this chapter shall elect a Chairman and Vice Chairman from among the committee’s members.

“(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—
The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairman.

“(i) SUBCOMMITTEES AND WORKING GROUPS.—

“(1) IN GENERAL.—The Chairman of a committee established under this chapter may establish and disestablish subcommittees and working groups for any purpose consistent with the function of the committee.

“(2) PARTICIPANTS.—Subject to conditions imposed by the Chairman, members of a committee established under this chapter and additional persons drawn from entities or groups designated by this chapter to be represented on the committee or the general public may be assigned to subcommittees and working groups established under paragraph (1).

“(3) CHAIR.—Only committee members may chair subcommittees and working groups established under paragraph (1).
“(j) CONSULTATION, ADVICE, REPORTS, AND RECOMMENDATIONS.—

“(1) CONSULTATION.—

“(A) IN GENERAL.—Before taking any significant action, the Secretary shall consult with, and consider the information, advice, and recommendations of, a committee established under this chapter if the function of the committee is to advise the Secretary on matters related to the significant action.

“(B) INCLUSION.—For purposes of this paragraph, regulations proposed under chapter 45 of this title are significant actions.

“(2) ADVICE, REPORTS, AND RECOMMENDATIONS.—Each committee established under this chapter shall submit, in writing, to the Secretary its advice, reports, and recommendations, in a form and at a frequency determined appropriate by the committee.

“(3) EXPLANATION OF ACTIONS TAKEN.—Not later than 60 days after the date on which the Secretary receives recommendations from a committee under paragraph (2), the Secretary shall—

“(A) publish the recommendations on a website accessible at no charge to the public;
“(B) if the recommendations are from the committee established under section 15102, establish a mechanism for the submission of public comments on the recommendations; and

“(C) respond, in writing, to the committee regarding the recommendations, including by providing an explanation of actions taken regarding the recommendations.

“(4) SUBMISSION TO CONGRESS.—

“(A) IN GENERAL.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the advice, reports, and recommendations received from committees under paragraph (2).

“(B) ADDITIONAL SUBMISSION.—With respect to a committee established under section 70112 and to which this section applies, the Secretary shall submit the advice, reports, and recommendations received from the committee under paragraph (2) to the Committee on Homeland Security of the House of Representatives in addition to the committees specified in subparagraph (A).
“(k) OBSERVERS.—Any Federal agency with matters under such agency’s administrative jurisdiction related to the function of a committee established under this chapter may designate a representative to—

“(1) attend any meeting of such committee; and

“(2) participate as an observer at meetings of such committee that relate to such a matter.

“(l) TERMINATION.—Each committee established under this chapter shall terminate on September 30, 2027.”.

(b) CLERICAL AMENDMENT.—The analysis for subtitle II of title 46, United States Code, is amended by inserting after the item relating to chapter 147 the following:

“Part K–National Maritime Transportation Advisory Committees

“151. National Maritime Transportation Advisory Committees”.

(c) CONFORMING AMENDMENTS.—

1. COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—Section 4508 of title 46, United States Code, and the item relating to that section in the analysis for chapter 45 of that title, are repealed.

2. MERCHANT MARINER MEDICAL ADVISORY COMMITTEE.—Section 7115 of title 46, United States Code, and the item relating to that section in
the analysis for chapter 71 of that title, are repealed.

(3) MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—

(A) REPEAL.—Section 8108 of title 46, United States Code, and the item relating to that section in the analysis for chapter 81 of that title, are repealed.

(B) CONFORMING AMENDMENT.—Section 7510(c)(1)(C) of title 46, United States Code, is amended by inserting “National” before “Merchant Marine”.

(4) NATIONAL BOATING SAFETY ADVISORY COUNCIL.—

(A) REPEAL.—Section 13110 of title 46, United States Code, and the item relating to that section in the analysis for chapter 131 of that title, are repealed.

(B) CONFORMING AMENDMENTS.—

(i) REGULATIONS.—Section 4302(c)(4) of title 46, United States Code, is amended by striking “Council established under section 13110 of this title” and inserting “Committee established under section 15105 of this title”.

(ii) Repair and replacement of defects.—Section 4310(f) of title 46, United States Code, is amended by striking “Advisory Council” and inserting “Advisory Committee”.

(5) Navigation safety advisory council.—

(6) Towing safety advisory committee.—
(A) Repeal.—Public Law 96–380 (33 U.S.C. 1231a) is repealed.

(B) Conforming amendments.—
(i) Reduction of oil spills from single hull non-self-propelled tank vessels.—Section 3719 of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.

(ii) Safety equipment.—Section 4102(f)(1) of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.

(d) Treatment of existing councils and committees.—Notwithstanding any other provision of law—

(1) an advisory council or committee substantially similar to an advisory committee established
under chapter 151 of title 46, United States Code, as added by this division, and that was in force or in effect on the day before the date of enactment of this section, including a council or committee the authority for which was repealed under subsection (c), may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the council or committee may remain in force or in effect; and

(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the applicable advisory committee established under chapter 151 of title 46, United States Code, shall be treated as satisfied by the substantially similar advisory council or committee; and

(B) the enactment of this section, including the amendments made in this section, shall not be the basis—

(i) to deem, find, or declare such council or committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;
(ii) to suspend the activities of such
council or committee; or

(iii) to bar the members of such coun-
cil or committee from meeting.

SEC. 602. MARITIME SECURITY ADVISORY COMMITTEES.

(a) IN GENERAL.—Section 70112 of title 46, United
States Code, is amended to read as follows:

“§ 70112. Maritime Security Advisory Committees

“(a) NATIONAL MARITIME SECURITY ADVISORY
COMMITTEE.—

“(1) ESTABLISHMENT.—There is established a
National Maritime Security Advisory Committee (in
this subsection referred to as the ‘Committee’).

“(2) FUNCTION.—The Committee shall advise
the Secretary on matters relating to national mari-
time security.

“(3) MEMBERSHIP.—

“(A) IN GENERAL.—The Committee shall
consist of at least 8 members, but not more
than 21 members, appointed by the Secretary
in accordance with this subsection and section
15109 of this title.

“(B) EXPERTISE.—Each member of the
Committee shall have particular expertise,
knowledge, and experience in matters relating
to the function of the Committee.

“(C) REPRESENTATION.—Each of the fol-
lowing shall be represented by at least 1 mem-
ber of the Committee:

“(i) Port authorities.

“(ii) Facilities owners and operators.

“(iii) Terminal owners and operators.

“(iv) Vessel owners and operators.

“(v) Maritime labor organizations.

“(vi) The academic community.

“(vii) State and local governments.

“(viii) The maritime industry.

“(D) DISTRIBUTION.—If the Committee
consists of at least 8 members who, together,
satisfy the minimum representation require-
ments of subparagraph (C), the Secretary shall,
based on the needs of the Coast Guard, deter-
mine the number of additional members of the
Committee who represent each entity specified
in that subparagraph. Neither this subpara-
graph nor any other provision of law shall be
construed to require an equal distribution of
members representing each entity specified in
subparagraph (C).
“(4) ADMINISTRATION.—For purposes of section 15109 of this title, the Committee shall be treated as a committee established under chapter 151 of such title.

“(b) AREA MARITIME SECURITY ADVISORY COMMITTEES.—

“(1) IN GENERAL.—

“(A) ESTABLISHMENT.—The Secretary may—

“(i) establish an Area Maritime Security Advisory Committee for any port area of the United States; and

“(ii) request such a committee to review the proposed Area Maritime Transportation Security Plan developed under section 70103(b) and make recommendations to the Secretary that the committee considers appropriate.

“(B) ADDITIONAL FUNCTIONS AND MEETINGS.—A committee established under this subsection for an area—

“(i) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to maritime security in that area;
“(ii) may make available to the Congress recommendations that the committee makes to the Secretary; and

“(iii) shall meet at the call of—

“(I) the Secretary, who shall call such a meeting at least once during each calendar year; or

“(II) a majority of the committee.

“(2) Membership.—

“(A) In general.—Each committee established under this subsection shall consist of at least 7 members appointed by the Secretary, each of whom has at least 5 years practical experience in maritime security operations.

“(B) Terms.—The term of each member of a committee established under this subsection shall be for a period of not more than 5 years, specified by the Secretary.

“(C) Notice.—Before appointing an individual to a position on a committee established under this subsection, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the committee.
“(D) BACKGROUND EXAMINATIONS.—The Secretary may require an individual to have passed an appropriate security background examination before appointment to a committee established under this subsection.

