

104TH CONGRESS
2D SESSION

S. 1004

AMENDMENT

In the House of Representatives, U. S.,

February 29, 1996.

Resolved, That the bill from the Senate (S. 1004) entitled “An Act to authorize appropriations for the United States Coast Guard, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause, and insert:

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Coast Guard Authoriza-*
 3 *tion Act For Fiscal Year 1996”.*

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. Authorization of appropriations.

Sec. 102. Authorized levels of military strength and training.

Sec. 103. Quarterly reports on drug interdiction.

Sec. 104. Ensuring maritime safety after closure of small boat station or reduc-
tion to seasonal status.

TITLE II—PERSONNEL MANAGEMENT IMPROVEMENT

Sec. 201. Hurricane Andrew relief.

Sec. 202. Exclude certain reserves from end-of-year strength.

Sec. 203. Provision of child development services.

Sec. 204. Access to national driver register information on certain Coast Guard
personnel.

Sec. 205. Officer retention until retirement eligible.

**TITLE III—NAVIGATION SAFETY AND WATERWAY SERVICES
MANAGEMENT**

Sec. 301. Foreign passenger vessel user fees.

Sec. 302. Florida Avenue Bridge.

Sec. 303. Renewal of Houston-Galveston Navigation Safety Advisory Committee
and Lower Mississippi River Waterway Advisory Committee.

Sec. 304. Renewal of the Navigation Safety Advisory Council.

Sec. 305. Renewal of Commercial Fishing Industry Vessel Advisory Committee.

Sec. 306. Nondisclosure of port security plans.

Sec. 307. Maritime drug and alcohol testing program civil penalty.

Sec. 308. Withholding vessel clearance for violation of certain Acts.

Sec. 309. Increased civil penalties.

Sec. 310. Amendment to require emergency position indicating radio beacons on
the Great Lakes.

Sec. 311. Extension of Towing Safety Advisory Committee.

TITLE IV—MISCELLANEOUS

Sec. 401. Transfer of Coast Guard property in Traverse City, Michigan.

Sec. 402. Transfer of Coast Guard property in Ketchikan, Alaska.

Sec. 403. Electronic filing of commercial instruments.

Sec. 404. Board for correction of military records deadline.

Sec. 405. Judicial sale of certain documented vessels to aliens.

Sec. 406. Improved authority to sell recyclable material.

Sec. 407. Recruitment of women and minorities.

- Sec. 408. Limitation of certain State authority over vessels.*
- Sec. 409. Vessel financing.*
- Sec. 410. Sense of Congress; requirement regarding notice.*
- Sec. 411. Special selection boards.*
- Sec. 412. Availability of extrajudicial remedies for default on preferred mortgage liens on vessels.*
- Sec. 413. Implementation of water pollution laws with respect to vegetable oil.*
- Sec. 414. Certain information from marine casualty investigations barred in legal proceedings.*
- Sec. 415. Report on LORAN-C requirements.*
- Sec. 416. Limited double hull exemptions.*
- Sec. 417. Oil spill response vessels.*
- Sec. 418. Offshore facility financial responsibility requirements.*
- Sec. 419. Manning and watch requirements on towing vessels on the Great Lakes.*
- Sec. 420. Limitation on application of certain laws to Lake Texoma.*
- Sec. 421. Limitation on consolidation or relocation of Houston and Galveston marine safety offices.*
- Sec. 422. Sense of the Congress regarding funding for Coast Guard.*
- Sec. 423. Conveyance of Light Station, Montauk Point, New York.*
- Sec. 424. Conveyance of Cape Ann Lighthouse, Thachers Island, Massachusetts.*
- Sec. 425. Amendments to Johnson Act.*
- Sec. 426. Transfer of Coast Guard property in Gosnold, Massachusetts.*
- Sec. 427. Transfer of Coast Guard property in New Shoreham, Rhode Island.*
- Sec. 428. Vessel deemed to be a recreational vessel.*
- Sec. 429. Requirement for procurement of buoy chain.*
- Sec. 430. Cruise vessel tort reform.*
- Sec. 431. Limitation on fees and charges with respect to ferries.*

TITLE V—COAST GUARD REGULATORY REFORM

- Sec. 501. Short title.*
- Sec. 502. Safety management.*
- Sec. 503. Use of reports, documents, records, and examinations of other persons.*
- Sec. 504. Equipment approval.*
- Sec. 505. Frequency of inspection.*
- Sec. 506. Certificate of inspection.*
- Sec. 507. Delegation of authority of Secretary to classification societies.*

TITLE VI—DOCUMENTATION OF VESSELS

- Sec. 601. Authority to issue coastwise endorsements.*
- Sec. 602. Vessel documentation for charity cruises.*
- Sec. 603. Extension of deadline for conversion of vessel M/V TWIN DRILL.*
- Sec. 604. Documentation of vessel RAINBOW'S END.*
- Sec. 605. Documentation of vessel GLEAM.*
- Sec. 606. Documentation of various vessels.*
- Sec. 607. Documentation of 4 barges.*
- Sec. 608. Limited waiver for ENCHANTED ISLE and ENCHANTED SEAS.*
- Sec. 609. Limited waiver for MV PLATTE.*

TITLE VII—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 701. Amendment of inland navigation rules.*
- Sec. 702. Measurement of vessels.*
- Sec. 703. Longshore and harbor workers compensation.*
- Sec. 704. Radiotelephone requirements.*

- Sec. 705. Vessel operating requirements.*
- Sec. 706. Merchant Marine Act, 1920.*
- Sec. 707. Merchant Marine Act, 1956.*
- Sec. 708. Maritime education and training.*
- Sec. 709. General definitions.*
- Sec. 710. Authority to exempt certain vessels.*
- Sec. 711. Inspection of vessels.*
- Sec. 712. Regulations.*
- Sec. 713. Penalties—inspection of vessels.*
- Sec. 714. Application—tank vessels.*
- Sec. 715. Tank vessel construction standards.*
- Sec. 716. Tanker minimum standards.*
- Sec. 717. Self-propelled tank vessel minimum standards.*
- Sec. 718. Definition—abandonment of barges.*
- Sec. 719. Application—load lines.*
- Sec. 720. Licensing of individuals.*
- Sec. 721. Able seamen—limited.*
- Sec. 722. Able seamen—offshore supply vessels.*
- Sec. 723. Scale of employment—able seamen.*
- Sec. 724. General requirements—engine department.*
- Sec. 725. Complement of inspected vessels.*
- Sec. 726. Watchmen.*
- Sec. 727. Citizenship and naval reserve requirements.*
- Sec. 728. Watches.*
- Sec. 729. Minimum number of licensed individuals.*
- Sec. 730. Officers' competency certificates convention.*
- Sec. 731. Merchant mariners' documents required.*
- Sec. 732. Certain crew requirements.*
- Sec. 733. Freight vessels.*
- Sec. 734. Exemptions.*
- Sec. 735. United States registered pilot service.*
- Sec. 736. Definitions—merchant seamen protection.*
- Sec. 737. Application—foreign and intercoastal voyages.*
- Sec. 738. Application—coastwise voyages.*
- Sec. 739. Fishing agreements.*
- Sec. 740. Accommodations for seamen.*
- Sec. 741. Medicine chests.*
- Sec. 742. Logbook and entry requirements.*
- Sec. 743. Coastwise endorsements.*
- Sec. 744. Fishery endorsements.*
- Sec. 745. Clerical amendment.*
- Sec. 746. Repeal of Great Lakes endorsements.*
- Sec. 747. Convention tonnage for licenses, certificates, and documents.*

TITLE VIII—COAST GUARD AUXILIARY AMENDMENTS

- Sec. 801. Administration of the Coast Guard Auxiliary.*
- Sec. 802. Purpose of the Coast Guard Auxiliary.*
- Sec. 803. Members of the Auxiliary; status.*
- Sec. 804. Assignment and performance of duties.*
- Sec. 805. Cooperation with other agencies, States, territories, and political subdivisions.*
- Sec. 806. Vessel deemed public vessel.*
- Sec. 807. Aircraft deemed public aircraft.*
- Sec. 808. Disposal of certain material.*

1 ***TITLE I—AUTHORIZATIONS***

2 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

3 *Funds are authorized to be appropriated for necessary*
4 *expenses of the Coast Guard for fiscal year 1996, as follows:*

5 *(1) For the operation and maintenance of the*
6 *Coast Guard, \$2,618,316,000, of which \$25,000,000*
7 *shall be derived from the Oil Spill Liability Trust*
8 *Fund.*

9 *(2) For the acquisition, construction, rebuilding,*
10 *and improvement of aids to navigation, shore and off-*
11 *shore facilities, vessels, and aircraft, including equip-*
12 *ment related thereto, \$428,200,000, to remain avail-*
13 *able until expended, of which \$32,500,000 shall be de-*
14 *derived from the Oil Spill Liability Trust Fund to*
15 *carry out the purposes of section 1012(a)(5) of the Oil*
16 *Pollution Act of 1990.*

17 *(3) For research, development, test, and evalua-*
18 *tion of technologies, materials, and human factors di-*
19 *rectly relating to improving the performance of the*
20 *Coast Guard's mission in support of search and res-*
21 *cue, aids to navigation, marine safety, marine envi-*
22 *ronmental protection, enforcement of laws and trea-*
23 *ties, ice operations, oceanographic research, and de-*
24 *fense readiness, \$22,500,000, to remain available*
25 *until expended, of which \$3,150,000 shall be derived*

1 *from the Oil Spill Liability Trust Fund to carry out*
2 *the purposes of section 1012(a)(5) of the Oil Pollution*
3 *Act of 1990.*

4 *(4) For retired pay (including the payment of*
5 *obligations otherwise chargeable to lapsed appropria-*
6 *tions for this purpose), payments under the Retired*
7 *Serviceman's Family Protection and Survivor Benefit*
8 *Plans, and payments for medical care of retired per-*
9 *sonnel and their dependents under chapter 55 of title*
10 *10, United States Code, \$582,022,000.*

11 *(5) For alteration or removal of bridges over*
12 *navigable waters of the United States constituting ob-*
13 *structions to navigation, and for personnel and ad-*
14 *ministrative costs associated with the Bridge Alter-*
15 *ation Program, \$16,200,000, to remain available*
16 *until expended.*

17 *(6) For necessary expenses to carry out the Coast*
18 *Guard's environmental compliance and restoration*
19 *functions, other than parts and equipment associated*
20 *with operations and maintenance, under chapter 19*
21 *of title 14, United States Code, at Coast Guard facili-*
22 *ties, \$25,000,000, to remain available until expended.*

1 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
 2 **AND TRAINING.**

3 (a) *ACTIVE DUTY STRENGTH.*—*The Coast Guard is*
 4 *authorized an end-of-year strength for active duty personnel*
 5 *of 38,400 as of September 30, 1996.*

6 (b) *MILITARY TRAINING STUDENT LOADS.*—*For fiscal*
 7 *year 1996, the Coast Guard is authorized average military*
 8 *training student loads as follows:*

9 (1) *For recruit and special training, 1604 stu-*
 10 *dent years.*

11 (2) *For flight training, 85 student years.*

12 (3) *For professional training in military and*
 13 *civilian institutions, 330 student years.*

14 (4) *For officer acquisition, 874 student years.*

15 **SEC. 103. QUARTERLY REPORTS ON DRUG INTERDICTION.**

16 *Not later than 30 days after the end of each fiscal year*
 17 *quarter, the Secretary of Transportation shall submit to the*
 18 *Committee on Transportation and Infrastructure of the*
 19 *House of Representatives and the Committee on Commerce,*
 20 *Science, and Transportation of the Senate a report on all*
 21 *expenditures related to drug interdiction activities of the*
 22 *Coast Guard during that quarter.*

1 **SEC. 104. ENSURING MARITIME SAFETY AFTER CLOSURE OF**
 2 **SMALL BOAT STATION OR REDUCTION TO**
 3 **SEASONAL STATUS.**

4 (a) *MARITIME SAFETY DETERMINATION.*—None of the
 5 funds authorized to be appropriated under this Act may
 6 be used to close Coast Guard multimission small boat sta-
 7 tions unless the Secretary of Transportation determines
 8 that maritime safety will not be diminished by the closures.

9 (b) *TRANSITION PLAN REQUIRED.*—None of the funds
 10 appropriated under the authority of this Act may be used
 11 to close or reduce to seasonal status a small boat station,
 12 unless the Secretary of Transportation, in cooperation with
 13 the community affected by the closure or reduction, has de-
 14 veloped and implemented a transition plan to ensure that
 15 the maritime safety needs of the community will continue
 16 to be met.

17 **TITLE II—PERSONNEL**
 18 **MANAGEMENT IMPROVEMENT**

19 **SEC. 201. HURRICANE ANDREW RELIEF.**

20 Section 2856 of the National Defense Authorization
 21 Act for Fiscal Year 1993 (Public Law 102–484) applies to
 22 the military personnel of the Coast Guard who were as-
 23 signed to, or employed at or in connection with, any Fed-
 24 eral facility or installation in the vicinity of Homestead
 25 Air Force Base, Florida, including the areas of Broward,

1 *Collier, Dade, and Monroe Counties, on or before August*
 2 *24, 1992, except that—*

3 *(1) funds available to the Coast Guard, not to*
 4 *exceed a total of \$25,000, shall be used; and*

5 *(2) the Secretary of Transportation shall admin-*
 6 *ister that section with respect to Coast Guard person-*
 7 *nel.*

8 ***SEC. 202. EXCLUDE CERTAIN RESERVES FROM END-OF-***
 9 ***YEAR STRENGTH.***

10 *Section 712 of title 14, United States Code, is amended*
 11 *by adding at the end the following:*

12 *“(d) Reserve members ordered to active duty under this*
 13 *section shall not be counted in computing authorized*
 14 *strength of members on active duty or members in grade*
 15 *under this title or under any other law.”.*

16 ***SEC. 203. PROVISION OF CHILD DEVELOPMENT SERVICES.***

17 *Section 93 of title 14, United States Code, is amended*
 18 *by striking “and” after the semicolon at the end of para-*
 19 *graph (t)(2), by striking the period at the end of paragraph*
 20 *(u) and inserting “; and”, and by adding at the end the*
 21 *following new paragraph:*

22 *“(v) make child development services available to*
 23 *members of the armed forces and Federal civilian em-*
 24 *ployees under terms and conditions comparable to*

1 *those under the Military Child Care Act of 1989 (10*
 2 *U.S.C. 113 note).*”.

3 ***SEC. 204. ACCESS TO NATIONAL DRIVER REGISTER INFOR-***
 4 ***MATION ON CERTAIN COAST GUARD PERSON-***
 5 ***NEL.***

6 *(a) AMENDMENT TO TITLE 14.—Section 93 of title 14,*
 7 *United States Code, as amended by section 203, is further*
 8 *amended—*

9 *(1) by striking “and” after the semicolon at the*
 10 *end of paragraph (u);*

11 *(2) by striking the period at the end of para-*
 12 *graph (v) and inserting “; and”; and*

13 *(3) by adding at the end the following new para-*
 14 *graph:*

15 *“(w) require that any officer, chief warrant offi-*
 16 *cer, or enlisted member of the Coast Guard or Coast*
 17 *Guard Reserve (including a cadet or an applicant for*
 18 *appointment or enlistment to any of the foregoing*
 19 *and any member of a uniformed service who is as-*
 20 *signed to the Coast Guard) request that all informa-*
 21 *tion contained in the National Driver Register per-*
 22 *taining to the individual, as described in section*
 23 *30304(a) of title 49, be made available to the Com-*
 24 *mandant under section 30305(a) of title 49, may re-*

1 *ceive that information, and upon receipt, shall make*
 2 *the information available to the individual.”.*

3 *(b) AMENDMENT TO TITLE 49.—Section 30305(b) of*
 4 *title 49, United States Code, is amended by redesignating*
 5 *paragraph (7) as paragraph (8) and inserting after para-*
 6 *graph (6) the following new paragraph:*

7 *“(7) An individual who is an officer, chief warrant*
 8 *officer, or enlisted member of the Coast Guard or Coast*
 9 *Guard Reserve (including a cadet or an applicant for ap-*
 10 *pointment or enlistment of any of the foregoing and any*
 11 *member of a uniformed service who is assigned to the Coast*
 12 *Guard) may request the chief driver licensing official of a*
 13 *State to provide information about the individual under*
 14 *subsection (a) of this section to the Commandant of the*
 15 *Coast Guard. The Commandant may receive the informa-*
 16 *tion and shall make the information available to the indi-*
 17 *vidual. Information may not be obtained from the Register*
 18 *under this paragraph if the information was entered in the*
 19 *Register more than 3 years before the request, unless the*
 20 *information is about a revocation or suspension still in ef-*
 21 *fect on the date of the request.”.*

22 **SEC. 205. OFFICER RETENTION UNTIL RETIREMENT ELIGI-**
 23 **BLE.**

24 *Section 283(b) of title 14, United States Code, is*
 25 *amended—*

1 (1) *by inserting “(1)” after “(b)”;*

2 (2) *by striking the last sentence; and*

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

4 “(2) *Upon the completion of a term under paragraph*
5 *(1), an officer shall, unless selected for further continu-*
6 *ation—*

