

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 2838
OFFERED BY MR. LOBIONDO OF NEW JERSEY**

Page 18, line 13, strike “section 569a” and insert “section 569a(a) for the sixth national security cutter and section 569a for the seventh national security cutter”.

Page 40, before line 7, insert the following:

1 **SEC. 409. AUTHORITY TO EXTEND THE DURATION OF MED-**
2 **ICAL CERTIFICATES.**

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

6 **“§ 7508. Authority to extend the duration of medical**
7 **certificates**

8 “(a) GRANTING OF EXTENSIONS.—Notwithstanding
9 any other provision of law, the Secretary may extend for
10 not more than one year a medical certificate issued to an
11 individual holding a license, merchant mariner’s docu-
12 ment, or certificate of registry if the Secretary determines
13 that the extension is required to enable the Coast Guard
14 to eliminate a backlog in processing applications for med-

1 ical certificates or in response to a national emergency or
2 natural disaster.

3 “(b) MANNER OF EXTENSION.—An extension under
4 this section may be granted to individual seamen or a spe-
5 cifically identified group of seamen.”.

6 (b) CLERICAL AMENDMENT.—The analysis at the be-
7 ginning of such chapter is amended by adding at the end
8 the following:

“7508. Authority to extend the duration of medical certificates.”.

Page 56, after line 3, insert the following:

9 **SEC. 612. REPORT ON SURVIVAL CRAFT.**

10 (a) REPORT.—Not later than 180 days after the date
11 of enactment of this Act, the Commandant of the Coast
12 Guard shall submit to the Committee on Transportation
13 and Infrastructure of the House of Representatives and
14 the Committee on Commerce, Science, and Transportation
15 of the Senate a report on the carriage of survival craft
16 that ensures no part of an individual is immersed in water.

17 (b) CONTENT.—The report shall include information
18 on—

19 (1) the number of casualties as the result of im-
20 mersion in water by vessel type and area of oper-
21 ation reported to the Coast Guard for each of fiscal
22 years 1991 through 2011;

1 (2) the effect the carriage of such survival craft
2 has on vessel safety, including stability and safe
3 navigation;

4 (3) the efficacy of alternative safety systems,
5 devices, or measures; and

6 (4) the cost and cost-effectiveness of requiring
7 the carriage of such survival craft on vessels.

Page 58, line 15, after “technology” insert “to reduce or eliminate aquatic invasive species”.

Page 62, line 2, strike “or” at the end.

Page 62, line 7, strike the period at the end and insert “; or”.

Page 62, after line 7, insert the following:

8 “(iii) a discharge into navigable
9 waters from a commercial vessel when the
10 commercial vessel is operating in a capacity
11 other than as a means of transportation
12 on water.

Page 64, line 3, strike “December 19, 2008,” and all that follows through the period at the end of line 5 and insert “February 6, 2009.”.

Page 65, line 12, strike “point” and insert “port or place”.

Page 65, line 22, insert “, if such system does not introduce aquatic nuisance species into navigable waters, as determined by the Secretary in consultation with the Administrator” before the semicolon at the end.

Page 71, line 11, strike “this subparagraph” and insert “clause (ii)(II)”.

Page 86, line 8, strike “guidelines specifying” and insert “requirements for”.

Page 87, beginning on line 6, strike “this section for” and all that follows through the period at the end of line 8 and insert the following: “this section for—

1 “(A) a commercial vessel having a max-
2 imum ballast water capacity of less than 8
3 cubic meters; and

4 “(B) a commercial vessel that is 3 years or
5 fewer from the end of its useful life, as deter-
6 mined by the Secretary pursuant to subsection
7 (b)(2)(B)(v).

Page 87, line 24, strike “Subsections (c), (e), and (i)” and insert “Subsection (c)”.

Page 88, beginning on line 2, strike “, as determined by the Secretary, in consultation with the Administrator”.

Page 88, line 7, insert “, or an equivalent restriction, as determined by the Secretary, issued by the country of registration of the commercial vessel” before the period.

Page 107, line 10, insert “, in consultation with the Administrator,” before “shall promulgate”.

Page 110, after line 18, add the following:

1 **TITLE VIII—PIRACY**

2 **SEC. 801. SHORT TITLE.**

3 This title may be cited as the “Piracy Suppression
4 Act of 2011”.

5 **SEC. 802. REPORT ON ACTIONS TAKEN TO PROTECT FOR-**
6 **EIGN-FLAGGED VESSELS FROM PIRACY.**

7 Not later than 180 days after the date of enactment
8 of this Act, the Secretary of Defense, in consultation with
9 the Secretary of the department in which the Coast Guard
10 is operating, shall provide to the Committee on Armed
11 Services and the Committee on Transportation and Infra-
12 structure of the House of Representatives and the Com-
13 mittee on Armed Service and the Committee on Com-
14 merce, Science, and Transportation of the Senate a report
15 on actions taken by the Secretary of Defense to protect
16 foreign-flagged vessels from acts of piracy on the high
17 seas. The report shall include—

1 (1) the total number of incidents for each of the
2 fiscal years 2008 through 2011 in which a member
3 of the armed services or an asset under the control
4 of the Secretary of Defense was used to interdict or
5 defend against an act of piracy directed against any
6 vessel not documented under the laws of the United
7 States; and

8 (2) the total cost for each of the fiscal years
9 2008 through 2011 for such incidents.