“(E) REPRESENTATION.—Each committee established under this subsection shall be composed of individuals who represent the interests of the port industry, terminal operators, port labor organizations, and other users of the port areas.

“(3) CHAIRPERSON AND VICE CHAIRPERSON.—

“(A) IN GENERAL.—Each committee established under this subsection shall elect 1 of the committee’s members as the Chairperson and 1 of the committee’s members as the Vice Chairperson.

“(B) VICE CHAIRPERSON ACTING AS CHAIRPERSON.—The Vice Chairperson shall act as Chairperson in the absence or incapacity of the Chairperson, or in the event of a vacancy in the office of the Chairperson.

“(4) OBSERVERS.—

“(A) IN GENERAL.—The Secretary shall, and the head of any other interested Federal
agency may, designate a representative to participate as an observer with a committee established under this subsection.

“(B) ROLE.—The Secretary’s designated representative to a committee established under this subsection shall act as the executive secretary of the committee and shall perform the duties set forth in section 10(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

“(5) CONSIDERATION OF VIEWS.—The Secretary shall consider the information, advice, and recommendations of each committee established under this subsection in formulating policy regarding matters affecting maritime security.

“(6) COMPENSATION AND EXPENSES.—

“(A) IN GENERAL.—A member of a committee established under this subsection, when attending meetings of the committee or when otherwise engaged in the business of the committee, is entitled to receive—

“(i) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS–15 of the General Sched-
ule under section 5332 of title 5 including travel time; and

“(ii) travel or transportation expenses under section 5703 of title 5.

“(B) STATUS.—A member of a committee established under this subsection shall not be considered to be an officer or employee of the United States for any purpose based on the receipt of any payment under this paragraph.

“(7) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a committee established under this subsection.”.

(b) TREATMENT OF EXISTING COMMITTEE.—Notwithstanding any other provision of law—

(1) an advisory committee substantially similar to the National Maritime Security Advisory Committee established under section 70112(a) of title 46, United States Code, as amended by this section, and that was in force or in effect on the day before the date of enactment of this section, may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the committee may remain in force or in effect; and
(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the National Maritime Security Advisory Committee established under section 70112(a) of title 46, United States Code, as amended by this section, shall be treated as satisfied by the substantially similar advisory committee; and

(B) the enactment of this section, including the amendments made in this section, shall not be the basis—

(i) to deem, find, or declare such committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

(ii) to suspend the activities of such committee; or

(iii) to bar the members of such committee from meeting.

TITLE VII—FEDERAL MARITIME COMMISSION

SEC. 701. SHORT TITLE.

This title may be cited as the “Federal Maritime Commission Authorization Act of 2017”.
SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

Section 308 of title 46, United States Code, is amended by striking “$24,700,000 for each of fiscal years 2016 and 2017” and inserting “$28,012,310 for fiscal year 2018 and $28,544,543 for fiscal year 2019”.

SEC. 703. REPORTING ON IMPACT OF ALLIANCES ON COMPEITION.

Section 306 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “; and” and inserting a semicolon;

(B) in paragraph (5), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(6) an analysis of the impacts on competition for the purchase of certain covered services by alliances of ocean common carriers acting pursuant to an agreement under this part between or among ocean common carriers, including a summary of actions, including corrective actions, taken by the Commission to promote such competition.”; and

(2) by adding at the end the following:

“(c) DEFINITION OF CERTAIN COVERED SERVICES.—In this section, the term ‘certain covered services’ has the meaning given the term in section 40102.”.
SECTION 704. DEFINITION OF CERTAIN COVERED SERVICES.

Section 40102 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (5) through (25) as paragraphs (6) through (26), respectively; and

(2) by inserting after paragraph (4), the following:

“(5) CERTAIN COVERED SERVICES.—For purposes of sections 41105 and 41307, the term ‘certain covered services’ means, with respect to a vessel—

“(A) the berthing or bunkering of the vessel;

“(B) the loading or unloading of cargo to or from the vessel to or from a point on a wharf or terminal;

“(C) the positioning, removal, or replacement of buoys related to the movement of the vessel; and

“(D) with respect to injunctive relief under section 41307, towing vessel services provided to such a vessel.”.

SECTION 705. REPORTS FILED WITH THE COMMISSION.

Section 40104(a) of title 46, United States Code, is amended to read as follows:
“(a) REPORTS.—

“(1) IN GENERAL.—The Federal Maritime Commission may require a common carrier or marine terminal operator, or an officer, receiver, trustee, lessee, agent, or employee of the common carrier or marine terminal operator to file with the Commission a periodical or special report, an account, record, rate, or charge, or a memorandum of facts and transactions related to the business of the common carrier or marine terminal operator, as applicable.

“(2) REQUIREMENTS.—Any report, account, record, rate, charge, or memorandum required to be filed under paragraph (1) shall—

“(A) be made under oath if the Commission requires; and

“(B) be filed in the form and within the time prescribed by the Commission.

“(3) LIMITATION.—The Commission shall—

“(A) limit the scope of any filing ordered under this section to fulfill the objective of the order; and

“(B) provide a reasonable period of time for respondents to respond based upon their capabilities and the scope of the order.”.
SEC. 706. PUBLIC PARTICIPATION.

(a) NOTICE OF FILING.—Section 40304(a) of title 46, United States Code, is amended to read as follows:

“(a) NOTICE OF FILING.—Not later than 7 days after the date an agreement is filed, the Federal Maritime Commission shall—

“(1) transmit a notice of the filing to the Federal Register for publication; and

“(2) request interested persons to submit relevant information and documents.”.

(b) REQUEST FOR INFORMATION AND DOCUMENTS.—Section 40304(d) of title 46, United States Code, is amended by striking “section” and inserting “part”.

(c) SAVING CLAUSE.—Nothing in this section, or the amendments made by this section, may be construed—

(1) to prevent the Federal Maritime Commission from requesting from a person, at any time, any additional information or documents the Commission considers necessary to carry out chapter 403 of title 46, United States Code;

(2) to prescribe a specific deadline for the submission of relevant information and documents in response to a request under section 40304(a)(2) of title 46, United States Code; or
(3) to limit the authority of the Commission to request information under section 40304(d) of title 46, United States Code.

SEC. 707. OCEAN TRANSPORTATION INTERMEDIARIES.

(a) LICENSE REQUIREMENT.—Section 40901(a) of title 46, United States Code, is amended by inserting “advertise, hold oneself out, or” after “may not”.

(b) APPLICABILITY.—Section 40901 of title 46, United States Code, is amended by adding at the end the following:

“(c) APPLICABILITY.—Subsection (a) and section 40902 do not apply to a person that performs ocean transportation intermediary services on behalf of an ocean transportation intermediary for which it is a disclosed agent.”.

(c) FINANCIAL RESPONSIBILITY.—Section 40902(a) of title 46, United States Code, is amended by inserting “advertise, hold oneself out, or” after “may not”.

SEC. 708. COMMON CARRIERS.

(a) Section 41104 of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “(a) IN GENERAL.—” before “A common carrier’’;

(2) in subsection (a), as designated—
(A) by amending paragraph (11) to read as follows:

“(11) knowingly and willfully accept cargo from or transport cargo for the account of a non-vessel-operating common carrier that does not have a tariff as required by section 40501 of this title, or an ocean transportation intermediary that does not have a bond, insurance, or other surety as required by section 40902 of this title;”;

(B) in paragraph (12), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(13) continue to participate simultaneously in a rate discussion agreement and an agreement to share vessels, in the same trade, if the interplay of the authorities exercised by the specified agreements is likely, by a reduction in competition, to produce an unreasonable reduction in transportation service or an unreasonable increase in transportation cost.”;

and

(3) by adding at the end the following:

“(b) RULE OF CONSTRUCTION.—Notwithstanding any other provision of law, there is no private right of action to enforce the prohibition under subsection (a)(13).
“(c) AGREEMENT VIOLATION.—Participants in an agreement found by the Commission to violate subsection (a)(13) shall have 90 days from the date of such Commission finding to withdraw from the agreement as necessary to comply with that subsection.”.

(b) APPLICATION.—Section 41104(a)(13) of title 46, United States Code, as amended, shall apply to any agreement filed or with an effective date before, on, or after the date of enactment of this Act.

SEC. 709. NEGOTIATIONS.