7 “(A) *except as provided in subparagraph (B), be*
8 *honorably discharged with severance pay computed*
9 *under section 286 of this title;*

10 “(B) *in the case of an officer who has completed*
11 *at least 18 years of active service on the date of dis-*
12 *charge under subparagraph (A), be retained on active*
13 *duty and retired on the last day of the month in*
14 *which the officer completes 20 years of active service,*
15 *unless earlier removed under another provision of*
16 *law; or*

17 “(C) *if, on the date specified for the officer’s dis-*
18 *charge in this section, the officer has completed at*
19 *least 20 years of active service or is eligible for retire-*
20 *ment under any law, be retired on that date.”.*

1 ***TITLE III—NAVIGATION SAFETY***
 2 ***AND WATERWAY SERVICES***
 3 ***MANAGEMENT***

4 ***SEC. 301. FOREIGN PASSENGER VESSEL USER FEES.***

5 *Section 3303 of title 46, United States Code, is*
 6 *amended—*

7 *(1) in subsection (a) by striking “(a) Except as”*
 8 *and inserting “Except as”; and*

9 *(2) by striking subsection (b).*

10 ***SEC. 302. FLORIDA AVENUE BRIDGE.***

11 *For purposes of the alteration of the Florida Avenue*
 12 *Bridge (located approximately 1.63 miles east of the Mis-*
 13 *sissippi River on the Gulf Intracoastal Waterway in Orle-*
 14 *ans Parish, Louisiana) ordered by the Secretary of Trans-*
 15 *portation under the Act of June 21, 1940 (33 U.S.C. 511*
 16 *et seq.; popularly known as the Truman-Hobbs Act), the*
 17 *Secretary of Transportation shall treat the drainage siphon*
 18 *that is adjacent to the bridge as an appurtenance of the*
 19 *bridge, including with respect to apportionment and pay-*
 20 *ment of costs for the removal of the drainage siphon in ac-*
 21 *cordance with that Act.*

1 **SEC. 303. RENEWAL OF HOUSTON-GALVESTON NAVIGATION**
 2 **SAFETY ADVISORY COMMITTEE AND LOWER**
 3 **MISSISSIPPI RIVER WATERWAY ADVISORY**
 4 **COMMITTEE.**

5 *The Coast Guard Authorization Act of 1991 (Public*
 6 *Law 102–241, 105 Stat. 2208–2235) is amended—*

7 *(1) in section 18 by adding at the end the follow-*
 8 *ing:*

9 *“(h) The Committee shall terminate on October 1,*
 10 *2000.”; and*

11 *(2) in section 19 by adding at the end the follow-*
 12 *ing:*

13 *“(g) The Committee shall terminate on October 1,*
 14 *2000.”.*

15 **SEC. 304. RENEWAL OF THE NAVIGATION SAFETY ADVISORY**
 16 **COUNCIL.**

17 *(a) RENEWAL.—Section 5(d) of the Inland Naviga-*
 18 *tional Rules Act of 1980 (33 U.S.C. 2073) is amended by*
 19 *striking “September 30, 1995” and inserting “September*
 20 *30, 2000”.*

21 *(b) CLERICAL AMENDMENT.—The section heading for*
 22 *section 5(d) of the Inland Navigational Rules Act of 1980*
 23 *(33 U.S.C. 2073) is amended by striking “Rules of the Road*
 24 *Advisory Council” and inserting “Navigation Safety Advi-*
 25 *sory Council”.*

1 **SEC. 305. RENEWAL OF COMMERCIAL FISHING INDUSTRY**
 2 **VESSEL ADVISORY COMMITTEE.**

3 *Subsection (e)(1) of section 4508 of title 46, United*
 4 *States Code, is amended by striking “September 30, 1994”*
 5 *and inserting “October 1, 2000”.*

6 **SEC. 306. NONDISCLOSURE OF PORT SECURITY PLANS.**

7 *Section 7 of the Ports and Waterways Safety Act (33*
 8 *U.S.C. 1226), is amended by adding at the end the following*
 9 *new subsection (c):*

10 *“(c) NONDISCLOSURE OF PORT SECURITY PLANS.—*
 11 *Notwithstanding any other provision of law, information*
 12 *related to security plans, procedures, or programs for pas-*
 13 *senger vessels or passenger terminals authorized under this*
 14 *Act is not required to be disclosed to the public.”.*

15 **SEC. 307. MARITIME DRUG AND ALCOHOL TESTING PRO-**
 16 **GRAM CIVIL PENALTY.**

17 *(a) PENALTY IMPOSED.—Chapter 21 of title 46, Unit-*
 18 *ed States Code, is amended by adding at the end the follow-*
 19 *ing new section:*

20 **“§2115. Civil penalty to enforce alcohol and dan-**
 21 **gerous drug testing**

22 *“Any person who fails to comply with or otherwise vio-*
 23 *lates the requirements prescribed by the Secretary under*
 24 *this subtitle for chemical testing for dangerous drugs or for*
 25 *evidence of alcohol use is liable to the United States Govern-*
 26 *ment for a civil penalty of not more than \$1,000 for each*

1 *violation. Each day of a continuing violation shall con-*
 2 *stitute a separate violation.”.*

3 (b) *CLERICAL AMENDMENT.—The table of sections at*
 4 *the beginning of chapter 21 of title 46, United States Code,*
 5 *is amended by inserting after the item relating to section*
 6 *2114 the following new item:*

“2115. Civil penalty to enforce alcohol and dangerous drug testing.”.

7 ***SEC. 308. WITHHOLDING VESSEL CLEARANCE FOR VIOLA-***
 8 ***TION OF CERTAIN ACTS.***

9 (a) *TITLE 49, UNITED STATES CODE.—Section 5122*
 10 *of title 49, United States Code, is amended by adding at*
 11 *the end the following new subsection:*

12 “(c) *WITHHOLDING OF CLEARANCE.—(1) If any*
 13 *owner, operator, or person in charge of a vessel is liable*
 14 *for a civil penalty under section 5123 of this title or for*
 15 *a fine under section 5124 of this title, or if reasonable cause*
 16 *exists to believe that such owner, operator, or person in*
 17 *charge may be subject to such a civil penalty or fine, the*
 18 *Secretary of the Treasury, upon the request of the Secretary,*
 19 *shall with respect to such vessel refuse or revoke any clear-*
 20 *ance required by section 4197 of the Revised Statutes of the*
 21 *United States (46 App. U.S.C. 91).*

22 “(2) *Clearance refused or revoked under this subsection*
 23 *may be granted upon the filing of a bond or other surety*
 24 *satisfactory to the Secretary.”.*

1 (b) *PORT AND WATERWAYS SAFETY ACT.*—Section
 2 13(f) of the Ports and Waterways Safety Act (33 U.S.C.
 3 1232(f)) is amended to read as follows:

4 “(f) *WITHHOLDING OF CLEARANCE.*—(1) If any
 5 owner, operator, or person in charge of a vessel is liable
 6 for a penalty or fine under this section, or if reasonable
 7 cause exists to believe that the owner, operator, or person
 8 in charge may be subject to a penalty or fine under this
 9 section, the Secretary of the Treasury, upon the request of
 10 the Secretary, shall with respect to such vessel refuse or re-
 11 voke any clearance required by section 4197 of the Revised
 12 Statutes of the United States (46 App. U.S.C. 91).

13 “(2) Clearance refused or revoked under this subsection
 14 may be granted upon filing of a bond or other surety satis-
 15 factory to the Secretary.”.

16 (c) *INLAND NAVIGATION RULES ACT OF 1980.*—Sec-
 17 tion 4(d) of the Inland Navigational Rules Act of 1980 (33
 18 U.S.C. 2072(d)) is amended to read as follows:

19 “(d) *WITHHOLDING OF CLEARANCE.*—(1) If any
 20 owner, operator, or person in charge of a vessel is liable
 21 for a penalty under this section, or if reasonable cause exists
 22 to believe that the owner, operator, or person in charge may
 23 be subject to a penalty under this section, the Secretary of
 24 the Treasury, upon the request of the Secretary, shall with
 25 respect to such vessel refuse or revoke any clearance required

1 *by section 4197 of the Revised Statutes of the United States*
 2 *(46 App. U.S.C. 91).*

3 “(2) *Clearance or a permit refused or revoked under*
 4 *this subsection may be granted upon filing of a bond or*
 5 *other surety satisfactory to the Secretary.*”.

6 (d) *TITLE 46, UNITED STATES CODE.—Section*
 7 *3718(e) of title 46, United States Code, is amended to read*
 8 *as follows:*

9 “(e)(1) *If any owner, operator, or person in charge of*
 10 *a vessel is liable for any penalty or fine under this section,*
 11 *or if reasonable cause exists to believe that the owner, opera-*
 12 *tor, or person in charge may be subject to any penalty or*
 13 *fine under this section, the Secretary of the Treasury, upon*
 14 *the request of the Secretary, shall with respect to such vessel*
 15 *refuse or revoke any clearance required by section 4197 of*
 16 *the Revised Statutes of the United States (46 U.S.C. App.*
 17 *91).*

18 “(2) *Clearance or a permit refused or revoked under*
 19 *this subsection may be granted upon filing of a bond or*
 20 *other surety satisfactory to the Secretary.*”.

21 **SEC. 309. INCREASED CIVIL PENALTIES.**

22 (a) *PENALTY FOR FAILURE TO REPORT A CAS-*
 23 *UALTY.—Section 6103(a) of title 46, United States Code,*
 24 *is amended by striking “\$1,000” and inserting “not more*
 25 *than \$25,000”.*

1 (b) *OPERATION OF UNINSPECTED VESSEL IN VIOLA-*
 2 *TION OF MANNING REQUIREMENTS.*—Section 8906 of title
 3 46, United States Code, is amended by striking “\$1,000”
 4 and inserting “not more than \$25,000”.

5 **SEC. 310. AMENDMENT TO REQUIRE EMERGENCY POSITION**
 6 **INDICATING RADIO BEACONS ON THE GREAT**
 7 **LAKES.**

8 Paragraph (7) of section 4502(a) of title 46, United
 9 States Code, is amended by inserting “or beyond three nau-
 10 tical miles from the coastline of the Great Lakes” after
 11 “high seas”.

12 **SEC. 311. EXTENSION OF TOWING SAFETY ADVISORY COM-**
 13 **MITTEE.**

14 Subsection (e) of the Act to establish a Towing Safety
 15 Advisory Committee in the Department of Transportation
 16 (33 U.S.C. 1231a(e)), is amended by striking “September
 17 30, 1995” and inserting “October 1, 2000”.

18 **TITLE IV—MISCELLANEOUS**

19 **SEC. 401. TRANSFER OF COAST GUARD PROPERTY IN TRA-**
 20 **VERSE CITY, MICHIGAN.**

21 (a) *REQUIREMENT.*—The Secretary of Transportation
 22 (or any other official having control over the property de-
 23 scribed in subsection (b)) shall expeditiously convey to the
 24 Traverse City Area Public School District in Traverse City,
 25 Michigan, without consideration, all right, title, and inter-

1 est of the United States in and to the property described
 2 in subsection (b), subject to all easements and other interests
 3 in the property held by any other person.

4 (b) *PROPERTY DESCRIBED.*—The property referred to
 5 in subsection (a) is real property located in the city of Tra-
 6 verse City, Grand Traverse County, Michigan, and consist-
 7 ing of that part of the southeast $\frac{1}{4}$ of Section 12, Township
 8 27 North, Range 11 West, described as: Commencing at the
 9 southeast $\frac{1}{4}$ corner of said Section 12, thence north 03 de-
 10 grees 05 minutes 25 seconds east along the East line of said
 11 Section, 1074.04 feet, thence north 86 degrees 36 minutes
 12 50 seconds west 207.66 feet, thence north 03 degrees 06 min-
 13 utes 00 seconds east 572.83 feet to the point of beginning,
 14 thence north 86 degrees 54 minutes 00 seconds west 1,751.04
 15 feet, thence north 03 degrees 02 minutes 38 seconds east
 16 330.09 feet, thence north 24 degrees 04 minutes 40 seconds
 17 east 439.86 feet, thence south 86 degrees 56 minutes 15 sec-
 18 onds east 116.62 feet, thence north 03 degrees 08 minutes
 19 45 seconds east 200.00 feet, thence south 87 degrees 08 min-
 20 utes 20 seconds east 68.52 feet, to the southerly right-of-way
 21 of the C & O Railroad, thence south 65 degrees 54 minutes
 22 20 seconds east along said right-of-way 1508.75 feet, thence
 23 south 03 degrees 06 minutes 00 seconds west 400.61 to the
 24 point of beginning, consisting of 27.10 acres of land, and

1 *all improvements located on that property including build-*
 2 *ings, structures, and equipment.*

3 (c) *REVERSIONARY INTEREST.*—*In addition to any*
 4 *term or condition established pursuant to subsection (a),*
 5 *any conveyance of property described in subsection (b) shall*
 6 *be subject to the condition that all right, title, and interest*
 7 *in and to the property so conveyed shall immediately revert*
 8 *to the United States if the property, or any part thereof,*
 9 *ceases to be used by the Traverse City School District.*

10 ***SEC. 402. TRANSFER OF COAST GUARD PROPERTY IN***
 11 ***KETCHIKAN, ALASKA.***

12 (a) *CONVEYANCE REQUIREMENT.*—*The Secretary of*
 13 *Transportation shall convey to the Ketchikan Indian Cor-*
 14 *poration in Ketchikan, Alaska, without reimbursement and*
 15 *by no later than 120 days after the date of enactment of*
 16 *this Act, all right, title, and interest of the United States*
 17 *in and to the property known as the “Former Marine Safe-*
 18 *ty Detachment” as identified in Report of Excess Number*
 19 *CG–689 (GSA Control Number 9–U–AK–0747) and de-*
 20 *scribed in subsection (b), for use by the Ketchikan Indian*
 21 *Corporation as a health or social services facility.*

22 (b) *PROPERTY DESCRIBED.*—*The property referred to*
 23 *in subsection (a) is real property located in the city of*
 24 *Ketchikan, Township 75 south, range 90 east, Copper River*
 25 *Meridian, First Judicial District, State of Alaska, and*

1 *commencing at corner numbered 10, United States Survey*
 2 *numbered 1079, the true point of beginning for this descrip-*
 3 *tion: Thence north 24 degrees 04 minutes east, along the*
 4 *10–11 line of said survey a distance of 89.76 feet to corner*
 5 *numbered 1 of lot 5B; thence south 65 degrees 56 minutes*
 6 *east a distance of 345.18 feet to corner numbered 2 of lot*
 7 *5B; thence south 24 degrees 04 minutes west a distance of*
 8 *101.64 feet to corner numbered 3 of lot 5B; thence north*
 9 *64 degrees 01 minute west a distance of 346.47 feet to corner*
 10 *numbered 10 of said survey, to the true point of beginning,*
 11 *consisting of 0.76 acres (more or less), and all improve-*
 12 *ments located on that property, including buildings, struc-*
 13 *tures, and equipment.*

14 *(c) REVERSIONARY INTEREST.—In addition to any*
 15 *term or condition established pursuant to subsection (a),*
 16 *any conveyance of property described in subsection (b) shall*
 17 *be subject to the condition that all right, title, and interest*
 18 *in and to the property so conveyed shall immediately revert*
 19 *to the United States if the property, or any part thereof,*
 20 *ceases to be used by the Ketchikan Indian Corporation as*
 21 *a health or social services facility.*

22 **SEC. 403. ELECTRONIC FILING OF COMMERCIAL INSTRU-**
 23 **MENTS.**

24 *Section 31321(a) of title 46, United States Code, is*
 25 *amended by adding at the end the following new paragraph:*

1 “(4)(A) *A bill of sale, conveyance, mortgage, assign-*
 2 *ment, or related instrument may be filed electronically*
 3 *under regulations prescribed by the Secretary.*

4 “(B) *A filing made electronically under subparagraph*
 5 *(A) shall not be effective after the 10-day period beginning*
 6 *on the date of the filing unless the original instrument is*
 7 *provided to the Secretary within that 10-day period.”.*

8 **SEC. 404. BOARD FOR CORRECTION OF MILITARY RECORDS**
 9 **DEADLINE.**

10 (a) *REMEDIES DEEMED EXHAUSTED.—Ten months*
 11 *after a complete application for correction of military*
 12 *records is received by the Board for Correction of Military*
 13 *Records of the Coast Guard, administrative remedies are*
 14 *deemed to have been exhausted, and—*

15 (1) *if the Board has rendered a recommended de-*
 16 *cision, its recommendation shall be final agency ac-*
 17 *tion and not subject to further review or approval*
 18 *within the Department of Transportation; or*

19 (2) *if the Board has not rendered a recommended*
 20 *decision, agency action is deemed to have been unrea-*
 21 *sonably delayed or withheld and the applicant is enti-*
 22 *tled to—*

23 (A) *an order under section 706(1) of title 5,*
 24 *United States Code, directing final action be*

1 *taken within 30 days from the date the order is*
 2 *entered; and*

3 *(B) from amounts appropriated to the De-*
 4 *partment of Transportation, the costs of obtain-*
 5 *ing the order, including a reasonable attorney's*
 6 *fee.*

7 *(b) EXISTING DEADLINE MANDATORY.—The 10-month*
 8 *deadline established in section 212 of the Coast Guard Au-*
 9 *thorization Act of 1989 (Public Law 101–225, 103 Stat.*
 10 *1914) is mandatory.*

11 *(c) APPLICATION.—This section applies to all applica-*
 12 *tions filed with or pending before the Board or the Secretary*
 13 *of Transportation on or after June 12, 1990. For applica-*
 14 *tions that were pending on June 12, 1990, the 10-month*
 15 *deadline referred to in subsection (b) shall be calculated*
 16 *from June 12, 1990.*

17 **SEC. 405. JUDICIAL SALE OF CERTAIN DOCUMENTED VES-**
 18 **SELS TO ALIENS.**

19 *Section 31329 of title 46, United States Code, is*
 20 *amended by adding at the end the following new subsection:*

21 “(f) *This section does not apply to a documented vessel*
 22 *that has been operated only—*

23 “(1) *as a fishing vessel, fish processing vessel, or*
 24 *fish tender vessel; or*

25 “(2) *for pleasure.*”.

