

116TH CONGRESS
1ST SESSION

H. R. 3409

AN ACT

To authorize appropriations for the Coast Guard, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Coast Guard Author-
3 ization Act of 2019”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—AUTHORIZATIONS

- Sec. 101. Authorizations of appropriations.
- Sec. 102. Authorized levels of military strength and training.
- Sec. 103. Determination of budgetary effects.

TITLE II—COAST GUARD

- Sec. 201. Grade on retirement.
- Sec. 202. Congressional affairs; Director.
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- Sec. 204. Authority for officers to opt out of promotion board consideration.
- Sec. 205. Temporary promotion authority for officers in certain grades with
critical skills.
- Sec. 206. Career intermission program.
- Sec. 207. Major acquisitions; operation and sustainment costs.
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- Sec. 209. Reports on gender diversity in the Coast Guard.
- Sec. 210. Disposition of infrastructure related to E-LORAN.
- Sec. 211. Positions of importance and responsibility.
- Sec. 212. Research projects; transactions other than contracts and grants.
- Sec. 213. Acquisition workforce authorities.
- Sec. 214. Report on Coast Guard defense readiness resources allocation.
- Sec. 215. Report on the feasibility of liquefied natural gas fueled vessels.

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- Sec. 301. Electronic charts; equivalency.
- Sec. 302. Passenger vessel security and safety requirements; application.
- Sec. 303. Non-operating individual.
- Sec. 304. Small passenger vessels and uninspected passenger vessels.
- Sec. 305. Installation vessels.
- Sec. 306. Advisory committees.
- Sec. 307. Expired maritime liens.
- Sec. 308. Training; emergency response providers.
- Sec. 309. Aiming a laser pointer at a vessel.
- Sec. 310. Maritime transportation assessment.
- Sec. 311. Safety of special activities.
- Sec. 312. Engine cut-off switches; use requirement.
- Sec. 313. Exemptions and equivalents.
- Sec. 314. Security plans; reviews.
- Sec. 315. Waiver of navigation and vessel inspection laws.
- Sec. 316. Requirement for small shipyard grantees.

- Sec. 317. Independent study on the United States Merchant Marine Academy.
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TITLE IV—MISCELLANEOUS

- Sec. 401. Coastwise trade.
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- Sec. 409. Physical access control system report.
- Sec. 410. Coastwise endorsements.
- Sec. 411. Polar security cutter acquisition report.
- Sec. 412. Sense of the Congress on the need for a new Great Lakes icebreaker.
- Sec. 413. Cargo preference study.
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- Sec. 415. Fishing safety grants.
- Sec. 416. Plans for demonstration programs.
- Sec. 417. Waters deemed not navigable waters of the United States for certain purposes.
- Sec. 418. Coast Guard housing; status and authorities briefing.
- Sec. 419. Conveyance of Coast Guard property at Point Spencer, Alaska.
- Sec. 420. Prohibition.
- Sec. 421. Certificate extensions.
- Sec. 422. Homeland security rotational cybersecurity research program at the Coast Guard Academy.
- Sec. 423. Towing vessel inspection fees.
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- Sec. 430. Plan for wing-in-ground demonstration plan.

TITLE V—REORGANIZATION

- Sec. 501. Uninspected commercial fishing industry vessels.
- Sec. 502. Transfers.
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TITLE VI—TECHNICAL, CONFORMING, AND CLARIFYING AMENDMENTS

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- Sec. 603. Common appropriation structure.
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- Sec. 606. Miscellaneous technical corrections.
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TITLE VII—FEDERAL MARITIME COMMISSION

- Sec. 701. Short title.
 Sec. 702. Authorization of appropriations.

TITLE VIII—COAST GUARD ACADEMY IMPROVEMENT ACT

- Sec. 801. Short title.
 Sec. 802. Coast Guard Academy study.
 Sec. 803. Annual report.
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 Sec. 806. Coast Guard college student pre-commissioning initiative.
 Sec. 807. Annual board of visitors.

1 **TITLE I—AUTHORIZATIONS**

2 **SEC. 101. AUTHORIZATIONS OF APPROPRIATIONS.**

3 Section 4902 of title 14, United States Code, is
 4 amended—

5 (1) in the matter preceding paragraph (1), by
 6 striking “year 2019” and inserting “years 2020 and
 7 2021”;

8 (2) in paragraph (1)(A), by striking “provided
 9 for, \$7,914,195,000 for fiscal year 2019.” and in-
 10 sserting “provided for—

11 “(i) \$8,122,912,000 for fiscal year 2020;

12 and

13 “(ii) \$8,538,324,000 for fiscal year
 14 2021.”;

15 (3) in paragraph (1)(B), by striking “subpara-
 16 graph (A)—” and inserting “subparagraph (A)(i),

1 \$17,035,000 shall be for environmental compliance
2 and restoration.”;

3 (4) by striking paragraphs (1)(B)(i) and
4 (1)(B)(ii);

5 (5) in paragraph (1), by adding at the end the
6 following:

7 “(C) Of the amount authorized under subpara-
8 graph (A)(ii) \$17,376,000 shall be for environmental
9 compliance and restoration.”;

10 (6) in paragraph (2)—

11 (A) by striking “For the procurement” and
12 inserting “(A) For the procurement”;

13 (B) by striking “and equipment,
14 \$2,694,745,000 for fiscal year 2019.” and in-
15 serting “and equipment—

16 “(i) \$2,748,640,000 for fiscal year 2020;
17 and

18 “(ii) \$2,803,613,000 for fiscal year
19 2021.”; and

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

21 “(B) Of the amounts authorized under subpara-
22 graph (A), the following amounts shall be for the al-
23 teration of bridges:

24 “(i) \$10,000,000 for fiscal year 2020; and

25 “(ii) \$20,000,000 for fiscal year 2021.”;

1 (7) in paragraph (3), by striking “and equip-
2 ment, \$29,141,000 for fiscal year 2019.” and insert-
3 ing “and equipment—

4 “(A) \$13,834,000 for fiscal year 2020; and

5 “(B) \$14,111,000 for fiscal year 2021.”;

6 and

7 (8) by adding at the end the following:

8 “(4) For the Coast Guard’s Medicare-eligible
9 retiree health care fund contribution to the Depart-
10 ment of Defense—

11 “(A) \$205,107,000 for fiscal year 2020;

12 and

13 “(B) \$209,209,000 for fiscal year 2021.”.

14 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
15 **AND TRAINING.**

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

18 (1) in subsection (a), by striking “43,000 for
19 fiscal year 2018 and 44,500 for fiscal year 2019”
20 and inserting “44,500 for each of fiscal years 2020
21 and 2021”; and

22 (2) in subsection (b), by striking “fiscal years
23 2018 and 2019” and inserting “fiscal years 2020
24 and 2021”.

1 **SEC. 103. DETERMINATION OF BUDGETARY EFFECTS.**

2 The budgetary effects of this Act, for the purpose of
3 complying with the Statutory Pay-As-You-Go Act of 2010,
4 shall be determined by reference to the latest statement
5 titled “Budgetary Effects of PAYGO Legislation” for this
6 Act, submitted for printing in the Congressional Record
7 by the Chairman of the House Budget Committee, pro-
8 vided that such statement has been submitted prior to the
9 vote on passage.

10 **TITLE II—COAST GUARD**

11 **SEC. 201. GRADE ON RETIREMENT.**

12 (a) **COMMANDANT OR VICE COMMANDANT.**—Section
13 303 of title 14, United States Code, is amended—

14 (1) in subsections (a) and (b), by striking “A”
15 each place it appears and inserting “Subject to sec-
16 tion 2501, a”; and

17 (2) in subsection (c), by striking “An” and in-
18 sserting “Subject to section 2501, an”.

19 (b) **OTHER OFFICERS.**—Section 306 of title 14,
20 United States Code, is amended—

21 (1) by striking “An officer” each place it ap-
22 pears and inserting “Subject to section 2501, an of-
23 ficer”; and

24 (2) in subsection (c), by striking “his” and in-
25 sserting “the officer’s”.

1 (c) COMMISSIONED OR WARRANT OFFICER.—Section
2 2501 of title 14, United States Code, is amended—

3 (1) in subsection (a)—

4 (A) by striking “Any” and inserting “COM-
5 MISSIONED OFFICER.—

6 “(1) IN GENERAL.—Any”;

7 (B) by striking “him” and inserting “such
8 officer”;

9 (C) by striking “his” and inserting “the
10 officer’s”; and

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

12 “(2) CONDITIONAL DETERMINATION.—When an
13 officer is under investigation for alleged misconduct
14 at the time of retirement, the Secretary may condi-
15 tionally determine the highest grade of satisfactory
16 service of the officer pending completion of the in-
17 vestigation. Such grade is subject to resolution
18 under subsection (c)(2).”;

19 (2) in subsection (b)—

20 (A) by striking “Any” and inserting
21 “WARRANT OFFICER.—Any”;

22 (B) by striking “him” and inserting “such
23 warrant officer”; and

24 (C) by striking “his” and inserting “the
25 warrant officer’s”; and

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

2 “(c) RETIREMENT IN LOWER GRADE.—

3 “(1) MISCONDUCT IN LOWER GRADE.—In the
4 case of an officer whom the Secretary determines
5 committed misconduct in a lower grade, the Sec-
6 retary may determine the officer has not served sat-
7 isfactorily in any grade equal to or higher than that
8 lower grade.

9 “(2) CONDITIONAL DETERMINATION.—A deter-
10 mination of the retired grade of an officer shall be
11 resolved following a conditional determination under
12 subsection (a)(2) or (b)(2) if the investigation of or
13 personnel action against the officer or warrant offi-
14 cer, as applicable, results in adverse findings.

15 “(3) RETIRED PAY; RECALCULATION.—If the
16 retired grade of an officer is reduced, the retired pay
17 of the officer under chapter 71 of title 10 shall be
18 recalculated, and any modification of the retired pay
19 of the officer shall go into effect on the effective date
20 of the reduction in retired grade.

21 “(d) FINALITY OF RETIRED GRADE DETERMINA-
22 TIONS.—

23 “(1) ADMINISTRATIVE FINALITY.—Except as
24 otherwise provided by law, a determination of the re-
25 tired grade of an officer pursuant to this section is

1 administratively final on the day the officer is re-
2 tired, and may not be reopened.

3 “(2) REOPENING DETERMINATION.—A deter-
4 mination of the retired grade of an officer may be
5 reopened as follows:

6 “(A) If the retirement or retired grade of
7 the officer was procured by fraud.

8 “(B) If substantial evidence comes to light
9 after the retirement that could have led to a
10 lower retired grade under this section if known
11 by competent authority at the time of retire-
12 ment.

13 “(C) If a mistake of law or calculation was
14 made in the determination of the retired grade.

15 “(D) In the case of a retired grade fol-
16 lowing a conditional determination under sub-
17 section (a)(2) or (b)(2), if the investigation of
18 or personnel action against the officer, as appli-
19 cable, results in an adverse finding.

20 “(E) If the Secretary determines, pursuant
21 to regulations prescribed by the Secretary, that
22 good cause exists to reopen the determination
23 or certification.

1 “(3) NOTIFICATION OF REOPENING.—If a de-
2 termination or certification of the retired grade of
3 an officer is reopened, the Secretary—

4 “(A) shall notify the officer of the reopen-
5 ing; and

6 “(B) may not make an adverse determina-
7 tion on the retired grade of the officer until the
8 officer has had a reasonable opportunity to re-
9 spond regarding the basis of the reopening.

10 “(4) RETIRED PAY; RECALCULATION.—If the
11 retired grade of an officer is reduced through the re-
12 opening of the officer’s or warrant officer’s retired
13 grade, the retired pay of the officer under chapter
14 71 of title 10 shall be recalculated, and any modi-
15 fication of the retired pay of the officer shall go into
16 effect on the effective date of the reduction of the
17 officer’s retired grade.”.

18 **SEC. 202. CONGRESSIONAL AFFAIRS; DIRECTOR.**

19 (a) IN GENERAL.—Chapter 3 of title 14, United
20 States Code, as amended by this Act, is further amended
21 by adding at the end the following:

22 **“§ 320. Congressional affairs; Director**

23 “The Commandant of the Coast Guard shall appoint
24 a Director of Congressional Affairs from among officers
25 of the Coast Guard who are in a grade above captain.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 3 of title 14, United States Code, as amended by this
3 Act, is further amended by adding at the end the fol-
4 lowing:

“320. Congressional affairs; Director.”.

5 **SEC. 203. LIMITATIONS ON CLAIMS.**

6 (a) ADMIRALTY CLAIMS.—Section 937 of title 14,
7 United States Code, is amended in subsection (a) by strik-
8 ing “\$100,000” and inserting “\$425,000”.

9 (b) CLAIMS FOR DAMAGE TO PROPERTY OF THE
10 UNITED STATES.—Section 938 of title 14, United States
11 Code, is amended by striking “\$100,000” and inserting
12 “\$425,000”.

13 **SEC. 204. AUTHORITY FOR OFFICERS TO OPT OUT OF PRO-**
14 **MOTION BOARD CONSIDERATION.**

15 (a) ELIGIBILITY OF OFFICERS FOR CONSIDERATION
16 FOR PROMOTION.—Section 2113 of title 14, United States
17 Code, is amended by adding at the end the following:

18 “(g)(1) Notwithstanding subsection (a), the Com-
19 mandant may provide that an officer may, upon the offi-
20 cer’s request and with the approval of the Commandant,
21 be excluded from consideration by a selection board con-
22 vened under section 2106(a).

23 “(2) The Commandant shall approve a request under
24 paragraph (1) only if—

1 “(A) the basis for the request is to allow the of-
2 ficer to complete a broadening assignment, advanced
3 education, another assignment of significant value to
4 the Coast Guard, a career progression requirement
5 delayed by the assignment or education, or a quali-
6 fying personal or professional circumstance, as de-
7 termined by the Commandant;

8 “(B) the Commandant determines the exclusion
9 from consideration is in the best interest of the
10 Coast Guard; and

11 “(C) the officer has not previously failed of se-
12 lection for promotion to the grade for which the offi-
13 cer requests the exclusion from consideration.”.

14 (b) ELIGIBILITY OF RESERVE OFFICER FOR PRO-
15 MOTION.—Section 3743 of title 14, United States Code,
16 is amended to read as follows:

17 “§ 3743. **Eligibility for promotion**

18 “(a) IN GENERAL.—Except as provided in subsection
19 (b), a Reserve officer is eligible for consideration for pro-
20 motion and for promotion under this subchapter, if that
21 officer is in an active status.

22 “(b) EXCEPTION.—A Reserve officer who has been
23 considered but not recommended for retention in an active
24 status by a board convened under subsection 3752(a) of
25 this title, is not eligible for consideration for promotion.

1 “(c) REQUEST FOR EXCLUSION.—

2 “(1) IN GENERAL.—The Commandant may pro-
3 vide that an officer may, upon the officer’s request
4 and with the approval of the Commandant, be ex-
5 cluded from consideration by a selection board con-
6 vened under section 3740(b) of this title to consider
7 officers for promotion to the next higher grade.

8 “(2) APPROVAL OF REQUEST.—The Com-
9 mandant shall approve a request under paragraph
10 (1) only if—

11 “(A) the basis for the request is to allow
12 an officer to complete a broadening assignment,
13 advanced education, another assignment of sig-
14 nificant value to the Coast Guard, a career pro-
15 gression requirement delayed by the assignment
16 or education, or a qualifying personal or profes-
17 sional circumstance, as determined by the Com-
18 mandant;

19 “(B) the Commandant determines the ex-
20 clusion from consideration is in the best inter-
21 est of the Coast Guard; and

22 “(C) the officer has not previously failed of
23 selection for promotion to the grade for which
24 the officer requests the exclusion from consider-
25 ation.”.

1 **SEC. 205. TEMPORARY PROMOTION AUTHORITY FOR OFFI-**
2 **CERS IN CERTAIN GRADES WITH CRITICAL**
3 **SKILLS.**

4 (a) IN GENERAL.—Subchapter I of Chapter 21 of
5 title 14, United States Code, is amended by adding at the
6 end the following:

7 **“§ 2130. Promotion to certain grades for officers with**
8 **critical skills: captain, commander, lieu-**
9 **tenant commander, lieutenant**

10 “(a) IN GENERAL.—An officer in the grade of lieu-
11 tenant (junior grade), lieutenant, lieutenant commander,
12 or commander, who is described in subsection (b) may be
13 temporarily promoted to the grade of lieutenant, lieuten-
14 ant commander, commander, or captain under regulations
15 prescribed by the Secretary. Appointments under this sec-
16 tion shall be made by the President, by and with the advice
17 and consent of the Senate.

18 “(b) COVERED OFFICERS.—An officer described in
19 this subsection is any officer in a grade specified in sub-
20 section (a) who—

21 “(1) has a skill in which the Coast Guard has
22 a critical shortage of personnel (as determined by
23 the Secretary); and

24 “(2) is serving in a position (as determined by
25 the Secretary) that—

1 “(A) is designated to be held by a lieuten-
2 ant, lieutenant commander, commander, or cap-
3 tain; and

4 “(B) requires that an officer serving in
5 such position have the skill possessed by such
6 officer.

7 “(c) PRESERVATION OF POSITION AND STATUS OF
8 OFFICERS APPOINTED.—

9 “(1) The temporary positions authorized under
10 this section shall not be counted among or included
11 in the list of positions on the active duty promotion
12 list.

13 “(2) An appointment under this section does
14 not change the position on the active-duty list or the
15 permanent, probationary, or acting status of the of-
16 ficer so appointed, prejudice the officer in regard to
17 other promotions or appointments, or abridge the
18 rights or benefits of the officer.

19 “(d) BOARD RECOMMENDATION REQUIRED.—A tem-
20 porary promotion under this section may be made only
21 upon the recommendation of a board of officers convened
22 by the Secretary for the purpose of recommending officers
23 for such promotions.

24 “(e) ACCEPTANCE AND EFFECTIVE DATE OF AP-
25 POINTMENT.—Each appointment under this section, un-

1 less expressly declined, is, without formal acceptance, re-
2 garded as accepted on the date such appointment is made,
3 and a member so appointed is entitled to the pay and al-
4 lowances of the grade of the temporary promotion under
5 this section beginning on the date the appointment is
6 made.

7 “(f) TERMINATION OF APPOINTMENT.—Unless soon-
8 er terminated, an appointment under this section termi-
9 nates—

10 “(1) on the date the officer who received the
11 appointment is promoted to the permanent grade of
12 lieutenant, lieutenant commander, commander, or
13 captain;

14 “(2) on the date the officer is detached from a
15 position described in subsection (b)(2), unless the of-
16 ficer is on a promotion list to the permanent grade
17 of lieutenant, lieutenant commander, commander, or
18 captain, in which case the appointment terminates
19 on the date the officer is promoted to that grade; or

20 “(3) when the appointment officer determines
21 that the officer who received the appointment has
22 engaged in misconduct or has displayed substandard
23 performance.

24 “(g) LIMITATION ON NUMBER OF ELIGIBLE POSI-
25 TIONS.—An appointment under this section may only be

1 made for service in a position designated by the Secretary
 2 for the purposes of this section. The number of positions
 3 so designated may not exceed the following percentages
 4 of the respective grades:

5 “(1) As lieutenant, 0.5 percent.

6 “(2) As lieutenant commander, 3.0 percent.

7 “(3) As commander, 2.6 percent.

8 “(4) As captain, 2.6 percent.”.

9 (b) CLERICAL AMENDMENT.—The analysis for such
 10 subchapter is amended by adding at the end the following:

“2130. Promotion to certain grades for officers with critical skills: captain, com-
 mander, lieutenant commander, lieutenant.”.

11 **SEC. 206. CAREER INTERMISSION PROGRAM.**

12 (a) IN GENERAL.—Subchapter I of chapter 25 of title
 13 14, United States Code, is amended by adding at the end
 14 the following:

15 **“§ 2514. Career flexibility to enhance retention of**
 16 **members**

17 “(a) PROGRAMS AUTHORIZED.—The Commandant
 18 may carry out a program under which members of the
 19 Coast Guard may be inactivated from active service in
 20 order to meet personal or professional needs and returned
 21 to active service at the end of such period of inactivation
 22 from active service.

23 “(b) PERIOD OF INACTIVATION FROM ACTIVE SERV-
 24 ICE; EFFECT OF INACTIVATION.—

1 “(1) IN GENERAL.—The period of inactivation
2 from active service under a program under this sec-
3 tion of a member participating in the program shall
4 be such period as the Commandant shall specify in
5 the agreement of the member under subsection (c),
6 except that such period may not exceed 3 years.

7 “(2) EXCLUSION FROM YEARS OF SERVICE.—
8 Any service by a Reserve officer while participating
9 in a program under this section shall be excluded
10 from computation of the total years of service of
11 that officer pursuant to section 14706(a) of title 10.

12 “(3) EXCLUSION FROM RETIREMENT.—Any pe-
13 riod of participation of a member in a program
14 under this section shall not count toward—

15 “(A) eligibility for retirement or transfer
16 to the Ready Reserve under either chapter 571
17 or 1223 of title 10; or

18 “(B) computation of retired or retainer
19 pay under chapter 71 or 1223 of title 10.

20 “(c) AGREEMENT.—Each member of the Coast
21 Guard who participates in a program under this section
22 shall enter into a written agreement with the Commandant
23 under which that member shall agree as follows:

24 “(1) To accept an appointment or enlist, as ap-
25 plicable, and serve in the Coast Guard Ready Re-

1 serve during the period of the inactivation of the
2 member from active service under the program.

3 “(2) To undergo during the period of the inac-
4 tivation of the member from active service under the
5 program such inactive service training as the Com-
6 mandant shall require in order to ensure that the
7 member retains proficiency, at a level determined by
8 the Commandant to be sufficient, in the military
9 skills, professional qualifications, and physical readi-
10 ness of the member during the inactivation of the
11 member from active service.

12 “(3) Following completion of the period of the
13 inactivation of the member from active service under
14 the program, to serve 2 months as a member of the
15 Coast Guard on active service for each month of the
16 period of the inactivation of the member from active
17 service under the program.

18 “(d) CONDITIONS OF RELEASE.—The Commandant
19 shall prescribe regulations specifying the guidelines re-
20 garding the conditions of release that must be considered
21 and addressed in the agreement required by subsection
22 (c). At a minimum, the Commandant shall prescribe the
23 procedures and standards to be used to instruct a member
24 on the obligations to be assumed by the member under

1 paragraph (2) of such subsection while the member is re-
2 leased from active service.

3 “(e) ORDER TO ACTIVE SERVICE.—Under regula-
4 tions prescribed by the Commandant, a member of the
5 Coast Guard participating in a program under this section
6 may, in the discretion of the Commandant, be required
7 to terminate participation in the program and be ordered
8 to active service.

9 “(f) PAY AND ALLOWANCES.—

10 “(1) BASIC PAY.—During each month of par-
11 ticipation in a program under this section, a member
12 who participates in the program shall be paid basic
13 pay in an amount equal to two-thirtieths of the
14 amount of monthly basic pay to which the member
15 would otherwise be entitled under section 204 of title
16 37 as a member of the uniformed services on active
17 service in the grade and years of service of the mem-
18 ber when the member commences participation in
19 the program.

20 “(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

21 “(A) PROHIBITION.—A member who par-
22 ticipates in such a program shall not, while par-
23 ticipating in the program, be paid any special
24 or incentive pay or bonus to which the member
25 is otherwise entitled under an agreement under

1 chapter 5 of title 37 or section 1925 of this title
2 that is in force when the member commences
3 participation in the program.

4 “(B) NOT TREATED AS FAILURE TO PER-
5 FORM SERVICES.—The inactivation from active
6 service of a member participating in a program
7 shall not be treated as a failure of the member
8 to perform any period of service required of the
9 member in connection with an agreement for a
10 special or incentive pay or bonus under chapter
11 5 of title 37 that is in force when the member
12 commences participation in the program.

13 “(3) RETURN TO ACTIVE SERVICE.—

14 “(A) SPECIAL OR INCENTIVE PAY OR
15 BONUS.—Subject to subparagraph (B), upon
16 the return of a member to active service after
17 completion by the member of participation in a
18 program—

19 “(i) any agreement entered into by
20 the member under chapter 5 of title 37 for
21 the payment of a special or incentive pay
22 or bonus that was in force when the mem-
23 ber commenced participation in the pro-
24 gram shall be revived, with the term of
25 such agreement after revival being the pe-

1 riod of the agreement remaining to run
2 when the member commenced participation
3 in the program; and

4 “(ii) any special or incentive pay or
5 bonus shall be payable to the member in
6 accordance with the terms of the agree-
7 ment concerned for the term specified in
8 clause (i).

9 “(B) LIMITATION.—

10 “(i) IN GENERAL.—Subparagraph (A)
11 shall not apply to any special or incentive
12 pay or bonus otherwise covered by that
13 subparagraph with respect to a member if,
14 at the time of the return of the member to
15 active service as described in that subpara-
16 graph—

17 “(I) such pay or bonus is no
18 longer authorized by law; or

19 “(II) the member does not satisfy
20 eligibility criteria for such pay or
21 bonus as in effect at the time of the
22 return of the member to active serv-
23 ice.

24 “(ii) PAY OR BONUS CEASES BEING
25 AUTHORIZED.—Subparagraph (A) shall

1 cease to apply to any special or incentive
2 pay or bonus otherwise covered by that
3 subparagraph with respect to a member if,
4 during the term of the revived agreement
5 of the member under subparagraph (A)(i),
6 such pay or bonus ceases being authorized
7 by law.

8 “(C) REPAYMENT.—A member who is in-
9 eligible for payment of a special or incentive
10 pay or bonus otherwise covered by this para-
11 graph by reason of subparagraph (B)(i)(II)
12 shall be subject to the requirements for repay-
13 ment of such pay or bonus in accordance with
14 the terms of the applicable agreement of the
15 member under chapter 5 of title 37.