(a) CONCERTED ACTION.—Section 41105 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (4) the following:

“(5) negotiate with a tug or towing vessel service provider on any matter relating to rates or services provided within the United States by those tugs or towing vessels;

“(6) with respect to a vessel operated by an ocean common carrier within the United States, negotiate for the purchase of certain covered services, unless the negotiations and any resulting agreements
are not in violation of the antitrust laws and are consistent with the purposes of this part, except that this paragraph does not prohibit the setting and publishing of a joint through rate by a conference, joint venture, or association of ocean common carriers;”.

(b) AUTHORITY.—Chapter 411 of title 46, United States Code, is amended—

(1) by inserting after section 41105 the following:

“§ 41105A. Authority

“Nothing in section 41105, as amended by the Federal Maritime Commission Authorization Act of 2017, shall be construed to limit the authority of the Department of Justice regarding antitrust matters.”; and

(2) in the analysis at the beginning of chapter 411, by inserting after the item relating to section 41105 the following:

“41105A. Authority.”.

(c) EXEMPTION.—Section 40307(b)(1) of title 46, United States Code, is amended by inserting “tug operators,” after “motor carriers,”.

SEC. 710. INJUNCTIVE RELIEF SOUGHT BY THE COMMISSION.

(a) IN GENERAL.—Section 41307(b) of title 46, United States Code is amended—
(1) in paragraph (1) by inserting “or to sub-
stantially lessen competition in the purchasing of
certain covered services” after “transportation cost”; and

(2) by adding at the end the following:

“(4) COMPETITION FACTORS.—In making a de-
termination under this subsection regarding whether
an agreement is likely to substantially lessen com-
petition in the purchasing of certain covered serv-
dices, the Commission may consider any relevant
competition factors in affected markets, including,
without limitation, the competitive effect of agree-
ments other than the agreement under review.”.

(b) APPLICATION.—Section 41307(b) of title 46,
United States Code, as amended, shall apply to any agree-
ment filed or with an effective date before, on, or after
the date of enactment of this Act.

SEC. 711. DISCUSSIONS.

(a) IN GENERAL.—Section 303 of title 46, United
States Code, is amended to read as follows: § 303. Meetings

“(a) IN GENERAL.—The Federal Maritime Commiss-
ion shall be deemed to be an agency for purposes of sec-
section 552b of title 5.
“(b) RECORD.—The Commission, through its secretary, shall keep a record of its meetings and the votes taken on any action, order, contract, or financial transaction of the Commission.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the Commissioners may hold a meeting that is not open to public observation to discuss official agency business if—

“(A) no formal or informal vote or other official agency action is taken at the meeting;

“(B) each individual present at the meeting is a Commissioner or an employee of the Commission;

“(C) at least 1 Commissioner from each political party is present at the meeting, if applicable; and

“(D) the General Counsel of the Commission is present at the meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under paragraph (3), not later than 2 business days after the conclusion of a meeting under paragraph (1), the Commission shall make available to the public, in a place easily accessible to the public—
“(A) a list of the individuals present at the
meeting; and

“(B) a summary of the matters discussed
at the meeting, except for any matters the
Commission properly determines may be with-
held from the public under section 552b(c) of
title 5.

“(3) EXCEPTION.—If the Commission properly
determines matters may be withheld from the public
under section 555b(c) of title 5, the Commission
shall provide a summary with as much general infor-
mination as possible on those matters withheld from
the public.

“(4) ONGOING PROCEEDINGS.—If a meeting
under paragraph (1) directly relates to an ongoing
proceeding before the Commission, the Commission
shall make the disclosure under paragraph (2) on
the date of the final Commission decision.

“(5) PRESERVATION OF OPEN MEETINGS RE-
QUIREMENTS FOR AGENCY ACTION.—Nothing in this
subsection may be construed to limit the applica-
bility of section 552b of title 5 with respect to a
meeting of the Commissioners other than that de-
scribed in this subsection.
“(6) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed—

“(A) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under paragraph (2)(B) of this subsection;

or

“(B) to authorize the Commission to withhold from any individual any record that is accessible to that individual under section 552a of title 5.”.

(b) TABLE OF CONTENTS.—The analysis at the beginning of chapter 3 of title 46, United States Code, is amended by amending the item relating to section 303 to read as follows:

“303. Meetings.”.

SEC. 712. TRANSPARENCY.

(a) IN GENERAL.—Beginning not later than 60 days after the date of enactment of this Act, the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives biannual reports that describe the Commission’s progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless
of whether the proceeding is subject to a statutory or regulatory deadline.

(b) **Format of Reports.**—Each report under subsection (a) shall, among other things, clearly identify for each unfinished regulatory proceeding—

(1) the popular title;

(2) the current stage of the proceeding;

(3) an abstract of the proceeding;

(4) what prompted the action in question;

(5) any applicable statutory, regulatory, or judicial deadline;

(6) the associated docket number;

(7) the date the rulemaking was initiated;

(8) a date for the next action; and

(9) if a date for next action identified in the previous report is not met, the reason for the delay.

**SEC. 713. STUDY OF BANKRUPTCY PREPARATION AND RESPONSE.**

(a) **Study.**—The Comptroller General of the United States shall conduct a study that examines the immediate aftermath of a major ocean carrier bankruptcy and its impact through the supply chain. The study shall consider any financial mechanisms that could be used to mitigate the impact of any future bankruptcy events on the supply chain.
(b) REPORT.—No later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings, conclusions, and recommendations, if any, from the study required under subsection (a).

SEC. 714. AGREEMENTS UNAFFECTED.

Nothing in this division may be construed—

(1) to limit or amend the definition of “agreement” in section 40102(1) of title 46, United States Code, with respect to the exclusion of maritime labor agreements; or

(2) to apply to a maritime labor agreement (as defined in section 40102(15) of that title).

TITLE VIII—MISCELLANEOUS

SEC. 801. REPEAL OF OBSOLETE REPORTING REQUIREMENT.


SEC. 802. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

Section 604(b) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–
221; 128 Stat. 3061) is amended by inserting “and fishery endorsement” after “endorsement”.

3 SEC. 803. OFFICER EVALUATION REPORT.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall reduce lieutenant junior grade evaluation reports to the same length as an ensign or place lieutenant junior grade evaluations on an annual schedule.

(b) SURVEYS.—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall conduct surveys of—

(1) outgoing promotion board members and assignment officers to determine, at a minimum—

(A) which sections of the officer evaluation report were most useful;

(B) which sections of the officer evaluation report were least useful;

(C) how to better reflect high performers; and

(D) any recommendations for improving the officer evaluation report; and

(2) at least 10 percent of the officers from each grade of officers from O1 to O6 to determine how much time each member of the rating chain spends...
on that member’s portion of the officer evaluation report.

(c) Revisions.—

(1) In general.—Not later than 4 years after the date of the completion of the surveys required by subsection (b), the Commandant of the Coast Guard shall revise the officer evaluation report, and provide corresponding directions, taking into account the requirements under paragraph (2).

(2) Requirements.—In revising the officer evaluation report under paragraph (1), the Commandant shall—

(A) consider the findings of the surveys under subsection (b);

(B) improve administrative efficiency;

(C) reduce and streamline performance dimensions and narrative text;

(D) eliminate redundancy with the officer specialty management system and any other record information systems that are used during the officer assignment or promotion process;

(E) provide for fairness and equity for Coast Guard officers with regard to promotion boards, selection panels, and the assignment process; and
ensure officer evaluation responsibilities can be accomplished within normal working hours—

(i) to minimize any impact to officer duties; and

(ii) to eliminate any need for an officer to take liberty or leave for administrative purposes.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 545 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the surveys under subsection (b).

(2) **FORMAT.**—The report under paragraph (1) shall be formatted by each rank, type of board, and position, as applicable.

**SEC. 804. EXTENSION OF AUTHORITY.**

Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2950) is amended—
(1) in subsection (a), in the text preceding paragraph (1), by striking “sections 3304, 5333, and 5753” and inserting “section 3304”; and

(2) by striking subsection (b), and redesignating subsection (c) as subsection (b).

SEC. 805. COAST GUARD ROTC PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the costs and benefits of creating a Coast Guard Reserve Officers’ Training Corps Program based on the other Armed Forces programs.

SEC. 806. CURRENCY DETECTION CANINE TEAM PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CANINE CURRENCY DETECTION TEAM.—The term “canine currency detection team” means a canine and a canine handler that are trained to detect currency.

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(b) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall es-
establish a program to allow the use of canine currency de-
tection teams for purposes of Coast Guard maritime law
enforcement, including underway vessel boardings.

(c) OPERATION.—The Secretary may cooperate with,
or enter into an agreement with, the head of another Fed-
eral agency to meet the requirements under subsection (b).