1 **SEC. 406. IMPROVED AUTHORITY TO SELL RECYCLABLE**
 2 **MATERIAL.**

3 *Section 641(c)(2) of title 14, United States Code, is*
 4 *amended by inserting before the period the following: “, ex-*
 5 *cept that the Commandant may conduct sales of materials*
 6 *for which the proceeds of sale will not exceed \$5,000 under*
 7 *regulations prescribed by the Commandant”.*

8 **SEC. 407. RECRUITMENT OF WOMEN AND MINORITIES.**

9 *Not later than January 31, 1996, the Commandant*
 10 *of the Coast Guard shall report to the Committee on Trans-*
 11 *portation and Infrastructure of the House of Representa-*
 12 *tives and the Committee on Commerce, Science, and Trans-*
 13 *portation of the Senate, on the status of and the problems*
 14 *in recruitment of women and minorities into the Coast*
 15 *Guard. The report shall contain specific plans to increase*
 16 *the recruitment of women and minorities and legislative*
 17 *recommendations needed to increase the recruitment of*
 18 *women and minorities.*

19 **SEC. 408. LIMITATION OF CERTAIN STATE AUTHORITY**
 20 **OVER VESSELS.**

21 *(a) SHORT TITLE.—This section may be cited as the*
 22 *“California Cruise Industry Revitalization Act”.*

23 *(b) LIMITATION.—Section 5(b)(2) of the Act of Janu-*
 24 *ary 2, 1951 (15 U.S.C. 1175(b)(2)), commonly referred to*
 25 *as the “Johnson Act”, is amended by adding at the end*
 26 *the following:*

“(C) *EXCLUSION OF CERTAIN VOYAGES AND SEGMENTS.*—*Except for a voyage or segment of a voyage that occurs within the boundaries of the State of Hawaii, a voyage or segment of a voyage is not described in subparagraph (B) if it includes or consists of a segment—*

“(i) *that begins and ends in the same State;*

“(ii) *that is part of a voyage to another State or to a foreign country; and*

“(iii) *in which the vessel reaches the other State or foreign country within 3 days after leaving the State in which it begins.*”.

SEC. 409. VESSEL FINANCING.

(a) *DOCUMENTATION CITIZEN ELIGIBLE MORTGAGEE.*—*Section 31322(a)(1)(D) of title 46, United States Code, is amended—*

(1) *by striking “or” at the end of 31322(a)(1)(D)(v) and inserting “or” at the end of 31322(a)(1)(D)(vi); and*

(2) *by adding at the end a new subparagraph as follows:*

“(vii) *a person eligible to own a documented vessel under chapter 121 of this title.*”.

1 (b) *AMENDMENT TO TRUSTEE RESTRICTIONS.*—Section
2 tion 31328(a) of title 46, United States Code, is amended—

3 (1) by striking “or” at the end of 31328(a)(3)
4 and inserting “or” at the end of 31328(a)(4); and

5 (2) by adding at the end a new subparagraph as
6 follows:

7 “(5) is a person eligible to own a documented
8 vessel under chapter 121 of this title.”.

9 (c) *LEASE FINANCING.*—Section 12106 of title 46,
10 United States Code, is amended by adding at the end the
11 following new subsections:

12 “(e)(1) A certificate of documentation for a vessel may
13 be endorsed with a coastwise endorsement if—

14 “(A) the vessel is eligible for documentation
15 under section 12102;

16 “(B) the person that owns the vessel, a parent
17 entity of that person, or a subsidiary of a parent en-
18 tity of that person, is engaged in lease financing;

19 “(C) the vessel is under a demise charter to a
20 person qualifying as a citizen of the United States for
21 engaging in the coastwise trade under section 2 of the
22 Shipping Act, 1916;

23 “(D) the demise charter is for—

24 “(i) a period of at least 3 years; or

1 “(ii) a shorter period as may be prescribed
2 by the Secretary; and

3 “(E) the vessel is otherwise qualified under this
4 section to be employed in the coastwise trade.

5 “(2) Upon default by a bareboat charterer of a demise
6 charter required under paragraph (1)(D), the coastwise en-
7 dorsement of the vessel may, in the sole discretion of the
8 Secretary, be continued after the termination for default of
9 the demise charter for a period not to exceed 6 months on
10 terms and conditions as the Secretary may prescribe.

11 “(3) For purposes of section 2 of the Shipping Act,
12 1916, and section 12102(a) of this title, a vessel meeting
13 the criteria of subsection is deemed to be owned exclusively
14 by citizens of the United States.”.

15 (d) CONFORMING AMENDMENT.—Section 9(c) of the
16 Shipping Act, 1916, as amended (46 App. U.S.C. 808(c))
17 is amended by inserting “12106(e),” after the word “sec-
18 tions” and before 31322(a)(1)(D).

19 **SEC. 410. SENSE OF CONGRESS; REQUIREMENT REGARDING**
20 **NOTICE.**

21 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND
22 PRODUCTS.—It is the sense of the Congress that, to the
23 greatest extent practicable, all equipment and products pur-
24 chased with funds made available under this Act should be
25 American-made.

1 (b) *NOTICE TO RECIPIENTS OF ASSISTANCE.*—In pro-
 2 viding financial assistance under this Act, the official re-
 3 sponsible for providing the assistance, to the greatest extent
 4 practicable, shall provide to each recipient of the assistance
 5 a notice describing the statement made in subsection (a)
 6 by the Congress.

7 **SEC. 411. SPECIAL SELECTION BOARDS.**

8 (a) *REQUIREMENT.*—Chapter 21 of title 14, United
 9 States Code, is amended by adding at the end the following
 10 new section:

11 **“§ 747. Special selection boards**

12 “(a) *The Secretary shall provide for special selection*
 13 *boards to consider the case of any officer who is eligible*
 14 *for promotion who—*

15 “(1) *was not considered for selection for pro-*
 16 *motion by a selection board because of administrative*
 17 *error; or*

18 “(2) *was considered for selection for promotion*
 19 *by a selection board but not selected because—*

20 “(A) *the action of the board that considered*
 21 *the officer was contrary to law or involved a ma-*
 22 *terial error of fact or material administrative*
 23 *error; or*

1 “(B) the board that considered the officer
2 did not have before it for its consideration mate-
3 rial information.

4 “(b) Not later than 6 months after the date of the en-
5 actment of the Coast Guard Authorization Act For Fiscal
6 Year 1996, the Secretary shall issue regulations to imple-
7 ment this section. The regulations shall conform, as appro-
8 priate, to the regulations and procedures issued by the Sec-
9 retary of Defense for special selection boards under section
10 628 of title 10, United States Code.”.

11 (b) CLERICAL AMENDMENT.—The table of sections for
12 chapter 21 of title 14, United States Code, is amended by
13 adding after the item for section 746 the following:

 “747. Special selection boards.”.

14 **SEC. 412. AVAILABILITY OF EXTRAJUDICIAL REMEDIES FOR**
15 **DEFAULT ON PREFERRED MORTGAGE LIENS**
16 **ON VESSELS.**

17 (a) AVAILABILITY OF EXTRAJUDICIAL REMEDIES.—
18 Section 31325(b) of title 46, United States Code, is
19 amended—

20 (1) in the matter preceding paragraph (1) by
21 striking “mortgage may” and inserting “mortgagee
22 may”;

23 (2) in paragraph (1) by—

24 (A) striking “perferred” and inserting “pre-
25 ferred”; and

1 (B) striking “; and” and inserting a semi-
2 colon; and

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

4 “(3) enforce the preferred mortgage lien or a
5 claim for the outstanding indebtedness secured by the
6 mortgaged vessel, or both, by exercising any other
7 remedy (including an extrajudicial remedy) against a
8 documented vessel, a vessel for which an application
9 for documentation is filed under chapter 121 of this
10 title, a foreign vessel, or a mortgagor, maker,
11 comaker, or guarantor for the amount of the outstand-
12 ing indebtedness or any deficiency in full payment of
13 that indebtedness, if—

14 “(A) the remedy is allowed under applicable
15 law; and

16 “(B) the exercise of the remedy will not re-
17 sult in a violation of section 9 or 37 of the Ship-
18 ping Act, 1916 (46 App. U.S.C. 808, 835).”.

19 (b) NOTICE.—Section 31325 of title 46, United States
20 Code, is further amended by adding at the end the following:

21 “(f)(1) Before title to the documented vessel or vessel
22 for which an application for documentation is filed under
23 chapter 121 is transferred by an extrajudicial remedy, the
24 person exercising the remedy shall give notice of the pro-
25 posed transfer to the Secretary, to the mortgagee of any

1 mortgage on the vessel filed in substantial compliance with
 2 section 31321 of this title before notice of the proposed
 3 transfer is given to the Secretary, and to any person that
 4 recorded a notice of a claim of an undischarged lien on
 5 the vessel under section 31343(a) or (d) of this title before
 6 notice of the proposed transfer is given to the Secretary.

7 “(2) Failure to give notice as required by this sub-
 8 section shall not affect the transfer of title to a vessel. How-
 9 ever, the rights of any holder of a maritime lien or a pre-
 10 ferred mortgage on the vessel shall not be affected by a
 11 transfer of title by an extrajudicial remedy exercised under
 12 this section, regardless of whether notice is required by this
 13 subsection or given.

14 “(3) The Secretary shall prescribe regulations estab-
 15 lishing the time and manner for providing notice under this
 16 subsection.”.

17 (c) *RULE OF CONSTRUCTION.*—The amendments made
 18 by subsections (a) and (b) may not be construed to imply
 19 that remedies other than judicial remedies were not avail-
 20 able before the date of enactment of this section to enforce
 21 claims for outstanding indebtedness secured by mortgaged
 22 vessels.

1 **SEC. 413. IMPLEMENTATION OF WATER POLLUTION LAWS**
 2 **WITH RESPECT TO VEGETABLE OIL.**

3 (a) *DIFFERENTIATION AMONG FATS, OILS, AND*
 4 *GREASES.*—

5 (1) *IN GENERAL.*—*In issuing or enforcing a reg-*
 6 *ulation, an interpretation, or a guideline relating to*
 7 *a fat, oil, or grease under a Federal law related to*
 8 *water pollution control, the head of a Federal agency*
 9 *shall—*

10 (A) *differentiate between and establish sepa-*
 11 *rate classes for—*

12 (i)(I) *animal fats; and*

13 (II) *vegetable oils; and*

14 (ii) *other oils, including petroleum oil;*

15 *and*

16 (B) *apply different standards to different*
 17 *classes of fat and oil as provided in paragraph*
 18 *(2).*

19 (2) *CONSIDERATIONS.*—*In differentiating be-*
 20 *tween the classes of animal fats and vegetable oils re-*
 21 *ferred to in paragraph (1)(A)(i) and the classes of oils*
 22 *described in paragraph (1)(A)(ii), the head of a Fed-*
 23 *eral agency shall consider differences in physical,*
 24 *chemical, biological, and other properties, and in the*
 25 *environmental effects, of the classes.*

26 (b) *FINANCIAL RESPONSIBILITY.*—

1 (1) *LIMITS ON LIABILITY.*—Section 1004(a)(1) of
 2 the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1))
 3 is amended by striking “for a tank vessel,” and in-
 4 serting “for a tank vessel carrying oil in bulk as
 5 cargo or cargo residue (except a tank vessel on which
 6 the only oil carried is an animal fat or vegetable oil,
 7 as those terms are defined in section 413(c) of the
 8 Coast Guard Authorization Act for Fiscal Year
 9 1996),”.

10 (2) *FINANCIAL RESPONSIBILITY.*—The first sen-
 11 tence of section 1016(a) of the Act (33 U.S.C.
 12 2716(a)) is amended by striking “, in the case of a
 13 tank vessel, the responsible party could be subject
 14 under section 1004(a)(1) or (d) of this Act, or to
 15 which, in the case of any other vessel, the responsible
 16 party could be subjected under section 1004(a)(2) or
 17 (d)” and inserting “the responsible party could be
 18 subjected under section 1004(a) or (d) of this Act”.

19 (c) *DEFINITIONS.*—In this section, the following defi-
 20 nitions apply:

21 (1) *ANIMAL FAT.*—The term “animal fat” means
 22 each type of animal fat, oil, or grease, including fat,
 23 oil, or grease from fish or a marine mammal and any
 24 fat, oil, or grease referred to in section 61(a)(2) of
 25 title 13, United States Code.

1 (2) *VEGETABLE OIL.*—*The term “vegetable oil”*
 2 *means each type of vegetable oil, including vegetable*
 3 *oil from a seed, nut, or kernel and any vegetable oil*
 4 *referred to in section 61(a)(1) of title 13, United*
 5 *States Code.*

6 **SEC. 414. CERTAIN INFORMATION FROM MARINE CASUALTY**
 7 **INVESTIGATIONS BARRED IN LEGAL PRO-**
 8 **CEEDINGS.**

9 (a) *IN GENERAL.*—*Title 46, United States Code, is*
 10 *amended by inserting after section 6307 the following new*
 11 *section:*

12 **“§ 6308. Information barred in legal proceedings**

13 “(a) *Notwithstanding any other provision of law, any*
 14 *opinion, recommendation, deliberation, or conclusion con-*
 15 *tained in a report of a marine casualty investigation con-*
 16 *ducted under section 6301 of this title with respect to the*
 17 *cause of, or factors contributing to, the casualty set forth*
 18 *in the report of the investigation is not admissible as evi-*
 19 *dence or subject to discovery in any civil, administrative,*
 20 *or State criminal proceeding arising from a marine cas-*
 21 *ualty, other than with the permission and consent of the*
 22 *Secretary of Transportation, in his or her sole discretion.*
 23 *Any employee of the United States or military member of*
 24 *the Coast Guard investigating a marine casualty or assist-*
 25 *ing in any such investigation conducted pursuant to section*

1 6301 of this title, shall not be subject to deposition or other
 2 discovery, or otherwise testify or give information in such
 3 proceedings relevant to a marine casualty investigation,
 4 without the permission and consent of the Secretary of
 5 Transportation in his or her sole discretion. In exercising
 6 this discretion in cases where the United States is a party,
 7 the Secretary shall not withhold permission for an employee
 8 to testify solely on factual matters where the information
 9 is not available elsewhere or is not obtainable by other
 10 means. Nothing in this section prohibits the United States
 11 from calling an employee as an expert witness to testify
 12 on its behalf.

13 “(b) The information referred to in subsection (a) of
 14 this section shall not be considered an admission of liability
 15 by the United States or by any person referred to in those
 16 conclusions or statements.”.

17 (b) CLERICAL AMENDMENT.—The table of sections at
 18 the beginning of chapter 63 of title 46, United States Code,
 19 is amended by adding after the item related to section 6307
 20 the following:

“6308. Information barred in legal proceedings.”.

21 **SEC. 415. REPORT ON LORAN-C REQUIREMENTS.**

22 Not later than 6 months after the date of the enactment
 23 of this Act, the Secretary of Transportation shall submit
 24 a report to the Committee on Transportation and Infra-
 25 structure of the House of Representatives, and the Commit-

tee on Commerce, Science and Transportation of the Senate,
 prepared in consultation with users of the LORAN-C
 radionavigation system, defining the future use of and
 funding for operations, maintenance, and upgrades of the
 LORAN-C radionavigation system. The report shall ad-
 dress the following:

(1) An appropriate timetable for transition from
 ground-based radionavigation technology after it is
 determined that satellite-based technology is available
 as a sole means of safe and efficient navigation.

(2) The need to ensure that LORAN-C tech-
 nology purchased by the public before the year 2000
 has a useful economic life.

(3) The benefits of fully utilizing the compatibil-
 ities of LORAN-C technology and satellite-based tech-
 nology by all modes of transportation.

(4) The need for all agencies in the Department
 of Transportation and other relevant Federal agencies
 to share the Federal Government's costs related to
 LORAN-C technology.

SEC. 416. LIMITED DOUBLE HULL EXEMPTIONS.