16 “(D) REQUIRED SERVICE IS ADDI-
17 TIONAL.—Any service required of a member
18 under an agreement covered by this paragraph
19 after the member returns to active service as
20 described in subparagraph (A) shall be in addi-
21 tion to any service required of the member
22 under an agreement under subsection (c).

23 “(4) TRAVEL AND TRANSPORTATION ALLOW-
24 ANCE.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), a member who participates in a pro-
3 gram is entitled, while participating in the pro-
4 gram, to the travel and transportation allow-
5 ances authorized by section 474 of title 37
6 for—

7 “(i) travel performed from the resi-
8 dence of the member, at the time of release
9 from active service to participate in the
10 program, to the location in the United
11 States designated by the member as the
12 member’s residence during the period of
13 participation in the program; and

14 “(ii) travel performed to the residence
15 of the member upon return to active serv-
16 ice at the end of the participation of the
17 member in the program.

18 “(B) SINGLE RESIDENCE.—An allowance
19 is payable under this paragraph only with re-
20 spect to travel of a member to and from a sin-
21 gle residence.

22 “(5) LEAVE BALANCE.—A member who partici-
23 pates in a program is entitled to carry forward the
24 leave balance existing as of the day on which the
25 member begins participation and accumulated in ac-

1 cordance with section 701 of title 10, but not to ex-
2 ceed 60 days.

3 “(g) PROMOTION.—

4 “(1) OFFICERS.—

5 “(A) IN GENERAL.—An officer partici-
6 pating in a program under this section shall
7 not, while participating in the program, be eligi-
8 ble for consideration for promotion under chap-
9 ter 21 or 37 of this title.

10 “(B) RETURN TO SERVICE.—Upon the re-
11 turn of an officer to active service after comple-
12 tion by the officer of participation in a pro-
13 gram—

14 “(i) the Commandant may adjust the
15 date of rank of the officer in such manner
16 as the Commandant shall prescribe in reg-
17 ulations for purposes of this section; and

18 “(ii) the officer shall be eligible for
19 consideration for promotion when officers
20 of the same competitive category, grade,
21 and seniority are eligible for consideration
22 for promotion.

23 “(2) ENLISTED MEMBERS.—An enlisted mem-
24 ber participating in a program shall not be eligible

1 for consideration for advancement during the period
2 that—

3 “(A) begins on the date of the inactivation
4 of the member from active service under the
5 program; and

6 “(B) ends at such time after the return of
7 the member to active service under the program
8 that the member is treatable as eligible for pro-
9 motion by reason of time in grade and such
10 other requirements as the Commandant shall
11 prescribe in regulations for purposes of the pro-
12 gram.

13 “(h) CONTINUED ENTITLEMENTS.—A member par-
14 ticipating in a program under this section shall, while par-
15 ticipating in the program, be treated as a member of the
16 Armed Forces on active duty for a period of more than
17 30 days for purposes of—

18 “(1) the entitlement of the member and of the
19 dependents of the member to medical and dental
20 care under the provisions of chapter 55 of this title;
21 and

22 “(2) retirement or separation for physical dis-
23 ability under the provisions of chapter 61 of title 10
24 and chapters 21 and 23 of this title.”.

1 (b) CLERICAL AMENDMENT.—The analysis for such
2 chapter is amended by inserting after the item relating
3 to section 2513 the following:

“2514. Career flexibility to enhance retention of members.”.

4 **SEC. 207. MAJOR ACQUISITIONS; OPERATION AND**
5 **SUSTAINMENT COSTS.**

6 Section 5103(e)(3) of title 14, United States Code,
7 is amended—

8 (1) by redesignating subparagraphs (B) and
9 (C) as subparagraphs (C) and (D) respectively; and

10 (2) by inserting after subparagraph (A) the fol-
11 lowing:

12 “(B) operate and sustain the cutters and
13 aircraft described under paragraph (2);”.

14 **SEC. 208. EMPLOYMENT ASSISTANCE.**

15 (a) IN GENERAL.—Subchapter I of chapter 27 of title
16 14, United States Code, is amended by adding at the end
17 the following:

18 **“§ 2713. Employment assistance**

19 “(a) IN GENERAL.—In order to improve the accuracy
20 and completeness of a certification or verification of job
21 skills and experience required by section 1143(a)(1) of
22 title 10, the Secretary shall—

23 “(1) establish a database to record all training
24 performed by members of the Coast Guard that may

1 have application to employment in the civilian sector;
2 and

3 “(2) make unclassified information regarding
4 such information available to States and other po-
5 tential employers referred to in section 1143(c) of
6 title 10 so that State and other entities may allow
7 military training to satisfy licensing or certification
8 requirements to engage in a civilian profession.

9 “(b) FORM OF CERTIFICATION OR VERIFICATION.—
10 The Secretary shall ensure that a certification or
11 verification of job skills and experience required by section
12 1143(a)(1) of title 10 is rendered in such a way that
13 States and other potential employers can confirm the ac-
14 curacy and authenticity of the certification or verification.

15 “(c) REQUESTS BY STATES.—A State may request
16 that the Secretary confirm the accuracy and authenticity
17 of a certification or verification of jobs skills and experi-
18 ence provided under section 1143(c) of title 10.”.

19 (b) CLERICAL AMENDMENT.—The analysis for such
20 chapter is amended by inserting after the item relating
21 to section 2712 the following:

“2713. Employment assistance.”.

22 **SEC. 209. REPORTS ON GENDER DIVERSITY IN THE COAST**
23 **GUARD.**

24 (a) ACTION PLAN.—

1 (1) IN GENERAL.—Not later than 180 days
2 after the date of the enactment of this Act, the
3 Commandant of the Coast Guard shall—

4 (A) determine which recommendations in
5 the RAND gender diversity report can prac-
6 tically be implemented to promote gender di-
7 versity in the Coast Guard; and

8 (B) submit a report to the Committee on
9 Transportation and Infrastructure of the House
10 of Representatives and the Committee on Com-
11 merce, Science, and Transportation of the Sen-
12 ate on the actions the Coast Guard has taken
13 or plans to take to implement such rec-
14 ommendations.

15 (2) DEFINITION.—In this subsection, the term
16 “RAND diversity report” means the RAND Cor-
17 poration’s Homeland Security Operational Analysis
18 Center 2019 report entitled “Improving Gender Di-
19 versity in the U.S. Coast Guard: Identifying Bar-
20 riers to Female Retention”.

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

1 **“§ 5109. Report on gender diversity in the Coast**
2 **Guard**

3 “(a) IN GENERAL.—Not later than January 15,
4 2022, and biennially thereafter, the Commandant shall
5 submit a report on gender diversity in the Coast Guard
6 to the Committee on Transportation and Infrastructure
7 of the House of Representatives and the Committee on
8 Commerce, Science, and Transportation of the Senate.

9 “(b) CONTENTS.—The report required under sub-
10 section (a) shall contain the following:

11 “(1) GENDER DIVERSITY OVERVIEW.—An over-
12 view of Coast Guard active duty and Reserve mem-
13 bers, including the number of officers and enlisted
14 members and the percentages of men and women in
15 each.

16 “(2) RECRUITMENT AND RETENTION.—(A) An
17 analysis of the changes in the recruitment and reten-
18 tion of women over the previous 2 years.

19 “(B) A discussion of any changes to Coast
20 Guard recruitment and retention over the previous 2
21 years that were aimed at increasing the recruitment
22 and retention of female members.

23 “(3) PARENTAL LEAVE.—(A) The number of
24 men and women who took parental leave during each
25 year covered by the report, including the average
26 length of such leave periods.

1 “(B) A discussion of the ways in which the
2 Coast Guard worked to mitigate the impacts of pa-
3 rental leave on Coast Guard operations and on the
4 careers of the members taking such leave.

5 “(4) LIMITATIONS.—An analysis of current
6 gender-based limitations on Coast Guard career op-
7 portunities, including discussion of—

8 “(A) shipboard opportunities;

9 “(B) opportunities to serve at remote
10 units; and

11 “(C) any other limitations on the opportu-
12 nities of female members.

13 “(5) PROGRESS UPDATE.—An update on the
14 Coast Guard’s progress on the implementation of the
15 action plan required under section 209 of the Coast
16 Guard Authorization Act of 2019.”.

17 (c) CLERICAL AMENDMENT.—The analysis for such
18 chapter is amended by adding at the end the following:
“5109. Report on gender diversity in the Coast Guard.”.

19 **SEC. 210. DISPOSITION OF INFRASTRUCTURE RELATED TO**
20 **E-LORAN.**

21 Section 914 of title 14, United States Code, is
22 amended—

23 (1) in subsection (a)—

24 (A) by striking “date” and inserting “later
25 of the date of the conveyance of the properties

1 directed under section 533(a) of the Coast
2 Guard Authorization Act of 2016 (Public Law
3 114–120) or the date”; and

4 (B) by striking “determination by the Sec-
5 retary” and inserting “determination by the
6 Secretary of Transportation under section
7 312(d) of title 49”; and

8 (2) in subsection (c), by striking paragraph (2)
9 and inserting the following:

10 “(2) AVAILABILITY OF PROCEEDS.—The pro-
11 ceeds of such sales, less the costs of sale incurred by
12 the General Services Administration, shall be depos-
13 ited into the Coast Guard Housing Fund for uses
14 authorized under section 2946 of this title.”.

15 **SEC. 211. POSITIONS OF IMPORTANCE AND RESPONSI-**
16 **BILITY.**

17 Section 2103(c)(3) of title 14, United States Code,
18 is amended by striking “rear admiral (lower half)” and
19 inserting “vice admiral”.

20 **SEC. 212. RESEARCH PROJECTS; TRANSACTIONS OTHER**
21 **THAN CONTRACTS AND GRANTS.**

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

1 **“§ 720. Research projects; transactions other than**
2 **contracts and grants**

3 “(a) ADDITIONAL FORMS OF TRANSACTIONS AU-
4 THORIZED.—The Commandant may enter into trans-
5 actions (other than contracts, cooperative agreements, and
6 grants) in carrying out basic, applied, and advanced re-
7 search projects. The authority under this subsection is in
8 addition to the authority provided in section 717 to use
9 contracts, cooperative agreements, and grants in carrying
10 out such projects.

11 “(b) ADVANCE PAYMENTS.—The authority under
12 subsection (a) may be exercised without regard to section
13 3324 of title 31.

14 “(c) RECOVERY OF FUNDS.—

15 “(1) IN GENERAL.—Subject to subsection (d), a
16 cooperative agreement for performance of basic, ap-
17 plied, or advanced research authorized by section
18 717, and a transaction authorized by subsection (a),
19 may include a clause that requires a person or other
20 entity to make payments to the Coast Guard or any
21 other department or agency of the Federal Govern-
22 ment as a condition for receiving support under the
23 agreement or transaction, respectively.

24 “(2) AVAILABILITY OF FUNDS.—The amount of
25 any payment received by the Federal Government
26 pursuant to a requirement imposed under paragraph

1 (1) may be credited, to the extent authorized by the
2 Commandant, to an appropriate appropriations ac-
3 count. Amounts so credited shall be merged with
4 other funds in the account and shall be available for
5 the same purposes and the same period for which
6 other funds in such account are available.

7 “(d) CONDITIONS.—

8 “(1) IN GENERAL.—The Commandant shall en-
9 sure that—

10 “(A) to the extent that the Commandant
11 determines practicable, no cooperative agree-
12 ment containing a clause described in sub-
13 section (c)(1), and no transaction entered into
14 under subsection (a), provides for research that
15 duplicates research being conducted under ex-
16 isting programs carried out by the Coast
17 Guard; and

18 “(B) to the extent that the Commandant
19 determines practicable, the funds provided by
20 the Federal Government under a cooperative
21 agreement containing a clause described in sub-
22 section (c)(1), or under a transaction author-
23 ized by subsection (a), do not exceed the total
24 amount provided by other parties to the cooper-

1 ative agreement or other transaction, respec-
2 tively.

3 “(2) OTHER AGREEMENTS NOT FEASIBLE.—A
4 cooperative agreement containing a clause described
5 in subsection (c)(1), or under a transaction author-
6 ized by subsection (a), may be used for a research
7 project only if the use of a standard contract, grant,
8 or cooperative agreement for such project is not fea-
9 sible or appropriate.

10 “(e) EDUCATION AND TRAINING.—The Commandant
11 shall—

12 “(1) ensure that management, technical, and
13 contracting personnel of the Coast Guard involved in
14 the award or administration of transactions under
15 this section or other innovative forms of contracting
16 are afforded opportunities for adequate education
17 and training; and

18 “(2) establish minimum levels and requirements
19 for continuous and experiential learning for such
20 personnel, including levels and requirements for ac-
21 quisition certification programs.

22 “(f) REGULATIONS.—The Secretary of the depart-
23 ment in which the Coast Guard is operating shall prescribe
24 regulations, as necessary, to carry out this section.

1 “(g) PROTECTION OF CERTAIN INFORMATION FROM
2 DISCLOSURE.—

3 “(1) IN GENERAL.—Disclosure of information
4 described in paragraph (2) is not required, and may
5 not be compelled, under section 552 of title 5 for 5
6 years after the date on which the information is re-
7 ceived by the Coast Guard.

8 “(2) LIMITATION.—

9 “(A) IN GENERAL.—Paragraph (1) applies
10 to information described in subparagraph (B)
11 that is in the records of the Coast Guard only
12 if the information was submitted to the Coast
13 Guard in a competitive or noncompetitive proc-
14 ess having the potential for resulting in an
15 award, to the party submitting the information,
16 of a cooperative agreement for performance of
17 basic, applied, or advanced research authorized
18 by section 717 or another transaction author-
19 ized by subsection (a).

20 “(B) INFORMATION DESCRIBED.—The in-
21 formation referred to in subparagraph (A) is
22 the following:

23 “(i) A proposal, proposal abstract,
24 and supporting documents.

1 “(ii) A business plan submitted on a
2 confidential basis.

3 “(iii) Technical information submitted
4 on a confidential basis.

5 “(h) ANNUAL REPORT.—On the date on which the
6 President submits to Congress a budget pursuant to sec-
7 tion 1105 of title 31, the Commandant shall submit to
8 the Committees on Appropriations and Transportation
9 and Infrastructure of the House of Representatives and
10 the Committees on Appropriations and Commerce,
11 Science, and Transportation of the Senate a report de-
12 scribing each use of the authority provided under this sec-
13 tion during the most recently completed fiscal year, includ-
14 ing details of each use consisting of—

15 “(1) the amount of each transaction;

16 “(2) the entities or organizations involved;

17 “(3) the product or service received; and

18 “(4) the research project for which the product
19 or service was required.”.

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

“720. Research projects; transactions other than contracts and grants.”.

1 **SEC. 213. ACQUISITION WORKFORCE AUTHORITIES.**

2 (a) IN GENERAL.—Chapter 11 of title 14, United
3 States Code, as amended by this Act, is further amended
4 by inserting after section 1110 the following:

5 **“§ 1111. Acquisition workforce authorities**

6 “(a) EXPEDITED HIRING AUTHORITY.—

7 “(1) IN GENERAL.—For the purposes of section
8 3304 of title 5, the Commandant may—

9 “(A) designate any category of acquisition
10 positions within the Coast Guard as shortage
11 category positions; and

12 “(B) use the authorities in such section to
13 recruit and appoint highly qualified persons di-
14 rectly to positions so designated.

15 “(2) REPORTS.—The Commandant shall in-
16 clude in reports under section 1102 information de-
17 scribed in that section regarding positions des-
18 igned under this subsection.

19 “(b) REEMPLOYMENT AUTHORITY.—

20 “(1) IN GENERAL.—Except as provided in para-
21 graph (2), if an annuitant receiving an annuity from
22 the Civil Service Retirement and Disability Fund be-
23 comes employed in any category of acquisition posi-
24 tions designated by the Commandant under sub-
25 section (a), the annuity of the annuitant so em-
26 ployed shall continue. The annuitant so reemployed

1 shall not be considered an employee for purposes of
2 subchapter III of chapter 83 or chapter 84 of title
3 5.

4 “(2)(A) ELECTION.—An annuitant retired
5 under section 8336(d)(1) or 8414(b)(1)(A) of title 5,
6 receiving an annuity from the Civil Service Retirement
7 and Disability Fund, who becomes employed in
8 any category of acquisition positions designated by
9 the Commandant under subsection (a) after date of
10 enactment of the Coast Guard Authorization Act of
11 2019, may elect to be subject to section 8344 or
12 8468 of such title (as the case may be).

13 “(i) DEADLINE.—An election for coverage
14 under this subsection shall be filed not later
15 than 90 days after the Commandant takes rea-
16 sonable actions to notify an employee who may
17 file an election.

18 “(ii) COVERAGE.—If an employee files an
19 election under this subsection, coverage shall be
20 effective beginning on the first day of the first
21 applicable pay period beginning on or after the
22 date of the filing of the election.

23 “(B) APPLICATION.—Paragraph (1) shall apply
24 to an individual who is eligible to file an election

1 under such subparagraph and does not file a timely
2 election under clause (i).”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 of chapter 11 of title 14, United States Code, is amended
5 by inserting after the item relating to section 1110 the
6 following:

“1111. Acquisition workforce authorities.”.

7 **SEC. 214. REPORT ON COAST GUARD DEFENSE READINESS**
8 **RESOURCES ALLOCATION.**

9 (a) REPORT REQUIRED.—Not later than 180 days
10 after the date of the enactment of this Act, the Comp-
11 troller General of the United States shall submit to the
12 Committee on Transportation and Infrastructure of the
13 House of Representatives and the Committee on Com-
14 merce, Science, and Transportation of the Senate, a report
15 on the allocation of resources by the Coast Guard to sup-
16 port its defense readiness mission.

17 (b) CONTENTS.—The report required by subsection
18 (a) shall include the following elements:

19 (1) Funding levels allocated by the Coast Guard
20 to support defense readiness missions for each of the
21 past 10 fiscal years.

22 (2) Funding levels transferred or otherwise pro-
23 vided by the Department of Defense to the Coast
24 Guard in support of the Coast Guard’s defense read-
25 iness missions for each of the past 10 fiscal years.

1 (3) The operational benefits of using liquefied
2 natural gas to fuel Coast Guard vessels.

3 **TITLE III—SHIPPING**

4 **SEC. 301. ELECTRONIC CHARTS; EQUIVALENCY.**

5 (a) REQUIREMENTS.—Section 3105(a)(1) of title 46,
6 United States Code, is amended to read as follows:

7 “(1) ELECTRONIC CHARTS IN LIEU OF MARINE
8 CHARTS, CHARTS, AND MAPS.—Subject to paragraph
9 (2), the following vessels, while operating on the
10 navigable waters of the United States, shall be
11 equipped with and operate electronic navigational
12 charts conforming to a standard acceptable to the
13 Secretary in lieu of any marine charts, charts, and
14 maps required by titles 33 and 46, Code of Federal
15 Regulations, as in effect on the date of the enact-
16 ment of this paragraph:

17 “(A) A self-propelled commercial vessel of
18 at least 65 feet overall length.

19 “(B) A vessel carrying more than a num-
20 ber of passengers for hire determined by the
21 Secretary.

22 “(C) A towing vessel of more than 26 feet
23 in overall length and 600 horsepower.

1 “(D) Any other vessel for which the Sec-
2 retary decides that electronic charts are nec-
3 essary for the safe navigation of the vessel.”.

4 (b) EXEMPTIONS AND WAIVERS.—Section
5 3105(a)(2) of title 46, United States Code, is amended
6 by—

7 (1) in subparagraph (A), by striking “operates;
8 and” and inserting “operates;”;

9 (2) in subparagraph (B), by striking “those
10 waters.” and inserting “those waters; and”; and

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

12 “(C) permit vessels that operate solely
13 landward of the baseline from which the terri-
14 torial sea of the United States is measured to
15 utilize software-based, platform-independent
16 electronic chart systems that the Secretary de-
17 termines are capable of displaying electronic
18 navigational charts with necessary scale and de-
19 tail to ensure safe navigation for the intended
20 voyage.”.

21 **SEC. 302. PASSENGER VESSEL SECURITY AND SAFETY RE-**
22 **QUIREMENTS; APPLICATION.**

23 Section 3507(k)(1) of title 46, United States Code,
24 is amended—

1 (1) in subparagraph (B), by adding “and” after
2 the semicolon at the end;

3 (2) in subparagraph (C), by striking “; and”
4 and inserting a period; and

5 (3) by striking subparagraph (D).

6 **SEC. 303. NON-OPERATING INDIVIDUAL.**

7 (a) DEFINITION.—Section 2101 of title 46, United
8 States Code, is amended by inserting after paragraph (23)
9 the following:

10 “(23a) ‘non-operating individual’ means an in-
11 dividual who—

12 “(A) does not perform—

13 “(i) with respect to the operation of a
14 vessel, watchstanding, automated engine
15 room duty watch, navigation, or personnel
16 safety functions;

17 “(ii) with respect to the loading and
18 unloading of merchandise, cargo handling
19 functions, including any activity relating to
20 the loading or unloading of cargo, the op-
21 eration of cargo-related equipment (wheth-
22 er or not integral to the vessel), and the
23 handling of mooring lines on the dock
24 when the vessel is made fast or let go;

1 “(iii) vessel maintenance, including
2 any repairs that can be performed by the
3 vessel’s crew or a riding gang; or

4 “(iv) safety, security, or environ-
5 mental protection activities directly related
6 to the operation of the vessel and normally
7 conducted by the vessel’s crew;

8 “(B) does not serve as part of the crew
9 complement required under section 8101;

10 “(C) does not serve as a riding gang mem-
11 ber;

12 “(D) is not a member of the steward’s de-
13 partment;

14 “(E) is not a citizen or temporary or per-
15 manent resident of a country designated by the
16 United States as a sponsor of terrorism or any
17 other country that the Secretary, in consulta-
18 tion with the Secretary of State and the heads
19 of other appropriate United States agencies, de-
20 termines to be a security threat to the United
21 States;

22 “(F) is not specifically exempted from the
23 requirement to have a merchant mariner’s doc-
24 ument under section 8701(a);

1 “(G) has not been convicted in any juris-
2 diction of an offense described in paragraph (2)
3 or (3) of section 7703;

4 “(H) whose license, certificate of registry,
5 or merchant mariner’s document has not been
6 suspended or revoked under section 7704; and

7 “(I) who does not otherwise constitute a
8 threat to the safety of the vessel.”.

9 (b) CITIZENSHIP AND NAVY RESERVE REQUIRE-
10 MENTS.—Section 8103(j) of title 46, United States Code,
11 is amended by—

12 (1) striking “RIDING GANG MEMBER” and in-
13 serting “RIDING GANG MEMBER OR NON-OPER-
14 ATING INDIVIDUAL”; and

15 (2) inserting “or a non-operating individual”
16 before the period.

17 (c) REQUIREMENTS RELATING TO NON-OPERATING
18 INDIVIDUALS.—

19 (1) IN GENERAL.—Chapter 81 of title 46,
20 United States Code, is amended—

21 (A) by redesignating section 8107 as sec-
22 tion 8108; and

23 (B) by inserting after section 8106 the fol-
24 lowing:

1 **“§ 8107. Requirements relating to non-operating indi-**
2 **viduals**

3 “(a) IN GENERAL.—The owner or managing operator
4 of a merchant vessel of the United States of at least 100
5 gross tons as measured under section 14502, or an alter-
6 nate tonnage measured under section 14302 as prescribed
7 by the Secretary under section 14104, shall—

8 “(1) ensure that—

9 “(A) each non-operating individual on the
10 vessel—

11 “(i) is a United States citizen or an
12 alien lawfully admitted to the United
13 States for permanent residence; or

14 “(ii) possesses a United States non-
15 immigrant visa for individuals desiring to
16 enter the United States temporarily for
17 business, employment-related and personal
18 identifying information, and any other doc-
19 umentation required by the Secretary;

20 “(B) all required documentation for such
21 individual is kept on the vessel and available for
22 inspection by the Secretary; and

23 “(C) each non-operating individual is iden-
24 tified on the manifest;

25 “(2) ensure that—

1 “(A) each non-operating individual pos-
2 sesses—

3 “(i) a merchant mariner’s document;

4 “(ii) a transportation worker identi-
5 fication credential under section 70105; or

6 “(iii) a current security clearance
7 issued by a Federal agency; or

8 “(B) the employer of such an individual at-
9 tests in a certificate to the owner or managing
10 operator that—

11 “(i) the background of such individual
12 has been examined and found to be free of
13 any credible information indicating a mate-
14 rial risk to the security of the vessel, the
15 vessel’s cargo, the ports the vessel visits, or
16 other individuals onboard the vessel;;

17 “(ii) such examination—

18 “(I) met the requirements of sec-
19 tion 70105(d)(2), for persons de-
20 scribed in paragraph (1)(A)(i) of this
21 subsection; or

22 “(II) consisted of a search of all
23 information reasonably available to
24 the owner or managing operator in
25 the individual’s country of citizenship

1 and any other country in which the
2 individual works, receives employment
3 referrals, or resides, for persons de-
4 scribed in paragraph (1)(A)(ii) of this
5 subsection; and

6 “(iii) the information derived from
7 any such examination is made available to
8 the Secretary upon request;

9 “(3) ensure that each non-operating individual
10 of the vessel, while on board the vessel, is subject to
11 the same random chemical testing and reporting re-
12 gimes as crew members;

13 “(4) ensure that each such individual employed
14 on the vessel receives basic safety familiarization and
15 basic safety training approved by the Coast Guard;
16 and

17 “(5) ensure that every non-operating individual
18 of the vessel is employed on board the vessel under
19 conditions that meet or exceed the minimum inter-
20 national standards of all applicable international
21 labor conventions to which the United States is a
22 party, including all of the merchant seamen protec-
23 tion and relief provided under United States law.