SEC. 807. CENTER OF EXPERTISE FOR GREAT LAKES OIL
SPILL SEARCH AND RESPONSE.

(a) In General.—Not later than 1 year after the
date of enactment of this Act, the Commandant of the
Coast Guard shall establish a Center of Expertise for
Great Lakes Oil Spill Preparedness and Response (re-
ferred to in this section as the “Center of Expertise”) in
accordance with section 313 of title 14, United States
Code, as amended by this division.

(b) Location.—The Center of Expertise shall be lo-
cated in close proximity to—

(1) critical crude oil transportation infrastruc-
ture on and connecting the Great Lakes, such as
submerged pipelines and high-traffic navigation
locks; and

(2) an institution of higher education with ade-
quate aquatic research laboratory facilities and capa-
bilities and expertise in Great Lakes aquatic ecology,
environmental chemistry, fish and wildlife, and water resources.

(c) FUNCTIONS.—The Center of Expertise shall—

(1) monitor and assess, on an ongoing basis, the current state of knowledge regarding freshwater oil spill response technologies and the behavior and effects of oil spills in the Great Lakes;

(2) identify any significant gaps in Great Lakes oil spill research, including an assessment of major scientific or technological deficiencies in responses to past spills in the Great Lakes and other freshwater bodies, and seek to fill those gaps;

(3) conduct research, development, testing, and evaluation for freshwater oil spill response equipment, technologies, and techniques to mitigate and respond to oil spills in the Great Lakes;

(4) educate and train Federal, State, and local first responders located in Coast Guard District 9 in—

(A) the incident command system structure;

(B) Great Lakes oil spill response techniques and strategies; and

(C) public affairs; and
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(5) work with academic and private sector response training centers to develop and standardize maritime oil spill response training and techniques for use on the Great Lakes.

(d) DEFINITION.—In this section, the term “Great Lakes” means Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario.

SEC. 808. PUBLIC SAFETY ANSWERING POINTS AND MARITIME SEARCH AND RESCUE COORDINATION.

Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of the department in which the Coast Guard is operating acting through the Commandant of the Coast Guard shall review Coast Guard policies and procedures for public safety answering points and search-and-rescue coordination with State and local law enforcement entities in order to—

(A) further minimize the possibility of maritime 911 calls being improperly routed; and

(B) assure the Coast Guard is able to effectively carry out the Coast Guard’s maritime search and rescue mission; and

(2) the Commandant shall—
(A) formulate a national maritime public
safety answering points policy; and

(B) submit a report to the Congress on
such assessment and policy, which shall include
an update to the report submitted in accord-
ance with section 233 of the Howard Coble
Coast Guard and Maritime Transportation Act
of 2014.

SEC. 809. SHIP SHOAL LIGHTHOUSE TRANSFER: REPEAL.
Effective January 1, 2021, section 27 of the Coast
105 Stat. 2218) is repealed.

SEC. 810. LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.
(a) LAND EXCHANGE; AYAKULIK ISLAND, ALAS-
KA.—If the owner of Ayakulik Island, Alaska, offers to
exchange the Island for the Tract—

(1) within 10 days after receiving such offer,
the Secretary shall provide notice of the offer to the
Commandant;

(2) within 90 days after receiving the notice
under paragraph (1), the Commandant shall develop
and transmit to the Secretary proposed operational
restrictions on commercial activity conducted on the
Tract, including the right of the Commandant to—
(A) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or from the Tract that violates or threatens to violate one or more of such restrictions; or

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction enjoining the activity that violates or threatens to violate such restrictions;

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island; and

(4) within 30 days after transmitting the proposed operational restrictions to the owner of Ayakulik Island, and if the owner agrees to such restrictions, the Secretary shall convey all right, title, and interest of the United States in and to the Tract to the owner, subject to an easement granted to the Commandant to enforce such restrictions, in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(b) BOUNDARY REVISIONS.—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.
(c) Public Land Order.—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) Failure to Timely Respond to Notice.—If the Commandant does not transmit proposed operational restrictions to the Secretary within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 60 days after transmitting such notice, convey all right, title, and interest of the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(e) CERCLA Not Affected.—This section and an exchange under this section shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(f) Definitions.—In this section:

(1) Commandant.—The term “Commandant” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) Secretary.—The term “Secretary” means the Secretary of the Interior.
(3) Tract.—The term “Tract” means the land (including submerged land) depicted as “PROPOSED PROPERTY EXCHANGE AREA” on the survey titled “PROPOSED PROPERTY EXCHANGE PARCEL” and dated 3/22/17.

SEC. 811. USE OF TRACT 43.

Section 524(e)(2) of the Pribilof Island Transition Completion Act of 2016 (Public Law 114–120), as amended by section 3533 of the Pribilof Island Transition Completion Amendments Act of 2016 (subtitle B of title XXXV of Public Law 114–328), is amended by—

(1) striking “each month” and inserting “each April and October”; and

(2) striking “previous month” and inserting “previous six months”.

SEC. 812. COAST GUARD MARITIME DOMAIN AWARENESS.

(a) In General.—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act under which the Academy shall prepare an assessment of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard.

(b) Assessment.—The assessment shall—
(1) describe the potential limitations of current and emerging unmanned technologies used in the maritime domain for—

(A) ocean observation;

(B) vessel monitoring and identification;

(C) weather observation;

(D) to the extent practicable for consideration by the Academy, intelligence gathering, surveillance, and reconnaissance; and

(E) communications;

(2) examine how technologies described in paragraph (1) can help prioritize Federal investment by examining;

(A) affordability, including acquisition, operations, and maintenance;

(B) reliability;

(C) versatility;

(D) efficiency; and

(E) estimated service life and persistence of effort; and

(3) analyze whether the use of new and emerging maritime domain awareness technologies can be used to—

(A) carry out Coast Guard missions at lower costs;
(B) expand the scope and range of Coast Guard maritime domain awareness;

(C) allow the Coast Guard to more efficiently and effectively allocate Coast Guard vessels, aircraft, and personnel; and

(D) identify adjustments that would be necessary in Coast Guard policies, procedures, and protocols to incorporate unmanned technologies to enhance efficiency.

(e) **Report to Congress.**—Not later than 1 year after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences shall submit the assessment prepared under this section to the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) **Use of Information.**—In formulating costs pursuant to subsection (b), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard manpower requirements or other reports, assessments, or analyses for the acquisition of unmanned, autonomous, or remotely controlled technologies by the Federal Government.
SEC. 813. MONITORING.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall conduct a 1-year pilot program to determine the impact of persistent use of different types of surveillance systems on illegal maritime activities, including illegal, unreported, and unregulated fishing, in the Western Pacific region.

(b) REQUIREMENTS.—The pilot program shall—

(1) consider the use of light aircraft-based detection systems that can identify potential illegal activity from high altitudes and produce enforcement-quality evidence at low altitudes; and

(2) be directed at detecting and deterring illegal maritime activities, including illegal, unreported, and unregulated fishing, and enhancing maritime domain awareness.

SEC. 814. REIMBURSEMENTS FOR NON-FEDERAL CONSTRUCTION COSTS OF CERTAIN AIDS TO NAVIGATION.

(a) IN GENERAL.—Subject to the availability of amounts specifically provided in advance in subsequent appropriations Acts and in accordance with this section, the Commandant of the Coast Guard may reimburse a non-Federal entity for costs incurred by the entity for a covered project.
(b) CONDITIONS.—The Commandant may not provide reimbursement under subsection (a) with respect to a covered project unless—

(1) the need for the project is a result of the completion of construction with respect to a federally authorized navigation channel;

(2) the Commandant determines, through an appropriate navigation safety analysis, that the project is necessary to ensure safe marine transportation;

(3) the Commandant approves the design of the project to ensure that it meets all applicable Coast Guard aids-to-navigation standards and requirements;

(4) the non-Federal entity agrees to transfer the project upon completion to the Coast Guard for operation and maintenance by the Coast Guard as a Federal aid to navigation;

(5) the non-Federal entity carries out the project in accordance with the same laws and regulations that would apply to the Coast Guard if the Coast Guard carried out the project, including obtaining all permits required for the project under Federal and State law; and
(6) the Commandant determines that the project satisfies such additional requirements as may be established by the Commandant.

(c) LIMITATIONS.—Reimbursements under subsection (a) may not exceed the following:

(1) For a single covered project, $5,000,000.

(2) For all covered projects in a single fiscal year, $5,000,000.