10 **SEC. 803. TRAINING PROGRAM FOR USE OF FORCE**
11 **AGAINST PIRACY.**

12 (a) IN GENERAL.—Chapter 517 of title 46, United
13 States Code, is amended by adding at the end the fol-
14 lowing new section:

15 **“§ 51705. Training program for use of force against**
16 **piracy**

17 “The Secretary of Transportation shall establish a
18 training program for United States mariners on the use
19 of force against pirates. The program shall include—

20 “(1) information on waters designated as high-
21 risk waters by the Commandant of the Coast Guard;

22 “(2) information on current threats and pat-
23 terns of attack by pirates;

1 “(3) tactics for defense of a vessel, including in-
2 struction on the types, use, and limitations of secu-
3 rity equipment;

4 “(4) standard rules for the use of force for self
5 defense as developed by the Secretary of the depart-
6 ment in which the Coast Guard is operating under
7 section 912(c) of the Coast Guard Authorization Act
8 of 2010 (Public Law 111–281; 46 U.S.C. 8107
9 note), including instruction on firearm safety for
10 crewmembers of vessels carrying cargo under section
11 55305 of this title; and

12 “(5) procedures to follow to improve crew-
13 member survivability if captured and taken hostage
14 by pirates.”.

15 (b) **DEADLINE.**—The Secretary of Transportation
16 shall establish the program required under the amendment
17 made by subsection (a) by no later than 180 days after
18 the date of enactment of this Act.

19 (c) **CLERICAL AMENDMENT.**—The analysis at the be-
20 ginning of such chapter is amended by adding at the end
21 the following new item:

 “51705. Training program for use of force against piracy.”.

22 **SEC. 804. SECURITY OF GOVERNMENT IMPELLED CARGO.**

23 Section 55305 of title 46, United States Code, is
24 amended by adding at the end the following new sub-
25 section:

1 “(e) SECURITY OF GOVERNMENT IMPELLED
2 CARGO.—

3 “(1) In order to assure the safety of vessels and
4 crewmembers transporting equipment, materials, or
5 commodities under this section, the Secretary of
6 Transportation shall direct each department or
7 agency (except the Department of Defense) respon-
8 sible for the carriage of such equipment, materials,
9 or commodities to provide armed personnel aboard
10 vessels of the United States carrying such equip-
11 ment, materials, or commodities while transiting
12 high-risk waters.

13 “(2) The Secretary of Transportation shall di-
14 rect each such department or agency to reimburse,
15 subject to the availability or appropriations, the
16 owners or operators of such vessels for the cost of
17 providing armed personnel.

18 “(3) For the purposes of this subsection, the
19 term ‘high-risk waters’ means waters so designated
20 by the Commandant of the Coast Guard in the Port
21 Security Advisory in effect on the date on which the
22 voyage begins.”.

23 **SEC. 805. GAO STUDY.**

24 Not later than 1 year after the date of enactment
25 of this Act, the Comptroller General of the United States

1 shall report to the Committee on Transportation and In-
2 frastructure of the House of Representatives and the Com-
3 mittee on Commerce, Science, and Transportation of the
4 Senate on efforts to track ransom payments paid to pi-
5 rates operating in the waters off Somalia and improve the
6 prosecution of such pirates. The report shall include—

7 (1) the status of Working Group 5 of the Con-
8 tact Group on Piracy Off the Somali Coast, any ef-
9 forts undertaken by the Working Group, and rec-
10 ommendations for improving the Working Group's
11 effectiveness;

12 (2) efforts undertaken by the United States
13 Government to implement and enforce Executive
14 Order 13536, including recommendations on how to
15 better implement that order to suppress piracy;

16 (3) efforts undertaken by the United States
17 Government to track ransom payments made to pi-
18 rates operating off the coast of Somalia, the effec-
19 tiveness of those efforts, any operational actions
20 taken based off those efforts, and recommendations
21 on how to improve such tracking;

22 (4) actions taken by the United States Govern-
23 ment to improve the international prosecution of pi-
24 rates captured off the coast of Somalia; and

1 (5) an update on the United States Govern-
2 ment's efforts to implement the recommendation
3 contained in General Accountability Office report
4 GAO-10-856, entitled "Maritime Security: Actions
5 Needed to Assess and Update Plan and Enhance
6 Collaboration among Partners Involved in Coun-
7 tering Piracy off the Horn of Africa", that metrics
8 should be established for measuring the effectiveness
9 of counter piracy efforts.