24 “(b) RECORDKEEPING.—In addition to the require-
25 ments of subsection (a), the owner or managing operator

1 of a vessel to which subsection (a) applies shall ensure that
2 all information necessary to ensure compliance with this
3 section, as determined by the Secretary, is entered into
4 the vessel's official logbook required by chapter 113.

5 “(c) CIVIL PENALTY.—A person (including an indi-
6 vidual) violating this section is liable to the United States
7 Government for a civil penalty of \$1,250.”.

8 (2) CLERICAL AMENDMENTS.—The analysis for
9 chapter 81 of title 46, United States Code, is
10 amended by striking the item relating to section
11 8107 and inserting the following:

“8107. Requirements relating to non-operating individuals.
“8108. Use of force against piracy.”.

12 (3) CONFORMING AMENDMENTS.—

13 (A) MERCHANT MARINERS' DOCUMENTS
14 REQUIRED.—Section 8701 of title 46, United
15 States Code, is amended by adding at the end
16 the following:

17 “(e) This section does not apply to non-operating in-
18 dividuals.”.

19 (B) TRAINING FOR USE OF FORCE
20 AGAINST PIRACY.—Section 51705(4) of title 46,
21 United States Code, is amended by striking “46
22 U.S.C. 8107 note” and inserting “46 U.S.C.
23 8108 note”.

1 **SEC. 304. SMALL PASSENGER VESSELS AND UNINSPECTED**
2 **PASSENGER VESSELS.**

3 Section 12121 of title 46, United States Code, is
4 amended—

5 (1) in subsection (a)(1), by striking subpara-
6 graphs (A) and (B) and inserting the following:

7 “(A) was built in the United States;

8 “(B) was not built in the United States
9 and is at least 3 years old; or

10 “(C) if rebuilt, was rebuilt—

11 “(i) in the United States; or

12 “(ii) outside the United States at
13 least 3 years before the certificate re-
14 quested under subsection (b) would take
15 effect.”; and

16 (2) in subsection (b), by inserting “12132,”
17 after “12113,”.

18 **SEC. 305. INSTALLATION VESSELS.**

19 (a) IN GENERAL.—Chapter 551 of title 46, United
20 States Code, is amended by adding at the end the fol-
21 lowing new section:

22 **“§ 55123. Installation vessels**

23 “(a) INITIAL DETERMINATION OF COASTWISE
24 QUALIFIED VESSEL.—No later than 180 days after the
25 date of the enactment of this section, the Secretary of
26 Transportation shall determine whether an installation

1 vessel exists for which a coastwise endorsement has been
2 issued under section 12112.

3 “(b) APPLICATION.—If the Secretary of Transpor-
4 tation determines under subsection (a) that no such coast-
5 wise qualified vessel exists, then, after the date on which
6 such determination is made, lifting operations between a
7 vessel for which a coastwise endorsement has been issued
8 under section 12112 and an installation vessel for which
9 no such endorsement has been issued is not transportation
10 of merchandise for the purposes of section 55102.

11 “(c) REQUESTS FOR DETERMINATIONS OF COAST-
12 WISE QUALIFIED VESSELS.—

13 “(1) IN GENERAL.—After the date on which the
14 determination is made under subsection (a), an in-
15 stallation vessel for which a coastwise endorsement
16 has been issued under section 12112, the owner or
17 operator of such installation vessel may seek a new
18 determination from the Secretary of Transportation
19 that an installation vessel for which a coastwise en-
20 dorsement has been issued under section 12112 ex-
21 ists.

22 “(2) APPLICATION TO NON-QUALIFIED VES-
23 SELS.—If the Secretary of Transportation makes a
24 determination under paragraph (1) that a coastwise
25 qualified vessel exists, then—

1 “(A) the owner or operator of an installa-
2 tion vessel for which no coastwise endorsement
3 has been issued under section 12112 shall seek
4 a determination of the availability of a coast-
5 wise qualified vessel under paragraph (3) before
6 using such non-coastwise qualified vessel for the
7 transportation of a platform jacket; and

8 “(B) after the date on which such deter-
9 mination is made, the owner or operator of an
10 installation vessel for which no coastwise en-
11 dorsement has been issued under section 12112
12 shall not use such non-coastwise qualified vessel
13 for the transportation of a platform jacket un-
14 less the Secretary of Transportation determines
15 a coastwise qualified is not available under
16 paragraph (4).

17 “(3) CRITERIA FOR DETERMINATION OF AVAIL-
18 ABILITY.—The Secretary of Transportation shall de-
19 termine a coastwise qualified vessel is not available
20 if—

21 “(A) the owner or operator of a non-coast-
22 wise qualified vessel submits to the Secretary of
23 Transportation an application for the use of a
24 non-coastwise qualified installation vessel for
25 transportation of a platform jacket under this

1 section that includes all relevant information,
2 including engineering details and timing re-
3 quirements, and such application is submitted
4 not less than 1 year before the date such vessel
5 is required for such use;

6 “(B) the Secretary provides the application
7 made under subparagraph (A) to the owner of
8 each coastwise qualified vessel listed as an in-
9 stallation vessel in the inventory under section
10 12138(c) and promptly publishes in the Federal
11 Register a notice—

12 “(i) describing the project and the
13 platform jacket involved;

14 “(ii) advising that all relevant infor-
15 mation reasonably needed to assess the
16 transportation and installation require-
17 ments for the platform jacket will be made
18 available to an interested person on re-
19 quest; and

20 “(iii) requesting that information on
21 the availability of coastwise qualified ves-
22 sels be submitted within a 45-day period
23 beginning on the date of such publication;
24 and

1 “(C)(i) within such 45-day period no infor-
2 mation is submitted to the Secretary from own-
3 ers or operators of coastwise qualified installa-
4 tion vessels to meet the requirements of the ap-
5 plication required under paragraph (A); or

6 “(ii) the owner or operator of a coastwise
7 qualified installation vessel submits information
8 to the Secretary asserting that the owner or op-
9 erator has a suitable coastwise qualified instal-
10 lation vessel available to meet the requirements
11 of the application required under paragraph
12 (A), but the Secretary determines, within 90
13 days after the notice is first published, that the
14 coastwise qualified installation vessel is not
15 suitable or reasonably available for the trans-
16 portation.

17 “(d) DEFINITIONS.—In this section:

18 “(1) INSTALLATION VESSEL.—The term ‘instal-
19 lation vessel’ means a vessel using a crane suitable
20 for offshore use that—

21 “(A) is used to install platform jackets;

22 “(B) has a slewing or luffing capability;

23 “(C) has a lifting capacity of at least
24 1,000 metric tons; and

1 “(D) conducts lifting operations to con-
2 struct or remove offshore facilities or subsea in-
3 frastructure or to install and uninstall compo-
4 nent parts or materials from offshore facilities
5 or subsea infrastructure.

6 “(2) LIFTING OPERATIONS.—The term ‘lifting
7 operations’ means the lifting of platform jackets by
8 crane from the time that the lifting activity begins
9 when unloading from a vessel or removing offshore
10 facilities or subsea infrastructure until the time that
11 the lifting activities are terminated for a particular
12 unloading, installation, or removal of offshore facili-
13 ties or subsea infrastructure.

14 “(3) PLATFORM JACKET.—The term ‘platform
15 jacket’ has the meaning given such term in section
16 55108(a).”.

17 (b) CLERICAL AMENDMENT.—The analysis for chap-
18 ter 551 of title 46, United States Code, is amended by
19 adding at the end the following:

“55123. Installation vessels.”.

20 (c) INVENTORY.—Section 12138(b) of title 46,
21 United States Code, is amended—

22 (1) in the heading, by striking the period and
23 inserting “, AND INSTALLATION.”;

24 (2) by amending paragraph (1) to read as fol-
25 lows:

1 “(1) IN GENERAL.—The Secretary of Transpor-
2 tation shall develop, maintain, and periodically up-
3 date an inventory of vessels that are—

4 “(A) documented under this chapter;

5 “(B) at least 200 feet in length;

6 “(C) have the capability to lay, maintain,
7 or repair a submarine cable, without regard to
8 whether a particular vessel is classed as a cable
9 ship or cable vessel; and

10 “(D) installation vessels within the mean-
11 ing of such term in section 55123.”; and

12 (3) by amending paragraph (2)(B) to read as
13 follows:

14 “(B) the abilities and limitations of the
15 vessel with respect to—

16 “(i) in the case of a vessel required to
17 be inventoried under paragraph (1)(A),
18 laying, maintaining, and repairing a sub-
19 marine cable; and

20 “(ii) in the case of a vessel required to
21 be inventoried under paragraph (1)(B), in-
22 stalling platform jackets; and”.

23 (d) NOTICE OF MODIFICATION OR REVOCATION.—No
24 later than 30 days after the enactment of this Act, the
25 Secretary of Homeland Security, acting through the Com-

1 missioner of Customs and Border Protection, shall issue
2 a notice, including an opportunity for public comment, on
3 the modification or revocation of Letter Rulings 101925,
4 108442, 113841, 114435, 115185, 115218, 115311,
5 115487, 115522, 115771, 115938, 116078, H004242
6 with respect to the application of the section 55102 of title
7 46, Shipping, United States Code, to certain offshore op-
8 erations.

9 **SEC. 306. ADVISORY COMMITTEES.**

10 (a) NATIONAL OFFSHORE SAFETY ADVISORY COM-
11 MITTEE; REPRESENTATION.—Section 15106(c)(3) of title
12 46, United States Code, is amended—

13 (1) in subparagraph (C), by striking “mineral
14 and oil operations, including geophysical services”
15 and inserting “operations”;

16 (2) in subparagraph (D), by striking “explo-
17 ration and recovery”;

18 (3) in subparagraph (E), by striking “engaged
19 in diving services related to offshore construction,
20 inspection, and maintenance” and inserting “pro-
21 viding diving services to the offshore industry”;

22 (4) in subparagraph (F), by striking “engaged
23 in safety and training services related to offshore ex-
24 ploration and construction” and inserting “providing

1 safety and training services to the offshore indus-
2 try”;

3 (5) in subparagraph (G), by striking “engaged
4 in pipelaying services related to offshore construc-
5 tion” and inserting “providing subsea engineering,
6 construction, or remotely operated vehicle support to
7 the offshore industry”;

8 (6) in subparagraph (H), by striking “mineral
9 and energy”;

10 (7) in subparagraph (I), by striking “national
11 environmental entities” and inserting “entities pro-
12 viding environmental protection, compliance, or re-
13 sponse services to the offshore industry”; and

14 (8) in subparagraph (J), by striking “deepwater
15 ports” and inserting “entities engaged in offshore oil
16 exploration and production on the Outer Continental
17 Shelf adjacent to Alaska”.

18 (b) ADVISORY COMMITTEES; TESTIMONY.—Section
19 15109(j)(4) of title 46, United States Code, is amended
20 by adding at the end the following:

21 “(C) TESTIMONY.—The members of a
22 committee shall be available to testify before
23 appropriate committees of the Congress with re-
24 spect to the advice, reports, and recommenda-
25 tions submitted under paragraph (2).”.

1 (c) MARITIME TRANSPORTATION SYSTEM NATIONAL
2 ADVISORY COMMITTEE.—

3 (1) IN GENERAL.—Chapter 555 of title 46,
4 United States Code, is amended by adding at the
5 end the following:

6 **“§ 55502. Maritime Transportation System National**
7 **Advisory Committee**

8 “(a) ESTABLISHMENT.—There is established a Mari-
9 time Transportation System National Advisory Committee
10 (in this section referred to as the ‘Committee’).

11 “(b) FUNCTION.—The Committee shall advise the
12 Secretary of Transportation on matters relating to the
13 United States maritime transportation system and its
14 seamless integration with other segments of the transpor-
15 tation system, including the viability of the United States
16 Merchant Marine.

17 “(c) MEMBERSHIP.—

18 “(1) IN GENERAL.—The Committee shall con-
19 sist of 27 members appointed by the Secretary of
20 Transportation in accordance with this section and
21 section 15109.

22 “(2) EXPERTISE.—Each member of the Com-
23 mittee shall have particular expertise, knowledge,
24 and experience in matters relating to the function of
25 the Committee.

1 “(3) REPRESENTATION.—Members of the Com-
2 mittee shall be appointed as follows:

3 “(A) At least one member shall represent
4 the Environmental Protection Agency.

5 “(B) At least one member shall represent
6 the Department of Commerce.

7 “(C) At least one member shall represent
8 the Army Corps of Engineers.

9 “(D) At least one member shall represent
10 the Coast Guard.

11 “(E) At least one member shall represent
12 Customs and Border Protection.

13 “(F) At least one member shall represent
14 State and local governmental entities.

15 “(G) Additional members shall represent
16 private sector entities that reflect a cross-sec-
17 tion of maritime industries, including port and
18 water stakeholders, academia, and labor.

19 “(H) The Secretary may appoint addi-
20 tional representatives from other Federal agen-
21 cies as the Secretary considers appropriate.

22 “(4) ADMINISTRATION.—For purposes of sec-
23 tion 15109—

24 “(A) the Committee shall be treated as a
25 committee established under chapter 151; and

1 “(B) the Secretary of Transportation shall
2 fulfill all duties and responsibilities and have all
3 authorities of the Secretary of Homeland Secu-
4 rity with regard to the Committee.”.

5 (2) TREATMENT OF EXISTING COMMITTEE.—
6 Notwithstanding any other provision of law—

7 (A) an advisory committee substantially
8 similar to the Committee established by section
9 55502 of title 46, United States Code, and that
10 was in force or in effect on the day before the
11 date of the enactment of this Act, including the
12 charter, membership, and other aspects of such
13 committee, may remain in force or in effect for
14 the 2-year period beginning on the date of the
15 enactment of this section; and

16 (B) during such 2-year period—

17 (i) requirements relating the Maritime
18 Transportation System National Advisory
19 Committee established by such section
20 shall be treated as satisfied by such sub-
21 stantially similar advisory committee; and

22 (ii) the enactment of this section shall
23 not be the basis—

24 (I) to deem, find, or declare such
25 committee, including the charter,

1 membership, and other aspects there-
2 of, void, not in force, or not in effect;

3 (II) to suspend the activities of
4 such committee; or

5 (III) to bar the members of such
6 committee from a meeting.

7 (3) CLERICAL AMENDMENT.—The analysis for
8 chapter 555 of title 46, United States Code, is
9 amended by adding at the end the following:

“55502. Maritime Transportation System National Advisory Committee.”.

10 (4) REPEAL.—Section 55603 of title 46, United
11 States Code, and the item relating to that section in
12 the analysis for chapter 556 of that title, are re-
13 pealed.

14 (d) GREAT LAKES PILOTAGE ADVISORY COM-
15 MITTEE.—

16 (1) IN GENERAL.—Title 46, United States
17 Code, is amended by striking section 9307 and in-
18 serting the following:

19 **“§ 9307. Great Lakes Pilotage Advisory Committee**

20 “(a) ESTABLISHMENT.—There is established a Great
21 Lakes Pilotage Advisory Committee (in this section re-
22 ferred to as the ‘Committee’).

23 “(b) FUNCTION.—The Committee—

24 “(1) may review proposed Great Lakes pilotage
25 regulations and policies and make recommendations

1 to the Secretary that the Committee considers ap-
2 propriate;

3 “(2) may advise, consult with, report to, and
4 make recommendations to the Secretary on matters
5 relating to Great Lakes pilotage; and

6 “(3) may only make recommendations to the
7 Secretary under paragraph (2) if such recommenda-
8 tions have been approved by all but one of the mem-
9 bers then serving on such Committee.

10 “(c) MEMBERSHIP.—

11 “(1) IN GENERAL.—The Committee shall con-
12 sist of seven members appointed by the Secretary in
13 accordance with this section and section 15109.

14 “(2) EXPERTISE.—Each member of the Com-
15 mittee shall have particular expertise, knowledge,
16 and experience in matters relating to the function of
17 the Committee.

18 “(3) REPRESENTATION.—Members of the Com-
19 mittee shall be appointed as follows:

20 “(A) The President of each of the three
21 Great Lakes pilotage districts, or the Presi-
22 dent’s representative.

23 “(B) At least one member shall represent
24 the interests of vessel operators that contract
25 for Great Lakes pilotage services.

1 “(C) At least one member shall represent
2 the interests of Great Lakes ports.

3 “(D) At least one member shall represent
4 the interests of shippers whose cargoes are
5 transported through Great Lakes ports.

6 “(E) At least one member shall have a
7 background in finance or accounting and must
8 have been recommended to the Secretary by a
9 unanimous vote of the other members of the
10 Committee.

11 “(4) ADMINISTRATION.—For purposes of sec-
12 tion 15109, the Committee shall be treated as a
13 committee established under chapter 151.”.

14 (2) TREATMENT OF EXISTING COMMITTEE.—
15 Notwithstanding any other provision of law—

16 (A) an advisory committee substantially
17 similar to the Great Lakes Pilotage Advisory
18 Committee established by section 9307 of title
19 46, United States Code, as amended by this
20 section, and that was in force or in effect on
21 the day before the date of the enactment of this
22 Act, including the charter, membership, and
23 other aspects of the committee, may remain in
24 force or in effect for a period of 2 years from
25 the date of enactment of this Act; and

1 (B) during such 2-year period—

2 (i) requirements relating to the Great
3 Lakes Pilotage Advisory Committee estab-
4 lished by section 9307 of title 46, United
5 States Code, as amended by this section,
6 shall be treated as satisfied by the substan-
7 tially similar advisory committee; and

8 (ii) the enactment of this section and
9 the amendments made by this section shall
10 not be the basis—

11 (I) to deem, find, or declare such
12 committee, including the charter,
13 membership, and other aspects there-
14 of, void, not in force, or not in effect;

15 (II) to suspend the activities of
16 such committee; or

17 (III) to bar the members of such
18 committee from a meeting.

19 (e) TECHNICAL CORRECTIONS.—Section 15109 of
20 title 46 is amended by inserting “or to which this chapter
21 applies” after “committee established under this chapter”
22 each place it appears.

23 **SEC. 307. EXPIRED MARITIME LIENS.**

24 Section 31343(e) of title 46, United States Code, is
25 amended—

1 (1) by inserting “(1)” before “A notice”; and

2 (2) by inserting after paragraph (1), as so des-
3 ignated by this section, the following:

4 “(2) On expiration of a notice of claim of lien under
5 paragraph (1), the Secretary shall remove such expired no-
6 tice.”.

7 **SEC. 308. TRAINING; EMERGENCY RESPONSE PROVIDERS.**

8 (a) SECURITY PLAN IMPLEMENTATION GRANTS.—
9 Section 70107 of title 46, United States Code, is amend-
10 ed—

11 (1) in subsection (a), by striking “law enforce-
12 ment personnel” and inserting “emergency response
13 providers”;

14 (2) in subsection (b)(8), by striking “law en-
15 forcement personnel—” and inserting “emergency
16 response providers—”; and

17 (3) in subsection (c)(2)(C), by striking “law en-
18 forcement agency personnel” and inserting “emer-
19 gency response providers”.

20 (b) CREDENTIALING FOR STATE AND LOCAL SUP-
21 PORT.—Section 70132 of title 46, United States Code, is
22 amended—

23 (1) in subsection (a), by striking “law enforce-
24 ment personnel—” and inserting “emergency re-
25 sponse providers—”;

1 (2) in subsection (b), by striking “law enforce-
2 ment personnel” each place it appears and inserting
3 “emergency response providers”; and

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

5 “(d) DEFINITION.—For the purposes of this section,
6 the term ‘emergency response providers’ has the meaning
7 given that term in section 2 of the Homeland Security Act
8 of 2002 (6 U.S.C. 101).”.

9 **SEC. 309. AIMING A LASER POINTER AT A VESSEL.**

10 (a) IN GENERAL.—Subchapter II of chapter 700 of
11 title 46, United States Code, is amended by adding at the
12 end the following:

13 **“§ 70014. Aiming a laser pointer at a vessel**

14 “(a) PROHIBITION.—It shall be unlawful to cause the
15 beam of a laser pointer to strike a vessel operating on the
16 navigable waters of the United States.

17 “(b) EXCEPTIONS.—This section shall not apply to
18 a member or element of the Department of Defense or
19 Department of Homeland Security acting in an official ca-
20 pacity for the purpose of research, development, oper-
21 ations, testing, or training.

22 “(c) LASER POINTER DEFINED.—In this section the
23 term ‘laser pointer’ means any device designed or used to
24 amplify electromagnetic radiation by stimulated emission
25 that emits a beam designed to be used by the operator

1 as a pointer or highlighter to indicate, mark, or identify
2 a specific position, place, item, or object.”.

3 (b) CLERICAL AMENDMENT.—The analysis for such
4 chapter is amended by adding at the end of the items re-
5 lating to such subchapter the following:

“70014. Aiming a laser pointer at a vessel.”.

6 **SEC. 310. MARITIME TRANSPORTATION ASSESSMENT.**

7 Section 55501(e) of title 46, United States Code, is
8 amended—

9 (1) in paragraph (2), by striking “an assess-
10 ment of the condition” and inserting “a conditions
11 and performance analysis”;

12 (2) in paragraph (4), by striking “; and” and
13 inserting a semicolon;

14 (3) in paragraph (5) by striking the period and
15 inserting “; and”; and

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

17 “(6) a compendium of the Federal programs
18 engaged in the maritime transportation system.”.

19 **SEC. 311. SAFETY OF SPECIAL ACTIVITIES.**

20 (a) IN GENERAL.—Title 46, United States Code, is
21 amended by inserting after section 70005 the following:

22 **“§ 70006. Safety of special activities**

23 “(a) IN GENERAL.—The Secretary may establish a
24 safety zone to address special activities in the exclusive
25 economic zone.

1 “(b) DEFINITIONS.—In this section:

2 “(1) The term ‘safety zone’ has the meaning
3 provided in section 165.20 of title 33, Code of Fed-
4 eral Regulations.

5 “(2) The term ‘special activities’ includes—

6 “(A) space activities, including launch and
7 reentry, as those terms are defined in section
8 50902 of title 51, carried out by United States
9 citizens; and

10 “(B) offshore energy development activi-
11 ties, as described in section 8(p)(1)(C) of the
12 Outer Continental Shelf Lands Act (43 U.S.C.
13 1337(p)(1)(C)), on or near a fixed platform.

14 “(3) The term ‘United States citizen’ has the
15 meaning given the term ‘eligible owners’ in section
16 12103.

17 “(4) The term ‘fixed platform’ means an artifi-
18 cial island, installation, or structure permanently at-
19 tached to the sea-bed for the purpose of exploration
20 or exploitation of resources or for other economic
21 purposes.”.

22 (b) CLERICAL AMENDMENT.—The analysis for chap-
23 ter 700 of title 46, United States Code, is amended by
24 inserting after the item relating to section 70005 the fol-
25 lowing:

“70006. Safety of special activities.”.

1 (c) REGULATIONS.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date of the enactment of this Act, the Secretary
4 of the department in which the Coast Guard is oper-
5 ating shall establish regulations to implement this
6 section.

7 (2) ALIGNMENT WITH OTHER REGULATIONS.—
8 Such regulations shall align with subchapter C of
9 chapter III of title 14, Code of Federal Regulations.

10 **SEC. 312. ENGINE CUT-OFF SWITCHES; USE REQUIREMENT.**

11 (a) IN GENERAL.—Section 4312 of title 46, United
12 States Code, is amended—

13 (1) by redesignating subsections (b), (c), and
14 (d) as subsections (c), (d), and (e), respectively; and

15 (2) by inserting after subsection (a) the fol-
16 lowing:

17 “(b) USE REQUIREMENT.—

18 “(1) IN GENERAL.—An individual operating a
19 covered recreational vessel shall use an engine cut-
20 off switch link while operating on plane or above dis-
21 placement speed.

22 “(2) EXCEPTIONS.—The requirement under
23 paragraph (1) shall not apply if—

24 “(A) the main helm of the covered vessel
25 is installed within an enclosed cabin; or

1 “(B) the vessel does not have an engine
2 cut-off switch and is not required to have one
3 under subsection (a).”.

4 (b) CIVIL PENALTY.—Section 4311 of title 46,
5 United States Code, is amended by—

6 (1) redesignating subsections (c), (d), (e), (f),
7 and (g) as subsections (d), (e), (f), (g), and (h), re-
8 spectively; and

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

10 “(c) A person violating section 4312(b) of this title
11 is liable to the United States Government for a civil pen-
12 alty of not more than—

13 “(1) \$100 for the first offense;

14 “(2) \$250 for the second offense; and

15 “(3) \$500 for any subsequent offense.”.

16 (c) EFFECTIVE DATE.—The amendments made in
17 subsections (a) and (b) shall take effect 90 days after the
18 date of the enactment of this section, unless the Com-
19 mandant of the Coast Guard, prior to the date that is 90
20 days after the date of the enactment of this section, deter-
21 mines that the use requirement enacted in subsection (a)
22 would not promote recreational boating safety.

23 **SEC. 313. EXEMPTIONS AND EQUIVALENTS.**

24 (a) IN GENERAL.—Section 4305 of title 46, United
25 States Code, is amended—

1 (1) by striking the heading and inserting the
2 following:

3 **“§ 4305. Exemptions and equivalents”;**

4 (2) by striking “If the Secretary” and inserting
5 the following:

6 “(a) EXEMPTIONS.—If the Secretary”; and

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

8 “(b) EQUIVALENTS.—The Secretary may accept a
9 substitution for associated equipment performance or
10 other safety standards for a recreational vessel if the sub-
11 stitution provides an equivalent level of safety.”.

12 (b) CLERICAL AMENDMENT.—The analysis for chap-
13 ter 43 of title 46, United States Code, is amended by
14 striking the item relating to section 4305 and inserting
15 the following:

“4305. Exemptions and equivalents.”.

16 **SEC. 314. SECURITY PLANS; REVIEWS.**

17 Section 70103 of title 46, United States Code, is
18 amended—

19 (1) by amending subsection (b)(3) to read as
20 follows:

21 “(3) The Secretary shall review and approve
22 Area Maritime Transportation Security Plans and
23 updates under this subsection.”; and

24 (2) in subsection (c)(4), by inserting “or up-
25 date” after “plan” each place it appears.