(d) EXPIRATION.—The authority granted under this section shall expire on the date that is 4 years after the date of enactment of this section.

(e) COVERED PROJECT DEFINED.—In this section, the term “covered project” means a project carried out—

(1) by a non-Federal entity to construct and establish an aid to navigation that facilitates safe and efficient marine transportation on a Federal navigation project authorized by title I of the Water Resources Development Act of 2007 (Public Law 110–114); and

(2) in an area that was affected by Hurricane Harvey.

SEC. 815. TOWING SAFETY MANAGEMENT SYSTEM FEES.

(a) REVIEW.—The Commandant of the Coast Guard shall—
(1) review and compare the costs to the Government of—

(A) towing vessel inspections performed by the Coast Guard; and

(B) such inspections performed by a third party; and

(2) based on such review and comparison, determine whether the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard.

(b) REVISION OF FEES.—If the Commandant determines under subsection (a) that the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard, then the Commandant shall revise the fee assessed by the Coast Guard for such inspections as necessary to conform to the requirements under section 9701 of title 31, United States Code, that such fee be based on the cost to the Government of such inspections and accurately reflect such costs.

SEC. 816. OIL SPILL DISBURSEMENTS AUDITING AND REPORT.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—
(1) by repealing subsection (g);

(2) in subsection (l)(1), by striking “Within one year after the date of enactment of the Coast Guard Authorization Act of 2010, and annually thereafter,” and inserting “Each year, on the date on which the President submits to Congress a budget under section 1105 of title 31, United States Code,”; and

(3) by amending subsection (l)(2) to read as follows:

“(2) CONTENTS.—The report shall include—

“(A) a list of each incident that—

“(i) occurred in the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling $500,000 or more;

“(B) a list of each incident that—

“(i) occurred in the fiscal year preceding the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling $500,000 or more; and

“(C) an accounting of any amounts reimbursed to the Fund in the preceding fiscal year that were recovered from a responsible party
for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling $500,000 or more.”.

SEC. 817. FLEET REQUIREMENTS ASSESSMENT AND STRATEGY.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with interested Federal and non-Federal stakeholders, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report including—

(1) an assessment of Coast Guard at-sea operational fleet requirements to support its statutory missions established in the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.); and

(2) a strategic plan for meeting the requirements identified under paragraph (1).

(b) CONTENTS.—The report under subsection (a) shall include—

(1) an assessment of—

(A) the extent to which the Coast Guard at-sea operational fleet requirements referred to in subsection (a)(1) are currently being met;
(B) the Coast Guard’s current fleet, its operational lifespan, and how the anticipated changes in the age and distribution of vessels in the fleet will impact the ability to meet at-sea operational requirements;

(C) fleet operations and recommended improvements to minimize costs and extend operational vessel life spans; and

(D) the number of Fast Response Cutters, Offshore Patrol Cutters, and National Security Cutters needed to meet at-sea operational requirements as compared to planned acquisitions under the current programs of record;

(2) an analysis of—

(A) how the Coast Guard at-sea operational fleet requirements are currently met, including the use of the Coast Guard’s current cutter fleet, agreements with partners, chartered vessels, and unmanned vehicle technology; and

(B) whether existing and planned cutter programs of record (including the Fast Response Cutter, Offshore Patrol Cutter, and National Security Cutter) will enable the Coast
2 Guard to meet at-sea operational requirements;
and

(3) a description of—

(A) planned manned and unmanned vessel
acquisition; and

(B) how such acquisitions will change the
extent to which the Coast Guard at-sea oper-
ational requirements are met.

(e) CONSULTATION AND TRANSPARENCY.—

(1) CONSULTATION.—In consulting with the
Federal and non-Federal stakeholders under sub-
section (a), the Secretary of the department in which
the Coast Guard is operating shall—

(A) provide the stakeholders with opportu-
nities for input—

(i) prior to initially drafting the re-
port, including the assessment and stra-
tegic plan; and

(ii) not later than 3 months prior to
finalizing the report, including the assess-
ment and strategic plan, for submission;
and

(B) document the input and its disposition
in the report.
(2) TRANSPARENCY.—All input provided under paragraph (1) shall be made available to the public.

(d) ENSURING MARITIME COVERAGE.—In order to meet Coast Guard mission requirements for search and rescue, ports, waterways, and coastal security, and maritime environmental response during recapitalization of Coast Guard vessels, the Coast Guard shall ensure continuity of the coverage, to the maximum extent practicable, in the locations that may lose assets.

SEC. 818. NATIONAL SECURITY CUTTER.

(a) STANDARD METHOD FOR TRACKING.—The Commandant of the Coast Guard may not certify an eighth National Security Cutter as Ready for Operations before the date on which the Commandant provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a notification of a new standard method for tracking operational employment of Coast Guard major cutters that does not include time during which such a cutter is away from its homeport for maintenance or repair; and

(2) a report analyzing cost and performance for different approaches to achieving varied levels of
operational employment using the standard method
required by paragraph (1) that, at a minimum—

(A) compares over a 30-year period the av-
erage annualized baseline cost and perform-
ances for a certified National Security Cutter
that operated for 185 days away from homeport
or an equivalent alternative measure of oper-
ational tempo—

(i) against the cost of a 15 percent in-
crease in days away from homeport or an
equivalent alternative measure of oper-
ational tempo for a National Security Cut-
ter; and

(ii) against the cost of the acquisition
and operation of an additional National
Security Cutter; and

(B) examines the optimal level of oper-
ational employment of National Security Cut-
ters to balance National Security Cutter cost
and mission performance.

(b) CONFORMING AMENDMENTS.—

(1) Section 221(b) of the Coast Guard and
1560) is repealed.
(2) Section 204(c)(1) of the Coast Guard Authorization Act of 2016 (130 Stat. 35) is repealed.

SEC. 819. ACQUISITION PLAN FOR INLAND WATERWAY AND RIVER TENDERS AND BAY-CLASS ICEBREAKERS.

(a) ACQUISITION PLAN.—Not later than 270 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to replace or extend the life of the Coast Guard fleet of inland waterway and river tenders, and the Bay-class icebreakers.

(b) CONTENTS.—The plan under subsection (a) shall include—

(1) an analysis of the work required to extend the life of vessels described in subsection (a);

(2) recommendations for which, if any, such vessels it is cost effective to undertake a ship-life extension or enhanced maintenance program;

(3) an analysis of the aids to navigation program to determine if advances in navigation technology may reduce the needs for physical aids to navigation;
(4) recommendations for changes to physical aids to navigation and the distribution of such aids that reduce the need for the acquisition of vessels to replace the vessels described in subsection (a);

(5) a schedule for the acquisition of vessels to replace the vessels described in subsection (a), including the date on which the first vessel will be delivered;

(6) the date such acquisition will be complete;

(7) a description of the order and location of replacement vessels;

(8) an estimate of the cost per vessel and of the total cost of the acquisition program of record; and

(9) an analysis of whether existing vessels can be used.

SEC. 820. GREAT LAKES ICEBREAKER ACQUISITION.

(a) ICEBREAKING ON THE GREAT LAKES.—For fiscal years 2018 and 2019, the Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by this division, for the construction of an icebreaker that is at least as capable as the Coast Guard Cutter Mackinaw to enhance icebreaking capacity on the Great Lakes.

(b) ACQUISITION PLAN.—Not later than 45 days after the date of enactment of this Act, the Commandant
shall submit a plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives for acquiring an icebreaker described in subsections (a) and (b). Such plan shall include—

(1) the details and schedule of the acquisition activities to be completed; and

(2) a description of how the funding for Coast Guard acquisition, construction, and improvements that was appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115–31) will be allocated to support the acquisition activities referred to in paragraph (1).

SEC. 821. POLAR ICEBREAKERS.

(a) ENHANCED MAINTENANCE PROGRAM FOR THE POLAR STAR.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Commandant of the Coast Guard shall conduct an enhanced maintenance program on Coast Guard Cutter Polar Star (WAGB–10) to extend the service life of such vessel until at least December 31, 2025.

(2) REQUIREMENT FOR REPORT.—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2017, the Sec-
retary of the department in which the Coast Guard is operating, in consultation with Naval Sea Systems Command, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed report describing a plan to extend the service life of the Coast Guard Cutter *Polar Star* (WAGB–10) until at least December 31, 2025, through an enhanced maintenance program.