Section 3703a(b) of title 46, United States Code, is
 amended by—

(1) striking “or” at the end of paragraph (2);

1 (2) *striking the period at the end of paragraph*
 2 (3) *and inserting a semicolon; and*

3 (3) *adding at the end the following new para-*
 4 *graphs:*

5 “(4) *a vessel equipped with a double hull before*
 6 *August 12, 1992;*

7 “(5) *a barge of less than 2,000 gross tons that is*
 8 *primarily used to carry deck cargo and bulk fuel to*
 9 *Native villages (as that term is defined in section 3*
 10 *of the Alaska Native Claims Settlement Act (43*
 11 *U.S.C. 1601)) located on or adjacent to bays or rivers*
 12 *above 58 degrees north latitude; or*

13 “(6) *a vessel in the National Defense Reserve*
 14 *Fleet pursuant to section 11 of the Merchant Ship*
 15 *Sales Act of 1946 (50 App. U.S.C. 1744).”.*

16 ***SEC. 417. OIL SPILL RESPONSE VESSELS.***

17 (a) *DEFINITION.*—*Section 2101 of title 46, United*
 18 *States Code, is amended—*

19 (1) *by redesignating paragraph (20a) as para-*
 20 *graph (20b); and*

21 (2) *by inserting after paragraph (20) the follow-*
 22 *ing new paragraph:*

23 “(20a) *‘oil spill response vessel’ means a vessel*
 24 *that is designated in its certificate of inspection as*

1 *such a vessel, or that is adapted to respond to a dis-*
 2 *charge of oil or a hazardous material.”.*

3 *(b) EXEMPTION FROM LIQUID BULK CARRIAGE RE-*
 4 *QUIREMENTS.—Section 3702 of title 46, United States*
 5 *Code, is amended by adding at the end the following new*
 6 *subsection:*

7 *“(f) This chapter does not apply to an oil spill re-*
 8 *sponse vessel if—*

9 *“(1) the vessel is used only in response-related*
 10 *activities; or*

11 *“(2) the vessel is—*

12 *“(A) not more than 500 gross tons;*

13 *“(B) designated in its certificate of inspec-*
 14 *tion as an oil spill response vessel; and*

15 *“(C) engaged in response-related activi-*
 16 *ties.”.*

17 *(c) MANNING.—Section 8104(p) of title 46, United*
 18 *States Code, is amended to read as follows:*

19 *“(p) The Secretary may prescribe the watchstanding*
 20 *requirements for an oil spill response vessel.”.*

21 *(d) MINIMUM NUMBER OF LICENSED INDIVIDUALS.—*
 22 *Section 8301(e) of title 46, United States Code, is amended*
 23 *to read as follows:*

24 *“(e) The Secretary may prescribe the minimum num-*
 25 *ber of licensed individuals for an oil spill response vessel.”.*

1 (e) *MERCHANT MARINER DOCUMENT REQUIRE-*
 2 *MENTS.*—Section 8701(a) of title 46, United States Code,
 3 *is amended by striking “and” after the semicolon at the*
 4 *end of paragraph (7), by striking the period at the end of*
 5 *paragraph (8) and inserting “; and”, and by adding at*
 6 *the end the following new paragraph:*

7 “(9) the Secretary may prescribe the individuals
 8 *required to hold a merchant mariner’s document serv-*
 9 *ing onboard an oil spill response vessel.”.*

10 (f) *EXEMPTION FROM TOWING VESSEL REQUIRE-*
 11 *MENT.*—Section 8905 of title 46, United States Code, is
 12 *amended by adding at the end the following new subsection:*

13 “(c) Section 8904 of this title does not apply to an
 14 *oil spill response vessel while engaged in oil spill response*
 15 *or training activities.”.*

16 (g) *INSPECTION REQUIREMENT.*—Section 3301 of title
 17 46, United States Code, is amended by adding at the end
 18 *the following new paragraph:*

19 “(14) oil spill response vessels.”.

20 **SEC. 418. OFFSHORE FACILITY FINANCIAL RESPONSIBILITY**
 21 **REQUIREMENTS.**

22 (a) *DEFINITION OF RESPONSIBLE PARTY.*—Section
 23 1001(32)(C) of the Oil Pollution Act of 1990 (33 U.S.C.
 24 2701(32)(C)) is amended by striking “applicable State law
 25 or” and inserting “applicable State law relating to explor-

1 *ing for, producing, or transporting oil on submerged lands*
 2 *on the Outer Continental Shelf in accordance with a license*
 3 *or permit issued for such purpose, or under”.*

4 *(b) AMOUNT OF FINANCIAL RESPONSIBILITY.—Section*
 5 *1016(c)(1) of the Oil Pollution Act of 1990 (33 U.S.C.*
 6 *2716(c)(1)) is amended to read as follows:*

7 *“(1) IN GENERAL.—*

8 *“(A) EVIDENCE OF FINANCIAL RESPON-*
 9 *SIBILITY REQUIRED.—Except as provided in*
 10 *paragraph (2), each responsible party with re-*
 11 *spect to an offshore facility described in section*
 12 *1001(32)(C) located seaward of the line of ordi-*
 13 *nary low water along that portion of the coast*
 14 *that is in direct contact with the open sea and*
 15 *the line marking the seaward limit of inland wa-*
 16 *ters that is—*

17 *“(i) used for exploring for, producing,*
 18 *or transporting oil; and*

19 *“(ii) has the capacity to transport,*
 20 *store, transfer, or otherwise handle more*
 21 *than 1,000 barrels of oil at any one time,*
 22 *shall establish and maintain evidence of finan-*
 23 *cial responsibility in the amount required under*
 24 *subparagraph (B) or (C), applicable.*

1 “(B) *AMOUNT REQUIRED GENERALLY.*—*Ex-*
2 *cept as provided in subparagraph (C), for pur-*
3 *poses of subparagraph (A) the amount of finan-*
4 *cial responsibility required is \$35,000,000.*

5 “(C) *GREATER AMOUNT.*—*If the President*
6 *determines that an amount of financial respon-*
7 *sibility greater than the amount required by sub-*
8 *paragraph (B) is necessary for an offshore facil-*
9 *ity, based on an assessment of the risk posed by*
10 *the facility that includes consideration of the rel-*
11 *ative operational, environmental, human health,*
12 *and other risks posed by the quantity or quality*
13 *of oil that is transported, stored, transferred, or*
14 *otherwise handled by the facility, the amount of*
15 *financial responsibility required shall not exceed*
16 *\$150,000,000 determined by the President on the*
17 *basis of clear and convincing evidence that the*
18 *risks posed justify the greater amount.*

19 “(D) *MULTIPLE FACILITIES.*—*In a case in*
20 *which a person is responsible for more than one*
21 *facility subject to this subsection, evidence of fi-*
22 *nancial responsibility need be established only to*
23 *meet the amount applicable to the facility having*
24 *the greatest financial responsibility requirement*
25 *under this subsection.*

1 “(E) *GUARANTEE METHOD.*—*Except with*
 2 *respect of financial responsibility established by*
 3 *the guarantee method, subsection (f) shall not*
 4 *apply with respect to this subsection.”.*

5 **SEC. 419. MANNING AND WATCH REQUIREMENTS ON TOW-**
 6 **ING VESSELS ON THE GREAT LAKES.**

7 (a) *Section 8104(c) of title 46, United States Code, is*
 8 *amended—*

9 (1) *by striking “or permitted”; and*

10 (2) *by inserting after “day” the following: “or*
 11 *permitted to work more than 15 hours in any 24-hour*
 12 *period, or more than 36 hours in any 72-hour*
 13 *period”.*

14 (b) *Section 8104(e) of title 46, United States Code, is*
 15 *amended by striking “subsections (c) and (d)” and insert-*
 16 *ing “subsection (d)”.*

17 (c) *Section 8104(g) of title 46, United States Code, is*
 18 *amended by striking “(except a vessel to which subsection*
 19 *(c) of this section applies)”.*

20 **SEC. 420. LIMITATION ON APPLICATION OF CERTAIN LAWS**
 21 **TO LAKE TEXOMA.**

22 (a) *LIMITATION.*—*The laws administered by the Coast*
 23 *Guard relating to documentation or inspection of vessels or*
 24 *licensing or documentation of vessel operators do not apply*
 25 *to any small passenger vessel operating on Lake Texoma.*

1 (b) *DEFINITIONS.—In this section:*

2 (1) *The term “Lake Texoma” means the im-*
 3 *poundment by that name on the Red River, located*
 4 *on the border between Oklahoma and Texas.*

5 (2) *The term “small passenger vessel” has the*
 6 *meaning given that term in section 2101 of title 46,*
 7 *United States Code.*

8 **SEC. 421. LIMITATION ON CONSOLIDATION OR RELOCATION**
 9 **OF HOUSTON AND GALVESTON MARINE SAFE-**
 10 **TY OFFICES.**

11 *The Secretary of Transportation may not consolidate*
 12 *or relocate the Coast Guard Marine Safety Offices in Gal-*
 13 *veston, Texas, and Houston, Texas.*

14 **SEC. 422. SENSE OF THE CONGRESS REGARDING FUNDING**
 15 **FOR COAST GUARD.**

16 *It is the sense of the Congress that in appropriating*
 17 *amounts for the Coast Guard, the Congress should appro-*
 18 *priate amounts adequate to enable the Coast Guard to carry*
 19 *out all extraordinary functions and duties the Coast Guard*
 20 *is required to undertake in addition to its normal functions*
 21 *established by law.*

22 **SEC. 423. CONVEYANCE OF LIGHT STATION, MONTAUK**
 23 **POINT, NEW YORK.**

24 (a) *CONVEYANCE REQUIREMENT.—*

1 (1) *REQUIREMENT.*—*The Secretary of Transpor-*
 2 *tation shall convey to the Montauk Historical Asso-*
 3 *ciation in Montauk, New York, by an appropriate*
 4 *means of conveyance, all right, title, and interest of*
 5 *the United States in and to property comprising*
 6 *Light Station Montauk Point, located at Montauk,*
 7 *New York.*

8 (2) *DETERMINATION OF PROPERTY.*—*The Sec-*
 9 *retary may identify, describe, and determine the*
 10 *property to be conveyed pursuant to this section.*

11 (b) *TERMS OF CONVEYANCE.*—

12 (1) *IN GENERAL.*—*A conveyance of property*
 13 *pursuant to this section shall be made—*

14 (A) *without the payment of consideration;*
 15 *and*

16 (B) *subject to the conditions required by*
 17 *paragraphs (3) and (4) and such other terms*
 18 *and conditions as the Secretary may consider*
 19 *appropriate.*

20 (2) *REVERSIONARY INTEREST.*—*Any conveyance*
 21 *of property pursuant to this section shall be subject*
 22 *to the condition that all right, title, and interest in*
 23 *the Montauk Light Station shall immediately revert*
 24 *to the United States if the Montauk Light Station*
 25 *ceases to be maintained as a nonprofit center for pub-*

1 *lic benefit for the interpretation and preservation of*
 2 *the material culture of the United States Coast*
 3 *Guard, the maritime history of Montauk, New York,*
 4 *and Native American and colonial history.*

5 (3) *MAINTENANCE OF NAVIGATION AND FUNC-*
 6 *TIONS.—Any conveyance of property pursuant to this*
 7 *section shall be subject to such conditions as the Sec-*
 8 *retary considers to be necessary to assure that—*

9 (A) *the light, antennas, sound signal, and*
 10 *associated lighthouse equipment located on the*
 11 *property conveyed, which are active aids to navi-*
 12 *gation, shall continue to be operated and main-*
 13 *tained by the United States for as long as they*
 14 *are needed for this purpose;*

15 (B) *the Montauk Historical Association*
 16 *may not interfere or allow interference in any*
 17 *manner with such aids to navigation without ex-*
 18 *press written permission from the United States;*

19 (C) *there is reserved to the United States*
 20 *the right to replace, or add any aids to naviga-*
 21 *tion, or make any changes to the Montauk Light-*
 22 *house as may be necessary for navigation pur-*
 23 *poses;*

24 (D) *the United States shall have the right,*
 25 *at any time, to enter the property conveyed with-*

1 *out notice for the purpose of maintaining navi-*
 2 *gation aids;*

3 *(E) the United States shall have an ease-*
 4 *ment of access to such property for the purpose*
 5 *of maintaining the navigational aids in use on*
 6 *the property; and*

7 *(F) the Montauk Light Station shall revert*
 8 *to the United States at the end of the 30-day pe-*
 9 *riod beginning on any date on which the Sec-*
 10 *retary of Transportation provides written notice*
 11 *to the Montauk Historical Association that the*
 12 *Montauk Light Station is needed for national se-*
 13 *curity purposes.*

14 *(4) MAINTENANCE OF LIGHT STATION.—Any*
 15 *conveyance of property under this section shall be*
 16 *subject to the condition that the Montauk Historical*
 17 *Association shall maintain the Montauk Light Sta-*
 18 *tion in accordance with the provisions of the National*
 19 *Historic Preservation Act (16 U.S.C. 470 et seq.) and*
 20 *other applicable laws.*

21 *(5) LIMITATION ON OBLIGATIONS OF MONTAUK*
 22 *HISTORICAL ASSOCIATION.—The Montauk Historical*
 23 *Association shall not have any obligation to maintain*
 24 *any active aid to navigation equipment on property*
 25 *conveyed pursuant to this section.*

1 (c) *DEFINITIONS.*—*For purposes of this section—*

2 (1) *the term “Montauk Light Station” means the*
 3 *Coast Guard light station known as the Light Station*
 4 *Montauk Point, located at Montauk, New York, in-*
 5 *cluding the keeper’s dwellings, adjacent Coast Guard*
 6 *rights-of-way, the World War II submarine spotting*
 7 *tower, the lighthouse tower, and the paint locker; and*

8 (2) *the term “Montauk Lighthouse” means the*
 9 *Coast Guard lighthouse located at the Montauk Light*
 10 *Station.*

11 ***SEC. 424. CONVEYANCE OF CAPE ANN LIGHTHOUSE,***
 12 ***THACHERS ISLAND, MASSACHUSETTS.***

13 (a) *AUTHORITY TO CONVEY.*—

14 (1) *IN GENERAL.*—*The Secretary of Transpor-*
 15 *tation shall convey to the town of Rockport, Massa-*
 16 *chusetts, by an appropriate means of conveyance, all*
 17 *right, title, and interest of the United States in and*
 18 *to the property comprising the Cape Ann Lighthouse,*
 19 *located on Thachers Island, Massachusetts.*

20 (2) *IDENTIFICATION OF PROPERTY.*—*The Sec-*
 21 *retary may identify, describe, and determine the*
 22 *property to be conveyed pursuant to this subsection.*

23 (b) *TERMS OF CONVEYANCE.*—

24 (1) *IN GENERAL.*—*The conveyance of property*
 25 *pursuant to this section shall be made—*

1 (A) *without payment of consideration; and*

2 (B) *subject to the conditions required by*
 3 *paragraphs (3) and (4) and other terms and*
 4 *conditions the Secretary may consider appro-*
 5 *priate.*

6 (2) *REVERSIONARY INTEREST.—In addition to*
 7 *any term or condition established pursuant to para-*
 8 *graph (1), the conveyance of property pursuant to*
 9 *this section shall be subject to the condition that all*
 10 *right, title, and interest in the Cape Ann Lighthouse*
 11 *shall immediately revert to the United States if the*
 12 *Cape Ann Lighthouse, or any part of the property—*

13 (A) *ceases to be used as a nonprofit center*
 14 *for the interpretation and preservation of mari-*
 15 *time history;*

16 (B) *ceases to be maintained in a manner*
 17 *that ensures its present or future use as a Coast*
 18 *Guard aid to navigation; or*

19 (C) *ceases to be maintained in a manner*
 20 *consistent with the provisions of the National*
 21 *Historic Preservation Act of 1966 (16 U.S.C.*
 22 *470 et seq.).*

23 (3) *MAINTENANCE AND NAVIGATION FUNC-*
 24 *TIONS.—The conveyance of property pursuant to this*

1 *section shall be made subject to the conditions that the*
2 *Secretary considers to be necessary to assure that—*

3 *(A) the lights, antennas, and associated*
4 *equipment located on the property conveyed,*
5 *which are active aids to navigation, shall con-*
6 *tinue to be operated and maintained by the*
7 *United States;*

8 *(B) the town of Rockport may not interfere*
9 *or allow interference in any manner with aids to*
10 *navigation without express written permission*
11 *from the Secretary of Transportation;*

12 *(C) there is reserved to the United States*
13 *the right to relocate, replace, or add any aid to*
14 *navigation or make any changes to the Cape*
15 *Ann Lighthouse as may be necessary for naviga-*
16 *tional purposes;*

17 *(D) the United States shall have the right,*
18 *at any time, to enter the property without notice*
19 *for the purpose of maintaining aids to naviga-*
20 *tion; and*

21 *(E) the United States shall have an ease-*
22 *ment of access to the property for the purpose of*
23 *maintaining the aids to navigation in use on the*
24 *property.*