1 **SEC. 315. WAIVER OF NAVIGATION AND VESSEL INSPEC-**
2 **TION LAWS.**

3 Section 501(a) of title 46, United States Code, is
4 amended—

5 (1) by striking “On request” and inserting the
6 following:

7 “(1) IN GENERAL.—On request”; and

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

9 “(2) EXPLANATION.—Not later than 24 hours
10 after making a request under paragraph (1), the
11 Secretary of Defense shall submit to the Committees
12 on Transportation and Infrastructure and Armed
13 Services of the House of Representatives and the
14 Committees on Commerce, Science, and Transpor-
15 tation and Armed Services of the Senate a written
16 explanation of the circumstances requiring such a
17 waiver in the interest of national defense, including
18 a confirmation that there are insufficient qualified
19 vessels to meet the needs of national defense without
20 such a waiver.”.

21 **SEC. 316. REQUIREMENT FOR SMALL SHIPYARD GRANTEES.**

22 Section 54101(d) of title 46, United States Code, is
23 amended—

24 (1) by striking “Grants awarded” and inserting
25 the following:

26 “(1) IN GENERAL.—Grants awarded”; and

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

2 “(2) BUY AMERICA.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), no funds may be obligated by the
5 Administrator of the Maritime Administration
6 under this section, unless each product and ma-
7 terial purchased with those funds (including
8 products and materials purchased by a grant-
9 ee), and including any commercially available
10 off-the-shelf item, is—

11 “(i) an unmanufactured article, mate-
12 rial, or supply that has been mined or pro-
13 duced in the United States; or

14 “(ii) a manufactured article, material,
15 or supply that has been manufactured in
16 the United States substantially all from ar-
17 ticles, materials, or supplies mined, pro-
18 duced, or manufactured in the United
19 States.

20 “(B) EXCEPTIONS.—

21 “(i) IN GENERAL.—Notwithstanding
22 subparagraph (A), the requirements of
23 that subparagraph shall not apply with re-
24 spect to a particular product or material if
25 such Administrator determines—

1 “(I) that the application of those
2 requirements would be inconsistent
3 with the public interest;

4 “(II) that such product or mate-
5 rial is not available in the United
6 States in sufficient and reasonably
7 available quantities, of a satisfactory
8 quality, or on a timely basis; or

9 “(III) that inclusion of a domes-
10 tic product or material will increase
11 the cost of that product or material by
12 more than 25 percent, with respect to
13 a certain contract between a grantee
14 and that grantee’s supplier.

15 “(ii) FEDERAL REGISTER.—A deter-
16 mination made by such Administrator
17 under this subparagraph shall be published
18 in the Federal Register.

19 “(C) DEFINITIONS.—In this paragraph:

20 “(i) COMMERCIALLY AVAILABLE OFF-
21 THE-SHELF ITEM.—The term ‘commer-
22 cially available off-the-shelf item’ means—

23 “(I) any item of supply (includ-
24 ing construction material) that is—

1 “(aa) a commercial item, as
2 defined by section 2.101 of title
3 48, Code of Federal Regulations;
4 and

5 “(bb) sold in substantial
6 quantities in the commercial
7 marketplace; and

8 “(II) does not include bulk cargo,
9 as that term is defined in section
10 40102(4) of this title, such as agricul-
11 tural products and petroleum prod-
12 ucts.

13 “(ii) PRODUCT OR MATERIAL.—The
14 term ‘product or material’ means an arti-
15 cle, material, or supply brought to the site
16 by the recipient for incorporation into the
17 building, work, or project. The term also
18 includes an item brought to the site
19 preassembled from articles, materials, or
20 supplies. However, emergency life safety
21 systems, such as emergency lighting, fire
22 alarm, and audio evacuation systems, that
23 are discrete systems incorporated into a
24 public building or work and that are pro-
25 duced as complete systems, are evaluated

1 as a single and distinct construction mate-
2 rial regardless of when or how the indi-
3 vidual parts or components of those sys-
4 tems are delivered to the construction site.

5 “(iii) UNITED STATES.—The term
6 ‘United States’ includes the District of Co-
7 lumbia, the Commonwealth of Puerto Rico,
8 the Northern Mariana Islands, Guam,
9 American Samoa, and the Virgin Islands.”.

10 **SEC. 317. INDEPENDENT STUDY ON THE UNITED STATES**
11 **MERCHANT MARINE ACADEMY.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of enactment of this Act, the Secretary of Transpor-
14 tation shall seek to enter into an agreement with the Na-
15 tional Academy of Public Administration (referred to in
16 this section as the “Academy”) to carry out the activities
17 described in this section.

18 (b) STUDY ELEMENTS.—In accordance with the
19 agreement described in subsection (a), the Academy shall
20 conduct a study of the United States Merchant Marine
21 Academy that consists of the following:

22 (1) A comprehensive assessment of the United
23 States Merchant Marine Academy’s systems, train-
24 ing, facilities, infrastructure, information technology,
25 and stakeholder engagement.

1 (2) Identification of needs and opportunities for
2 modernization to help the United States Merchant
3 Marine Academy keep pace with more modern cam-
4 puses.

5 (3) Development of an action plan for the
6 United States Merchant Marine Academy with spe-
7 cific recommendations for—

8 (A) improvements or updates relating to
9 the opportunities described in paragraph (2);
10 and

11 (B) systemic changes needed to help the
12 United States Merchant Marine Academy
13 achieve its mission of inspiring and educating
14 the next generation of the mariner workforce on
15 a long-term basis.

16 (c) DEADLINE AND REPORT.—Not later than 1 year
17 after the date of the agreement described in subsection
18 (a), the Academy shall prepare and submit to the Adminis-
19 trator of the Maritime Administration a report containing
20 the action plan described in subsection (b)(3), including
21 specific findings and recommendations.

1 **SEC. 318. CENTERS OF EXCELLENCE FOR DOMESTIC MARI-**
2 **TIME WORKFORCE TRAINING AND EDU-**
3 **CATION.**

4 Section 54102 of title 46, United States Code, is
5 amended—

6 (1) in subsection (b), by inserting “or sub-
7 section (d)” after “designated under subsection (a)”;
8 and

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

10 “(d) STATE MARITIME ACADEMY.—The Secretary of
11 Transportation shall designate each State maritime acad-
12 emy, as defined in section 51102(4) of this title, as a cen-
13 ter of excellence under this section.”.

14 **SEC. 319. RENEWAL OF MERCHANT MARINER LICENSES**
15 **AND DOCUMENTS.**

16 Section 7507 of title 46, United States Code, is
17 amended by adding at the end the following:

18 “(d) RENEWAL.—With respect to any renewal of an
19 existing merchant mariner credential that is not an exten-
20 sion under subsection (a) or (b), such credential shall
21 begin the day after the expiration of the credential holder’s
22 existing credential.”.

23 **TITLE IV—MISCELLANEOUS**

24 **SEC. 401. COASTWISE TRADE.**

25 (a) IN GENERAL.—The Commandant of the Coast
26 Guard shall review the adequacy of and continuing need

1 for provisions in title 46, Code of Federal Regulations,
2 that require a United States vessel documented under
3 chapter 121 of title 46, United States Code, possessing
4 a coastwise endorsement under that chapter, and engaged
5 in coastwise trade, to comply with regulations for vessels
6 engaged in an international voyage.

7 (b) BRIEFING.—Not later than 180 days after the
8 date of the enactment of this Act, the Commandant of
9 the Coast Guard shall provide to the Committee on Trans-
10 portation and Infrastructure of the House of Representa-
11 tives and the Committee on Commerce, Science, and
12 Transportation of the Senate a briefing on the findings
13 of the review required under subsection (a) and a discus-
14 sion of how existing laws and regulations could be amend-
15 ed to ensure the safety of vessels described in subsection
16 (a) while infringing as little as possible on commerce.

17 **SEC. 402. UNMANNED MARITIME SYSTEMS AND SATELLITE**
18 **VESSEL TRACKING TECHNOLOGIES.**

19 (a) ASSESSMENT.—

20 (1) IN GENERAL.—The Commandant of the
21 Coast Guard, acting through the Blue Technology
22 Center of Expertise, shall regularly assess available
23 unmanned maritime systems and satellite vessel
24 tracking technologies for potential use to support
25 missions of the Coast Guard.

1 (2) CONSULTATION.—The Commandant shall
2 make the assessment required under paragraph (1)
3 after consultation with the Department of Defense,
4 other Federal agencies, the academic sector, and de-
5 velopers and manufacturers of unmanned maritime
6 systems and satellite vessel tracking technologies.

7 (b) REPORT.—

8 (1) IN GENERAL.—Not later than 1 year after
9 the date of the enactment of this Act, and biennially
10 thereafter, the Commandant shall submit to the
11 Committee on Transportation and Infrastructure of
12 the House of Representatives and the Committee on
13 Commerce, Science, and Transportation of the Sen-
14 ate a report on the actual and potential effects of
15 the use of then-existing unmanned maritime systems
16 and satellite vessel tracking technologies on the mis-
17 sion effectiveness of the Coast Guard.

18 (2) CONTENTS.—Each report submitted under
19 paragraph (1) shall include the following:

20 (A) An inventory of current unmanned
21 maritime systems used by the Coast Guard, an
22 overview of such usage, and a discussion of the
23 mission effectiveness of such systems, including
24 any benefits realized or risks or negative as-
25 pects of such usage.

1 (B) An inventory of satellite vessel track-
2 ing technologies, and a discussion of the poten-
3 tial mission effectiveness of such technologies,
4 including any benefits or risks or negative as-
5 pects of such usage.

6 (C) A prioritized list of Coast Guard mis-
7 sion requirements that could be met with addi-
8 tional unmanned maritime systems, or with sat-
9 ellite vessel tracking technologies, and the esti-
10 mated costs of accessing, acquiring, or oper-
11 ating such systems.

12 (c) DEFINITIONS.—In this section:

13 (1) UNMANNED MARITIME SYSTEMS.—

14 (A) IN GENERAL.—The term “unmanned
15 maritime systems” means remotely operated or
16 autonomous vehicles produced by the commer-
17 cial sector designed to travel in the air, on or
18 under the ocean surface, on land, or any com-
19 bination thereof, and that function without an
20 on-board human presence.

21 (B) EXAMPLES.—Such term includes the
22 following:

- 23 (i) Unmanned undersea vehicles.
24 (ii) Unmanned surface vehicles.
25 (iii) Unmanned aerial vehicles.

1 (iv) Autonomous underwater vehicles.

2 (v) Autonomous surface vehicles.

3 (vi) Autonomous aerial vehicles.

4 (2) AVAILABLE UNMANNED MARITIME SYS-
5 TEMS.—The term “available unmanned maritime
6 systems” includes systems that can be purchased
7 commercially or are in use by the Department of
8 Defense or other Federal agencies.

9 (3) SATELLITE VESSEL TRACKING TECH-
10 NOLOGIES.—The term “satellite vessel tracking tech-
11 nologies” means shipboard broadcast systems that
12 use satellites and terrestrial receivers to continually
13 track vessels.

14 **SEC. 403. EXPEDITED TRANSFER IN CASES OF SEXUAL AS-**
15 **SAULT; DEPENDENTS OF MEMBERS OF THE**
16 **COAST GUARD.**

17 Not later than 180 days after the date of the enact-
18 ment of this Act, the Commandant of the Coast Guard
19 shall establish a policy to allow the transfer of a member
20 of the Coast Guard whose dependent is the victim of sex-
21 ual assault perpetrated by a member of the Armed Forces
22 who is not related to the victim.

1 **SEC. 404. TOWING VESSELS; OPERATION OUTSIDE THE**
2 **BOUNDARY LINE.**

3 (a) INTERIM EXEMPTION.—A towing vessel to which
4 this section applies is exempt from any additional require-
5 ments of subtitle II of title 46, United States Code, and
6 chapter I of title 33 and chapter I of title 46, Code of
7 Federal Regulations, that would result solely from such
8 vessel operating outside the Boundary Line (as such term
9 is defined in section 103 of title 46, United States Code)
10 if such vessel—

11 (1) is listed as a response vessel on a vessel re-
12 sponse plan and is operating outside the Boundary
13 Line solely to perform duties of a response vessel; or

14 (2) is operating outside the Boundary Line
15 solely to perform operations necessary to escort a
16 vessel with limited maneuverability.

17 (b) APPLICABILITY.—This section applies to a towing
18 vessel—

19 (1) that is subject to inspection under chapter
20 33 of title 46, United States Code, and subchapter
21 M of title 46, Code of Federal Regulations;

22 (2) with only “Lakes, Bays, and Sounds” or
23 “Rivers” routes recorded on such vessel’s certificate
24 of inspection under section 136.230 of title 46, Code
25 of Federal Regulations; and

1 (3)(A) that, with respect to a vessel that is de-
2 scribed in subsection (a)(1), is listed—

3 (i) on a vessel response plan under part
4 155 of title 33, Code of Federal Regulations, on
5 the date of approval of the vessel response plan;
6 or

7 (ii) by name or reference in the vessel re-
8 sponse plan’s geographic-specific appendix on
9 the date of approval of the vessel response plan;
10 or

11 (B) that, with respect to a vessel described in
12 subsection (a)(2), is regularly engaged in harbor as-
13 sist operations, including the docking, undocking,
14 mooring, unmooring, and escorting of vessels with
15 limited maneuverability.

16 (c) LIMITATIONS.—A vessel exempted under sub-
17 section (a) is subject to the following operating limitations:

18 (1) RESPONSE VESSELS.—The voyage of a ves-
19 sel exempted under subsection (a)(1) shall—

20 (A) be less than 12 hours, or in the case
21 of a voyage in the territorial waters of Alaska,
22 Guam, Hawaii, and American Samoa, have suf-
23 ficient manning as determined by the Secretary;
24 and

1 (B) originate and end in the inspection
2 zone of a single Officer In-Charge, Marine In-
3 spection, as defined in section 3305(d)(4) of
4 title 46, United States Code.

5 (2) ESCORT VESSELS.—The voyage of a vessel
6 exempted under subsection (a)(2) shall—

7 (A) be less than 12 hours in total duration;

8 (B) originate and end in the inspection
9 zone of a single Officer In-Charge, Marine In-
10 spection, as such term is defined in section
11 3305(d)(4) of title 46, United States Code; and

12 (C) occur no further than 10 nautical
13 miles from the Boundary Line.

14 (d) TERMINATION.—The interim exemption provided
15 under subsection (a) shall terminate on July 22, 2023.

16 (e) RESTRICTION.—The Officer In-Charge, Marine
17 Inspection, as defined in section 3305(d)(4) of title 46,
18 United States Code, for an inspection zone may restrict
19 operations under the exemptions provided under sub-
20 section (a) for safety purposes.

21 (f) BRIEFING.—Not later than July 22, 2022, the
22 Commandant of the Coast Guard shall brief the Com-
23 mittee on Transportation and Infrastructure of the House
24 of Representatives and the Committee on Commerce,

1 Science, and Transportation of the Senate regarding the
2 following:

3 (1) The impacts of the interim exemptions pro-
4 vided under this section.

5 (2) Any safety concerns regarding the expira-
6 tion of such interim exemptions.

7 (3) Whether such interim exemptions should be
8 extended or made permanent in the interests of safe-
9 ty.

10 **SEC. 405. COAST GUARD AUTHORITIES STUDY.**

11 (a) IN GENERAL.—The Secretary of the department
12 in which the Coast Guard is operating shall seek to enter
13 into an arrangement with the National Academy of
14 Sciences not later than 60 days after the date of the enact-
15 ment of this Act under which the Academy shall prepare
16 an assessment of Coast Guard authorities.

17 (b) ASSESSMENT.—The assessment under subsection
18 (a) shall provide—

19 (1) an examination of emerging issues that may
20 require Coast Guard oversight, regulation, or action;

21 (2) a description of potential limitations and
22 shortcomings of relying on current Coast Guard au-
23 thorities to address emerging issues; and

1 (3) an overview of adjustments and additions
2 that could be made to existing Coast Guard authori-
3 ties to fully address emerging issues.

4 (c) REPORT TO THE CONGRESS.—Not later than 1
5 year after entering into an arrangement with the Sec-
6 retary under subsection (a), the National Academy of
7 Sciences shall submit the assessment under this section
8 to the Committee on Transportation and Infrastructure
9 of the House of Representatives and the Committee on
10 Commerce, Science, and Transportation of the Senate.

11 (d) EMERGING ISSUES.—In this section, the term
12 “emerging issues” means changes in the maritime indus-
13 try and environment that in the determination of the Na-
14 tional Academy of Sciences are reasonably likely to occur
15 within 10 years after the date of the enactment of this
16 Act, including—

17 (1) the introduction of new technologies in the
18 maritime domain;

19 (2) the advent of new processes or operational
20 activities in the maritime domain; and

21 (3) changes in the use of navigable waterways.

22 **SEC. 406. CLOUD COMPUTING STRATEGY.**

23 Not later than 180 days after the date of the enact-
24 ment of this Act, the Commandant of the Coast Guard
25 shall submit to the Committee on Transportation and In-

1 frastructure of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate a detailed description of the Coast Guard’s strat-
4 egy to implement cloud computing for the entire Coast
5 Guard, including—

6 (1) the goals and acquisition strategies for all
7 proposed enterprise-wide cloud computing service
8 procurements;

9 (2) a strategy to sustain competition and inno-
10 vation throughout the period of performance of each
11 contract for procurement of cloud-computing goods
12 and services for the Coast Guard, including defining
13 opportunities for multiple cloud-service providers
14 and insertion of new technologies;

15 (3) an assessment of potential threats and secu-
16 rity vulnerabilities of the strategy, and plans to miti-
17 gate such risks; and

18 (4) an estimate of the cost and timeline to im-
19 plement cloud computing service for all Coast Guard
20 computing.

21 **SEC. 407. REPORT ON EFFECTS OF CLIMATE CHANGE ON**
22 **COAST GUARD.**

23 (a) IN GENERAL.—Not later than 1 year after the
24 date of the enactment of this Act, the Commandant of
25 the Coast Guard shall submit to the Committee on Trans-

1 portation and Infrastructure of the House of Representa-
2 tives and the Committee on Commerce, Science, and
3 Transportation of the Senate a report on vulnerabilities
4 of Coast Guard installations and requirements resulting
5 from climate change over the next 20 years.

6 (b) ELEMENTS.—The report under subsection (a)
7 shall include the following:

8 (1) A list of the 10 most vulnerable Coast
9 Guard installations based on the effects of climate
10 change, including rising sea tides, increased flooding,
11 drought, desertification, wildfires, thawing perma-
12 frost, or any other categories the Commandant de-
13 termines necessary.

14 (2) An overview of—

15 (A) mitigations that may be necessary to
16 ensure the continued operational viability and
17 to increase the resiliency of the identified vul-
18 nerable installations; and

19 (B) the cost of such mitigations.

20 (3) A discussion of the climate-change-related
21 effects on the Coast Guard, including—

22 (A) the increase in the frequency of hu-
23 manitarian assistance and disaster relief mis-
24 sions; and

1 (B) campaign plans, contingency plans,
2 and operational posture of the Coast Guard.

3 (4) An overview of mitigations that may be nec-
4 essary to ensure mission resiliency and the cost of
5 such mitigations.

6 (c) FORM.—The report required under subsection (a)
7 shall be submitted in unclassified form, but may contain
8 a classified annex.

9 **SEC. 408. SHORE INFRASTRUCTURE.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of the enactment of this Act, the Commandant of
12 the Coast Guard shall—

13 (1) develop a plan to standardize Coast Guard
14 facility condition assessments;

15 (2) establish shore infrastructure performance
16 goals, measures, and baselines to track the effective-
17 ness of maintenance and repair investments and pro-
18 vide feedback on progress made;

19 (3) develop a process to routinely align the
20 Coast Guard shore infrastructure portfolio with mis-
21 sion needs, including disposing of unneeded assets;

22 (4) establish guidance for planning boards to
23 document inputs, deliberations, and project
24 prioritization decisions for infrastructure mainte-
25 nance projects;

1 (5) employ models for Coast Guard infrastruc-
2 ture asset lines for—

3 (A) predicting the outcome of investments
4 in shore infrastructure;

5 (B) analyzing tradeoffs; and

6 (C) optimizing decisions among competing
7 investments;

8 (6) include supporting details about competing
9 project alternatives and report tradeoffs in congres-
10 sional budget requests and related reports; and

11 (7) explore the development of real property
12 management expertise within the Coast Guard work-
13 force, including members of the Senior Executive
14 Service.

15 (b) BRIEFING.—Not later than December 31, 2020,
16 the Commandant of the Coast Guard shall brief the Com-
17 mittee on Transportation and Infrastructure of the House
18 of Representatives and the Committee on Commerce,
19 Science, and Transportation of the Senate on the status
20 of the actions required under subsection (a).

21 **SEC. 409. PHYSICAL ACCESS CONTROL SYSTEM REPORT.**

22 Not later 180 days after the date of the enactment
23 of this Act and annually for each of the 4 years thereafter,
24 the Commandant of the Coast Guard shall submit to the
25 Committee on Transportation and Infrastructure of the

1 House of Representatives and the Committee on Com-
2 merce, Science, and Transportation of the Senate a report
3 regarding the status of the Coast Guard's compliance with
4 Homeland Security Presidential Directive 12 (HSPD-12)
5 and Federal Information Processing Standard 201
6 (FIPS-201), including—

7 (1) the status of Coast Guard efforts to field a
8 comprehensive Physical Access Control System at
9 Coast Guard installations and locations necessary to
10 bring the Service into compliance with HSPD-12
11 and FIPS-201B;

12 (2) the status of the selection of a technological
13 solution;

14 (3) the estimated phases and timeframe to com-
15 plete the implementation of such a system; and

16 (4) the estimated cost for each phase of the
17 project.

18 **SEC. 410. COASTWISE ENDORSEMENTS.**

19 (a) “SAFARI VOYAGER”.—

20 (1) IN GENERAL.—Notwithstanding sections
21 12112 and 12132 of title 46, United States Code,
22 the Secretary of the department in which the Coast
23 Guard is operating shall issue a certificate of docu-
24 mentation with a coastwise endorsement for the ves-

1 sel Safari Voyager (International Maritime Organi-
2 zation number 8963753).

3 (2) REVOCATION OF EFFECTIVENESS OF CER-
4 TIFICATE.—A certificate of documentation issued
5 under paragraph (1) is revoked on the date of the
6 sale of the vessel or the entity that owns the vessel.

7 (b) “PACIFIC PROVIDER”.—

8 (1) IN GENERAL.—Notwithstanding sections
9 12112 and 12132 of title 46, United States Code,
10 the Secretary of the department in which the Coast
11 Guard is operating may issue a certificate of docu-
12 mentation with a coastwise endorsement for the ves-
13 sel Pacific Provider (United States official number
14 597967).

15 (2) REVOCATION OF EFFECTIVENESS OF CER-
16 TIFICATE.—A certificate of documentation issued
17 under paragraph (1) is revoked on the date of the
18 sale of the vessel or the entity that owns the vessel.

19 (c) DOCUMENTATION OF LNG TANKERS.—Section
20 7(b)(3) of the America’s Cup Act of 2011 (Public Law
21 112–61) is amended by—

22 (1) striking “The coastwise endorsement
23 issued” and inserting “No coastwise endorsement
24 shall be issued”; and

1 (2) striking “shall expire on” and inserting
2 “after”.

3 (d) REPLACEMENT VESSEL.—Notwithstanding sec-
4 tion 208(g)(5) of the American Fisheries Act (Public Law
5 105–277; 16 U.S.C. 1851 note), a vessel eligible under
6 section 208(e)(21) of such Act that is replaced under sec-
7 tion 208(g) of such Act shall be subject to a sideboard
8 restriction catch limit of zero metric tons in the Bering
9 Sea and Aleutian Islands and in the Gulf of Alaska unless
10 that vessel is also a replacement vessel under section
11 679.4(o)(4) of title 50, Code of Federal Regulations, in
12 which case such vessel shall not be eligible to be a catcher/
13 processor under section 206(b)(2) of such Act.

14 **SEC. 411. POLAR SECURITY CUTTER ACQUISITION REPORT.**

15 Not later than 1 year after the date of the enactment
16 of this Act, the Commandant of the Coast Guard shall
17 submit a report to the Committees on Transportation and
18 Infrastructure and Armed Services of the House of Rep-
19 resentatives, and the Committees on Commerce, Science
20 and Transportation and Armed Services of the Senate
21 on—

22 (1) the extent to which specifications, key draw-
23 ings, and detail design for the Polar Security Cutter
24 are complete before the start of construction;

1 (2) the extent to which Polar Security Cutter
2 hulls numbers one, two, and three are science ready;
3 and

4 (3) what actions will be taken to ensure that
5 Polar Security Cutter hull number four is science ca-
6 pable, as described in the National Academies of
7 Sciences, Engineering, and Medicine’s Committee on
8 Polar Icebreaker Cost Assessment letter report enti-
9 tled “Acquisition and Operation of Polar Ice-
10 breakers: Fulfilling the Nation’s Needs” and dated
11 July 11, 2017.

12 **SEC. 412. SENSE OF THE CONGRESS ON THE NEED FOR A**
13 **NEW GREAT LAKES ICEBREAKER.**

14 (a) FINDINGS.—The Congress finds the following:

15 (1) The Great Lakes shipping industry is cru-
16 cial to the American economy, including the United
17 States manufacturing base, providing important eco-
18 nomic and national security benefits.

19 (2) A recent study found that the Great Lakes
20 shipping industry supports 237,000 jobs and tens of
21 billions of dollars in economic activity.