(3) CONTENT.—The report required by paragraph (2) shall include the following:

(A) An assessment and discussion of the enhanced maintenance program recommended by the National Academies of Sciences, Engineering, and Medicine’s Committee on Polar Icebreaker Cost Assessment in the letter report “Acquisition and Operation of Polar Icebreakers: Fulfilling the Nation’s Needs”.

(B) An assessment and discussion of the Government Accountability Office’s concerns and recommendations regarding service life extension work on Coast Guard Cutter *Polar Star* (WAGB–10) in the report “Status of the Coast
Guard’s Polar Icebreaking Fleet Capability and Recapitalization Plan’’.

(C) Based upon a materiel condition assessment of the Coast Guard Cutter Polar Star (WAGB–10)—

(i) a description of the service life extension needs of the vessel;

(ii) detailed information regarding planned shipyard work for each fiscal year to meet such needs; and

(iii) an estimate of the amount needed to be appropriated to complete the enhanced maintenance program.

(D) A plan to ensure the vessel will maintain seasonally operational status during the enhanced maintenance program.

(4) AUTHORIZATION OF APPROPRIATIONS.—

The Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by section 202 of this division, for the enhanced maintenance program described in the report required by subsection (a).

(b) OVERDUE REPORT.—Upon the date of enactment of the Coast Guard Authorization Act of 2017, the Sec-
Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the polar icebreaker recapitalization plan required under section 3523 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

(e) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2012; AMENDMENT.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213), as amended, is further amended as follows:

(1) by striking subsections (a) through (d);

(2) by redesignating subsections (e) through (g) as subsections (a) through (c), respectively;

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

(A) in the matter preceding paragraph (1), by striking “Except as provided in subsection (c), the Commandant” and inserting “The Commandant”;

(B) in paragraph (1) by striking “Polar Sea or”;
(C) in paragraph (2) by striking “either of the vessels” and inserting “the Polar Star or the Polar Sea”; and

(D) in paragraph (3) by striking “either of the vessels” each place it appears and inserting “the Polar Star”.

**SEC. 822. STRATEGIC ASSETS IN THE ARCTIC.**

(a) **DEFINITION OF ARCTIC.**—In this section, the term “Arctic” has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Arctic continues to grow in significance to both the national security interests and the economic prosperity of the United States; and

(2) the Coast Guard must ensure it is positioned to respond to any accident, incident, or threat with appropriate assets.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Secretary of Defense and taking into consideration the Department of Defense 2016 Arctic Strategy, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the
Committee on Transportation and Infrastructure of the House of Representatives a report on the progress toward implementing the strategic objectives described in the United States Coast Guard Arctic Strategy dated May 2013.

(d) CONTENTS.—The report under subsection (c) shall include—

(1) a description of the Coast Guard’s progress toward each strategic objective identified in the United States Coast Guard Arctic Strategy dated May 2013;

(2) an assessment of the assets and infrastructure necessary to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy dated May 2013 based on factors such as—

(A) response time;

(B) coverage area;

(C) endurance on scene;

(D) presence; and

(E) deterrence;

(3) an analysis of the sufficiency of the distribution of National Security Cutters, Offshore Patrol Cutters, and Fast Response Cutters both stationed in various Alaskan ports and in other loca-
tions to meet the strategic objectives identified in
the United States Coast Guard Arctic Strategy, dated May 2013;

(4) plans to provide communications throughout the entire Coastal Western Alaska Captain of the Port zone to improve waterway safety and mitigate close calls, collisions, and other dangerous interactions between the shipping industry and subsistence hunters;

(5) plans to prevent marine casualties, when possible, by ensuring vessels avoid environmentally sensitive areas and permanent security zones;

(6) an explanation of—

(A) whether it is feasible to establish a vessel traffic service, using existing resources or otherwise; and

(B) whether an Arctic Response Center of Expertise is necessary to address the gaps in experience, skills, equipment, resources, training, and doctrine to prepare, respond to, and recover spilled oil in the Arctic; and

(7) an assessment of whether sufficient agreements are in place to ensure the Coast Guard is receiving the information it needs to carry out its responsibilities.
SEC. 823. ARCTIC PLANNING CRITERIA.

(a) ALTERNATIVE PLANNING CRITERIA.—

(1) IN GENERAL.—For purposes of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), the Commandant of the Coast Guard may approve a vessel response plan under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) for a vessel operating in any area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic, if the Commandant verifies that—

(A) equipment required to be available for response under the plan has been tested and proven capable of operating in the environmental conditions expected in the area in which it is intended to be operated; and

(B) the operators of such equipment have conducted training on the equipment within the area covered by such Captain of the Port Zone.

(2) POST-APPROVAL REQUIREMENTS.—In approving a vessel response plan under paragraph (1), the Commandant shall—

(A) require that the oil spill removal organization identified in the vessel response plan conduct regular exercises and drills of the plan
in the area covered by the Captain of the Port Zone that includes the Arctic; and

(B) allow such oil spill removal organization to take credit for a response to an actual spill or release in the area covered by such Captain of the Port Zone, instead of conducting an exercise or drill required under subparagraph (A), if the oil spill removal organization—

(i) documents which exercise or drill requirements were met during the response; and

(ii) submits a request for credit to, and receives approval from, the Commandant.

(b) Report.—

(1) In general.—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the oil spill prevention and response capabilities for the area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic.
(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A description of equipment and assets available for response under the vessel response plans approved for vessels operating in the area covered by the Captain of the Port Zone, including details on any providers of such equipment and assets.

(B) A description of the location of such equipment and assets, including an estimate of the time to deploy the equipment and assets.

(C) A determination of how effectively such equipment and assets are distributed throughout the area covered by the Captain of the Port Zone.

(D) A statement regarding whether the ability to maintain and deploy such equipment and assets is taken into account when measuring the equipment and assets available throughout the area covered by the Captain of the Port Zone.

(E) A validation of the port assessment visit process and response resource inventory for response under the vessel response plans ap-
proved for vessels operating in the area covered
by the Captain of the Port Zone.

(F) A determination of the compliance rate
with Federal vessel response plan regulations in
the area covered by the Captain of the Port
Zone during the previous 3 years.

(G) A description of the resources needed
throughout the area covered by the Captain of
the Port Zone to conduct port assessments, ex-
cercises, response plan reviews, and spill re-
sponses.

(c) Definition of Arctic.—In this section, the
term “Arctic” has the meaning given the term under sec-
tion 112 of the Arctic Research and Policy Act of 1984

SEC. 824. VESSEL RESPONSE PLAN AUDIT.

(a) In General.—Not later than 1 year after the
date of enactment of this Act, the Comptroller General
of the United States shall complete and submit to the
Committee on Commerce, Science, and Transportation of
the Senate and the Committee on Transportation and In-
frastructure of the House of Representatives a comprehen-
sive review of the processes and resources used by the
Coast Guard to implement vessel response plan require-
ments under section 311 of the Federal Water Pollution

(b) REQUIRED ELEMENTS OF REVIEW.—The review
required under subsection (a) shall, at a minimum, in-
clude—

(1) a study, or an audit if appropriate, of the
processes the Coast Guard uses—

(A) to approve the vessel response plans
referred to in subsection (a);

(B) to approve alternate planning criteria
used in lieu of National Planning Criteria in
approving such plans;

(C) to verify compliance with such plans;

and

(D) to act in the event of a failure to com-
ply with the requirements of such plans;

(2) an examination of all Federal and State
agency resources used by the Coast Guard in car-
rying out the processes identified under paragraph
(1), including—

(A) the current staffing model and organi-

zation;

(B) data, software, simulators, systems, or
other technology, including those pertaining to
weather, oil spill trajectory modeling, and risk management;

(C) the total amount of time per fiscal year expended by Coast Guard personnel to approve and verify compliance with vessel response plans; and

(D) the average amount of time expended by the Coast Guard for approval of, and verification of compliance with, a single vessel response plan;

(3) an analysis of how, including by what means or methods, the processes identified under paragraph (1)—

(A) ensure compliance with applicable law;

(B) are implemented by the Coast Guard, including at the district and sector levels;

(C) are informed by public comment and engagement with States, Indian Tribes, and other regional stakeholders;

(D) ensure availability and adequate operational capability and capacity of required assets and equipment, including in cases in which contractual obligations may limit the availability of such assets and equipment for response;
(E) provide for adequate asset and equipment mobilization time requirements, particularly with respect to—

(i) calculation and establishment of such requirements;

(ii) verifying compliance with such requirements; and

(iii) factoring in weather, including specific regional adverse weather as defined in section 155.1020 of title 33, Code of Federal Regulations, in calculating, establishing, and verifying compliance with such requirements;

(F) ensure response plan updates and vessel compliance when changes occur in response planning criteria, asset and equipment mobilization times, or regional response needs, such as trends in transportation of high gravity oils or changes in vessel traffic volume; and

(G) enable effective action by the Coast Guard in the event of a failure to comply with response plan requirements;

(4) a determination regarding whether asset and equipment mobilization time requirements under
approved vessel response plans can be met by the
vessels to which they apply; and

(5) recommendations for improving the proc-
cesses identified under paragraph (1), including rec-
ommendations regarding the sufficiency of Coast
Guard resources dedicated to those processes.