1 (4) *OBLIGATION LIMITATION.*—*The town of Rock-*
 2 *port is not required to maintain any active aid to*
 3 *navigation equipment on property conveyed pursuant*
 4 *to this section.*

5 (5) *PROPERTY TO BE MAINTAINED IN ACCORD-*
 6 *ANCE WITH CERTAIN LAWS.*—*The town of Rockport*
 7 *shall maintain the Cape Ann Lighthouse in accord-*
 8 *ance with the National Historic Preservation Act of*
 9 *1966 (16 U.S.C. 470 et seq.), and other applicable*
 10 *laws.*

11 (c) *DEFINITIONS.*—*For purposes of this section, the*
 12 *term “Cape Ann Lighthouse” means the Coast Guard prop-*
 13 *erty located on Thachers Island, Massachusetts, except any*
 14 *historical artifact, including any lens or lantern, located*
 15 *on the property at or before the time of conveyance.*

16 ***SEC. 425. AMENDMENTS TO JOHNSON ACT.***

17 *For purposes of section 5(b)(1)(A) of the Act of Janu-*
 18 *ary 2, 1951 (15 U.S.C. 1175(b)(1)(A)), commonly known*
 19 *as the Johnson Act, a vessel on a voyage that begins in*
 20 *the territorial jurisdiction of the State of Indiana and that*
 21 *does not leave the territorial jurisdiction of the State of In-*
 22 *diana shall be considered to be a vessel that is not within*
 23 *the boundaries of any State or possession of the United*
 24 *States.*

1 **SEC. 426. TRANSFER OF COAST GUARD PROPERTY IN**
2 **GOSNOLD, MASSACHUSETTS.**

3 (a) *CONVEYANCE REQUIREMENT.*—*The Secretary of*
4 *Transportation may convey to the town of Gosnold, Massa-*
5 *chusetts, without reimbursement and by no later than 120*
6 *days after the date of enactment of this Act, all right, title,*
7 *and interest of the United States in and to the property*
8 *known as the “United States Coast Guard Cuttyhunk Boat-*
9 *house and Wharf”, as described in subsection (c).*

10 (b) *CONDITIONS.*—*Any conveyance of property under*
11 *subsection (a) shall be subject to the condition that the Coast*
12 *Guard shall retain in perpetuity and at no cost—*

13 (1) *the right of access to, over, and through the*
14 *boathouse, wharf, and land comprising the property*
15 *at all times for the purpose of berthing vessels, includ-*
16 *ing vessels belonging to members of the Coast Guard*
17 *Auxiliary; and*

18 (2) *the right of ingress to and egress from the*
19 *property for purposes of access to Coast Guard facili-*
20 *ties and performance of Coast Guard functions.*

21 (c) *PROPERTY DESCRIBED.*—*The property referred to*
22 *in subsection (a) is real property located in the town of*
23 *Gosnold, Massachusetts (including all buildings, structures,*
24 *equipment, and other improvements), as determined by the*
25 *Secretary of Transportation.*

1 **SEC. 427. TRANSFER OF COAST GUARD PROPERTY IN NEW**
 2 **SHOREHAM, RHODE ISLAND.**

3 (a) *REQUIREMENT.*—*The Secretary of Transportation*
 4 *(or any other official having control over the property de-*
 5 *scribed in subsection (b)) shall expeditiously convey to the*
 6 *town of New Shoreham, Rhode Island, without consider-*
 7 *ation, all right, title, and interest of the United States in*
 8 *and to the property known as the United States Coast*
 9 *Guard Station Block Island, as described in subsection (b),*
 10 *subject to all easements and other interest in the property*
 11 *held by any other person.*

12 (b) *PROPERTY DESCRIBED.*—*The property referred to*
 13 *in subsection (a) is real property (including buildings and*
 14 *improvements) located on the west side of Block Island,*
 15 *Rhode Island, at the entrance to the Great Salt Pond and*
 16 *referred to in the books of the Tax Assessor of the town of*
 17 *New Shoreham, Rhode Island, as lots 10 and 12, compris-*
 18 *ing approximately 10.7 acres.*

19 (c) *REVERSIONARY INTEREST.*—*In addition to any*
 20 *term or condition established pursuant to subsection (a),*
 21 *any conveyance of property under subsection (a) shall be*
 22 *subject to the condition that all right, title, and interest in*
 23 *and to the property so conveyed shall immediately revert*
 24 *to the United States if the property, or any part thereof,*
 25 *ceases to be used by the town of New Shoreham, Rhode Is-*
 26 *land.*

1 (d) *INDEMNIFICATION FOR PREEXISTING ENVIRON-*
 2 *MENTAL LIABILITIES.*—*Notwithstanding any conveyance of*
 3 *property under this section, after such conveyance the Sec-*
 4 *retary of Transportation shall indemnify the town of New*
 5 *Shoreham, Rhode Island, for any environmental liability*
 6 *arising from the property, that existed before the date of*
 7 *the conveyance.*

8 **SEC. 428. VESSEL DEEMED TO BE A RECREATIONAL VESSEL.**

9 *The vessel, an approximately 96 meter twin screw*
 10 *motor yacht for which construction commenced in October*
 11 *1993 (to be named the LIMITLESS), is deemed to be a*
 12 *recreational vessel under chapter 43 of title 46, United*
 13 *States Code.*

14 **SEC. 429. REQUIREMENT FOR PROCUREMENT OF BUOY**
 15 **CHAIN.**

16 (a) *REQUIREMENT.*—*Chapter 5 of title 14, United*
 17 *States Code, is amended by adding at the end the following:*

18 **“§ 96. Procurement of buoy chain**

19 “(a) *The Coast Guard may not procure buoy chain—*

20 “(1) *that is not manufactured in the United*
 21 *States; or*

22 “(2) *substantially all of the components of which*
 23 *are not produced or manufactured in the United*
 24 *States.*

1 “(b) *For purposes of subsection (a)(2), substantially all*
 2 *of the components of a buoy chain shall be considered to*
 3 *be produced or manufactured in the United States if the*
 4 *aggregate cost of the components thereof which are produced*
 5 *or manufactured in the United States is greater than the*
 6 *aggregate cost of the components thereof which are produced*
 7 *or manufactured outside the United States.*

8 “(c) *In this section—*

9 “(1) *the term ‘buoy chain’ means any chain,*
 10 *cable, or other device that is—*

11 “(A) *used to hold in place, by attachment to*
 12 *the bottom of a body of water, a floating aid to*
 13 *navigation; and*

14 “(B) *not more than 4 inches in diameter;*
 15 *and*

16 “(2) *the term ‘manufacture’ includes cutting,*
 17 *heat treating, quality control, welding (including the*
 18 *forging and shot blasting process), and testing.”.*

19 (b) *CLERICAL AMENDMENT.—The table of sections for*
 20 *chapter 5 of title 14, United States Code, is amended by*
 21 *adding at the end the following:*

“96. Procurement of buoy chain.”.

22 ***SEC. 430. CRUISE VESSEL TORT REFORM.***

23 (a) *Section 4283 of the Revised Statutes of the United*
 24 *States (46 App. 183), is amended by adding a new sub-*
 25 *section (g) to read as follows:*

1 “(g) In a suit by any person in which a shipowner,
 2 operator, or employer of a crew member is claimed to have
 3 direct or vicarious liability for medical malpractice or other
 4 tortious conduct occurring at a shoreside facility, or in
 5 which the damages sought are alleged to result from the re-
 6 ferral to or treatment by any shoreside doctor, hospital,
 7 medical facility, or other health care provider, the ship-
 8 owner, operator, or employer shall be entitled to rely upon
 9 any and all statutory limitations of liability applicable to
 10 the doctor, hospital, medical facility, or other health care
 11 provider in the State in which the shoreside medical care
 12 was provided.”.

13 (b) Section 4283b of the Revised Statutes of the United
 14 States (46 App. 183c) is amended by adding a new sub-
 15 section to read as follows:

16 “(b) Subsection (a) shall not prohibit provisions or
 17 limitations in contracts, agreements, or ticket conditions of
 18 carriage with passengers which relieve a manager, agent,
 19 master, owner, or operator of a vessel from liability for in-
 20 fliction of emotional distress, mental suffering, or psycho-
 21 logical injury so long as such provisions or limitations do
 22 not limit liability if the emotional distress, mental suffer-
 23 ing, or psychological injury was—

1 “(1) the result of substantial physical injury to
2 the claimant caused by the negligence or fault of the
3 manager, agent, master, owner, or operator;

4 “(2) the result of the claimant having been at ac-
5 tual risk of substantial physical injury, which risk
6 was caused by the negligence or fault of the manager,
7 agent, master, owner, or operator; or

8 “(3) intentionally inflicted by the manager,
9 agent, master, owner, or operator.”.

10 (c) Section 20 of chapter 153 of the Act of March 4,
11 1915 (46 App. 688) is amended by adding a new subsection
12 to read as follows:

13 “(c) *LIMITATION FOR CERTAIN ALIENS IN CASE OF*
14 *CONTRACTUAL ALTERNATIVE FORUM.*—

15 “(1) No action may be maintained under sub-
16 section (a) or under any other maritime law of the
17 United States for maintenance and cure or for dam-
18 ages for the injury or death of a person who was not
19 a citizen or permanent legal resident alien of the
20 United States at the time of the incident giving rise
21 to the action, if the incident giving rise to the action
22 occurred while the person was employed on board a
23 vessel documented other than under the laws of the
24 United States, which vessel was owned by an entity
25 organized other than under the laws of the United

1 *States or by a person who is not a citizen or perma-*
2 *nent legal resident alien.*

3 “(2) *The provisions of paragraph (1) shall only*
4 *apply if—*

5 “(A) *the incident giving rise to the action*
6 *occurred while the person bringing the action*
7 *was a party to a contract of employment or was*
8 *subject to a collective bargaining agreement*
9 *which, by its terms, provided for an exclusive*
10 *forum for resolution of all such disputes or ac-*
11 *tions in a nation other than the United States,*
12 *a remedy is available to the person under the*
13 *laws of that nation, and the party seeking to dis-*
14 *miss an action under paragraph (1) is willing*
15 *to stipulate to jurisdiction under the laws of such*
16 *nation as to such incident; or*

17 “(B) *a remedy is available to the person*
18 *bringing the action under the laws of the nation*
19 *in which the person maintained citizenship or*
20 *permanent residency at the time of the incident*
21 *giving rise to the action and the party seeking*
22 *to dismiss an action under paragraph (1) is*
23 *willing to stipulate to jurisdiction under the*
24 *laws of such nation as to such incident.*

1 “(3) *The provisions of paragraph (1) of this sub-*
 2 *section shall not be interpreted to require a court in*
 3 *the United States to accept jurisdiction of any ac-*
 4 *tions.”.*

5 **SEC. 431. LIMITATION ON FEES AND CHARGES WITH RE-**
 6 **SPECT TO FERRIES.**

7 *The Secretary of the department in which the Coast*
 8 *Guard is operating may not assess or collect any fee or*
 9 *charge with respect to a ferry. Notwithstanding any other*
 10 *provision of this Act, the Secretary is authorized to reduce*
 11 *expenditures in an amount equal to the fees or charges*
 12 *which are not collected or assessed as a result of this section.*

13 **TITLE V—COAST GUARD**
 14 **REGULATORY REFORM**

15 **SEC. 501. SHORT TITLE.**

16 *This title may be cited as the “Coast Guard Regulatory*
 17 *Reform Act of 1995”.*

18 **SEC. 502. SAFETY MANAGEMENT.**

19 *(a) MANAGEMENT OF VESSELS.—Title 46, United*
 20 *States Code, is amended by adding after chapter 31 the fol-*
 21 *lowing new chapter:*

22 **“CHAPTER 32—MANAGEMENT OF VESSELS**

“Sec.

“3201. Definitions.

“3202. Application.

“3203. Safety management system.

“3204. Implementation of safety management system.

“3205. Certification.

1 **“§ 3201. Definitions**

2 *“In this chapter—*

3 *“(1) ‘International Safety Management Code’*
 4 *has the same meaning given that term in chapter IX*
 5 *of the Annex to the International Convention for the*
 6 *Safety of Life at Sea, 1974;*

7 *“(2) ‘responsible person’ means—*

8 *“(A) the owner of a vessel to which this*
 9 *chapter applies; or*

10 *“(B) any other person that has—*

11 *“(i) assumed the responsibility for op-*
 12 *eration of a vessel to which this chapter ap-*
 13 *plies from the owner; and*

14 *“(ii) agreed to assume with respect to*
 15 *the vessel responsibility for complying with*
 16 *all the requirements of this chapter and the*
 17 *regulations prescribed under this chapter;*

18 *“(3) ‘vessel engaged on a foreign voyage’ means*
 19 *a vessel to which this chapter applies—*

20 *“(A) arriving at a place under the jurisdic-*
 21 *tion of the United States from a place in a for-*
 22 *eign country;*

23 *“(B) making a voyage between places out-*
 24 *side the United States; or*

1 “(C) departing from a place under the ju-
 2 risdiction of the United States for a place in a
 3 foreign country.

4 **“§ 3202. Application**

5 “(a) *MANDATORY APPLICATION.*—*This chapter applies*
 6 *to the following vessels engaged on a foreign voyage:*

7 “(1) *Beginning July 1, 1998—*

8 “(A) *a vessel transporting more than 12*
 9 *passengers described in section 2101(21)(A) of*
 10 *this title; and*

11 “(B) *a tanker, bulk freight vessel, or high-*
 12 *speed freight vessel, of at least 500 gross tons.*

13 “(2) *Beginning July 1, 2002, a freight vessel and*
 14 *a mobile offshore drilling unit of at least 500 gross*
 15 *tons.*

16 “(b) *VOLUNTARY APPLICATION.*—*This chapter applies*
 17 *to a vessel not described in subsection (a) of this section*
 18 *if the owner of the vessel requests the Secretary to apply*
 19 *this chapter to the vessel.*

20 “(c) *EXCEPTION.*—*Except as provided in subsection*
 21 *(b) of this section, this chapter does not apply to—*

22 “(1) *a barge;*

23 “(2) *a recreational vessel not engaged in com-*
 24 *mercial service;*

25 “(3) *a fishing vessel;*

1 “(4) a vessel operating on the Great Lakes or its
2 tributary and connecting waters; or

3 “(5) a public vessel.

4 **“§ 3203. Safety management system**

5 “(a) *IN GENERAL.*—The Secretary shall prescribe reg-
6 ulations which establish a safety management system for
7 responsible persons and vessels to which this chapter ap-
8 plies, including—

9 “(1) a safety and environmental protection pol-
10 icy;

11 “(2) instructions and procedures to ensure safe
12 operation of those vessels and protection of the envi-
13 ronment in compliance with international and Unit-
14 ed States law;

15 “(3) defined levels of authority and lines of com-
16 munications between, and among, personnel on shore
17 and on the vessel;

18 “(4) procedures for reporting accidents and
19 nonconformities with this chapter;

20 “(5) procedures for preparing for and responding
21 to emergency situations; and

22 “(6) procedures for internal audits and manage-
23 ment reviews of the system.

24 “(b) *COMPLIANCE WITH CODE.*—Regulations pre-
25 scribed under this section shall be consistent with the Inter-

1 *national Safety Management Code with respect to vessels*
 2 *engaged on a foreign voyage.*

3 **“§ 3204. Implementation of safety management system**

4 “(a) *SAFETY MANAGEMENT PLAN.*—Each responsible
 5 person shall establish and submit to the Secretary for ap-
 6 proval a safety management plan describing how that per-
 7 son and vessels of the person to which this chapter applies
 8 will comply with the regulations prescribed under section
 9 3203(a) of this title.

10 “(b) *APPROVAL.*—Upon receipt of a safety manage-
 11 ment plan submitted under subsection (a), the Secretary
 12 shall review the plan and approve it if the Secretary deter-
 13 mines that it is consistent with and will assist in imple-
 14 menting the safety management system established under
 15 section 3203.

16 “(c) *PROHIBITION ON VESSEL OPERATION.*—A vessel
 17 to which this chapter applies under section 3202(a) may
 18 not be operated without having on board a Safety Manage-
 19 ment Certificate and a copy of a Document of Compliance
 20 issued for the vessel under section 3205 of this title.