22 (3) United States Coast Guard icebreaking ca-
23 pacity is crucial to full utilization of the Great Lakes
24 shipping system, as during the winter icebreaking
25 season up to 15 percent of annual cargo loads are

1 delivered and many industries would have to reduce
2 their production if Coast Guard icebreaking services
3 were not provided.

4 (4) Six of the Coast Guard's nine icebreaking
5 cutters in the Great Lakes are more than 30 years
6 old and are frequently inoperable during the winter
7 icebreaking season, including those that have com-
8 pleted a recent service life extension program.

9 (5) During the previous 10 winters, Coast
10 Guard Great Lakes icebreaking cutters have been in-
11 operable for an average of 65 cutter-days during the
12 winter icebreaking season, with this annual lost ca-
13 pability exceeding 100 cutter-days, with a high of
14 246 cutter-days during the winter of 2017–2018.

15 (6) The 2019 ice season provides further proof
16 that current Coast Guard icebreaking capacity is in-
17 adequate for the needs of the Great Lakes shipping
18 industry, as only six of the nine icebreaking cutters
19 are operational and millions of tons of cargo was not
20 loaded or was delayed due to inadequate Coast
21 Guard icebreaking assets during a historically aver-
22 age winter for Great Lakes ice coverage.

23 (7) The Congress has authorized the Coast
24 Guard to acquire a new Great Lakes icebreaker as
25 capable as Coast Guard Cutter MACKINAW

1 (WLBB–30), the most capable Great Lakes ice-
2 breaker, and \$10 million has been appropriated to
3 fund the design and initial acquisition work for this
4 icebreaker.

5 (8) The Coast Guard has not initiated a new
6 acquisition program for this Great Lakes icebreaker.

7 (b) SENSE OF THE CONGRESS.—It is the sense of
8 the Congress of the United States that a new Coast Guard
9 icebreaker as capable as Coast Guard Cutter MACKI-
10 NAW (WLBB–30) is needed on the Great Lakes and the
11 Coast Guard should acquire this icebreaker as soon as pos-
12 sible.

13 **SEC. 413. CARGO PREFERENCE STUDY.**

14 (a) IN GENERAL.—The Comptroller General of the
15 United States shall conduct an audit regarding the en-
16 forcement of the United States Cargo Preference Laws set
17 forth in sections 55302, 55303, 55304, and 55305 of title
18 46, United States Code, and section 2631 of title 10,
19 United States Code (hereinafter in this section referred
20 to as the “United States Cargo Preference Laws”).

21 (b) SCOPE.—The audit conducted under subsection
22 (a) shall include, for the period from October 14, 2008,
23 until the date of the enactment of this Act—

1 (1) a listing of the agencies and organizations
2 required to comply with the United States Cargo
3 Preference Laws;

4 (2) an analysis of the compliance or noncompli-
5 ance of such agencies and organizations with such
6 laws, including—

7 (A) the total amount of oceangoing cargo
8 that each such agency, organization, or con-
9 tractor procured for its own account or for
10 which financing was in any way provided with
11 Federal funds, including loan guarantees;

12 (B) the percentage of such cargo shipped
13 on privately owned commercial vessels of the
14 United States;

15 (C) an assessment of internal programs
16 and controls used by each such agency or orga-
17 nization to monitor and ensure compliance with
18 the United States Cargo Preference Laws, to
19 include education, training, and supervision of
20 its contracting personnel, and the procedures
21 and controls used to monitor compliance with
22 cargo preference requirements by contractors
23 and subcontractors; and

24 (D) instances in which cargoes are shipped
25 on foreign-flag vessels under non-availability de-

1 terminations but not counted as such for pur-
2 poses of calculating cargo preference compli-
3 ance; and

4 (3) an overview of enforcement activities under-
5 taken by the Maritime Administration from October
6 14, 2008, until the date of the enactment of this
7 Act, including a listing of all bills of lading collected
8 by the Maritime Administration during that period.

9 (c) REPORT.—Not later than 1 year after the date
10 of enactment of this Act, the Comptroller General shall
11 submit to the Committee on Transportation and Infra-
12 structure of the House of Representatives and the Com-
13 mittee on Commerce, Science, and Transportation of the
14 Senate a report detailing the results of the audit and pro-
15 viding recommendations related to such results, to in-
16 clude—

17 (1) actions that should be taken by agencies
18 and organizations to fully comply with the United
19 States Cargo Preference Laws; and

20 (2) Other measures that may compel agencies
21 and organizations, and their contractors and sub-
22 contractors, to use United States flag vessels in the
23 international transportation of ocean cargoes as
24 mandated by the United States Cargo Preference
25 Laws.

1 **SEC. 414. INSIDER THREAT PROGRAM.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Commandant of the Coast Guard
4 shall brief the Committee on Transportation and Infra-
5 structure of the House of Representatives and the Com-
6 mittee on Commerce, Science, and Transportation of the
7 Senate on a plan to expand the Coast Guard Insider
8 Threat program to include the monitoring of all Coast
9 Guard devices, including mobile devices.

10 **SEC. 415. FISHING SAFETY GRANTS.**

11 The cap on the Federal share of the cost of any activ-
12 ity carried out with a grant under subsections (i) and (j)
13 of section 4502 of title 46, United States Code, as in effect
14 prior to the date of enactment of the Frank LoBiondo
15 Coast Guard Authorization Act of 2018, shall apply to any
16 funds appropriated under the Consolidated Appropriations
17 Act, 2017 (Public Law 115–31) for the purpose of making
18 such grants.

19 **SEC. 416. PLANS FOR DEMONSTRATION PROGRAMS.**

20 (a) IN GENERAL.—The Commandant of the Coast
21 Guard shall develop plans for demonstration programs
22 that will assess the feasibility of using unmanned maritime
23 systems for surveillance of marine protected areas, the
24 transit zone, and the Arctic to—

1 (1) gather regular maritime domain awareness
2 of marine protected areas, the transit zone, and the
3 Arctic; and

4 (2) ensure sufficient response to illegal activi-
5 ties in marine protected areas, the transit zone, and
6 the Arctic.

7 (b) COLLABORATION WITH LOCAL AUTHORITIES.—
8 The Commandant of the Coast Guard shall collaborate
9 with local, State, and Tribal authorities and international
10 partners for surveillance permissions over their waters in
11 conducting any demonstration program under subsection
12 (a).

13 (c) REQUIREMENTS.—The plans required under sub-
14 section (a) shall include—

15 (1) discussion of the feasibility, safety, and cost
16 effectiveness of using unmanned maritime systems
17 for the purposes of enhancing maritime domain
18 awareness in marine protected areas, the transit
19 zone, and the Arctic;

20 (2) coordination and communication plans to
21 facilitate coordination with other relevant Federal,
22 State, Tribal, and local agencies, and international
23 partners;

1 (3) consideration of the potential impacts of
2 such a demonstration program on the Coast Guard's
3 existing unmanned vehicle programs;

4 (4) an overview of areas that could be surveilled
5 under such program;

6 (5) a timeline and technical milestones for the
7 implementation of such a program;

8 (6) resource requirements to implement and
9 sustain such a program; and

10 (7) the operational benefits of such a program.

11 (d) CONSULTATION WITH STAKEHOLDERS.—The
12 Commandant of the Coast Guard shall consult with rel-
13 evant stakeholders including the Department of Defense,
14 other agencies, the academic sector, and developers and
15 manufacturers of unmanned maritime systems on the ap-
16 propriate technologies for successful implementation of
17 any demonstration program under subsection (a).

18 (e) REPORT.—Not later than 1 year after the date
19 of the enactment of this Act, the Commandant shall brief
20 the Committee on Transportation and Infrastructure of
21 the House of Representatives and the Committee on Com-
22 merce, Science, and Transportation of the Senate on the
23 plans required under subsection (a).

24 (f) DEFINITIONS.—In this section:

1 (1) ARCTIC.—The term “Arctic” has the mean-
2 ing given that term in section 112 of the Arctic Re-
3 search and Policy Act of 1984 (15 U.S.C. 4111).

4 (2) MARINE PROTECTED AREA.—The term
5 “marine protected area” means any discrete area of
6 the marine environment under a Federal statute.

7 (3) TRANSIT ZONE.—The term “transit zone”
8 has the meaning given that term in section
9 1092(a)(8) of the National Defense Authorization
10 Act for Fiscal Year 2017 (6 U.S.C. 223(a)(8)).

11 (4) UNMANNED MARITIME SYSTEMS.—The term
12 “unmanned maritime systems” has the meaning
13 given such term in section 402(c)(1).

14 **SEC. 417. WATERS DEEMED NOT NAVIGABLE WATERS OF**
15 **THE UNITED STATES FOR CERTAIN PUR-**
16 **POSES.**

17 The Coalbank Slough in Coos Bay, Oregon, is
18 deemed to not be navigable waters of the United States
19 for all purposes of subchapter J of Chapter I of title 33,
20 Code of Federal Regulations.

21 **SEC. 418. COAST GUARD HOUSING; STATUS AND AUTHORI-**
22 **TIES BRIEFING.**

23 Not later than 180 days after the date of the enact-
24 ment of this Act, the Commandant of the Coast Guard
25 shall provide to the Committee on Transportation and In-

1 frastructure of the House of Representatives and the Com-
2 mittee on Commerce, Science, and Transportation of the
3 Senate a briefing on Coast Guard housing, including—

4 (1) a description of the material condition of
5 Coast Guard housing facilities;

6 (2) the amount of current Coast Guard housing
7 construction and deferred maintenance backlogs;

8 (3) an overview of the manner in which the
9 Coast Guard manages and maintains housing facili-
10 ties;

11 (4) a discussion of whether reauthorizing hous-
12 ing authorities for the Coast Guard similar to those
13 provided in section 208 of the Coast Guard Author-
14 ization Act of 1996 (Public Law 104–324); and

15 (5) recommendations regarding how the Con-
16 gress could adjust those authorities to prevent mis-
17 management of Coast Guard housing facilities.

18 **SEC. 419. CONVEYANCE OF COAST GUARD PROPERTY AT**

19 **POINT SPENCER, ALASKA.**

20 (1) Section 533 of the Coast Guard Authoriza-
21 tion Act of 2016 (Public Law 114–120) is amended
22 by adding at the end the following:

23 “(f) **REMEDIAL ACTIONS.**—For purposes of the
24 transfers under this section, the remedial actions required
25 under section 120(h) of the Comprehensive Environmental

1 Response, Compensation, and Liability Act of 1980 (42
2 U.S.C. 9620(h)) may be completed by the United States
3 Coast Guard after the date of such transfer and a deed
4 entered into for such transfer shall include a clause grant-
5 ing the United States Coast Guard access to the property
6 in any case in which remedial action or corrective action
7 is found to be necessary after the date of such transfer.”.

8 (2) Section 534(a) of the Coast Guard Author-
9 ization Act of 2016 (Public Law 114–120) is
10 amended by—

11 (A) striking “Nothing” and inserting
12 “After the date on which the Secretary of the
13 Interior conveys land under section 533 of this
14 Act, nothing”; and

15 (B) by inserting “, with respect to con-
16 taminants on such land prior to the date on
17 which the land is conveyed” before the period.

18 **SEC. 420. PROHIBITION.**

19 (a) IN GENERAL.—The Secretary of the department
20 in which the Coast Guard is operating shall not establish
21 anchorage grounds on the Hudson River between Yonkers,
22 New York, and Kingston, New York, under section 7 of
23 the Rivers and Harbors Appropriations Act of 1915 (33
24 U.S.C. 471) or chapter 700 of title 46, United States

1 Code, in addition to any anchorage grounds in effect in
2 such area on the date of the enactment of this Act.

3 (b) RESTRICTION.—The Commandant may not es-
4 tablish or expand any anchorage grounds outside of the
5 reach on the Hudson River described in subsection (a)
6 without first providing notice to the Committee on Trans-
7 portation and Infrastructure of the House of Representa-
8 tives and the Committee on Commerce, Science, and
9 Transportation of the Senate not later than 180 days prior
10 to the establishment or expansion of any such anchorage
11 grounds.

12 (c) SAVINGS CLAUSE.—Nothing in this section—

13 (1) prevents the master or pilot of a vessel op-
14 erating on the reach of the Hudson River described
15 in subsection (a) from taking emergency actions nec-
16 essary to maintain the safety of the vessel or to pre-
17 vent the loss of life or property; or

18 (2) shall be construed as limiting the authority
19 of the Secretary of the department in which the
20 Coast Guard is operating to exercise authority over
21 the movement of a vessel under section 70002 of
22 title 46, United States Code, or any other applicable
23 laws or regulations governing the safe navigation of
24 a vessel.

1 (d) STUDY.—The Commandant of the Coast Guard,
2 in consultation with the Hudson River Safety, Navigation,
3 and Operations Committee, shall conduct a study of the
4 Hudson River north of Tarrytown, New York to exam-
5 ine—

6 (1) the nature of vessel traffic including vessel
7 types, sizes, cargoes, and frequency of transits;

8 (2) the risks and benefits of historic practices
9 for commercial vessels anchoring; and

10 (3) the risks and benefits of establishing an-
11 chorage grounds on the Hudson River.

12 (e) REPORT.—Not later than 1 year after the date
13 of the enactment of this Act, the Commandant of the
14 Coast Guard shall submit to the Committee on Transpor-
15 tation and Infrastructure of the House of Representatives
16 and the Committee on Commerce, Science, and Transpor-
17 tation of the Senate a report containing the findings, con-
18 clusions, and recommendations from the study required
19 under subsection (b).

20 **SEC. 421. CERTIFICATE EXTENSIONS.**

21 (a) IN GENERAL.—Subchapter I of chapter 121 of
22 title 46, United States Code, is amended by adding at the
23 end the following:

1 **“§ 12108. Authority to extend the duration of vessel**
2 **certificates**

3 “(a) CERTIFICATES.—Provided a vessel is in compli-
4 ance with inspection requirements in section 3313, the
5 Secretary of the Department in which in the Coast Guard
6 is operating may, if he makes the determination described
7 in subsection (b), extend for a period of not more than
8 1 year an expiring—

9 “(1) certificate of documentation issued for a
10 vessel under chapter 121; or

11 “(2) certificate of financial responsibility re-
12 quired for a vessel by section 1016(a) of the Oil Pol-
13 lution Act of 1990 (33 U.S.C. 2716(a)) or Section
14 108 of the Comprehensive Environmental Response,
15 Compensation, and Liability Act of 1980 (42 U.S.C.
16 9608).

17 “(b) DETERMINATION.—The determination referred
18 to in subsection (a) is a determination that such extension
19 is required to enable the Coast Guard to—

20 “(1) eliminate a backlog in processing applica-
21 tions for such certificates; or

22 “(2) act in response to a national emergency or
23 natural disaster.

24 “(c) MANNER OF EXTENSION.—Any extension grant-
25 ed under this section may be granted to individual vessels
26 or to a specifically identified group of vessels.”.

1 (b) CLERICAL AMENDMENT.—The analysis for such
2 subchapter is amended by adding at the end the following:
“12108. Authority to extend the duration of vessel certificates.”.

3 **SEC. 422. HOMELAND SECURITY ROTATIONAL CYBERSECU-**
4 **RITY RESEARCH PROGRAM AT THE COAST**
5 **GUARD ACADEMY.**

6 (a) IN GENERAL.—Subtitle E of title VIII of the
7 Homeland Security Act of 2002 (6 U.S.C. 411 et seq.)
8 is amended by adding at the end the following:

9 **“SEC. 846. ROTATIONAL CYBERSECURITY RESEARCH PRO-**
10 **GRAM.**

11 “To enhance the Department’s cybersecurity capac-
12 ity, the Secretary may establish a rotational research, de-
13 velopment, and training program for—

14 “(1) detail to the Cybersecurity and Infrastruc-
15 ture Security Agency (including the national cyber-
16 security and communications integration center au-
17 thorized by section 2209) of Coast Guard Academy
18 graduates and faculty; and

19 “(2) detail to the Coast Guard Academy, as
20 faculty, of individuals with expertise and experience
21 in cybersecurity who are employed by—

22 “(A) the Agency (including the center);

23 “(B) the Directorate of Science and Tech-
24 nology; or

1 “(C) institutions that have been designated
2 by the Department as a Center of Excellence
3 for Cyber Defense, or the equivalent.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 in section 1(b) of such Act is amended by adding at the
6 end of the items relating to such subtitle the following:

“Sec. 846. Rotational cybersecurity research program.”.

7 **SEC. 423. TOWING VESSEL INSPECTION FEES.**

8 Notwithstanding section 9701 of title 31, United
9 States Code, and section 2110 of title 46, United States
10 Code, the Secretary of the department in which the Coast
11 Guard is operating may not charge an inspection fee for
12 towing vessels required to have a Certificate of Inspection
13 under subchapter M of title 46, Code of Federal Regula-
14 tions, until—

15 (1) the completion of the review required under
16 section 815 of the Frank LoBiondo Coast Guard
17 Authorization Act of 2018 (Public Law 115–282);
18 and

19 (2) the promulgation of regulations to establish
20 specific inspection fees for such vessels.

21 **SEC. 424. SUBROGATED CLAIMS.**

22 (a) IN GENERAL.—Section 1012(b) of the Oil Pollu-
23 tion Act of 1990 (33 U.S.C. 2712(b)) is amended—

24 (1) by striking “The” and inserting the fol-
25 lowing:

1 “(1) IN GENERAL.—The”; and

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

3 “(2) SUBROGATED RIGHTS.—Except for a guar-
4 antor claim pursuant to a defense under section
5 1016(f)(1), Fund compensation of any claim by an
6 insurer or other indemnifier of a responsible party or
7 injured third party is subject to the subrogated
8 rights of that responsible party or injured third
9 party to such compensation.”.

10 (b) EFFECTIVE DATE.—This section and the amend-
11 ments made by this section shall take effect 180 days after
12 the date of enactment of this Act.

13 **SEC. 425. LOAN PROVISIONS UNDER OIL POLLUTION ACT**
14 **OF 1990.**

15 (a) IN GENERAL.—Section 1013 of the Oil Pollution
16 Act of 1990 (33 U.S.C. 2713) is amended by striking sub-
17 section (f).

18 (b) CONFORMING AMENDMENTS.—Section 1012(a)
19 of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)) is
20 amended—

21 (1) in paragraph (4), by adding “and” after the
22 semicolon at the end;

23 (2) in paragraph (5)(D), by striking “; and”
24 and inserting a period; and

25 (3) by striking paragraph (6).

1 **SEC. 426. LIABILITY LIMITS.**

2 Section 1004(d)(2) of the Oil Pollution Act of 1990
3 (33 U.S.C. 2704(d)(2)) is amended to read as follows:

4 “(2) DEEPWATER PORTS AND ASSOCIATED VES-
5 SELS.—

6 “(A) IN GENERAL.—If the Secretary deter-
7 mines that the design and operation of a deep-
8 water port results in a lower risk of oil pollution
9 than the design and operation of such deep-
10 water ports as existed on the date of the enact-
11 ment of the Coast Guard Authorization Act of
12 2019, the Secretary may initiate a rulemaking
13 proceeding to lower the limitation of liability
14 under subsection (a)(4) for such deepwater port
15 and each other deepwater port which achieves
16 such lower risk level through such port’s design
17 and operation.

18 “(B) RISK DETERMINATION.—In deter-
19 mining the risk of oil pollution, the Secretary
20 shall take into account, as applicable—

21 “(i) the size of the deepwater ports
22 and associated vessels;

23 “(ii) oil storage capacity of the deep-
24 water ports and associated vessels;

25 “(iii) oil handling capacity of the
26 deepwater ports and associated vessels;

1 “(iv) oil throughput;
2 “(v) proximity to sensitive areas;
3 “(vi) type of oil handled;
4 “(vii) history of oil discharges; and
5 “(viii) such other factors relevant to
6 the oil pollution risks posed by the class or
7 category of deepwater port and associated
8 vessels as the Secretary determines appro-
9 priate.

10 “(C) LIMIT OF LIABILITY; TRANSPORTATION OF OIL.—For deepwater ports used in
11 connection with the transportation of oil, the
12 Secretary may establish a limitation of liability
13 under subparagraph (A) of not more than
14 \$350,000,000 and not less than \$50,000,000.

16 “(D) LIMIT OF LIABILITY; TRANSPORTATION OF NATURAL GAS.—For deepwater
17 ports used in connection with the transportation
18 of natural gas, the Secretary may establish a
19 limitation of liability under subparagraph (A) of
20 not more than \$350,000,000 and not less than
21 \$1,000,000.”
22

1 **SEC. 427. REPORT ON DRUG INTERDICTION IN THE CARIB-**
2 **BEAN BASIN.**

3 (a) REPORT.—Not later than 180 days after the date
4 of enactment of this Act, the Commandant of the Coast
5 Guard shall submit to the Committee on Transportation
6 and Infrastructure of the House of Representatives and
7 the Committee on Commerce, Science, and Transportation
8 of the Senate a report on drug interdiction in the Carib-
9 bean basin.

10 (b) CONTENT.—Such report shall include—

11 (1) a statement of the Coast Guard mission re-
12 quirements for drug interdiction in the Caribbean
13 basin;

14 (2) the number of maritime surveillance hours
15 and Coast Guard assets used in each of fiscal years
16 2017 through 2019 to counter the illicit trafficking
17 of drugs and other related threats throughout the
18 Caribbean basin; and

19 (3) a determination of whether such hours and
20 assets satisfied the Coast Guard mission require-
21 ments for drug interdiction in the Caribbean basin.

22 **SEC. 428. VOTING REQUIREMENT.**

23 Section 305(i)(1)(G)(iv) of the Magnuson-Stevens
24 Fishery Conservation and Management Act (16 U.S.C.
25 1855(i)(1)(G)(iv)) is amended to read as follows:

1 “(iv) VOTING REQUIREMENT.—The
2 panel may act only by the affirmative vote
3 of at least five of its members.”.

4 **SEC. 429. TRANSPORTATION WORK IDENTIFICATION CARD**
5 **PILOT PROGRAM.**

6 Section 70105(g) of title 46, United States Code, is
7 amended by striking “shall concurrently” and all that fol-
8 lows and inserting the following: “shall—

9 “(1) develop and, no later than 1 year after the
10 date of enactment of the Coast Guard Authorization
11 Act of 2019, implement a joint application for mer-
12 chant mariner’s documents under chapter 73 of title
13 46, United States Code, and for a transportation se-
14 curity card issued under this section; and

15 “(2) upon receipt of a joint application devel-
16 oped under paragraph (1) concurrently process an
17 application from an individual for merchant mari-
18 ner’s documents under chapter 73 of title 46, United
19 States Code, and an application from such individual
20 for a transportation security card under this sec-
21 tion.”.

22 **SEC. 430. PLAN FOR WING-IN-GROUND DEMONSTRATION**
23 **PLAN.**

24 (a) IN GENERAL.—(1) The Commandant of the
25 Coast Guard, in coordination with the Administrator of

1 the Federal Aviation Administration with regard to any
2 regulatory or safety matter regarding airspace, air space
3 authorization, or aviation, shall develop plans for a dem-
4 onstration program that will determine whether wing-in-
5 ground craft, as that term is defined in section 2101 of
6 title 46, United States Code, that is capable of carrying
7 at least one individual, can—

8 (A) provide transportation in areas in which en-
9 ergy exploration, development or production activity
10 takes place on the Outer Continental Shelf; and

11 (B) under the craft's own power, safely reach
12 helidecks or platforms located on offshore energy fa-
13 cilities.

14 (2) REQUIREMENTS.—The plans required under
15 paragraph (1) shall—

16 (A) examine and explain any safety issues with
17 regard to the operation of the such craft as a vessel,
18 or as an aircraft, or both;

19 (B) include a timeline and technical milestones
20 for the implementation of such a demonstration pro-
21 gram;

22 (C) outline resource requirements needed to un-
23 dertake such a demonstration program;

24 (D) describe specific operational circumstances
25 under which the craft may be used, including dis-

1 tance from United States land, altitude, number of
2 individuals, amount of cargo, and speed and weight
3 of vessel;

4 (E) describe the operations under which Fed-
5 eral Aviation Administration statutes, regulations,
6 circulars, or orders apply; and

7 (F) describe the certifications, permits, or au-
8 thorizations required to perform any operations.

9 (b) REPORT.—Not later than 1 year after the date
10 of the enactment of this Act, the Commandant, along with
11 the Administrator of the Federal Aviation Administration
12 with regard to any regulatory or safety matter regarding
13 airspace, air space authorization, or aviation, shall brief
14 the Committee on Transportation and Infrastructure of
15 the House of Representatives and the Committee on Com-
16 merce, Science and Transportation of the Senate on the
17 plan developed under subsection (a), including—

18 (1) any regulatory changes needed regarding in-
19 spections and manning, to allow such craft to oper-
20 ate between onshore facilities and offshore energy
21 facilities when such craft is operating as a vessel;

22 (2) any regulatory changes that would be nec-
23 essary to address potential impacts to air traffic
24 control, the National Airspace System, and other
25 aircraft operations, and to ensure safe operations on

1 or near helidecks and platforms located on offshore
 2 energy facilities when such craft are operating as
 3 aircraft; and

4 (3) any other statutory or regulatory changes
 5 related to authority of the Federal Aviation Admin-
 6 istration over operations of the craft.

7 **TITLE V—REORGANIZATION**

8 **SEC. 501. UNINSPECTED COMMERCIAL FISHING INDUSTRY** 9 **VESSELS.**

10 (a) IN GENERAL.—Subtitle II of title 46, United
 11 States Code, is amended by striking chapter 45 and insert-
 12 ing the following:

13 **“CHAPTER 45—UNINSPECTED** 14 **COMMERCIAL INDUSTRY VESSELS**

“Sec.

“4501. Application.

“4502. Definitions.

“4503. Safety standards.

“4504. Vessel construction.

“4505. Operating stability.

“4506. Training.

“4507. Vessel certification.

“4508. Alternate safety compliance program.

“4509. Substitute safety compliance program.