SEC. 825. WATERS DEEMED NOT NAVIGABLE WATERS OF
THE UNITED STATES FOR CERTAIN PUR-
POSES.

For purposes of the application of subtitle II of title
46, United States Code, to the Volunteer (Hull Number
CCA4108), the Illinois and Michigan Canal is deemed to
not be navigable waters of the United States.

SEC. 826. DOCUMENTATION OF RECREATIONAL VESSELS.

Coast Guard personnel performing nonrecreational
vessel documentation functions under subchapter II of
chapter 121 of title 46, United States Code, may perform
recreational vessel documentation under section 12114 of
such title in any fiscal year in which—

(1) funds available for Coast Guard operating
expenses may not be used for expenses incurred for
recreational vessel documentation;

(2) fees collected from owners of yachts and
credited to such use are insufficient to pay expenses
of recreational vessel documentation; and
(3) there is a backlog of applications for recreational vessel documentation.

SEC. 827. EQUIPMENT REQUIREMENTS; EXEMPTION FROM
THROWABLE PERSONAL FLOTATION DEVICES
REQUIREMENT.

Not later than one year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall—

(1) prescribe regulations in part 160 of title 46, Code of Federal Regulations, that treat a marine throw bag, as that term is commonly used in the commercial whitewater rafting industry, as a type of lifesaving equipment; and

(2) revise section 175.17 of title 33, Code of Federal Regulations, to exempt rafts that are 16 feet or more overall in length from the requirement to carry an additional throwable personal flotation device when such a marine throw bag is onboard and accessible.

SEC. 828. VISUAL DISTRESS SIGNALS AND ALTERNATIVE USE.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating shall develop a performance standard for the alternative use and possession of visual distress alerting and locating signals as man-
dated by carriage requirements for recreational boats in
subpart C of part 175 of title 33, Code of Federal Regula-
tions.

(b) REGULATIONS.—Not later than 180 days after
the performance standard for alternative use and posses-
sion of visual distress alerting and locating signals is final-
ized, the Secretary shall revise part 175 of title 33, Code
of Federal Regulations, to allow for carriage of such alter-
native signal devices.

SEC. 829. RADAR REFRESHER TRAINING.

Not later than 60 days after the date of enactment
of this Act, the Secretary of the department in which the
Coast Guard is operating shall prescribe a final rule elimi-
nating the requirement that a mariner actively using the
mariner’s credential complete an approved refresher or re-
certification course to maintain a radar observer endorse-
ment. This rulemaking shall be exempt from chapters 5
and 6 of title 5, United States Code, and Executive Orders
12866 and 13563.

SEC. 830. COMMERCIAL FISHING VESSEL SAFETY NA-
TIONAL COMMUNICATIONS PLAN.

(a) REQUIREMENT FOR PLAN.—Not later than 1
year after the date of enactment of this Act, the Secretary
of the department in which the Coast Guard is operating
shall develop and submit to the Committee on Commerce,
Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a national communications plan for the purposes of—

(1) disseminating information to the commercial fishing vessel industry;

(2) conducting outreach with the commercial fishing vessel industry;

(3) facilitating interaction with the commercial fishing vessel industry; and

(4) releasing information collected under section 15102 of title 46, United States Code, as added by this division, to the commercial fishing vessel industry.

(b) CONTENT.—The plan required by subsection (a), and each annual update, shall—

(1) identify staff, resources, and systems available to the Secretary to ensure the widest dissemination of information to the commercial fishing vessel industry;

(2) include a means to document all communication and outreach conducted with the commercial fishing vessel industry; and

(3) include a mechanism to measure effectiveness of such plan.
(c) IMPLEMENTATION.—Not later than one year after submission of the initial plan, the Secretary of the department in which the Coast Guard is operating shall implement the plan and shall at a minimum—

(1) leverage Coast Guard staff, resources, and systems available;

(2) monitor implementation nationwide to ensure adherence to plan contents;

(3) allow each Captain of the Port to adopt the most effective strategy and means to communicate with commercial fishing vessel industry in that Captain of the Port Zone;

(4) document communication and outreach; and

(5) solicit feedback from the commercial fishing vessel industry.

(d) REPORT AND UPDATES.—The Secretary of the department in which the Coast Guard is operating shall—

(1) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effectiveness of the plan to date and any updates to ensure maximum impact of the plan one year after the date of enactment of this Act, and every 4 years thereafter; and
(2) include in such report input from individual
Captains of the Port and any feedback received from
the commercial fishing vessel industry.

SEC. 831. AUTHORIZATION FOR MARINE DEBRIS PROGRAM.
The Marine Debris Research, Prevention, and Reduction Act is amended—
(1) in section 9 (33 U.S.C. 1958)—
(A) by striking the em-dash and all that
follows through “(1)”; and
(B) by striking “; and” and all that follows
through the end of the section and inserting a
period; and
(2) by adding at the end the following:
“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.
“Of the amounts authorized for each fiscal year
under section 4902 of title 14, United States Code, up
to $2,000,000 are authorized for the Commandant to
carry out section 4 of this Act, of which not more than
10 percent may be used for administrative costs.”.

SEC. 832. ATLANTIC COAST PORT ACCESS ROUTE STUDY
RECOMMENDATIONS.
Not later than 30 days after the date of the enactment of the Act, the Commandant of the Coast Guard
shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Com-
mittee on Commerce, Science, and Transportation of the Senate of action taken to carry out the recommendations contained in the final report issued by the Atlantic Coast Port Access Route Study (ACPARS) workgroup for which notice of availability was published March 14, 2016 (81 Fed. Reg. 13307).

SEC. 833. DRAWBRIDGES.

Section 5 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499), is amended by adding at the end the following:

“(d) TEMPORARY CHANGES TO DRAWBRIDGE OPERATING SCHEDULES.—Notwithstanding section 553 of title 5, United States Code, whenever a temporary change to the operating schedule of a drawbridge, lasting 180 days or less—

“(1) is approved—

“(A) the Secretary of the department in which the Coast Guard is operating shall—

“(i) issue a deviation approval letter to the bridge owner; and

“(ii) announce the temporary change in—
“(I) the Local Notice to Mariners;

“(II) a broadcast notice to mariners and through radio stations; or

“(III) such other local media as the Secretary considers appropriate;

and

“(B) the bridge owner, except a railroad bridge owner, shall notify—

“(i) the public by publishing notice of the temporary change in a newspaper of general circulation published in the place where the bridge is located;

“(ii) the department, agency, or office of transportation with jurisdiction over the roadway that abuts the approaches to the bridge; and

“(iii) the law enforcement organization with jurisdiction over the roadway that abuts the approaches to the bridge; or

“(2) is denied, the Secretary of the department in which the Coast Guard is operating shall—

“(A) not later than 10 days after the date of receipt of the request, provide the bridge owner in writing the reasons for the denial, in-
cluding any supporting data and evidence used
to make the determination; and

“(B) provide the bridge owner a reasonable
opportunity to address each reason for the de-
nial and resubmit the request.

“(e) DRAWBRIDGE MOVEMENTS.—The Secretary of
the department in which the Coast Guard is operating—

“(1) shall require a drawbridge operator to
record each movement of the drawbridge in a log-
book;

“(2) may inspect the logbook to ensure draw-
bridge movement is in accordance with the posted
operating schedule;

“(3) shall review whether deviations from the
posted operating schedule are impairing vehicular
and pedestrian traffic; and

“(4) may determine if the operating schedule
should be adjusted for efficiency of maritime or ve-
vehicular and pedestrian traffic.