21 **“§ 3205. Certification**

22 “(a) *ISSUANCE OF CERTIFICATE AND DOCUMENT.*—
 23 After verifying that the responsible person for a vessel to
 24 which this chapter applies and the vessel comply with the
 25 applicable requirements under this chapter, the Secretary

1 *shall issue for the vessel, on request of the responsible person,*
 2 *a Safety Management Certificate and a Document of Com-*
 3 *pliance.*

4 “(b) *MAINTENANCE OF CERTIFICATE AND DOCU-*
 5 *MENT.—A Safety Management Certificate and a Document*
 6 *of Compliance issued for a vessel under this section shall*
 7 *be maintained by the responsible person for the vessel as*
 8 *required by the Secretary.*

9 “(c) *VERIFICATION OF COMPLIANCE.—The Secretary*
 10 *shall—*

11 “(1) *periodically review whether a responsible*
 12 *person having a safety management plan approved*
 13 *under section 3204(b) and each vessel to which the*
 14 *plan applies is complying with the plan; and*

15 “(2) *revoke the Secretary’s approval of the plan*
 16 *and each Safety Management Certificate and Docu-*
 17 *ment of Compliance issued to the person for a vessel*
 18 *to which the plan applies, if the Secretary determines*
 19 *that the person or a vessel to which the plan applies*
 20 *has not complied with the plan.*

21 “(d) *ENFORCEMENT.—At the request of the Secretary,*
 22 *the Secretary of the Treasury shall withhold or revoke the*
 23 *clearance required by section 4197 of the Revised Statutes*
 24 *(46 App. U.S.C. 91) of a vessel that is subject to this chapter*
 25 *under section 3202(a) of this title or to the International*

1 *Safety Management Code, if the vessel does not have on*
 2 *board a Safety Management Certificate and a copy of a*
 3 *Document of Compliance for the vessel. Clearance may be*
 4 *granted on filing a bond or other surety satisfactory to the*
 5 *Secretary.”.*

6 (b) *CLERICAL AMENDMENT.—The table of chapters at*
 7 *the beginning of subtitle II of title 46, United States Code,*
 8 *is amended by inserting after the item relating to chapter*
 9 *31 the following:*

“32. Management of vessels 3201”.

10 (c) *STUDY.—*

11 (1) *STUDY.—The Secretary of Transportation*
 12 *shall conduct, in cooperation with the owners,*
 13 *charterers, and managing operators of vessels docu-*
 14 *mented under chapter 121 of title 46, United States*
 15 *Code, and other interested persons, a study of the*
 16 *methods that may be used to implement and enforce*
 17 *the International Management Code for the Safe Op-*
 18 *eration of Ships and for Pollution Prevention under*
 19 *chapter IX of the Annex to the International Conven-*
 20 *tion for the Safety of Life at Sea, 1974.*

21 (2) *REPORT.—The Secretary shall submit to the*
 22 *Congress a report of the results of the study required*
 23 *under paragraph (1) before the earlier of—*

1 (A) the date that final regulations are pre-
 2 scribed under section 3203 of title 46, United
 3 States Code (as enacted by subsection (a)); or

4 (B) the date that is 1 year after the date of
 5 enactment of this Act.

6 **SEC. 503. USE OF REPORTS, DOCUMENTS, RECORDS, AND**
 7 **EXAMINATIONS OF OTHER PERSONS.**

8 (a) *REPORTS, DOCUMENTS, AND RECORDS.*—Chapter
 9 31 of title 46, United States Code, is amended by adding
 10 the following new section:

11 **“§ 3103. Use of reports, documents, and records**

12 “The Secretary may rely, as evidence of compliance
 13 with this subtitle, on—

14 “(1) reports, documents, and records of other
 15 persons who have been determined by the Secretary to
 16 be reliable; and

17 “(2) other methods the Secretary has determined
 18 to be reliable.”.

19 (b) *CLERICAL AMENDMENT.*—The table of sections for
 20 chapter 31 of title 46, United States Code, is amended by
 21 adding at the end the following:

“3103. Use of reports, documents, and records.”.

22 (c) *EXAMINATIONS.*—Section 3308 of title 46, United
 23 States Code, is amended by inserting “or have examined”
 24 after “examine”.

1 **SEC. 504. EQUIPMENT APPROVAL.**

2 (a) *IN GENERAL.*—Section 3306(b) of title 46, United
3 States Code, is amended to read as follows:

4 “(b)(1) *Equipment and material subject to regulation*
5 *under this section may not be used on any vessel without*
6 *prior approval of the Secretary.*

7 “(2) *Except with respect to use on a public vessel, the*
8 *Secretary may treat an approval of equipment or materials*
9 *by a foreign government as approval by the Secretary for*
10 *purposes of paragraph (1) if the Secretary determines*
11 *that—*

12 “(A) *the design standards and testing procedures*
13 *used by that government meet the requirements of the*
14 *International Convention for the Safety of Life at*
15 *Sea, 1974;*

16 “(B) *the approval of the equipment or material*
17 *by the foreign government will secure the safety of in-*
18 *dividuals and property on board vessels subject to in-*
19 *spection; and*

20 “(C) *for lifesaving equipment, the foreign govern-*
21 *ment—*

22 “(i) *has given equivalent treatment to ap-*
23 *provals of lifesaving equipment by the Secretary;*
24 *and*

25 “(ii) *otherwise ensures that lifesaving*
26 *equipment approved by the Secretary may be*

1 *used on vessels that are documented and subject*
 2 *to inspection under the laws of that country.”.*

3 **(b) FOREIGN APPROVALS.**—*The Secretary of Trans-*
 4 *portation, in consultation with other interested Federal*
 5 *agencies, shall work with foreign governments to have those*
 6 *governments approve the use of the same equipment and*
 7 *materials on vessels documented under the laws of those*
 8 *countries that the Secretary requires on United States docu-*
 9 *mented vessels.*

10 **(c) TECHNICAL AMENDMENT.**—*Section 3306(a)(4) of*
 11 *title 46, United States Code, is amended by striking*
 12 *“clauses (1)–(3)” and inserting “paragraphs (1), (2), and*
 13 *(3)”.*

14 **SEC. 505. FREQUENCY OF INSPECTION.**

15 **(a) FREQUENCY OF INSPECTION, GENERALLY.**—*Sec-*
 16 *tion 3307 of title 46, United States Code, is amended—*

17 *(1) in paragraph (1)—*

18 *(A) by striking “nautical school vessel” and*
 19 *inserting “, nautical school vessel, and small*
 20 *passenger vessel allowed to carry more than 12*
 21 *passengers on a foreign voyage”; and*

22 *(B) by adding “and” after the semicolon at*
 23 *the end;*

24 *(2) by striking paragraph (2) and redesignating*
 25 *paragraph (3) as paragraph (2); and*

1 (3) in paragraph (2) (as so redesignated), by
2 striking “2 years” and inserting “5 years”.

3 (b) *CONFORMING AMENDMENT.*—Section 3710(b) of
4 title 46, United States Code, is amended by striking “24
5 months” and inserting “5 years”.

6 **SEC. 506. CERTIFICATE OF INSPECTION.**

7 Section 3309(c) of title 46, United States Code, is
8 amended by striking “(but not more than 60 days)”.

9 **SEC. 507. DELEGATION OF AUTHORITY OF SECRETARY TO**
10 **CLASSIFICATION SOCIETIES.**

11 (a) *AUTHORITY TO DELEGATE.*—Section 3316 of title
12 46, United States Code, is amended—

13 (1) by striking subsections (a) and (d);

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

16 (3) in subsection (b), as so redesignated, by—

17 (A) redesignating paragraph (2) as para-
18 graph (3); and

19 (B) striking so much of the subsection as
20 precedes paragraph (3), as so redesignated, and
21 inserting the following:

22 “(b)(1) The Secretary may delegate to the American
23 Bureau of Shipping or another classification society recog-
24 nized by the Secretary as meeting acceptable standards for

1 *such a society, for a vessel documented or to be documented*
 2 *under chapter 121 of this title, the authority to—*

3 *“(A) review and approve plans required for issu-*
 4 *ing a certificate of inspection required by this part;*

5 *“(B) conduct inspections and examinations; and*

6 *“(C) issue a certificate of inspection required by*
 7 *this part and other related documents.*

8 *“(2) The Secretary may make a delegation under*
 9 *paragraph (1) to a foreign classification society only—*

10 *“(A) to the extent that the government of the for-*
 11 *ign country in which the society is headquartered*
 12 *delegates authority and provides access to the Amer-*
 13 *ican Bureau of Shipping to inspect, certify, and pro-*
 14 *vide related services to vessels documented in that*
 15 *country; and*

16 *“(B) if the foreign classification society has of-*
 17 *fices and maintains records in the United States.”.*

18 *(b) CONFORMING AMENDMENTS.—*

19 *(1) The heading for section 3316 of title 46,*
 20 *United States Code, is amended to read as follows:*

21 ***“§ 3316. Classification societies”.***

22 *(2) The table of sections for chapter 33 of title*
 23 *46, United States Code, is amended by striking the*
 24 *item relating to section 3316 and inserting the follow-*
 25 *ing:*

“3316. Classification societies.”.

1 ***TITLE VI—DOCUMENTATION OF***
 2 ***VESSELS***

3 ***SEC. 601. AUTHORITY TO ISSUE COASTWISE ENDORSE-***
 4 ***MENTS.***

5 *Section 12106 of title 46, United States Code, is fur-*
 6 *ther amended by adding at the end the following new sub-*
 7 *section:*

8 *“(g) A coastwise endorsement may be issued for a ves-*
 9 *sel that—*

10 *“(1) is less than 200 gross tons;*

11 *“(2) is eligible for documentation;*

12 *“(3) was built in the United States; and*

13 *“(4) was—*

14 *“(A) sold foreign in whole or in part; or*

15 *“(B) placed under foreign registry.”.*

16 ***SEC. 602. VESSEL DOCUMENTATION FOR CHARITY CRUISES.***

17 ***(a) AUTHORITY TO DOCUMENT VESSELS.—***

18 ***(1) IN GENERAL.—****Notwithstanding section 27 of*
 19 *the Merchant Marine Act, 1920 (46 App. U.S.C. 883),*
 20 *the Act of June 19, 1886 (46 App. U.S.C. 289), and*
 21 *section 12106 of title 46, United States Code, and*
 22 *subject to paragraph (2), the Secretary of Transpor-*
 23 *tation may issue a certificate of documentation with*
 24 *a coastwise endorsement for each of the following*
 25 *vessels:*

1 (A) *GALLANT LADY* (Leadship hull num-
2 ber 645, approximately 130 feet in length).

3 (B) *GALLANT LADY* (Leadship hull num-
4 ber 651, approximately 172 feet in length).

5 (2) *LIMITATION ON OPERATION.*—Coastwise
6 trade authorized under a certificate of documentation
7 issued for a vessel under this section shall be limited
8 to carriage of passengers in association with contribu-
9 tions to charitable organizations no portion of which
10 is received, directly or indirectly, by the owner of the
11 vessel.

12 (3) *CONDITION.*—The Secretary may not issue
13 any certificate of documentation under paragraph (1)
14 unless the owner of the vessel referred to in paragraph
15 (1)(A) (in this section referred to as the “owner”),
16 within 90 days after the date of the enactment of this
17 Act, submits to the Secretary a letter expressing the
18 intent of the owner to enter into a contract before Oc-
19 tober 1, 1996, for construction in the United States
20 of a passenger vessel of at least 130 feet in length.

21 (4) *EFFECTIVE DATE OF CERTIFICATES.*—A cer-
22 tificate of documentation issued under paragraph
23 (1)—

1 (A) for the vessel referred to in paragraph
 2 (1)(A), shall take effect on the date of issuance
 3 of the certificate; and

4 (B) for the vessel referred to in paragraph
 5 (1)(B), shall take effect on the date of delivery of
 6 the vessel to the owner.

7 (b) *TERMINATION OF EFFECTIVENESS OF CERTIFI-*
 8 *CATES.*—A certificate of documentation issued for a vessel
 9 under section (a)(1) shall expire—

10 (1) on the date of the sale of the vessel by the
 11 owner;

12 (2) on October 1, 1996, if the owner has not en-
 13 tered into a contract for construction of a vessel in
 14 accordance with the letter of intent submitted to the
 15 Secretary under subsection (a)(3); and

16 (3) on any date on which such a contract is
 17 breached, rescinded, or terminated (other than for
 18 completion of performance of the contract) by the
 19 owner.

20 **SEC. 603. EXTENSION OF DEADLINE FOR CONVERSION OF**
 21 **VESSEL M/V TWIN DRILL.**

22 Section 601(d) of Public Law 103–206 (107 Stat.
 23 2445) is amended—

24 (1) in paragraph (3), by striking “1995” and in-
 25 serting “1996”; and

1 (2) in paragraph (4), by striking “12” and in-
 2 serting “24”.

3 **SEC. 604. DOCUMENTATION OF VESSEL RAINBOW'S END.**

4 Notwithstanding section 27 of the Merchant Marine
 5 Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886
 6 (46 App. U.S.C. 289), and sections 12106, 12107, and
 7 12108 of title 46, United States Code, the Secretary of
 8 Transportation may issue a certificate of documentation
 9 with appropriate endorsements for employment in the
 10 coastwise trade, Great Lakes trade, and the fisheries for the
 11 vessel RAINBOW'S END (official number 1026899; hull
 12 identification number MY13708C787).

13 **SEC. 605. DOCUMENTATION OF VESSEL GLEAM.**

14 Notwithstanding section 27 of the Merchant Marine
 15 Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886
 16 (46 App. U.S.C. 289), and section 12106 of title 46, United
 17 States Code, the Secretary of Transportation may issue a
 18 certificate of documentation with appropriate endorsement
 19 for employment in the coastwise trade for the vessel
 20 GLEAM (United States official number 921594).

21 **SEC. 606. DOCUMENTATION OF VARIOUS VESSELS.**

22 (a) *IN GENERAL.*—Notwithstanding section 27 of the
 23 Merchant Marine Act, 1920 (46 App. U.S.C. 883), the Act
 24 of June 19, 1886 (46 App. U.S.C. 289), the Act of May
 25 28, 1906 (46 App. U.S.C. 292), and sections 12106, 12107,

1 *and 12108 of title 46, United States Code, the Secretary*
2 *of the department in which the Coast Guard is operating*
3 *may issue a certificate of documentation with appropriate*
4 *endorsements for each of the vessels listed in subsection (b).*

5 *(b) VESSELS DESCRIBED.—The vessels referred to in*
6 *subsection (a) are the following:*

7 *(1) ANNAPOLIS (United States official number*
8 *999008).*

9 *(2) CHESAPEAKE (United States official num-*
10 *ber 999010).*

11 *(3) CONSORT (United States official number*
12 *999005).*

13 *(4) CURTIS BAY (United States official num-*
14 *ber 999007).*

15 *(5) HAMPTON ROADS (United States official*
16 *number 999009).*

17 *(6) JAMESTOWN (United States official num-*
18 *ber 999006).*

19 *(7) 2 barges owned by Roen Salvage (a corpora-*
20 *tion organized under the laws of the State of Wiscon-*
21 *sin) and numbered by that company as barge 103*
22 *and barge 203.*

23 *(8) RATTLESNAKE (Canadian registry official*
24 *number 802702).*

1 (9) *CAROLYN* (Tennessee State registration
2 number *TN1765C*).

3 (10) *SMALLEY* (6808 Amphibious Dredge, Flor-
4 ida State registration number *FL1855FF*).

5 (11) *BEULA LEE* (United States official num-
6 ber 928211).

7 (12) *FINESSE* (Florida State official number
8 7148HA).

9 (13) *WESTEJORD* (Hull Identification Number
10 *X-53-109*).

11 (14) *MAGIC CARPET* (United States official
12 number 278971).

13 (15) *AURA* (United States official number
14 1027807).

15 (16) *ABORIGINAL* (United States official num-
16 ber 942118).

17 (17) *ISABELLE* (United States official number
18 600655).

19 (18) 3 barges owned by the Harbor Marine Cor-
20 poration (a corporation organized under the laws of
21 the State of Rhode Island) and referred to by that
22 company as Harbor 221, Harbor 223, and Gene Eliz-
23 abeth.

24 (19) *SHAMROCK V* (United States official
25 number 900936).

1 (20) *ENDEAVOUR* (United States official num-
2 ber 947869).

3 (21) *CHRISSY* (State of Maine registration
4 number 4778B).

5 (22) *EAGLE MAR* (United States official num-
6 ber 575349).

7 **SEC. 607. DOCUMENTATION OF 4 BARGES.**

8 (a) *IN GENERAL*.—Notwithstanding section 27 of the
9 *Merchant Marine Act, 1920* (46 App. U.S.C. 883), section
10 1 of the *Act of May 28, 1906* (46 App. U.S.C. 292), and
11 section 12106 of title 46, *United States Code*, the Secretary
12 of Transportation may issue a certificate of documentation
13 with appropriate endorsements for each of the vessels listed
14 in subsection (b).

15 (b) *VESSELS DESCRIBED*.—The vessels referred to in
16 subsection (a) are 4 barges owned by *McLean Contracting*
17 *Company* (a corporation organized under the laws of the
18 State of Maryland) and numbered by that company as fol-
19 lows:

20 (1) *Barge 76* (official number 1030612).

21 (2) *Barge 77* (official number 1030613).

22 (3) *Barge 78* (official number 1030614).

23 (4) *Barge 100* (official number 1030615).