“4510. Enhanced substitute safety compliance program.

“4511. Prohibited acts.

“4512. Termination of unsafe operations.

“4513. Penalties.

“4514. Compliance; Secretary actions.

“4515. Exemptions.

“4516. Regulations; considerations and limitations.

“4517. Fishing safety grants.

15 **“§ 4501. Application**

16 “(a) IN GENERAL.—Except as provided in subsection
 17 (b), this chapter applies to an uninspected vessel that is

1 a fishing vessel, fish processing vessel, or fish tender ves-
2 sel.

3 “(b) CARRIAGE OF BULK DANGEROUS CARGOES.—
4 This chapter does not apply to the carriage of bulk dan-
5 gerous cargoes regulated under chapter 37.

6 **“§ 4502. Definitions**

7 “In this chapter:

8 “(1) The term ‘accountable vessel’ means a ves-
9 sel to which this chapter applies that—

10 “(A)(i) was built after December 31, 1988,
11 or undergoes a major conversion completed
12 after that date; and

13 “(ii) operates with more than 16 individ-
14 uals on board; or

15 “(B) in the case of a fish tender vessel, en-
16 gages in the Aleutian trade.

17 “(2) The term ‘auxiliary craft’ means a vessel
18 that is carried onboard a fishing vessel and is nor-
19 mally used to support fishing operations.

20 “(3)(A) The term ‘built’ means, with respect to
21 a vessel, that the vessel’s construction has reached
22 any of the following stages:

23 “(i) The vessel’s keel is laid.

24 “(ii) Construction identifiable with the ves-
25 sel has begun and assembly of that vessel has

1 commenced comprising of at least 50 metric
2 tons or one percent of the estimated mass of all
3 structural material, whichever is less.

4 “(B) In the case of a vessel greater than 79
5 feet in overall length, for purposes of subparagraph
6 (A)(i), a keel is deemed to be laid when a marine
7 surveyor affirms that a structure adequate for serv-
8 ing as a keel for such vessel is in place and identi-
9 fied for use in the construction of such vessel.

10 “(4) The term ‘subject vessel’ means a vessel to
11 which this chapter applies that—

12 “(A) operates beyond 3 nautical miles from
13 the baseline from which the territorial sea of
14 the United States is measured or beyond 3 nau-
15 tical miles from the coastline of the Great
16 Lakes;

17 “(B) operates with more than 16 individ-
18 uals on board; or

19 “(C) in the case of a fish tender vessel, en-
20 gages in the Aleutian trade.

21 “(5) The term ‘substitute-eligible vessel’ means
22 a fishing vessel or fish tender vessel that is—

23 “(A) a subject vessel;

24 “(B) at least 50 feet overall in length, and
25 not more than 180 feet overall in length as list-

1 ed on the vessel’s certificate of documentation
2 or certificate of number; and

3 “(C) built after February 8, 2016.

4 **“§ 4503. Safety standards**

5 “(a) IN GENERAL.—The Secretary shall prescribe
6 regulations that require that each vessel to which this
7 chapter applies shall be equipped with—

8 “(1) readily accessible fire extinguishers capable
9 of promptly and effectively extinguishing a flam-
10 mable or combustible liquid fuel fire;

11 “(2) at least one readily accessible life preserver
12 or other lifesaving device for each individual on
13 board;

14 “(3) an efficient flame arrestor, backfire trap,
15 or other similar device on the carburetors of each in-
16 board engine that uses gasoline as fuel;

17 “(4) the means to properly and efficiently venti-
18 late enclosed spaces, including engine and fuel tank
19 compartments, so as to remove explosive or flam-
20 mable gases;

21 “(5) visual distress signals;

22 “(6) other equipment required to minimize the
23 risk of injury to the crew during vessel operations,
24 if the Secretary determines that a risk of serious in-

1 jury exists that can be eliminated or mitigated by
2 that equipment; and

3 “(7) a placard as required by regulations pre-
4 scribed under section 10603(b).

5 “(b) SUBJECT VESSELS.—In addition to the require-
6 ments of subsection (a), the Secretary shall prescribe reg-
7 ulations requiring that subject vessels install, maintain,
8 and use the following equipment:

9 “(1) Alerting and locating equipment, including
10 emergency position indicating radio beacons.

11 “(2)(A) Subject to subparagraph (B), a survival
12 craft that—

13 “(i) ensures that no part of an individual
14 is immersed in water; and

15 “(ii) is sufficient to accommodate all indi-
16 viduals on board.

17 “(B) Except for a nonapplicable vessel, an aux-
18 iliary craft shall satisfy the equipment requirement
19 under paragraph (2)(B) if such craft is—

20 “(i) necessary for normal fishing oper-
21 ations;

22 “(ii) readily accessible during an emer-
23 gency; and

24 “(iii) capable, in accordance with the Coast
25 Guard capacity rating, when applicable, of safe-

1 ly holding all individuals on board the vessel to
2 which the craft functions as an auxiliary.

3 “(3) At least one readily accessible immersion
4 suit for each individual on board the vessel when op-
5 erating on the waters described in section 3102.

6 “(4) Marine radio communications equipment
7 sufficient to effectively communicate with a land-
8 based search and rescue facility.

9 “(5) Navigation equipment, including com-
10 passes, nautical charts, and publications.

11 “(6) First aid equipment and medical supplies
12 sufficient for the size and area of operation of the
13 vessel.

14 “(7) Ground tackle sufficient for the vessel.

15 “(c) ACCOUNTABLE VESSELS.—In addition to the re-
16 quirements described in subsections (a) and (b), the Sec-
17 retary may prescribe regulations establishing minimum
18 safety standards for accountable vessels, including stand-
19 ards relating to—

20 “(1) navigation equipment, including radars
21 and fathometers;

22 “(2) lifesaving equipment, immersion suits, sig-
23 naling devices, bilge pumps, bilge alarms, life rails,
24 and grab rails;

1 “(3) fire protection and firefighting equipment,
2 including fire alarms and portable and semiportable
3 fire extinguishing equipment;

4 “(4) use and installation of insulation material;

5 “(5) storage methods for flammable or combus-
6 tible material; and

7 “(6) fuel, ventilation, and electrical systems.

8 **“§ 4504. Vessel construction**

9 “A vessel to which this chapter applies shall be con-
10 structed in a manner that provides a level of safety equiva-
11 lent to the minimum safety standards the Secretary may
12 establish for recreational vessels under section 4302, if the
13 vessel is—

14 “(1) a subject vessel;

15 “(2) less than 50 feet overall in length; and

16 “(3) built after January 1, 2010.

17 **“§ 4505. Operating stability**

18 “(a) REGULATIONS.—The Secretary shall prescribe
19 regulations for the operating stability of a vessel to which
20 this chapter applies—

21 “(1) that was built after December 31, 1989; or

22 “(2) the physical characteristics of which are
23 substantially altered after December 31, 1989, in a
24 manner that affects the vessel’s operating stability.

1 “(b) EVIDENCE OF COMPLIANCE.—The Secretary
2 may accept, as evidence of compliance with this section,
3 a certification of compliance issued by the person pro-
4 viding insurance for the vessel or by another qualified per-
5 son approved by the Secretary.

6 **“§ 4506. Training**

7 “(a) IN GENERAL.—The individual in charge of a
8 subject vessel must pass a training program approved by
9 the Secretary that meets the requirements of subsection
10 (b) and hold a valid certificate issued under that program.

11 “(b) TRAINING PROGRAM REQUIREMENTS.—The
12 training program shall—

13 “(1) be based on professional knowledge and
14 skill obtained through sea service and hands-on
15 training, including training in seamanship, stability,
16 collision prevention, navigation, firefighting and pre-
17 vention, damage control, personal survival, emer-
18 gency medical care, emergency drills, and weather;

19 “(2) require an individual to demonstrate abil-
20 ity to communicate in an emergency situation and
21 understand information found in navigation publica-
22 tions;

23 “(3) recognize and give credit for recent past
24 experience in fishing vessel operation; and

1 “(4) provide for issuance of a certificate to an
2 individual who has successfully completed the pro-
3 gram.

4 “(c) REGULATIONS.—The Secretary shall prescribe
5 regulations implementing this section. The regulations
6 shall require that an individual who is issued a certificate
7 under subsection (b)(4) must complete refresher training
8 at least once every 5 years as a condition of maintaining
9 the validity of the certificate.

10 “(d) ELECTRONIC DATABASE.—The Secretary shall
11 establish an electronic database listing the names of indi-
12 viduals who have participated in and received a certificate
13 confirming successful completion of a training program
14 approved by the Secretary under this section.

15 **“§ 4507. Vessel certification**

16 “(a) IN GENERAL.—A vessel to which this section ap-
17 plies may not be operated unless the vessel—

18 “(1) meets all survey and classification require-
19 ments prescribed by the American Bureau of Ship-
20 ping or another similarly qualified organization ap-
21 proved by the Secretary; and

22 “(2) has on board a certificate issued by the
23 American Bureau of Shipping or such other organi-
24 zation evidencing compliance with this subsection.

25 “(b) APPLICATION.—

1 “(1) Except as provided in section 4509, this
2 section applies to a fish processing vessel to which
3 this chapter applies that—

4 “(A) is built after July 27, 1990; or

5 “(B) undergoes a major conversion com-
6 pleted after that date.

7 “(2)(A) Except as provided in subparagraph
8 (B), this section applies to a subject vessel that is
9 at least 50 feet overall in length and is built after
10 July 1, 2013.

11 “(B) This section does not apply to a sub-
12 stitute-eligible vessel if such vessel complies with—

13 “(i) the substitute safety compliance pro-
14 gram established under section 4509; or

15 “(ii) the enhanced substitute safety compli-
16 ance program established by the Secretary
17 under section 4510.

18 **“§ 4508. Alternate safety compliance program**

19 “(a) IN GENERAL.—

20 “(1) The Secretary shall establish an alternate
21 safety compliance program developed in coordination
22 with the commercial fishing industry.

23 “(2) The program established under paragraph
24 (1) may include requirements for—

1 “(A) a specific region or fishery (or both);

2 and

3 “(B) any combination of regions or fish-

4 eries (or both).

5 “(b) VESSELS REQUIRED TO COMPLY.—Beginning

6 on the date that is 3 years after the date the Secretary

7 prescribes an alternate safety compliance program, the fol-

8 lowing vessels shall comply with such program:

9 “(1) A subject vessel that is—

10 “(A) at least 50 feet overall in length;

11 “(B) built before July 1, 2013; and

12 “(C) 25 years of age or older.

13 “(2) A fishing vessel, fish processing vessel, or

14 fish tender vessel built before July 1, 2013, that un-

15 dergoes a major conversion completed after the date

16 the Secretary prescribes an alternate safety compli-

17 ance program.

18 “(c) EXEMPT VESSELS.—

19 “(1) Notwithstanding subsection (b), vessels

20 owned by a person that owns more than 30 vessels

21 subject to that subsection are not required to comply

22 with alternate safety compliance program require-

23 ments until January 1, 2030, if that owner—

24 “(A) enters into a compliance agreement

25 with the Secretary that provides for a fixed

1 schedule for all such vessels owned by that per-
2 son to meet requirements of such paragraph by
3 such date; and

4 “(B) is meeting such schedule.

5 “(2) A subject vessel that was classed before
6 July 1, 2012, is exempt from the requirements of
7 this section if such vessel—

8 “(A) remains subject to the requirements
9 of a classification society approved by the Sec-
10 retary; and

11 “(B) has on board a certificate from that
12 society.

13 **“§ 4509. Substitute safety compliance program**

14 “(a) IN GENERAL.—The Secretary shall establish a
15 substitute safety compliance program for substitute-eli-
16 ble vessels that includes the following requirements:

17 “(1) A substitute-eligible vessel shall be de-
18 signed by an individual licensed by a State as a
19 naval architect or marine engineer, and the design
20 shall incorporate standards equivalent to those pre-
21 scribed by a classification society to which the Sec-
22 retary has delegated authority under section 3316 or
23 another qualified organization approved by the Sec-
24 retary for purposes of this paragraph.

1 “(2) Construction of a substitute-eligible vessel
2 shall be overseen and certified as being in accord-
3 ance with its design by a marine surveyor of an or-
4 ganization accepted by the Secretary.

5 “(3) A substitute-eligible vessel shall—

6 “(A) complete a stability test performed by
7 a qualified individual;

8 “(B) have written stability and loading in-
9 structions from a qualified individual that are
10 provided to the owner or operator; and

11 “(C) have an assigned loading mark.

12 “(4) A substitute-eligible vessel shall not be
13 substantially altered without the review and approval
14 of an individual licensed by a State as a naval archi-
15 tect or marine engineer before the beginning of such
16 substantial alteration.

17 “(5) A substitute-eligible vessel shall undergo a
18 condition survey at least twice in 5 years, with not
19 more than 3 years between surveys, to the satisfac-
20 tion of a marine surveyor of an organization accept-
21 ed by the Secretary.

22 “(6) A substitute-eligible vessel shall undergo
23 an out-of-water survey at least once every 5 years to
24 the satisfaction of a certified marine surveyor of an
25 organization accepted by the Secretary.

1 “(7) Once every 5 years, and at the time of a
2 substantial alteration to a substitute-eligible vessel,
3 compliance of the vessel with the requirements of
4 paragraph (3) is reviewed and updated as necessary.

5 “(8) For the life of a substitute-eligible vessel,
6 the owner of the vessel shall maintain records to
7 demonstrate compliance with this subsection and
8 make such records readily available for inspection by
9 an official authorized to enforce this chapter.

10 “(b) COMPLIANCE.—Section 4507 of this title shall
11 not apply to a substitute-eligible vessel that complies with
12 the requirements of the program established under this
13 section.

14 “(c) REPORT.—Not later than February 8, 2026, the
15 Secretary shall submit to the Committee on Transpor-
16 tation and Infrastructure of the House of Representatives
17 and the Committee on Commerce, Science, and Transpor-
18 tation of the Senate a report that provides an analysis of
19 the adequacy of the substitute safety compliance program
20 requirements established under subsection (a) in main-
21 taining the safety of substitute-eligible fishing vessels and
22 fish tender vessels and that comply with such require-
23 ments.

1 **“§ 4510. Enhanced substitute safety compliance pro-**
2 **gram**

3 “(a) IN GENERAL.—If the report required under sec-
4 tion 4509(c) includes a determination that the substitute
5 safety compliance program established under section
6 4509(a) is not adequate or that additional safety measures
7 are necessary, then the Secretary may establish an en-
8 hanced substitute safety compliance program for fishing
9 vessels or fish tender vessels (or both) that are substitute-
10 eligible vessels and that comply with the requirements of
11 section 4509.

12 “(b) REQUIREMENTS.—The enhanced substitute
13 safety compliance program established under this sub-
14 section shall include requirements for—

15 “(1) vessel construction;

16 “(2) a vessel stability test;

17 “(3) vessel stability and loading instructions;

18 “(4) an assigned vessel loading mark;

19 “(5) a vessel condition survey at least twice in
20 5 years, not more than 3 years apart;

21 “(6) an out-of-water vessel survey at least once
22 every 5 years;

23 “(7) maintenance of records to demonstrate
24 compliance with the program, and the availability of
25 such records for inspection; and

1 “(8) such other aspects of vessel safety as the
2 Secretary considers appropriate.

3 “(c) COMPLIANCE.—Section 4507 shall not apply to
4 a substitute-eligible vessel that complies with the require-
5 ments of the program established under this section.

6 **“§ 4511. Prohibited acts**

7 “A person may not operate a vessel in violation of
8 this chapter or a regulation prescribed under this chapter.

9 **“§ 4512. Termination of unsafe operations**

10 “An official authorized to enforce this chapter—

11 “(1) may direct the individual in charge of a
12 vessel to which this chapter applies to immediately
13 take reasonable steps necessary for the safety of in-
14 dividuals on board the vessel if the official observes
15 the vessel being operated in an unsafe condition that
16 the official believes creates an especially hazardous
17 condition, including ordering the individual in charge
18 to return the vessel to a mooring and to remain
19 there until the situation creating the hazard is cor-
20 rected or ended; and

21 “(2) may order the individual in charge of an
22 uninspected fish processing vessel that does not have
23 on board the certificate required under section 4507
24 to return the vessel to a mooring and to remain
25 there until the vessel is in compliance with such sec-

1 tion, unless the vessel is required to comply with sec-
2 tion 4508.

3 **“§ 4513. Penalties**

4 “(a) CIVIL PENALTY.—The owner, charterer, man-
5 aging operator, agent, master, and individual in charge of
6 a vessel to which this chapter applies that is operated in
7 violation of this chapter or a regulation prescribed under
8 this chapter may each be assessed a civil penalty by the
9 Secretary of not more than \$10,260. Any vessel with re-
10 spect to which a penalty is assessed under this subsection
11 is liable in rem for the penalty.

12 “(b) CRIMINAL PENALTIES.—An individual willfully
13 violating this chapter or a regulation prescribed under this
14 chapter shall be fined not more than \$5,000, imprisoned
15 for not more than 1 year, or both.

16 **“§ 4514. Compliance; Secretary actions**

17 “To ensure compliance with the requirements of this
18 chapter, the Secretary—

19 “(1) shall require the individual in charge of a
20 subject vessel to keep a record of equipment mainte-
21 nance and required instruction and drills;

22 “(2) shall examine at dockside a subject vessel
23 at least once every 5 years, but may require an exam
24 at dockside every 2 years for certain subject vessels
25 if requested by the owner or operator; and

1 “(3) shall issue a certificate of compliance to a
2 vessel meeting the requirements of this chapter and
3 satisfying the requirements of paragraph (2).

4 **“§ 4515. Exemptions**

5 “The Secretary may exempt a vessel from any part
6 of this chapter if, under regulations prescribed by the Sec-
7 retary (including regulations on special operating condi-
8 tions), the Secretary finds that—

9 “(1) good cause exists for granting an exemp-
10 tion; and

11 “(2) the safety of the vessel and those on board
12 will not be adversely affected.

13 **“§ 4516. Regulations; considerations and limitations**

14 “In prescribing a regulation under this chapter, the
15 Secretary—

16 “(1) shall consider the specialized nature and
17 economics of the operations and the character, de-
18 sign, and construction of the vessel; and

19 “(2) may not require the alteration of a vessel
20 or associated equipment that was constructed or
21 manufactured before the effective date of such regu-
22 lation.

23 **“§ 4517. Fishing safety grants**

24 “(a) SAFETY TRAINING GRANTS.—

1 “(1) ESTABLISHMENT.—The Secretary of
2 Health and Human Services shall establish a Fish-
3 ing Safety Training Grant Program to provide fund-
4 ing to municipalities, port authorities, other appro-
5 priate public entities, not-for-profit organizations,
6 and other qualified persons that provide commercial
7 fishing safety training.

8 “(2) USE OF FUNDS.—Entities receiving funds
9 under this section may use such funds—

10 “(A) to conduct fishing vessel safety train-
11 ing for vessel operators and crewmembers
12 that—

13 “(i) in the case of vessel operators,
14 meets the requirements of section 4506;
15 and

16 “(ii) in the case of crewmembers,
17 meets the requirements of sections
18 4506(b)(1), 4506(b)(4), 4506(c), and
19 4506(d), and such requirements of section
20 4506(b)(2) as are appropriate for crew-
21 members; and

22 “(B) for purchase of safety equipment and
23 training aids for use in such fishing vessel safe-
24 ty training programs.

1 “(3) AWARD CRITERIA.—The Secretary of
2 Health and Human Services, in consultation with
3 and based on criteria established by the Com-
4 mandant of the Coast Guard, shall award grants
5 under this subsection on a competitive basis.

6 “(4) LIMITATION ON FEDERAL SHARE OF
7 COST.—The Federal share of the cost of any activity
8 carried out with a grant under this subsection shall
9 not exceed 50 percent.

10 “(5) AUTHORIZATION OF APPROPRIATIONS.—
11 There is authorized to be appropriated \$3,000,000
12 for each of fiscal years 2020 and 2021 for grants
13 under this subsection.

14 “(b) RESEARCH GRANT PROGRAM.—

15 “(1) ESTABLISHMENT.—The Secretary of
16 Health and Human Services shall establish a Fish-
17 ing Safety Research Grant Program to provide fund-
18 ing to individuals in academia, not-for-profit organi-
19 zations, businesses involved in fishing and maritime
20 matters, and other persons with expertise in fishing
21 safety, to conduct research on methods of improving
22 the safety of the commercial fishing industry, includ-
23 ing vessel design, emergency and survival equipment,
24 enhancement of vessel monitoring systems, commu-

1 nications devices, de-icing technology, and severe
2 weather detection.

3 “(2) AWARD CRITERIA.—The Secretary of
4 Health and Human Services, in consultation with
5 and based on criteria established by the Com-
6 mandant of the Coast Guard, shall award grants
7 under this subsection on a competitive basis.

8 “(3) LIMITATION ON FEDERAL SHARE OF
9 COST.—The Federal share of the cost of any activity
10 carried out with a grant under this subsection shall
11 not exceed 50 percent.

12 “(4) AUTHORIZATION OF APPROPRIATIONS.—
13 There is authorized to be appropriated \$3,000,000
14 for each fiscal year 2020 and 2021 for activities
15 under this subsection.”.

16 (b) CONFORMING AMENDMENT.—Section 3104(d) of
17 title 46, United States Code, is amended by striking
18 “under section 4503(d)” and inserting “under section
19 4502(3)”.

20 (c) SAFETY STANDARDS.—Not later than 90 days
21 after the date of the enactment of this Act, and without
22 regard to the provisions of chapters 5 and 6 of title 5,
23 United States Code, the Secretary of the department in
24 which the Coast Guard is operating shall promulgate the

1 regulations required by section 4503(b) of title 46, United
2 States Code, as amended by this section.

3 **SEC. 502. TRANSFERS.**

4 (a) TRANSFERS OF PROVISIONS.—

5 (1) IN GENERAL.—

6 (A) Section 215 of the Coast Guard and
7 Maritime Transportation Act of 2004 (Public
8 Law 108–293; 14 U.S.C. 504 note) is redesign-
9 nated as section 321 of title 14, United States
10 Code, transferred to appear after section 320 of
11 that title, and amended so that the enumerator,
12 section heading, typeface, and typestyle conform
13 to those appearing in other sections in title 14,
14 United States Code.

15 (B) Section 406 of the Maritime Transpor-
16 tation Security Act of 2002 (Public Law 107–
17 295; 14 U.S.C. 501 note) is redesignated as
18 section 719 of title 14, United States Code,
19 transferred to appear after section 718 of that
20 title, and amended so that the enumerator, sec-
21 tion heading, typeface, and typestyle conform to
22 those appearing in other sections in title 14,
23 United States Code.

24 (C) Section 1110 of title 14, United States
25 Code, is redesignated as section 5110 of that

1 title, and transferred to appear after section
2 5109 of that title.

3 (D) ELEVATION OF DISPUTES TO THE
4 CHIEF ACQUISITION OFFICER.—

5 (i) Section 401 of the Coast Guard
6 Authorization Act of 2010 (Public Law
7 111–281) is amended by striking sub-
8 section (e).

9 (ii) Subchapter I of chapter 11 of title
10 14, United States Code, as amended by
11 this Act, is amended by adding at the end
12 the following:

13 **“§ 1110. Elevation of Disputes to the Chief Acquisi-**
14 **tion Officer**

15 “If, after 90 days following the elevation to the Chief
16 Acquisition Officer of any design or other dispute regard-
17 ing level 1 or level 2 acquisition, the dispute remains unre-
18 solved, the Commandant shall provide to the appropriate
19 congressional committees a detailed description of the
20 issue and the rationale underlying the decision taken by
21 the Chief Acquisition Officer to resolve the issue.”.

22 (E) Section 217 of the Coast Guard Au-
23 thorization Act of 2010 (Public Law 111–281;
24 14 U.S.C. 504 note)—

1 (i) is redesignated as section 5111 of
2 title 14, United States Code, transferred to
3 appear after section 5110 of that title, and
4 amended so that the enumerator, section
5 heading, typeface, and typestyle conform to
6 those appearing in other sections in title
7 14, United States Code; and

8 (ii) is amended—

9 (I) by striking the heading and
10 inserting the following:

11 **“§ 5111. Sexual assault and sexual harassment in the**
12 **Coast Guard”; and**

13 (II) in subsection (b), by adding
14 at the end the following:

15 “(5)(A) The number of instances in which a
16 covered individual was accused of misconduct or
17 crimes considered collateral to the investigation of a
18 sexual assault committed against the individual.

19 “(B) The number of instances in which adverse
20 action was taken against a covered individual who
21 was accused of collateral misconduct or crimes as
22 described in subparagraph (A).

23 “(C) The percentage of investigations of sexual
24 assaults that involved an accusation or adverse ac-

1 tion against a covered individual as described in sub-
2 paragraphs (A) and (B).

3 “(D) In this paragraph, the term ‘covered indi-
4 vidual’ means an individual who is identified as a
5 victim of a sexual assault in the case files of a mili-
6 tary criminal investigative organization.”.

7 (F) Section 305 of title 46, United States
8 Code, is amended—

9 (i) by striking “The Federal” and in-
10 sserting “(a) IN GENERAL.—The Federal”;

11 and

12 (ii) by inserting after section (a) the
13 following:

14 “(b) TRANSPARENCY.—

15 “(1) IN GENERAL.—In conjunction with the
16 transmittal by the President to the Congress of the
17 Budget of the United States for fiscal year 2021
18 and biennially there-after, the Federal Maritime
19 Commission shall submit to the Committee on Com-
20 merce, Science, and Transportation of the Senate
21 and the Committee on Transportation and Infra-
22 structure of the House of Representatives reports
23 that describe the Commission’s progress toward ad-
24 dressing the issues raised in each unfinished regu-
25 latory proceeding, regardless of whether the pro-

1 ceeding if subject to a statutory or regulatory dead-
2 line.