“(f) REQUIREMENTS.—

“(1) LOGBOOKS.—An operator of a drawbridge
built across a navigable river or other water of the
United States—
“(A) that opens the draw of such bridge for the passage of a vessel, shall record in a logbook—

“(i) the bridge identification and date of each opening;

“(ii) the bridge tender or operator for each opening;

“(iii) each time it is opened for navigation;

“(iv) each time it is closed for navigation;

“(v) the number and direction of vessels passing through during each opening;

“(vi) the types of vessels passing through during each opening;

“(vii) an estimated or known size (height, length, and beam) of the largest vessel passing through during each opening;

“(viii) for each vessel, the vessel name and registration number if easily observable; and

“(ix) all maintenance openings, malfunctions, or other comments; and
“(B) that remains open to navigation but closes to allow for trains to cross, shall record in a logbook—

“(i) the bridge identification and date of each opening and closing;

“(ii) the bridge tender or operator;

“(iii) each time it is opened to navigation;

“(iv) each time it is closed to navigation; and

“(v) all maintenance openings, closings, malfunctions, or other comments.

“(2) MAINTENANCE OF LOGBOOKS.—A drawbridge operator shall maintain logbooks required under paragraph (1) for not less than 5 years.

“(3) SUBMISSION OF LOGBOOKS.—At the request of the Secretary of the department in which the Coast Guard is operating, a drawbridge operator shall submit to the Secretary the logbook required under paragraph (1) as the Secretary considers necessary to carry out this section.

“(4) EXEMPTION.—The requirements under paragraph (1) shall be exempt from sections 3501 to 3521 of title 44, United States Code.”.
SEC. 834. WAIVER.

Section 8902 of title 46, United States Code, shall not apply to the chain ferry DIANE (United States official number CG002692) when such vessel is operating on the Kalamazoo River in Saugatuck, Michigan.

SEC. 835. VESSEL WAIVER.

(a) IN GENERAL.—Upon enactment of this Act and notwithstanding sections (a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall issue a certificate of documentation with coastwise and fishery endorsements to the certificated vessel.

(b) REPLACEMENT VESSEL.—The certificated vessel shall qualify and not be precluded from operating as an Amendment 80 replacement vessel under the provisions of part 679 of title 50, Code of Federal Regulations.

(c) COAST GUARD REVIEW AND DETERMINATION.—

   (1) REVIEW.—Not later than 30 days after the date of enactment of this section, the Secretary shall conduct and complete a review of the use of certain foreign fabricated steel components in the hull or superstructure of the certificated vessel.

   (2) DETERMINATION.—Based on the review conducted under paragraph (1), the Secretary shall determine whether the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were pro-
cured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code.

(3) Revocation.—If the Secretary determines under paragraph (2) that the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall immediately revoke the certificate of documentation issued under subsection (a).

(4) Use of Documents.—In conducting the review required under paragraph (1), the Secretary may request and review any information, correspondence, or documents related to the construction of the certificated vessel, including from the shipyard that constructed the certificated vessel and the purchaser of the certificated vessel.

(d) Termination.—If the contract for purchase of the certificated vessel that is in effect on the date of the enactment of this Act is terminated, the purchasing party to that contract shall be prohibited from entering into a
subsequent contract or agreement for purchase of such vessel.

(c) DEFINITION.—In this section—

(1) the term “Secretary” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard; and

(2) the term “certificated vessel” means the vessel America’s Finest (United States official number 1276760).

SEC. 836. TEMPORARY LIMITATIONS.

(a) LIMITATIONS.—

(1) IN GENERAL.—Upon the Coast Guard issuing a certificate of documentation with coastwise and fishery endorsements for the vessel “AMERICA’S FINEST” (United States official number 1276760), and subject to subsection (b), the vessels described in paragraph (2) shall not collectively exceed—

(A) the percentage of the harvest available in any Gulf of Alaska groundfish fisheries (other than fisheries subject to a limited access privilege program created by the North Pacific Fishery Management Council) that is equivalent to the total harvest by the vessels described in
paragraph (2) in those fisheries in the calendar
years that a vessel described in paragraph (2)
had harvest from 2012 through 2017 relative to
the total allowable catch available to such ves-
sels in the calendar years 2012 through 2017;
or
(B) the percentage of processing of deliv-
eries from other vessels in any Bering Sea,
Aleutian Islands, and Gulf of Alaska groundfish
fisheries (including fisheries subject to a limited
access privilege program created by the North
Pacific Fishery Management Council, or com-
munity development quotas as described in sec-
section 305(i) of the Magnuson-Stevens Fishery
Conservation and Management Act (16 U.S.C.
1855(i))) that is equivalent to the total proc-
essing of such deliveries by the vessels described
in paragraph (2) in those fisheries in the cal-
endar years 2012 through 2017 relative to the
total allowable catch available in the calendar
years 2012 through 2017.

(2) APPLICABLE VESSELS.—The limitations de-
scribed in paragraph (1) shall apply, in the aggre-
gate, to—
(A) the vessel AMERICA’S FINEST
(United States official number 1276760);

(B) the vessel US INTREPID (United
States official number 604439);

(C) the vessel AMERICAN NO. 1 (United
States official number 610654);

(D) any replacement of a vessel described
in subparagraph (A), (B), or (C); and

(E) any vessel assigned license number
LLG3217 under the license limitation program
under part 679 of title 50, Code of Federal
Regulations.

(b) EXPIRATION.—The limitations described in sub-
section (a) shall apply to a groundfish species in Bering
Sea, Aleutian Islands, and Gulf of Alaska only until the
earlier of—

(1) the end of the 6-year period beginning on
the date of enactment of this Act; or

(2) the date on which the Secretary of Com-
merce issues a final rule, based on recommendations
developed by the North Pacific Fishery Management
Council consistent with the Magnuson-Stevens Fish-
ery Conservation and Management Act (16 U.S.C.
1801 et seq.), that limits processing deliveries of
that groundfish species from other vessels in any
Bering Sea, Aleutian Islands, and Gulf of Alaska groundfish fisheries that are not subject to conservation and management measures under section 206 of the American Fisheries Act (16 U.S.C. 1851 note).

(c) EXISTING AUTHORITY.—Except for the measures required by this section, nothing in this title shall be construed to limit the authority of the North Pacific Fishery Management Council or the Secretary of Commerce under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 837. TRANSFER OF COAST GUARD PROPERTY IN JUPITER ISLAND, FLORIDA, FOR INCLUSION IN HOBE SOUND NATIONAL WILDLIFE REFUGE.

(a) TRANSFER.—Administrative jurisdiction over the property described in subsection (b) is transferred to the Secretary of the Interior.

(b) PROPERTY DESCRIBED.—The property described in this subsection is real property administered by the Coast Guard in the Town of Jupiter Island, Florida, comprising Parcel #35-38-42-004-000-02590-6 (Bon Air Beach lots 259 and 260 located at 83 North Beach Road) and Parcel #35-38-42-004-000-02610-2 (Bon Air Beach lots 261 to 267), including any improvements thereon that are not authorized or required by another provision of law to be conveyed to another person.
(c) Administration.—The property described in subsection (b) is included in Hobe Sound National Wildlife Refuge, and shall be administered by the Secretary of the Interior acting through the United States Fish and Wildlife Service.

SEC. 838. EMERGENCY RESPONSE.

Not later than 90 days after the date of enactment of this Act, the Commandant of the Coast Guard shall request the Comptroller General of the United States to examine whether there are unnecessary regulatory barriers to the use of small passenger vessels, crewboats, and offshore supply vessels in disaster response and provide recommendations, as appropriate, to reduce such barriers.

SEC. 839. DRAWBRIDGES CONSULTATION.

(a) Consultation.—In addition and subsequent to any rulemaking conducted under section 117.8 of title 33, Code of Federal Regulations, related to permanent changes to drawbridge openings that result from Amtrak service between New Orleans, Louisiana and Orlando, Florida, the Commandant shall consult with owners or operators of rail lines used for Amtrak passenger service between New Orleans, Louisiana and Orlando, Florida and affected waterway users on changes to drawbridge operating schedules necessary to facilitate the On Time Performance of passenger trains. These changes to schedules
shall not impact Coast Guard response times to operational missions.

(b) TIMING.—Consultation in subsection (a) shall occur after commencement of Amtrak passenger service on the rail lines between New Orleans, Louisiana and Orlando, Florida at the following intervals:

(1) Not less than 3 months following the commencement of Amtrak passenger service.

(2) Not less than 6 months following the commencement of Amtrak passenger service.

(c) REPORT.—If after conducting the consultations required by subsection (b)(2), the Commandant finds that permanent changes to drawbridge operations are necessary to mitigate delays in the movement of trains described in subsection (a) and that those changes do not unreasonably obstruct the navigability of the affected waterways, then the Commandant shall submit those findings to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.