1 **SEC. 608. LIMITED WAIVER FOR ENCHANTED ISLE AND EN-**
 2 **CHANTED SEAS.**

3 *Notwithstanding section 27 of the Merchant Marine*
 4 *Act, 1920 (46 App. U.S.C. 883), the Act of June 19, 1886*
 5 *(46 App. U.S.C. 289), section 12106 of title 46, United*
 6 *States Code, section 506 of the Merchant Marine Act, 1936*
 7 *(46 App. U.S.C. 1156), and any agreement with the United*
 8 *States Government, the Secretary of Transportation may*
 9 *issue a certificate of documentation with a coastwise en-*
 10 *dorsement for the vessels ENCHANTED ISLE (Panama-*
 11 *nian official number 14087-84B) and ENCHANTED*
 12 *SEAS (Panamanian official number 14064-84D), except*
 13 *that the vessels may not operate between or among islands*
 14 *in the State of Hawaii.*

15 **SEC. 609. LIMITED WAIVER FOR MV PLATTE.**

16 *Notwithstanding any other law or any agreement with*
 17 *the United States Government, the vessel MV PLATTE (ex-*
 18 *SPIRIT OF TEXAS) (United States official number*
 19 *653210) may be sold to a person that is not a citizen of*
 20 *the United States and transferred to or placed under a for-*
 21 *eign registry.*

22 **TITLE VII—TECHNICAL AND**
 23 **CONFORMING AMENDMENTS**

24 **SEC. 701. AMENDMENT OF INLAND NAVIGATION RULES.**

25 *Section 2 of the Inland Navigational Rules Act of 1980*
 26 *is amended—*

1 (1) by amending Rule 9(e)(i) (33 U.S.C.
2 2009(e)(i)) to read as follows:

3 “(i) In a narrow channel or fairway when overtaking,
4 the power-driven vessel intending to overtake another
5 power-driven vessel shall indicate her intention by sounding
6 the appropriate signal prescribed in Rule 34(c) and take
7 steps to permit safe passing. The power-driven vessel being
8 overtaken, if in agreement, shall sound the same signal and
9 may, if specifically agreed to take steps to permit safe pass-
10 ing. If in doubt she shall sound the danger signal prescribed
11 in Rule 34(d).”;

12 (2) in Rule 15(b) (33 U.S.C. 2015(b)) by insert-
13 ing “power-driven” after “Secretary, a”;

14 (3) in Rule 23(a)(i) (33 U.S.C. 2023(a)(i)) after
15 “masthead light forward”; by striking “except that a
16 vessel of less than 20 meters in length need not exhibit
17 this light forward of amidships but shall exhibit it as
18 far forward as is practicable;”;

19 (4) by amending Rule 24(f) (33 U.S.C. 2024(f))
20 to read as follows:

21 “(f) Provided that any number of vessels being towed
22 alongside or pushed in a group shall be lighted as one vessel,
23 except as provided in paragraph (iii)—

1 “(i) a vessel being pushed ahead, not being part
2 of a composite unit, shall exhibit at the forward end,
3 sidelights and a special flashing light;

4 “(ii) a vessel being towed alongside shall exhibit
5 a sternlight and at the forward end, sidelights and a
6 special flashing light; and

7 “(iii) when vessels are towed alongside on both
8 sides of the towing vessels a stern light shall be exhib-
9 ited on the stern of the outboard vessel on each side
10 of the towing vessel, and a single set of sidelights as
11 far forward and as far outboard as is practicable,
12 and a single special flashing light.”;

13 (5) in Rule 26 (33 U.S.C 2026)—

14 (A) in each of subsections (b)(i) and (c)(i)
15 by striking “a vessel of less than 20 meters in
16 length may instead of this shape exhibit a bas-
17 ket;”; and

18 (B) by amending subsection (d) to read as
19 follows:

20 “(d) The additional signals described in Annex II to
21 these Rules apply to a vessel engaged in fishing in close
22 proximity to other vessels engaged in fishing.”; and

23 (6) by amending Rule 34(h) (33 U.S.C. 2034) to
24 read as follows:

10 *Section 14104 of title 46, United States Code, is*
11 *amended by redesignating the existing text after the section*
12 *heading as subsection (a) and by adding at the end the fol-*
13 *lowing new subsection:*

21 ***SEC. 703. LONGSHORE AND HARBOR WORKERS COMPENSA-***
22 ***TION.***

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1 *measured under section 14502 of title 46, United States*
 2 *Code, or an alternate tonnage measured under section*
 3 *14302 of that title as prescribed by the Secretary under sec-*
 4 *tion 14104 of that title”.*

5 ***SEC. 704. RADIOTELEPHONE REQUIREMENTS.***

6 *Section 4(a)(2) of the Vessel Bridge-to-Bridge Radio-*
 7 *telephone Act (33 U.S.C. 1203(a)(2)) is amended by insert-*
 8 *ing after “one hundred gross tons” the following “as meas-*
 9 *ured under section 14502 of title 46, United States Code,*
 10 *or an alternate tonnage measured under section 14302 of*
 11 *that title as prescribed by the Secretary under section 14104*
 12 *of that title,”.*

13 ***SEC. 705. VESSEL OPERATING REQUIREMENTS.***

14 *Section 4(a)(3) of the Ports and Waterways Safety Act*
 15 *(33 U.S.C. 1223(a)(3)) is amended by inserting after “300*
 16 *gross tons” the following: “as measured under section 14502*
 17 *of title 46, United States Code, or an alternate tonnage*
 18 *measured under section 14302 of that title as prescribed by*
 19 *the Secretary under section 14104 of that title”.*

20 ***SEC. 706. MERCHANT MARINE ACT, 1920.***

21 *Section 27A of the Merchant Marine Act, 1920 (46*
 22 *U.S.C. App. 883–1), is amended by inserting after “five*
 23 *hundred gross tons” the following: “as measured under sec-*
 24 *tion 14502 of title 46, United States Code, or an alternate*

1 *tonnage measured under section 14302 of that title as pre-*
 2 *scribed by the Secretary under section 14104 of that title,”.*

3 ***SEC. 707. MERCHANT MARINE ACT, 1956.***

4 *Section 2 of the Act of June 14, 1956 (46 U.S.C. App.*
 5 *883a), is amended by inserting after “five hundred gross*
 6 *tons” the following: “as measured under section 14502 of*
 7 *title 46, United States Code, or an alternate tonnage meas-*
 8 *ured under section 14302 of that title as prescribed by the*
 9 *Secretary under section 14104 of that title”.*

10 ***SEC. 708. MARITIME EDUCATION AND TRAINING.***

11 *Section 1302(4)(A) of the Merchant Marine Act, 1936*
 12 *(46 U.S.C. App. 1295a(4)(a)) is amended by inserting after*
 13 *“1,000 gross tons or more” the following: “as measured*
 14 *under section 14502 of title 46, United States Code, or an*
 15 *alternate tonnage measured under section 14302 of that title*
 16 *as prescribed by the Secretary under section 14104 of that*
 17 *title”.*

18 ***SEC. 709. GENERAL DEFINITIONS.***

19 *Section 2101 of title 46, United States Code, is*
 20 *amended—*

21 *(1) in paragraph (13), by inserting after “15*
 22 *gross tons” the following: “as measured under section*
 23 *14502 of title 46, United States Code, or an alternate*
 24 *tonnage measured under section 14302 of that title as*

1 *prescribed by the Secretary under section 14104 of*
2 *that title”;*

3 (2) *in paragraph (13a), by inserting after*
4 *“3,500 gross tons” the following: “as measured under*
5 *section 14502 of title 46, United States Code, or an*
6 *alternate tonnage measured under section 14302 of*
7 *that title as prescribed by the Secretary under section*
8 *14104 of that title”;*

9 (3) *in paragraph (19), by inserting after “500*
10 *gross tons” the following: “as measured under section*
11 *14502 of title 46, United States Code, or an alternate*
12 *tonnage measured under section 14302 of that title as*
13 *prescribed by the Secretary under section 14104 of*
14 *that title”;*

15 (4) *in paragraph (22), by inserting after “100*
16 *gross tons” the following: “as measured under section*
17 *14502 of title 46, United States Code, or an alternate*
18 *tonnage measured under section 14302 of that title as*
19 *prescribed by the Secretary under section 14104 of*
20 *that title”;*

21 (5) *in paragraph (30)(A), by inserting after*
22 *“500 gross tons” the following: “as measured under*
23 *section 14502 of title 46, United States Code, or an*
24 *alternate tonnage measured under section 14302 of*

1 *that title as prescribed by the Secretary under section*
2 *14104 of that title”;*

3 (6) *in paragraph (32), by inserting after “100*
4 *gross tons” the following: “as measured under section*
5 *14502 of title 46, United States Code, or an alternate*
6 *tonnage measured under section 14302 of that title as*
7 *prescribed by the Secretary under section 14104 of*
8 *that title”;*

9 (7) *in paragraph (33), by inserting after “300*
10 *gross tons” the following: “as measured under section*
11 *14502 of title 46, United States Code, or an alternate*
12 *tonnage measured under section 14302 of that title as*
13 *prescribed by the Secretary under section 14104 of*
14 *that title”;*

15 (8) *in paragraph (35), by inserting after “100*
16 *gross tons” the following: “as measured under section*
17 *14502 of title 46, United States Code, or an alternate*
18 *tonnage measured under section 14302 of that title as*
19 *prescribed by the Secretary under section 14104 of*
20 *that title”; and*

21 (9) *in paragraph (42), by inserting after “100*
22 *gross tons” each place it appears, the following: “as*
23 *measured under section 14502 of title 46, United*
24 *States Code, or an alternate tonnage measured under*

1 *section 14302 of that title as prescribed by the Sec-*
 2 *retary under section 14104 of that title”.*

3 ***SEC. 710. AUTHORITY TO EXEMPT CERTAIN VESSELS.***

4 *Section 2113 of title 46, United States Code, is*
 5 *amended—*

6 *(1) in paragraph (4), by inserting after “at least*
 7 *100 gross tons but less than 300 gross tons” the fol-*
 8 *lowing: “as measured under section 14502 of title 46,*
 9 *United States Code, or an alternate tonnage measured*
 10 *under section 14302 of that title as prescribed by the*
 11 *Secretary under section 14104 of that title”; and*

12 *(2) in paragraph (5), by inserting after “at least*
 13 *100 gross tons but less than 500 gross tons” the fol-*
 14 *lowing: “as measured under section 14502 of title 46,*
 15 *United States Code, or an alternate tonnage measured*
 16 *under section 14302 of that title as prescribed by the*
 17 *Secretary under section 14104 of that title”.*

18 ***SEC. 711. INSPECTION OF VESSELS.***

19 *Section 3302 of title 46, United States Code, is*
 20 *amended—*

21 *(1) in subsection (c)(1), by inserting after “5,000*
 22 *gross tons” the following: “as measured under section*
 23 *14502 of title 46, United States Code, or an alternate*
 24 *tonnage measured under section 14302 of that title as*

1 *prescribed by the Secretary under section 14104 of*
2 *that title”;*

3 *(2) in subsection (c)(2), by inserting after “500*
4 *gross tons” the following: “as measured under section*
5 *14502 of title 46, United States Code, or an alternate*
6 *tonnage measured under section 14302 of that title as*
7 *prescribed by the Secretary under section 14104 of*
8 *that title”;*

9 *(3) in subsection (c)(3), by inserting after “500*
10 *gross tons” the following: “as measured under section*
11 *14502 of title 46, United States Code, or an alternate*
12 *tonnage measured under section 14302 of that title as*
13 *prescribed by the Secretary under section 14104 of*
14 *that title”;*

15 *(4) in subsection (c)(4)(A), by inserting after*
16 *“500 gross tons” the following: “as measured under*
17 *section 14502 of title 46, United States Code, or an*
18 *alternate tonnage measured under section 14302 of*
19 *that title as prescribed by the Secretary under section*
20 *14104 of that title”;*

21 *(5) in subsection (d)(1), by inserting after “150*
22 *gross tons” the following: “as measured under section*
23 *14502 of title 46, United States Code, or an alternate*
24 *tonnage measured under section 14302 of that title as*

1 *prescribed by the Secretary under section 14104 of*
 2 *that title”;*

3 *(6) in subsection (i)(1)(A), by inserting after*
 4 *“300 gross tons” the following: “as measured under*
 5 *section 14502 of title 46, United States Code, or an*
 6 *alternate tonnage measured under section 14302 of*
 7 *that title as prescribed by the Secretary under section*
 8 *14104 of that title”;* and

9 *(7) in subsection (j), by inserting after “15 gross*
 10 *tons” the following: “as measured under section 14502*
 11 *of title 46, United States Code, or an alternate ton-*
 12 *nage measured under section 14302 of that title as*
 13 *prescribed by the Secretary under section 14104 of*
 14 *that title”.*

15 **SEC. 712. REGULATIONS.**

16 *Section 3306 of title 46, United States Code, is*
 17 *amended—*

18 *(1) in subsection (h), by inserting after “at least*
 19 *100 gross tons but less than 300 gross tons” the fol-*
 20 *lowing: “as measured under section 14502 of title 46,*
 21 *United States Code, or an alternate tonnage measured*
 22 *under section 14302 of that title as prescribed by the*
 23 *Secretary under section 14104 of that title”;* and

24 *(2) in subsection (i), by inserting after “at least*
 25 *100 gross tons but less than 500 gross tons” the fol-*

1 *lowing: “as measured under section 14502 of title 46,*
 2 *United States Code, or an alternate tonnage measured*
 3 *under section 14302 of that title as prescribed by the*
 4 *Secretary under section 14104 of that title”.*

5 **SEC. 713. PENALTIES—INSPECTION OF VESSELS.**

6 *Section 3318 of title 46, United States Code, is*
 7 *amended—*

8 *(1) in subsection (a), by inserting after “100*
 9 *gross tons” the following: “as measured under section*
 10 *14502 of title 46, United States Code, or an alternate*
 11 *tonnage measured under section 14302 of that title as*
 12 *prescribed by the Secretary under section 14104 of*
 13 *that title”; and*

14 *(2) in subsection (j)(1), by inserting after “1,600*
 15 *gross tons” the following: “as measured under section*
 16 *14502 of title 46, United States Code, or an alternate*
 17 *tonnage measured under section 14302 of that title as*
 18 *prescribed by the Secretary under section 14104 of*
 19 *that title”.*

20 **SEC. 714. APPLICATION—TANK VESSELS.**

21 *Section 3702 of title 46, United States Code, is*
 22 *amended—*

23 *(1) in subsection (b)(1), by inserting after “500*
 24 *gross tons” the following: “as measured under section*
 25 *14502 of title 46, United States Code, or an alternate*

1 *tonnage measured under section 14302 of that title as*
 2 *prescribed by the Secretary under section 14104 of*
 3 *that title”;*

4 (2) *in subsection (c), by inserting after “500*
 5 *gross tons” the following: “as measured under section*
 6 *14502 of title 46, United States Code, or an alternate*
 7 *tonnage measured under section 14302 of that title as*
 8 *prescribed by the Secretary under section 14104 of*
 9 *that title”; and*

10 (3) *in subsection (d), by inserting after “5,000*
 11 *gross tons” the following: “as measured under section*
 12 *14502 of title 46, United States Code, or an alternate*
 13 *tonnage measured under section 14302 of that title as*
 14 *prescribed by the Secretary under section 14104 of*
 15 *that title”.*

16 ***SEC. 715. TANK VESSEL CONSTRUCTION STANDARDS.***

17 *Section 3703a of title 46, United States Code, is*
 18 *amended—*

19 (1) *in subsection (b)(2), by inserting after “5,000*
 20 *gross tons” the following: “as measured under section*
 21 *14502 of title 46, United States Code, or an alternate*
 22 *tonnage measured under section 14302 of that title as*
 23 *prescribed by the Secretary under section 14104 of*
 24 *that title”;*

1 (2) in subsection (c)(2), by inserting after “5,000
2 *gross tons*” each place it appears the following: “as
3 *measured under section 14502 of title 46, United*
4 *States Code, or an alternate tonnage measured under*
5 *section 14302 of that title as prescribed by the Sec-*
6 *retary under section 14104 of that title”;*

7 (3) in subsection (c)(3)(A), by inserting after
8 “15,000 *gross tons*” the following: “as measured under
9 *section 14502 of title 46, United States Code, or an*
10 *alternate tonnage measured under section 14302 of*
11 *that title as prescribed by the Secretary under section*
12 *14104 of that title”;*

13 (4) in subsection (c)(3)(B), by inserting after
14 “30,000 *gross tons*” the following: “as measured under
15 *section 14502 of title 46, United States Code, or an*
16 *alternate tonnage measured under section 14302 of*
17 *that title as prescribed by the Secretary under section*
18 *14104 of that title”; and*

19 (5) in subsection (c)(3)(C), by inserting after
20 “30,000 *gross tons*” the following: “as measured under
21 *section 14502 of title 46, United States Code, or an*
22 *alternate tonnage measured under section 14302 of*
23 *that title as prescribed by the Secretary under section*
24 *14104 of that title”.*

1 **SEC. 716. TANKER MINIMUM STANDARDS.**

2 *Section 3707 of title 46, United States Code, is*
 3 *amended—*

4 *(1) in subsection (a), by inserting after “10,000*
 5 *gross tons” the following: “as measured under section*
 6 *14502 of title 46, United States Code, or an alternate*
 7 *tonnage measured under section 14302 of that title as*
 8 *prescribed by the Secretary under section 14104 of*
 9 *that title”; and*

10 *(2) in subsection (b), by inserting after “10,000*
 11 *gross tons” the following: “as measured under section*
 12 *14502 of title 46, United States Code, or an alternate*
 13 *tonnage measured under section 14302 of that title as*
 14 *prescribed by the Secretary under section 14104 of*
 15 *that title”.*

16 **SEC. 717. SELF-PROPELLED TANK VESSEL MINIMUM STAND-**
 17 **ARDS.**

18 *Section 3708 of title 46, United States Code, is amend-*
 19 *ed by inserting after “10,000 gross tons” the following: “as*
 20 *measured under section 14502 of title 46, United States*
 21 *Code, or an alternate tonnage measured under section*
 22 *14302 of that title as prescribed by the Secretary under sec-*
 23 *tion 14104 of that title”.*

24 **SEC. 718. DEFINITION—ABANDONMENT OF BARGES.**

25 *Section 4701(1) of title 46, United States Code, is*
 26 *amended by inserting after “100 gross tons” the following:*

1 “as measured under section 14502 of title 46, United States
 2 Code, or an alternate tonnage measured under section
 3 14302 of that title as prescribed by the Secretary under sec-
 4 tion 14104 of that title”.