3 “(2) FORMAT OF REPORTS.—Each report under
4 paragraph (1) shall, among other things, clearly
5 identify for each unfinished regulatory proceeding—

6 “(A) the popular title;

7 “(B) the current stage of the proceeding;

8 “(C) an abstract of the proceeding;

9 “(D) what prompted the action in ques-
10 tion;

11 “(E) any applicable statutory, regulatory,
12 or judicial deadline;

13 “(F) the associated docket number;

14 “(G) the date the rulemaking was initi-
15 ated;

16 “(H) a date for the next action; and

17 “(I) if a date for the next action identified
18 in the previous report is not met, the reason for
19 the delay.”.

20 (G) Section 7 of the Rivers and Harbors
21 Appropriations Act of 1915 (33 U.S.C. 471) is
22 amended—

23 (i) by transferring such section to ap-
24 pear after section 70006 of title 46, United
25 States Code;

1 (ii) by striking “SEC. 7.” and insert-
2 ing “**§70007. Establishment by Sec-**
3 **retary of Homeland Security of**
4 **anchorage grounds and regula-**
5 **tions generally**”; and

6 (iii) by adjusting the margins with re-
7 spect to subsections (a) and (b) for the
8 presence of a section heading accordingly.

9 (2) CLERICAL AMENDMENTS.—

10 (A) The analysis for chapter 3 of title 14,
11 United States Code, as amended by this Act, is
12 further amended by adding at the end the fol-
13 lowing:

“321. Redistricting notification requirement.”.

14 (B) The analysis for chapter 7 of title 14,
15 United States Code, as amended by this Act, is
16 further amended by adding at the end the fol-
17 lowing:

“719. VHF communication services.”.

18 (C) The analysis for chapter 11 of title 14,
19 United States Code, is amended by striking the
20 item relating to section 1110 and inserting the
21 following:

“1110. Elevation of disputes to the Chief Acquisition Officer.”.

1 (D) The analysis for chapter 51 of title 14,
 2 United States Code, is amended by adding at
 3 the end the following:

“5110. Mission need statement.

“5111. Sexual assault and sexual harassment in the Coast Guard.”.

4 (E) The analysis for chapter 700 of title
 5 46, United States Code, as amended by section
 6 311(b), is further amended by inserting after
 7 the item relating to section 70006 the following:

“70007. Establishment by the Secretary of Homeland Security of anchorage
 grounds and regulations generally.”.

8 (b) TRANSFERS.—

9 (1) SECTION 204 OF THE MARINE TRANSPOR-
 10 TATION SECURITY ACT.—

11 (A) The Maritime Transportation Security
 12 Act of 2002 is amended by striking section 204
 13 (33 U.S.C. 1902a).

14 (B) Section 3 of the Act to Prevent Pollu-
 15 tion from Ships (33 U.S.C. 1902)—

16 (i) is amended by redesignating sub-
 17 sections (e) through (i) as subsections (f)
 18 through (j) respectively; and

19 (ii) by inserting after subsection (d)
 20 the following:

21 “(e) DISCHARGE OF AGRICULTURAL CARGO RES-
 22 IDUE.—Notwithstanding any other provision of law, the
 23 discharge from a vessel of any agricultural cargo residue

1 material in the form of hold washings shall be governed
2 exclusively by the provisions of the Act to Prevent Pollu-
3 tion from Ships (33 U.S.C. 1901 et seq.) that implement
4 Annex V to the International Convention for the Preven-
5 tion of Pollution from Ships.”.

6 (2) LNG TANKERS.—

7 (A) The Coast Guard and Maritime Trans-
8 portation Act of 2006 is amended by striking
9 section 304 (Public Law 109–241; 120 Stat.
10 527).

11 (B) Section 5 of the Deepwater Port Act
12 of 1974 (33 U.S.C. 1504) is amended by add-
13 ing at the end the following:

14 “(j) LNG TANKERS.—

15 “(1) PROGRAM.—The Secretary of Transpor-
16 tation shall develop and implement a program to
17 promote the transportation of liquefied natural gas
18 to and from the United States on United States flag
19 vessels.

20 “(2) INFORMATION TO BE PROVIDED.—When
21 the Coast Guard is operating as a contributing agen-
22 cy in the Federal Energy Regulatory Commission’s
23 shoreside licensing process for a liquefied natural
24 gas or liquefied petroleum gas terminal located on
25 shore or within State seaward boundaries, the Coast

1 Guard shall provide to the Commission the informa-
2 tion described in section 5(c)(2)(K) of the Deep-
3 water Port Act of 1974 (33 U.S.C. 1504(c)(2)(K))
4 with respect to vessels reasonably anticipated to be
5 servicing that port.”.

6 **SEC. 503. REPEALS.**

7 (a) LICENSE EXEMPTIONS; REPEAL OF OBSOLETE
8 PROVISIONS.—

9 (1) SERVICE UNDER LICENSES ISSUED WITH-
10 OUT EXAMINATION.—

11 (A) REPEAL.—Section 8303 of title 46,
12 United States Code, and the item relating to
13 that section in the analysis for chapter 83 of
14 that title, are repealed.

15 (B) CONFORMING AMENDMENT.—Section
16 14305(a)(10) of title 46, United States Code, is
17 amended by striking “sections 8303 and 8304”
18 and inserting “section 8304”.

19 (2) STANDARDS FOR TANK VESSELS OF THE
20 UNITED STATES.—Section 9102 of title 46, United
21 States Code, is amended—

22 (A) by striking “(a)” before the first sen-
23 tence; and

24 (B) by striking subsection (b).

1 (b) REPEAL.—Section 343 of the Maritime Transpor-
2 tation Security Act of 2002 (Public Law 107–295; 116
3 Stat. 2106) is repealed.

4 (c) ACCIDENT AND INCIDENT NOTIFICATION.—Sub-
5 section (c) of section 9 of the Pipeline Safety, Regulatory
6 Certainty, and Job Creation Act of 2011 (Public Law
7 112–90; 125 Stat 1912)) is repealed and is deemed not
8 to have been enacted.

9 **TITLE VI—TECHNICAL, CON-**
10 **FORMING, AND CLARIFYING**
11 **AMENDMENTS**

12 **SEC. 601. MARITIME TRANSPORTATION SYSTEM.**

13 (a) MARITIME TRANSPORTATION SYSTEM.—Section
14 312(b)(4) of title 14, United States Code, is amended by
15 striking “marine transportation system” and inserting
16 “maritime transportation system”.

17 (b) CLARIFICATION OF REFERENCE TO MARINE
18 TRANSPORTATION SYSTEM PROGRAMS.—Section
19 50307(a) of title 46, United States Code, is amended by
20 striking “marine transportation” and inserting “maritime
21 transportation”.

22 **SEC. 602. REFERENCES TO “PERSONS” AND “SEAMEN”.**

23 (a) TECHNICAL CORRECTION OF REFERENCES TO
24 “PERSONS”.—Title 14, United States Code, is amended
25 as follows:

1 (1) In section 312(d), by striking “persons”
2 and inserting “individuals”.

3 (2) In section 313(d)(2)(B), by striking “per-
4 son” and inserting “individual”.

5 (3) In section 504—

6 (A) in subsection (a)(19)(B), by striking
7 “a person” and inserting “an individual”; and

8 (B) in subsection (c)(4), by striking “sea-
9 men;” and inserting “mariners;”.

10 (4) In section 521, by striking “persons” each
11 place it appears and inserting “individuals”.

12 (5) In section 522—

13 (A) by striking “a person” and inserting
14 “an individual”; and

15 (B) by striking “person” the second and
16 third place it appears and inserting “indi-
17 vidual”.

18 (6) In section 525(a)(1)(C)(ii), by striking
19 “person” and inserting “individual”.

20 (7) In section 526—

21 (A) by striking “person” each place it ap-
22 pears and inserting “individual”;

23 (B) by striking “persons” each place it ap-
24 pears and inserting “individuals”; and

1 (C) in subsection (b), by striking “per-
2 son’s” and inserting “individual’s”.

3 (8) In section 709—

4 (A) by striking “persons” and inserting
5 “individuals”; and

6 (B) by striking “person” and inserting “in-
7 dividual”.

8 (9) In section 933(b), by striking “Every per-
9 son” and inserting “An individual”.

10 (10) In section 1102(d), by striking “persons”
11 and inserting “individuals”.

12 (11) In section 1902(b)(3)—

13 (A) in subparagraph (A), by striking “per-
14 son or persons” and inserting “individual or in-
15 dividuals”; and

16 (B) in subparagraph (B), by striking “per-
17 son” and inserting “individual”.

18 (12) In section 1941(b), by striking “persons”
19 and inserting “individuals”.

20 (13) In section 2101(b), by striking “person”
21 and inserting “individual”.

22 (14) In section 2102(e), by striking “A person”
23 and inserting “An individual”.

24 (15) In section 2104(b)—

1 (A) by striking “persons” and inserting
2 “individuals”; and

3 (B) by striking “A person” and inserting
4 “An individual”.

5 (16) In section 2118(d), by striking “person”
6 and inserting “individual who is”.

7 (17) In section 2147(d), by striking “a person”
8 and inserting “an individual”.

9 (18) In section 2150(f), by striking “person”
10 and inserting “individual who is”.

11 (19) In section 2161(b), by striking “person”
12 and inserting “individual”.

13 (20) In section 2317—

14 (A) by striking “persons” and inserting
15 “individuals”;

16 (B) by striking “person” each place it ap-
17 pears and inserting “individual”; and

18 (C) in subsection (c)(2), by striking “per-
19 son’s” and inserting “individual’s”.

20 (21) In section 2531—

21 (A) by striking “person” each place it ap-
22 pears and inserting “individual”; and

23 (B) by striking “persons” each place it ap-
24 pears and inserting “individuals”.

1 (22) In section 2709, by striking “persons” and
2 inserting “individuals”.

3 (23) In section 2710—

4 (A) by striking “persons” and inserting
5 “individuals”; and

6 (B) by striking “person” each place it ap-
7 pears and inserting “individual”.

8 (24) In section 2711(b), by striking “person”
9 and inserting “individual”.

10 (25) In section 2732, by striking “a person”
11 and inserting “an individual”.

12 (26) In section 2733—

13 (A) by striking “A person” and inserting
14 “An individual”; and

15 (B) by striking “that person” and insert-
16 ing “that individual”.

17 (27) In section 2734, by striking “person” each
18 place it appears and inserting “individual”.

19 (28) In section 2735, by striking “a person”
20 and inserting “an individual”.

21 (29) In section 2736, by striking “person” and
22 inserting “individual”.

23 (30) In section 2737, by striking “a person”
24 and inserting “an individual”.

1 (31) In section 2738, by striking “person” and
2 inserting “individual”.

3 (32) In section 2739, by striking “person” and
4 inserting “individual”.

5 (33) In section 2740—

6 (A) by striking “person” and inserting “in-
7 dividual”; and

8 (B) by striking “one” the second place it
9 appears.

10 (34) In section 2741—

11 (A) in subsection (a), by striking “a per-
12 son” and inserting “an individual”;

13 (B) in subsection (b)(1), by striking “per-
14 son’s” and inserting “individual’s”; and

15 (C) in subsection (b)(2), by striking “per-
16 son” and inserting “individual”.

17 (35) In section 2743, by striking “person” each
18 place it appears and inserting “individual”.

19 (36) In section 2744—

20 (A) in subsection (b), by striking “a per-
21 son” and inserting “an individual”; and

22 (B) in subsections (a) and (c), by striking
23 “person” each place it appears and inserting
24 “individual”.

1 (37) In section 2745, by striking “person” and
2 inserting “individual”.

3 (38)(A) In section 2761—

4 (i) in the section heading, by striking
5 “**Persons**” and inserting “**Individuals**”;

6 (ii) by striking “persons” and inserting
7 “individuals”; and

8 (iii) by striking “person” and inserting
9 “individual”.

10 (B) In the analysis for chapter 27, by striking
11 the item relating to section 2761 and inserting the
12 following:

“2761. Individuals discharged as result of court-martial; allowances to.”

13 (39)(A) In the heading for section 2767, by
14 striking “**persons**” and inserting “**individuals**”.

15 (B) In the analysis for chapter 27, by striking
16 the item relating to section 2767 and inserting the
17 following:

“2767. Reimbursement for medical-related travel expenses for certain individuals
residing on islands in the continental United States.”

18 (40) In section 2769—

19 (A) by striking “a person’s” and inserting
20 “an individual’s”; and

21 (B) in paragraph (1), by striking “person”
22 and inserting “individual”.

1 (41) In section 2772(a)(2), by striking “per-
2 son” and inserting “individual”.

3 (42) In section 2773—

4 (A) in subsection (b), by striking “per-
5 sons” each place it appears and inserting “indi-
6 viduals”; and

7 (B) in subsection (d), by striking “a per-
8 son” and inserting “an individual”.

9 (43) In section 2775, by striking “person” each
10 place it appears and inserting “individual”.

11 (44) In section 2776, by striking “person” and
12 inserting “individual”.

13 (45)(A) In section 2777—

14 (i) in the heading, by striking “**persons**”
15 and inserting “**individuals**”; and

16 (ii) by striking “persons” each place it ap-
17 pears and inserting “individuals”.

18 (B) In the analysis for chapter 27, by striking
19 the item relating to in section 2777 and inserting
20 the following:

“2777. Clothing for destitute shipwrecked individuals.”.

21 (46) In section 2779, by striking “persons”
22 each place it appears and inserting “individuals”.

23 (47) In section 2902(c), by striking “person”
24 and inserting “individual”.

1 (48) In section 2903(b), by striking “person”
2 and inserting “individual”.

3 (49) In section 2904(b)(1)(B), by striking “a
4 person” and inserting “an individual”.

5 (50) In section 3706—

6 (A) by striking “a person” and inserting
7 “an individual”; and

8 (B) by striking “person’s” and inserting
9 “individual’s”.

10 (51) In section 3707—

11 (A) in subsection (c)—

12 (i) by striking “person” and inserting
13 “individual”; and

14 (ii) by striking “person’s” and insert-
15 ing “individual’s”; and

16 (B) in subsection (e), by striking “a per-
17 son” and inserting “an individual”.

18 (52) In section 3708, by striking “person” each
19 place it appears and inserting “individual”.

20 (53) In section 3738—

21 (A) by striking “a person” each place it
22 appears and inserting “an individual”;

23 (B) by striking “person’s” and inserting
24 “individual’s”; and

1 (C) by striking “A person” and inserting
2 “An individual”.

3 (b) CORRECTION OF REFERENCES TO PERSONS AND
4 SEAMEN.—

5 (1) Section 2303a(a) of title 46, United States
6 Code, is amended by striking “persons” and insert-
7 ing “individuals”.

8 (2) Section 2306(a)(3) of title 46, United
9 States Code, is amended to read as follows:

10 “(3) An owner, charterer, managing operator, or
11 agent of a vessel of the United States notifying the Coast
12 Guard under paragraph (1) or (2) shall—

13 “(A) provide the name and identification num-
14 ber of the vessel, the names of individuals on board,
15 and other information that may be requested by the
16 Coast Guard; and

17 “(B) submit written confirmation to the Coast
18 Guard within 24 hours after nonwritten notification
19 to the Coast Guard under such paragraphs.”.

20 (3) Section 7303 of title 46, United States
21 Code, is amended by striking “seaman” each place
22 it appears and inserting “individual”.

23 (4) Section 7319 of title 46, United States
24 Code, is amended by striking “seaman” each place
25 it appears and inserting “individual”.

1 (5) Section 7501(b) of title 46, United States
2 Code, is amended by striking “seaman” and insert-
3 ing “holder”.

4 (6) Section 7508(b) of title 46, United States
5 Code, is amended by striking “individual seamen or
6 a specifically identified group of seamen” and insert-
7 ing “an individual or a specifically identified group
8 of individuals”.

9 (7) Section 7510 of title 46, United States
10 Code, is amended—

11 (A) in subsection (c)(8)(B), by striking
12 “merchant seamen” and inserting “merchant
13 mariner”; and

14 (B) in subsection (d), by striking “mer-
15 chant seaman” and inserting “merchant mar-
16 iner”.

17 (8) Section 8103 of title 46, United States
18 Code, is amended—

19 (A) by striking “seaman” each place it ap-
20 pears and inserting “individual”;

21 (B) by striking “seamen” each place it ap-
22 pears and inserting “individuals”;

23 (C) in the headings for paragraphs (2) and
24 (3) of subsection (k), by striking “SEAMEN”

1 each place it appears and inserting “INDIVID-
2 UALS”;

3 (D) in subsection (k)(3)(A)(iv)(II), by
4 striking “seaman’s” and inserting “individ-
5 ual’s”; and

6 (E) in subsection (k)(3)(C), by striking
7 “merchant mariners” each place it appears and
8 inserting “merchant mariner’s”.

9 (9) Section 8104 of title 46, United States
10 Code, is amended—

11 (A) in subsection (c), by striking “a li-
12 censed individual or seaman” and inserting “an
13 individual”;

14 (B) in subsection (d), by striking “A li-
15 censed individual or seaman” and inserting “An
16 individual”;

17 (C) in subsection (e), by striking “a sea-
18 man” each place it appears and inserting “an
19 individual”; and

20 (D) in subsection (j), by striking “seaman”
21 and inserting “individual”.

22 (10) Section 8302(d) of title 46, United States
23 Code, is amended by striking “3 persons” and in-
24 serting “3 individuals”.

1 (11) Section 11201 of title 46, United States
2 Code, is amended by striking “a person” each place
3 it appears and inserting “an individual”.

4 (12) Section 11202 of title 46, United States
5 Code, is amended—

6 (A) by striking “a person” and inserting
7 “an individual”; and

8 (B) by striking “the person” each place it
9 appears and inserting “the individual”.

10 (13) Section 11203 of title 46, United States
11 Code, is amended—

12 (A) by striking “a person” each place it
13 appears and inserting “an individual”; and

14 (B) in subsection (a)(2), by striking “that
15 person” and inserting “that individual”.

16 (14) Section 15109(i)(2) of title 46, United
17 States Code, is amended by striking “additional per-
18 sons” and inserting “additional individuals”.

19 **SEC. 603. COMMON APPROPRIATION STRUCTURE.**

20 (a) AMENDMENTS TO CONFORM TO COMMON APPRO-
21 PRIATIONS STRUCTURE.—

22 (1) PROSPECTIVE PAYMENT OF FUNDS NEC-
23 ESSARY TO PROVIDE MEDICAL CARE.—Section 506
24 of title 14, United States Code, is amended—

1 (A) in subsection (a)(1), by inserting “es-
2 tablished under chapter 56 of title 10” after
3 “Medicare-Eligible Retiree Health Care Fund”;
4 and

5 (B) in subsection (b)(1), by striking “oper-
6 ating expenses” and inserting “operations and
7 support”.

8 (2) USE OF CERTAIN APPROPRIATED FUNDS.—
9 Section 903 of title 14, United States Code, is
10 amended—

11 (A) in subsection (a), by striking “acquisi-
12 tion, construction, and improvement of facili-
13 ties, for research, development, test, and eval-
14 uation;” and inserting “procurement, construc-
15 tion, and improvement of facilities and for re-
16 search and development”; and

17 (B) in subsection (d)(1), by striking “oper-
18 ating expenses” and inserting “operations and
19 support”.

20 (3) CONFIDENTIAL INVESTIGATIVE EX-
21 PENSES.—Section 944 of title 14, United States
22 Code, is amended by striking “necessary expenses
23 for the operation” and inserting “operations and
24 support”.

1 (4) PROCUREMENT OF PERSONNEL.—Section
2 2701 of title 14, United States Code, is amended by
3 striking “operating expense” and inserting “oper-
4 ations and support”.

5 (5) COAST GUARD HOUSING FUND.—Section
6 2946(b)(2) of title 14, United States Code, is
7 amended by striking “acquisition” and inserting
8 “procurement”.

9 (6) REQUIREMENT FOR PRIOR AUTHORIZATION
10 OF APPROPRIATIONS.—Section 4901 of title 14,
11 United States Code, is amended—

12 (A) in paragraph (1), by striking “mainte-
13 nance” and inserting “support”;

14 (B) in paragraph (2), by striking “acquisi-
15 tion” and inserting “procurement”;

16 (C) by striking paragraphs (3), (4), and
17 (6);

18 (D) by redesignating paragraph (5) as
19 paragraph (3); and

20 (E) in paragraph (3), as so redesignated,
21 by striking “research, development, test, and
22 evaluation” and inserting “research and devel-
23 opment”.

24 (b) COMMON APPROPRIATION STRUCTURE.—Sec-
25 tions 3317(b), 7504, and 80505(b)(3) of title 46, United

1 States Code, are each amended by striking “operating ex-
2 penses” and inserting “operations and support”.

3 (c) COMMON APPROPRIATION STRUCTURE.—

4 (1) OIL SPILL LIABILITY TRUST FUND.—Section
5 tion 1012(a)(5)(A) of the Oil Pollution Act of 1990
6 (33 U.S.C. 2712(a)(5)(A)) is amended by striking
7 “operating expenses” and inserting “operations and
8 support”.

9 (2) HISTORIC LIGHT STATION SALES.—Section
10 305106 of title 54, United States Code, is amend-
11 ed—

12 (A) in subsection (b)(1)(B)(i) by striking
13 “Operating Expenses” and inserting “Oper-
14 ations and Support”; and

15 (B) in subsection (b)(2) by striking “Oper-
16 ating Expense” and inserting “Operations and
17 Support”;

18 (3) BRIDGE PERMITS.—Section 712(a)(2) of
19 the Coast Guard and Maritime Transportation Act
20 of 2012 (Public Law 112–213; 126 Stat. 1582) is
21 amended by striking “operating expenses” and in-
22 serting “operations and support”.

23 (4) CONTRACTS.—Section 557(a) of the Con-
24 solidated and Further Continuing Appropriations
25 Act, 2013 (Public Law 113–6; 127 Stat. 377) is

1 amended by striking “Acquisition” and inserting
2 “Procurement”.

3 (5) CHILD DEVELOPMENT SERVICES.—Section
4 214(d)(1) of the Howard Coble Coast Guard and
5 Maritime Transportation Act of 2014 (Public Law
6 113–281; 128 Stat. 3034) is amended by striking
7 “operating expenses” and inserting “operations and
8 support”.

9 **SEC. 604. REFERENCES TO “HIMSELF” AND “HIS”.**

10 (a) Section 1927 of title 14, United States Code, is
11 amended by—

12 (1) striking “of his initial” and inserting “of an
13 initial”; and

14 (2) striking “from his pay” and inserting “from
15 the pay of such cadet”.

16 (b) Section 2108(b) of title 14, United States Code,
17 is amended by striking “himself” and inserting “such offi-
18 cer”.

19 (c) Section 2732 of title 14, United States Code, as
20 amended by this Act, is further amended—

21 (1) by striking “distinguishes himself conspicu-
22 ously by” and inserting “displays conspicuous”; and

23 (2) by striking “his” and inserting “such indi-
24 vidual’s”.

1 (d) Section 2736 of title 14, United States Code, as
2 amended by this Act, is further amended by striking “dis-
3 tinguishes himself by” and inserting “performs”.

4 (e) Section 2738 of title 14, United States Code, as
5 amended by this Act is further amended by striking “dis-
6 tinguishes himself by” and inserting “displays”.

7 (f) Section 2739 of title 14, United States Code, as
8 amended by this Act, is further amended by striking “dis-
9 tinguishes himself by” and inserting “displays”.

10 (g) Section 2742 of title 14, United States Code, is
11 amended by striking “he distinguished himself” and in-
12 serting “of the acts resulting in the consideration of such
13 award”.

14 (h) Section 2743 of title 14, United States Code, as
15 amended by this Act, is further amended—

16 (1) by striking “distinguishes himself”; and

17 (2) by striking “he” and inserting “such indi-
18 vidual”.

19 **SEC. 605. REFERENCES TO “MOTORBOATS” AND “YACHTS”.**

20 (a) CORRECTION OF REFERENCES TO MOTORBOATS
21 AND YACHTS.—

22 (1) Section 3901(d)(4) of title 14, United
23 States Code, is amended by striking “motor boats,
24 yachts,” and inserting “vessels,”.

1 (2) Section 3903(1)(A) of title 14, United
2 States Code, is amended by striking “motorboats,
3 yachts” and inserting “vessels,”.

4 (3) Section 3907(a) of title 14, United States
5 Code, is amended—

6 (A) in the heading, by striking “MOTOR
7 BOATS, YACHTS,” and inserting “VESSELS,”;
8 and

9 (B) by striking “motorboat, yacht,” and
10 inserting “vessels,”.

11 (4) Section 3908 of title 14, United States
12 Code, is amended by striking “motorboat or yacht”
13 and inserting “vessel”.

14 (5) Section 3911(a) of title 14, United States
15 Code, is amended by striking “motorboat, yacht,”
16 each place it appears and inserting “vessel,”.

17 (6) Section 3912 of title 14, United States
18 Code, is amended by striking “motorboat, yacht,”
19 and inserting “vessel,”.

20 (7) Section 4101 of title 14, United States
21 Code, is amended by striking “motorboats, yachts,”
22 and inserting “vessels,”.

23 (8) Section 4102 of title 14, United States
24 Code, is amended by striking “motorboat, yacht, or
25 any other vessel,” and inserting “or vessel,”.

1 (b) CONFORMING REFERENCES TO YACHTS.—Title
2 46, United States Code, is amended—

3 (1) in parts F and G of subtitle II, by striking
4 “yacht” each place it appears and inserting “rec-
5 reational vessel”;

6 (2) in subtitle III—

7 (A) in section 30506(a), by striking
8 “pleasure yachts” and inserting “recreational
9 vessels”; and

10 (B) in section 30508(a), by striking
11 “pleasure yachts” and inserting “recreational
12 vessels”; and

13 (3) in section 60504—

14 (A) by striking “yachts” each place it ap-
15 pears and inserting “recreational vessels”; and

16 (B) by striking “yacht” and inserting “rec-
17 reational vessel”.

18 (c) VESSELS.—Section 352(a)(4) of the Communica-
19 tions Act of 1934 (47 U.S.C. 352(a)(4)) is amended by
20 striking “Yachts” and inserting “Recreational vessels, as
21 defined in section 2101(46) of title 46, United States
22 Code,”.

23 **SEC. 606. MISCELLANEOUS TECHNICAL CORRECTIONS.**

24 (a) MISCELLANEOUS TECHNICAL CORRECTIONS.—

1 (1) Section 3305(d)(3)(B) of title 46, United
2 States Code, is amended by striking “Coast Guard
3 Authorization Act of 2017” and inserting “Frank
4 LoBiondo Coast Guard Authorization Act of 2018”.

5 (2) Section 4312 of title 46, United States
6 Code, is amended by striking “Coast Guard Author-
7 ization Act of 2017” each place it appears and in-
8 serting “Frank LoBiondo Coast Guard Authoriza-
9 tion Act of 2018 (Public Law 115–282)”.

10 (3) The analysis for chapter 700 of title 46,
11 United States Code, is amended—

12 (A) by striking the item relating to the
13 heading for the first subchapter and inserting
14 the following:

“SUBCHAPTER I—VESSEL OPERATIONS”;

15 (B) by striking the item relating to the
16 heading for the second subchapter and inserting
17 the following:

“SUBCHAPTER II—PORTS AND WATERWAYS SAFETY”;

18 (C) by striking the items relating to the
19 heading for the third subchapter and inserting
20 the following:

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

“70021. Conditions for Entry Into Ports in the United States.”;

1 (D) by striking the item relating to the
2 heading for the fourth subchapter and inserting
3 the following:

“SUBCHAPTER IV—DEFINITIONS REGULATIONS, ENFORCEMENT,
INVESTIGATORY POWERS, APPLICABILITY”;

4 (E) by striking the item relating to the
5 heading for the fifth subchapter and inserting
6 the following:

“SUBCHAPTER V—REGATTAS AND MARINE PARADES”;

7 and

8 (F) by striking the item relating to the
9 heading for the sixth subchapter and inserting
10 the following:

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

11 (4) Section 70031 of title 46, United States
12 Code, is amended by striking “A through C” and in-
13 serting “I through III”.

14 (5) Section 70032 of title 46, United States
15 Code, is amended by striking “A through C” and in-
16 serting “I through III”.

17 (6) Section 70033 of title 46, United States
18 Code, is amended by striking “A through C” and in-
19 serting “I through III”.

20 (7) Section 70034 of title 46, United States
21 Code, is amended by striking “A through C” each
22 place it appears and inserting “I through III”.

1 (8) Section 70035(a) of title 46, United States
2 Code, is amended by striking “A through C” and in-
3 sserting “I through III”.

4 (9) Section 70036 of title 46, United States
5 Code, is amended by—

6 (A) striking “A through C” each place it
7 appears and inserting “I through III”; and

8 (B) striking “A, B, or C” each place it ap-
9 pears and inserting “I, II, or III”.

10 (b) ALTERATION OF BRIDGES; TECHNICAL
11 CHANGES.—The Act of June 21, 1940 (33 U.S.C. 511
12 et seq.), popularly known as the Truman-Hobbs Act, is
13 amended by striking section 12 (33 U.S.C. 522).

14 (c) REPORT OF DETERMINATION; TECHNICAL COR-
15 RECTION.—Section 105(f)(2) of the Pribilof Islands Tran-
16 sition Act (16 U.S.C. 1161 note; Public Law 106–562)
17 is amended by striking “subsection (a),” and inserting
18 “paragraph (1),”.

19 (d) TECHNICAL CORRECTIONS TO FRANK LOBIONDO
20 COAST GUARD AUTHORIZATION ACT OF 2018.—

21 (1) Section 408 of the Frank LoBiondo Coast
22 Guard Authorization Act of 2018 (Public Law 115–
23 282) and the item relating to such section in section
24 2 of such Act are repealed, and the provisions of law
25 redesignated, transferred, or otherwise amended by

1 section 408 are amended to read as if such section
2 were not enacted.

3 (2) Section 514(b) of the Frank LoBiondo
4 Coast Guard Authorization Act of 2018 (Public Law
5 115–282) is amended by striking “Chapter 30” and
6 inserting “Chapter 3”.

7 (3) Section 810(d) of the Frank LoBiondo
8 Coast Guard Authorization Act of 2018 (Public Law
9 115–282) is amended by striking “within 30 days
10 after receiving the notice under subsection (a)(1),
11 the Secretary shall, by not later than 60 days after
12 transmitting such notice,” and inserting “in accord-
13 ance within subsection (a)(2), the Secretary shall”.

14 (4) Section 820(a) of the Frank LoBiondo
15 Coast Guard Authorization Act of 2018 (Public Law
16 115–282) is amended by striking “years 2018 and”
17 and inserting “year”.

18 (5) Section 820(b)(2) of the Frank LoBiondo
19 Coast Guard Authorization Act of 2018 (Public Law
20 115–282) is amended by inserting “and the Consoli-
21 dated Appropriations Act, 2018 (Public Law 115–
22 141)” after “(Public Law 115–31)”.

23 (6) Section 821(a)(2) of the Frank LoBiondo
24 Coast Guard Authorization Act of 2018 (Public Law
25 115–282) is amended by striking “Coast Guard Au-

1 thorization Act of 2017” and inserting “Frank
2 LoBiondo Coast Guard Authorization Act of 2018”.

3 (7) This section shall take effect on the date of
4 the enactment of the Frank LoBiondo Coast Guard
5 Authorization Act of 2018 (Public Law 115–282)
6 and apply as if included therein.

7 (e) TECHNICAL CORRECTION.—Section 533(d)(2)(A)
8 of the Coast Guard Authorization Act of 2016 (Public
9 Law 114–120) is amended by striking “Tract 6” and in-
10 serting “such Tract”.

11 (f) DISTANT WATER TUNA FLEET; TECHNICAL COR-
12 RECTIONS.—Section 421 of the Coast Guard and Mari-
13 time Transportation Act of 2006 (Public Law 109–241)
14 is amended—

15 (1) in subsection (a)—

16 (A) by striking “Notwithstanding” and in-
17 serting the following:

18 “(1) IN GENERAL.—Notwithstanding”; and

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

20 “(2) DEFINITION.—In this subsection, the term
21 ‘treaty area’ has the meaning given the term in the
22 Treaty on Fisheries Between the Governments of
23 Certain Pacific Island States and the Government of
24 the United States of America as in effect on the
25 date of the enactment of the Coast Guard and Mari-

1 time Transportation Act of 2006 (Public Law 109–
2 241).”; and

3 (2) in subsection (c)—

4 (A) by striking “12.6 or 12.7” and insert-
5 ing “13.6”; and

6 (B) by striking “and Maritime Transpor-
7 tation Act of 2012” and inserting “Authoriza-
8 tion Act of 2019”.

9 **SEC. 607. TECHNICAL CORRECTIONS RELATING TO CODI-
10 FICATION OF PORTS AND WATERWAYS SAFE-
11 TY ACT.**

12 Effective upon the enactment of section 401 of the
13 Frank LoBiondo Coast Guard Authorization Act of 2018
14 (Public Law 115–282), and notwithstanding section
15 402(e) of such Act—

16 (1) section 16 of the Ports and Waterways
17 Safety Act, as added by section 315 of the Coun-
18 tering America’s Adversaries Through Sanctions Act
19 (Public Law 115–44; 131 Stat. 947)—

20 (A) is redesignated as section 70022 of
21 title 46, United States Code, transferred to ap-
22 pear after section 70021 of that title, and
23 amended so that the enumerator, section head-
24 ing, typeface, and typestyle conform to those

1 appearing in other sections in title 46, United
2 States Code; and

3 (B) as so redesignated and transferred, is
4 amended—

5 (i) in subsections (b) and (e), by strik-
6 ing “section 4(a)(5)” each place it appears
7 and inserting “section 70001(a)(5)”;

8 (ii) in subsection (c)(2), by striking
9 “not later than” and all that follows
10 through “thereafter,” and inserting “peri-
11 odically”; and

12 (iii) by striking subsection (h); and

13 (2) chapter 700 of title 46, United States Code,
14 is amended—

15 (A) in section 70002(2), by inserting “or
16 70022” after “section 70021”;

17 (B) in section 70036(e), by inserting “or
18 70022” after “section 70021”; and

19 (C) in the analysis for such chapter—

20 (i) by inserting “Sec.” above the sec-
21 tion items, in accordance with the style
22 and form of such an entry in other chapter
23 analyses of such title; and

24 (ii) by striking the item relating to
25 section 70021 and inserting the following:

“70021. Conditions for entry to ports in the United States
“70022. Prohibition on entry and operation”.

1 **TITLE VII—FEDERAL MARITIME**
2 **COMMISSION**

3 **SEC. 701. SHORT TITLE.**

4 This title may be cited as the “Federal Maritime
5 Commission Authorization Act of 2019”.

6 **SEC. 702. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 308 of title 46, United States Code, is
8 amended by striking “\$28,012,310 for fiscal year 2018
9 and \$28,544,543 for fiscal year 2019” and inserting
10 “\$29,086,888 for fiscal year 2020 and \$29,639,538 for
11 fiscal year 2021”.

12 **TITLE VIII—COAST GUARD**
13 **ACADEMY IMPROVEMENT ACT**

14 **SEC. 801. SHORT TITLE.**

15 This Act may be cited as the “Coast Guard Academy
16 Improvement Act”.

17 **SEC. 802. COAST GUARD ACADEMY STUDY.**

18 (a) IN GENERAL.—The Secretary of the department
19 in which the Coast Guard is operating shall seek to enter
20 into an arrangement with the National Academy of Public
21 Administration not later than 60 days after the date of
22 the enactment of the this Act under which the National
23 Academy of Public Administration shall—

1 (1) conduct an assessment of the cultural com-
2 petence of the Coast Guard Academy as an organi-
3 zation and of individuals at the Coast Guard Acad-
4 emy to carry out effectively the primary duties of
5 the United States Coast Guard listed in section 102
6 of title 14, United States Code, when interacting
7 with individuals of different races, ethnicities, gen-
8 ders, religions, sexual orientations, socioeconomic
9 backgrounds, or from different geographic origins;
10 and

11 (2) issue recommendations based upon the find-
12 ings in such assessment.

13 (b) ASSESSMENT OF CULTURAL COMPETENCE.—

14 (1) CULTURAL COMPETENCE OF THE COAST
15 GUARD ACADEMY.—The arrangement described in
16 subsection (a) shall require the National Academy of
17 Public Administration to, not later than 1 year after
18 entering into an arrangement with the Secretary
19 under subsection (a), submit to the Committee on
20 Transportation and Infrastructure of the House of
21 Representatives and the Committee on Commerce,
22 Science, and Transportation of the Senate the as-
23 sessment described under subsection (a)(1).

24 (2) ASSESSMENT SCOPE.—The assessment de-
25 scribed under subsection (a)(1) shall—

1 (A) describe the level of cultural com-
2 petence described in subsection (a)(1) based on
3 the National Academy of Public Administra-
4 tion's assessment of the Coast Guard Acad-
5 emy's relevant practices, policies, and struc-
6 tures, including an overview of discussions with
7 faculty, staff, students, and relevant Coast
8 Guard Academy affiliated organizations;

9 (B) examine potential changes which could
10 be used to further enhance such cultural com-
11 petence by—

12 (i) modifying institutional practices,
13 policies, and structures; and

14 (ii) any other changes deemed appro-
15 priate by the National Academy of Public
16 Administration; and

17 (C) make recommendations to enhance the
18 cultural competence of the Coast Guard Acad-
19 emy described in subparagraph (A), including
20 any specific plans, policies, milestones, perform-
21 ance measures, or other information necessary
22 to implement such recommendations.

23 (c) FINAL ACTION MEMORANDUM.—Not later than
24 3 months after submission of the assessment under section
25 802(b)(1), the Commandant of the Coast Guard shall sub-

1 mit to the Committee on Transportation and Infrastruc-
2 ture of the House of Representatives and the Committee
3 on Commerce, Science, and Transportation of the Senate,
4 a final action memorandum in response to all rec-
5 ommendations contained in the assessment. The Final Ac-
6 tion Memorandum shall include the rationale for accept-
7 ing, accepting in part, or rejecting each recommendation,
8 and shall specify, where applicable, actions to be taken to
9 implement such recommendations, including an expla-
10 nation of how each action enhances the ability of the Coast
11 Guard to carry out the primary duties of the United
12 States Coast Guard listed in section 102 of title 14,
13 United States Code.

14 (d) PLAN.—

15 (1) IN GENERAL.—Not later than 6 months
16 after the date of the submission of the final action
17 memorandum required under subsection (c), the
18 Commandant of the Coast Guard, in coordination
19 with the Chief Human Capital Officer of the Depart-
20 ment of Homeland Security, shall submit a plan to
21 carry out the recommendations or the parts of the
22 recommendations accepted in the Final Action
23 Memorandum to the Committee on Transportation
24 and Infrastructure of the House of Representatives

1 and the Committee on Commerce, Science, and
2 Transportation of the Senate.

3 (2) STRATEGY WITH MILESTONES.—If any rec-
4 ommendation or parts of recommendations accepted
5 in the Final Action Memorandum address any of the
6 following actions, then the plan required in para-
7 graph (1) shall include a strategy with appropriate
8 milestones to carry out such recommendations or
9 parts of recommendations:

10 (A) Improve outreach and recruitment of a
11 more diverse Coast Guard Academy cadet can-
12 didate pool based on race, ethnicity, gender, re-
13 ligious, sexual orientation, socioeconomic back-
14 ground, and geographic origin.

15 (B) Modify institutional structures, prac-
16 tices, and policies to foster a more diverse cadet
17 corps body, faculty, and staff workforce based
18 on race, ethnicity, gender, religion, sexual ori-
19 entation, socioeconomic background, and geo-
20 graphic origin.

21 (C) Modify existing or establish new poli-
22 cies and safeguards to foster the retention of
23 cadets, faculty, and staff of different races,
24 ethnicities, genders, religions, sexual orienta-

1 tions, socioeconomic backgrounds, and geo-
2 graphic origins at the Coast Guard Academy.

3 (D) Restructure the admissions office of
4 the Coast Guard Academy to be headed by a ci-
5 vilian with significant relevant higher education
6 recruitment experience.

7 (3) IMPLEMENTATION.—Unless otherwise di-
8 rected by an Act of Congress, the Commandant of
9 the Coast Guard shall begin implementation of the
10 plan developed under this subsection not later than
11 180 days after the submission of such plan to Con-
12 gress.

13 (4) UPDATE.—The Commandant of the Coast
14 Guard shall include in the first annual report re-
15 quired under chapter 51 of title 14, United States
16 Code, as amended by this Act, submitted after the
17 date of enactment of this section, the strategy with
18 milestones required in paragraph (2) and shall re-
19 port annually thereafter on actions taken and
20 progress made in the implementation of such plan.

21 **SEC. 803. ANNUAL REPORT.**

22 (a) IN GENERAL.—Chapter 51 of title 14, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

1 **“§ 5112. Report on diversity at the Coast Guard Acad-**
2 **emy**

3 “(a) IN GENERAL.—Not later than January 15,
4 2021, and annually thereafter, the Commandant shall sub-
5 mit a report on diversity at the Coast Guard Academy to
6 the Committee on Transportation and Infrastructure of
7 the House of Representatives and the Committee on Com-
8 merce, Science, and Transportation of the Senate.

9 “(b) CONTENTS.—The report required under sub-
10 section (a) shall include—

11 “(1) the status of the implementation of the
12 plan required section 802 of the Coast Guard Acad-
13 emy Improvement Act;

14 “(2) specific information on outreach and re-
15 cruitment activities for the preceding year, including
16 the effectiveness of the Coast Guard Academy Mi-
17 nority Outreach Team Program described under sec-
18 tion 1905 and of outreach and recruitment activities
19 in the territories and other possessions of the United
20 States;

21 “(3) enrollment information about the incoming
22 class, including the gender, race, ethnicity, religion,
23 socioeconomic background, and State of residence of
24 Coast Guard Academy cadets;

25 “(4) information on class retention, outcomes,
26 and graduation rates, including the race, gender,

1 ethnicity, religion, socioeconomic background, and
2 State of residence of Coast Guard Academy cadets;
3 and

4 “(5) information on efforts to retain diverse ca-
5 dets, including through professional development
6 and professional advancement programs for staff
7 and faculty.”.

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

“5112. Report on diversity at the Coast Guard Academy.”.

11 **SEC. 804. ASSESSMENT OF COAST GUARD ACADEMY ADMIS-**
12 **SION PROCESSES.**

13 (a) IN GENERAL.—The Secretary of the department
14 in which the Coast Guard is operating shall seek to enter
15 into an arrangement with the National Academy of Public
16 Administration under which the National Academy of
17 Public Administration shall, not later than 1 year after
18 submitting an assessment under section 802(a), submit an
19 assessment of the Coast Guard Academy admissions proc-
20 ess to the Committee on Transportation and Infrastruc-
21 ture of the House of Representatives and the Committee
22 on Commerce, Science, and Transportation of the Senate.

23 (b) ASSESSMENT SCOPE.—The assessment required
24 to be sought under subsection (a) shall, at a minimum,
25 include—

1 (1) a study, or an audit if appropriate, of the
2 process the Coast Guard Academy uses to—

3 (A) identify candidates for recruitment;

4 (B) recruit applicants;

5 (C) assist applicants in the application
6 process;

7 (D) evaluate applications; and

8 (E) make admissions decisions;

9 (2) discussion of the consideration during the
10 admissions process of diversity, including—

11 (A) race;

12 (B) ethnicity;

13 (C) gender;

14 (D) religion;

15 (E) sexual orientation;

16 (F) socioeconomic background; and

17 (G) geographic origin;

18 (3) an overview of the admissions processes at
19 other Federal service academies, including—

20 (A) discussion of consideration of diversity,
21 including any efforts to attract a diverse pool of
22 applicants, in those processes; and

23 (B) an analysis of how the congressional
24 nominations requirement in current law related
25 to military service academies and the Merchant

1 Marine Academy impacts those processes and
2 the overall demographics of the student bodies
3 at those academies;

4 (4) a determination regarding how a congress-
5 sional nominations requirement for Coast Guard
6 Academy admissions could impact diversity among
7 the student body and the ability of the Coast Guard
8 to carry out effectively the Service’s primary duties
9 described in section 102 of title 14, United States
10 Code; and

11 (5) recommendations for improving Coast
12 Guard Academy admissions processes, including
13 whether a congressional nominations process should
14 be integrated into such processes.

15 **SEC. 805. COAST GUARD ACADEMY MINORITY OUTREACH**
16 **TEAM PROGRAM.**

17 (a) IN GENERAL.—Chapter 19 of title 14, United
18 States Code, is amended by inserting after section 1904
19 the following:

20 **“§ 1905. Coast Guard Academy minority outreach**
21 **program**

22 “(a) IN GENERAL.—There is established within the
23 Coast Guard Academy a minority outreach team program
24 (in this section referred to as the ‘Program’) under which
25 officers, including minority officers and officers from terri-

1 tories and other possessions of the United States, who are
2 Academy graduates may volunteer their time to recruit
3 minority students and strengthen cadet retention through
4 mentorship of cadets.

5 “(b) ADMINISTRATION.—Not later than July 15,
6 2020, the Commandant, in consultation with Program vol-
7 unteers and Academy alumni that participated in prior
8 programs at the Academy similar to the Program, shall
9 appoint a permanent civilian position at the Academy to
10 administer the Program by, among other things—

11 “(1) overseeing administration of the Program;

12 “(2) serving as a resource to volunteers and
13 outside stakeholders;

14 “(3) advising Academy leadership on recruit-
15 ment and retention efforts based on recommenda-
16 tions from volunteers and outside stakeholders;

17 “(4) establishing strategic goals and perform-
18 ance metrics for the Program with input from active
19 volunteers and Academy leadership; and

20 “(5) reporting annually to the Commandant on
21 academic year and performance outcomes of the
22 goals for the Program before the end of each aca-
23 demic year.”.

24 (b) CLERICAL AMENDMENT.—The analysis for chap-
25 ter 19 of title 14, United States Code, is amended by in-

1 serting after the item relating to section 1904 the fol-
 2 lowing:

“1905. Coast Guard Academy minority outreach team program.”.

3 **SEC. 806. COAST GUARD COLLEGE STUDENT PRE-COMMIS-**
 4 **SIONING INITIATIVE.**

5 (a) IN GENERAL.—Subchapter I of chapter 21 of title
 6 14, United States Code, is amended by adding at the end
 7 the following:

8 **“§ 2131. College student pre-commissioning initiative**

9 “(a) IN GENERAL.—There is authorized within the
 10 Coast Guard the College Student Pre-Commissioning Ini-
 11 tiative program (in this section referred to as the ‘pro-
 12 gram’) for eligible undergraduate students to enlist and
 13 receive a guaranteed commission as an officer in the Coast
 14 Guard.

15 “(b) CRITERIA FOR SELECTION.—To be eligible for
 16 the program a student must meet the following require-
 17 ments upon submitting an application:

18 “(1) AGE.—A student must be not less than 19
 19 years old and not more than 27 years old as of Sep-
 20 tember 30 of the fiscal year in which the program
 21 selection panel selecting such student convenes.

22 “(2) CHARACTER.—

23 “(A) ALL APPLICANTS.—All applicants
 24 must be of outstanding moral character and

1 meet other character requirements as set forth
2 by the Commandant.

3 “(B) COAST GUARD APPLICANTS.—An ap-
4 plicant serving in the Coast Guard may not be
5 commissioned if in the 36 months prior to the
6 first Officer Candidate School class convening
7 date in the selection cycle, such applicant was
8 convicted by a court-martial or awarded non-ju-
9 dicial punishment, or did not meet performance
10 or character requirements set forth by the Com-
11 mandant.

12 “(3) CITIZENSHIP.—A student must be a
13 United States citizen.

14 “(4) CLEARANCE.—A student must be eligible
15 for a secret clearance.

16 “(5) DEPENDENCY.—

17 “(A) A student may not have more than
18 two dependents; and

19 “(B) A student who is single may not have
20 sole or primary custody of dependents.

21 “(6) EDUCATION.—

22 “(A) INSTITUTION.—A student must be an
23 undergraduate sophomore or junior—

24 “(i) at a historically Black college or
25 university described in section 322(2) of

1 the Higher Education Act of 1965 (20
2 U.S.C. 1061(2)) or an institution of higher
3 education described in section 371(a) of
4 the Higher Education Act of 1965 (20
5 U.S.C. 1067q(a)); or

6 “(ii) who is active in minority-serving
7 organizations and pursuing a degree in
8 science, technology, engineering, or mathe-
9 matics at an institution of higher edu-
10 cation described in section 101 of the
11 Higher Education Act of 1965 (20 U.S.C.
12 1001) that is not a historically Black col-
13 lege or university or institution of higher
14 education referred to in clause (i) of this
15 subparagraph.

16 “(B) LOCATION.—The institution at which
17 such student is an undergraduate must be with-
18 in 100 miles of a Coast guard unit or Coast
19 Guard Recruiting Office unless otherwise ap-
20 proved by the Commandant.

21 “(C) RECORDS.—A student must meet
22 credit and grade point average requirements set
23 forth by the Commandant.

1 “(7) MEDICAL AND ADMINISTRATIVE.—A stu-
2 dent must meet other medical and administrative re-
3 quirements as set forth by the Commandant.

4 “(c) ENLISTMENT AND OBLIGATION.—Individuals
5 selected and accept to participate in the program shall en-
6 list in the Coast Guard in pay grade E-3 with a 4-year
7 duty obligation and 4-year inactive Reserve obligation.

8 “(d) MILITARY ACTIVITIES PRIOR TO OFFICER CAN-
9 DIDATE SCHOOL.—Individuals enrolled in the program
10 shall participate in military activities each month, as re-
11 quired by the Commandant, prior to attending Officer
12 Candidate School.

13 “(e) PARTICIPATION IN OFFICER CANDIDATE
14 SCHOOL.—Each graduate of the program shall attend the
15 first enrollment of Officer Candidate School that com-
16 mences after the date of such graduate’s graduation.

17 “(f) COMMISSIONING.—Upon graduation from Offi-
18 cer Candidate School, program graduates shall be dis-
19 charged from enlisted status and commissioned as an O-
20 1 with an initial 3-year duty obligation.

21 “(g) BRIEFING.—

22 “(1) IN GENERAL.—Not later than August 15
23 of each year, the Commandant shall provide a brief-
24 ing to the Committee on Transportation and Infra-
25 structure of the House of Representatives and the

1 Committee on Commerce, Science, and Transpor-
2 tation of the Senate on the College Student Pre-
3 Commissioning Initiative.

4 “(2) CONTENTS.—The briefing required under
5 paragraph (1) shall describe—

6 “(A) outreach and recruitment efforts over
7 the previous year; and

8 “(B) demographic information of enrollees
9 including—

10 “(i) race;

11 “(ii) ethnicity;

12 “(iii) gender;

13 “(iv) geographic origin; and

14 “(v) educational institution.”.

15 (b) CLERICAL AMENDMENT.—The analysis for sub-
16 chapter I of chapter 21 of title 14, United States Code,
17 is amended by adding at the end the following:

“2131. College Student Pre-Commissioning Initiative.”.

18 **SEC. 807. ANNUAL BOARD OF VISITORS.**

19 Section 1903(d) of title 14, United States Code, is
20 amended—

21 (1) by redesignating paragraphs (2) through
22 (6) as paragraphs (3) through (7), respectively; and

1 (2) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) recruitment and retention;”.

Passed the House of Representatives July 24, 2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 3409

AN ACT

To authorize appropriations for the Coast Guard,
and for other purposes.