5 **SEC. 719. APPLICATION—LOAD LINES.**

6 Section 5102(b) of title 46, United States Code, is
 7 amended—

8 (1) in paragraph (4), by inserting after “5,000
 9 gross tons” the following: “as measured under section
 10 14502 of title 46, United States Code, or an alternate
 11 tonnage measured under section 14302 of that title as
 12 prescribed by the Secretary under section 14104 of
 13 that title”;

14 (2) in paragraph (5), by inserting after “500
 15 gross tons” the following: “as measured under section
 16 14502 of title 46, United States Code, or an alternate
 17 tonnage measured under section 14302 of that title as
 18 prescribed by the Secretary under section 14104 of
 19 that title”; and

20 (3) in paragraph (10), by inserting after “150
 21 gross tons” the following: “as measured under section
 22 14502 of title 46, United States Code, or an alternate
 23 tonnage measured under section 14302 of that title as
 24 prescribed by the Secretary under section 14104 of
 25 that title”.

1 **SEC. 720. LICENSING OF INDIVIDUALS.**

2 Section 7101(e)(3) of title 46, United States Code, is
 3 amended by inserting after “1,600 gross tons” the following:
 4 “as measured under section 14502 of title 46, United States
 5 Code, or an alternate tonnage measured under section
 6 14302 of that title as prescribed by the Secretary under sec-
 7 tion 14104 of that title”.

8 **SEC. 721. ABLE SEAMEN—LIMITED.**

9 Section 7308 of title 46, United States Code, is amend-
 10 ed by inserting after “100 gross tons” the following: “as
 11 measured under section 14502 of title 46, United States
 12 Code, or an alternate tonnage measured under section
 13 14302 of that title as prescribed by the Secretary under sec-
 14 tion 14104 of that title”.

15 **SEC. 722. ABLE SEAMEN—OFFSHORE SUPPLY VESSELS.**

16 Section 7310 of title 46, United States Code, is amend-
 17 ed by inserting after “500 gross tons” the following: “as
 18 measured under section 14502 of title 46, United States
 19 Code, or an alternate tonnage measured under section
 20 14302 of that title as prescribed by the Secretary under sec-
 21 tion 14104 of that title”.

22 **SEC. 723. SCALE OF EMPLOYMENT—ABLE SEAMEN.**

23 Section 7312 of title 46, United States Code, is
 24 amended—

25 (1) in subsection (b), by inserting after “1,600
 26 gross tons” the following: “as measured under section

1 14502 of title 46, United States Code, or an alternate
2 tonnage measured under section 14302 of that title as
3 prescribed by the Secretary under section 14104 of
4 that title”;

5 (2) in subsection (c)(1), by inserting after “500
6 gross tons” the following: “as measured under section
7 14502 of title 46, United States Code, or an alternate
8 tonnage measured under section 14302 of that title as
9 prescribed by the Secretary under section 14104 of
10 that title”;

11 (3) in subsection (d), by inserting after “500
12 gross tons” the following: “as measured under section
13 14502 of title 46, United States Code, or an alternate
14 tonnage measured under section 14302 of that title as
15 prescribed by the Secretary under section 14104 of
16 that title”;

17 (4) in subsection (f)(1), by inserting after “5,000
18 gross tons” the following: “as measured under section
19 14502 of title 46, United States Code, or an alternate
20 tonnage measured under section 14302 of that title as
21 prescribed by the Secretary under section 14104 of
22 that title”; and

23 (5) in subsection (f)(2), by inserting after “5,000
24 gross tons” the following: “as measured under section
25 14502 of title 46, United States Code, or an alternate

6 *Section 7313(a) of title 46, United States Code, is*
7 *amended by inserting after “100 gross tons” the following:*
8 *“as measured under section 14502 of title 46, United States*
9 *Code, or an alternate tonnage measured under section*
10 *14302 of that title as prescribed by the Secretary under sec-*
11 *tion 14104 of that title”.*

13 *Section 8101(h) of title 46, United States Code, is*
14 *amended by inserting after “100 gross tons” the following:*
15 *“as measured under section 14502 of title 46, United States*
16 *Code, or an alternate tonnage measured under section*
17 *14302 of that title as prescribed by the Secretary under sec-*
18 *tion 14104 of that title”.*

20 *Section 8102(b) of title 46, United States Code, is*
21 *amended by inserting after “100 gross tons” the following:*
22 *“as measured under section 14502 of title 46, United States*
23 *Code, or an alternate tonnage measured under section*
24 *14302 of that title as prescribed by the Secretary under sec-*
25 *tion 14104 of that title”.*

1 **SEC. 727. CITIZENSHIP AND NAVAL RESERVE REQUIRE-**
 2 **MENTS.**

3 *Section 8103(b)(3)(A) of title 46, United States Code,*
 4 *is amended by inserting after “1,600 gross tons” the follow-*
 5 *ing: “as measured under section 14502 of title 46, United*
 6 *States Code, or an alternate tonnage measured under sec-*
 7 *tion 14302 of that title as prescribed by the Secretary under*
 8 *section 14104 of that title”.*

9 **SEC. 728. WATCHES.**

10 *Section 8104 of title 46, United States Code, is*
 11 *amended—*

12 *(1) in subsection (b), by inserting after “100*
 13 *gross tons” the following: “as measured under section*
 14 *14502 of title 46, United States Code, or an alternate*
 15 *tonnage measured under section 14302 of that title as*
 16 *prescribed by the Secretary under section 14104 of*
 17 *that title”;*

18 *(2) in subsection (d), by inserting after “100*
 19 *gross tons” and after “5,000 gross tons” the following:*
 20 *“as measured under section 14502 of title 46, United*
 21 *States Code, or an alternate tonnage measured under*
 22 *section 14302 of that title as prescribed by the Sec-*
 23 *retary under section 14104 of that title”;*

24 *(3) in subsection (l)(1), by inserting after “1,600*
 25 *gross tons” the following: “as measured under section*
 26 *14502 of title 46, United States Code, or an alternate*

1 *tonnage measured under section 14302 of that title as*
 2 *prescribed by the Secretary under section 14104 of*
 3 *that title”;*

4 (4) *in subsection (m)(1), by inserting after*
 5 *“1,600 gross tons” the following: “as measured under*
 6 *section 14502 of title 46, United States Code, or an*
 7 *alternate tonnage measured under section 14302 of*
 8 *that title as prescribed by the Secretary under section*
 9 *14104 of that title”;*

10 (5) *in subsection (o)(1), by inserting after “500*
 11 *gross tons” the following: “as measured under section*
 12 *14502 of title 46, United States Code, or an alternate*
 13 *tonnage measured under section 14302 of that title as*
 14 *prescribed by the Secretary under section 14104 of*
 15 *that title”; and*

16 (6) *in subsection (o)(2), by inserting after “500*
 17 *gross tons” the following: “as measured under section*
 18 *14502 of title 46, United States Code, or an alternate*
 19 *tonnage measured under section 14302 of that title as*
 20 *prescribed by the Secretary under section 14104 of*
 21 *that title”.*

22 ***SEC. 729. MINIMUM NUMBER OF LICENSED INDIVIDUALS.***

23 *Section 8301 of title 46, United States Code, is*
 24 *amended—*

1 (1) in subsection (a)(2), by inserting after “1,000
2 gross tons” the following: “as measured under section
3 14502 of title 46, United States Code, or an alternate
4 tonnage measured under section 14302 of that title as
5 prescribed by the Secretary under section 14104 of
6 that title”;

7 (2) in subsection (a)(3), by inserting after “at
8 least 200 gross tons but less than 1,000 gross tons” the
9 following: “as measured under section 14502 of title
10 46, United States Code, or an alternate tonnage
11 measured under section 14302 of that title as pre-
12 scribed by the Secretary under section 14104 of that
13 title”;

14 (3) in subsection (a)(4), by inserting after “at
15 least 100 gross tons but less than 200 gross tons” the
16 following: “as measured under section 14502 of title
17 46, United States Code, or an alternate tonnage
18 measured under section 14302 of that title as pre-
19 scribed by the Secretary under section 14104 of that
20 title”;

21 (4) in subsection (a)(5), by inserting after “300
22 gross tons” the following: “as measured under section
23 14502 of title 46, United States Code, or an alternate
24 tonnage measured under section 14302 of that title as

1 *prescribed by the Secretary under section 14104 of*
 2 *that title”; and*

3 *(5) in subsection (b), by inserting after “200*
 4 *gross tons” the following: “as measured under section*
 5 *14502 of title 46, United States Code, or an alternate*
 6 *tonnage measured under section 14302 of that title as*
 7 *prescribed by the Secretary under section 14104 of*
 8 *that title”.*

9 ***SEC. 730. OFFICERS’ COMPETENCY CERTIFICATES CONVEN-***
 10 ***TION.***

11 *Section 8304(b)(4) of title 46, United States Code, is*
 12 *amended by inserting after “200 gross tons” the following:*
 13 *“as measured under section 14502 of title 46, United States*
 14 *Code, or an alternate tonnage measured under section*
 15 *14302 of that title as prescribed by the Secretary under sec-*
 16 *tion 14104 of that title”.*

17 ***SEC. 731. MERCHANT MARINERS’ DOCUMENTS REQUIRED.***

18 *Section 8701 of title 46, United States Code, is*
 19 *amended—*

20 *(1) in subsection (a), by inserting after “100*
 21 *gross tons” the following: “as measured under section*
 22 *14502 of title 46, United States Code, or an alternate*
 23 *tonnage measured under section 14302 of that title as*
 24 *prescribed by the Secretary under section 14104 of*
 25 *that title”; and*

1 (2) in subsection (a)(6), by inserting after “1,600
 2 gross tons” the following: “as measured under section
 3 14502 of title 46, United States Code, or an alternate
 4 tonnage measured under section 14302 of that title as
 5 prescribed by the Secretary under section 14104 of
 6 that title”.

7 **SEC. 732. CERTAIN CREW REQUIREMENTS.**

8 Section 8702 of title 46, United States Code, is
 9 amended—

10 (1) in subsection (a), by inserting after “100
 11 gross tons” the following: “as measured under section
 12 14502 of title 46, United States Code, or an alternate
 13 tonnage measured under section 14302 of that title as
 14 prescribed by the Secretary under section 14104 of
 15 that title”; and

16 (2) in subsection (a)(6), by inserting after “1,600
 17 gross tons” the following: “as measured under section
 18 14502 of title 46, United States Code, or an alternate
 19 tonnage measured under section 14302 of that title as
 20 prescribed by the Secretary under section 14104 of
 21 that title”.

22 **SEC. 733. FREIGHT VESSELS.**

23 Section 8901 of title 46, United States Code, is amend-
 24 ed by inserting after “100 gross tons” the following: “as
 25 measured under section 14502 of title 46, United States

1 *Code, or an alternate tonnage measured under section*
 2 *14302 of that title as prescribed by the Secretary under sec-*
 3 *tion 14104 of that title”.*

4 ***SEC. 734. EXEMPTIONS.***

5 *Section 8905(b) of title 46, United States Code, is*
 6 *amended by inserting after “200 gross tons” the following:*
 7 *“as measured under section 14502 of title 46, United States*
 8 *Code, or an alternate tonnage measured under section*
 9 *14302 of that title as prescribed by the Secretary under sec-*
 10 *tion 14104 of that title”.*

11 ***SEC. 735. UNITED STATES REGISTERED PILOT SERVICE.***

12 *Section 9303(a)(2) of title 46, United States Code, is*
 13 *amended by inserting after “4,000 gross tons” the following:*
 14 *“as measured under section 14502 of title 46, United States*
 15 *Code, or an alternate tonnage measured under section*
 16 *14302 of that title as prescribed by the Secretary under sec-*
 17 *tion 14104 of that title”.*

18 ***SEC. 736. DEFINITIONS—MERCHANT SEAMEN PROTECTION.***

19 *Section 10101(4)(B) of title 46, United States Code,*
 20 *is amended by inserting after “1,600 gross tons” the follow-*
 21 *ing: “as measured under section 14502 of title 46, United*
 22 *States Code, or an alternate tonnage measured under sec-*
 23 *tion 14302 of that title as prescribed by the Secretary under*
 24 *section 14104 of that title”.*

1 **SEC. 737. APPLICATION—FOREIGN AND INTERCOASTAL**
 2 **VOYAGES.**

3 *Section 10301(a)(2) of title 46, United States Code,*
 4 *is amended by inserting after “75 gross tons” the following:*
 5 *“as measured under section 14502 of title 46, United States*
 6 *Code, or an alternate tonnage measured under section*
 7 *14302 of that title as prescribed by the Secretary under sec-*
 8 *tion 14104 of that title”.*

9 **SEC. 738. APPLICATION—COASTWISE VOYAGES.**

10 *Section 10501(a) of title 46, United States Code, is*
 11 *amended by inserting after “50 gross tons” the following:*
 12 *“as measured under section 14502 of title 46, United States*
 13 *Code, or an alternate tonnage measured under section*
 14 *14302 of that title as prescribed by the Secretary under sec-*
 15 *tion 14104 of that title”.*

16 **SEC. 739. FISHING AGREEMENTS.**

17 *Section 10601(a)(1) of title 46, United States Code,*
 18 *is amended by inserting after “20 gross tons” the following:*
 19 *“as measured under section 14502 of title 46, United States*
 20 *Code, or an alternate tonnage measured under section*
 21 *14302 of that title as prescribed by the Secretary under sec-*
 22 *tion 14104 of that title”.*

23 **SEC. 740. ACCOMMODATIONS FOR SEAMEN.**

24 *Section 11101(a) of title 46, United States Code, is*
 25 *amended by inserting after “100 gross tons” the following:*
 26 *“as measured under section 14502 of title 46, United States*

1 *Code, or an alternate tonnage measured under section*
 2 *14302 of that title as prescribed by the Secretary under sec-*
 3 *tion 14104 of that title”.*

4 ***SEC. 741. MEDICINE CHESTS.***

5 *Section 11102(a) of title 46, United States Code, is*
 6 *amended by inserting after “75 gross tons” the following:*
 7 *“as measured under section 14502 of title 46, United States*
 8 *Code, or an alternate tonnage measured under section*
 9 *14302 of that title as prescribed by the Secretary under sec-*
 10 *tion 14104 of that title”.*

11 ***SEC. 742. LOGBOOK AND ENTRY REQUIREMENTS.***

12 *Section 11301(a)(2) of title 46, United States Code,*
 13 *is amended by inserting after “100 gross tons” the follow-*
 14 *ing: “as measured under section 14502 of title 46, United*
 15 *States Code, or an alternate tonnage measured under sec-*
 16 *tion 14302 of that title as prescribed by the Secretary under*
 17 *section 14104 of that title”.*

18 ***SEC. 743. COASTWISE ENDORSEMENTS.***

19 *Section 12106(c)(1) of title 46, United States Code, is*
 20 *amended by striking “two hundred gross tons” and insert-*
 21 *ing “200 gross tons as measured under section 14502 of*
 22 *title 46, United States Code, or an alternate tonnage meas-*
 23 *ured under section 14302 of that title as prescribed by the*
 24 *Secretary under section 14104 of that title”.*

1 **SEC. 744. FISHERY ENDORSEMENTS.**

2 Section 12108(c)(1) of title 46, United States Code, is
 3 amended by striking “two hundred gross tons” and insert-
 4 ing “200 gross tons as measured under section 14502 of
 5 title 46, United States Code, or an alternate tonnage meas-
 6 ured under section 14302 of that title as prescribed by the
 7 Secretary under section 14104 of that title”.

8 **SEC. 745. CLERICAL AMENDMENT.**

9 Chapter 121 of title 46, United States Code, is
 10 amended—

- 11 (1) by striking the first section 12123; and
 12 (2) in the table of sections at the beginning of the
 13 chapter by striking the first item relating to section
 14 12123.

15 **SEC. 746. REPEAL OF GREAT LAKES ENDORSEMENTS.**

16 (a) **REPEAL.**—Section 12107 of title 46, United States
 17 Code, is repealed.

18 (b) **CONFORMING AMENDMENTS.**—

19 (1) The analysis at the beginning of chapter 121
 20 of title 46, United States Code, is amended by strik-
 21 ing the item relating to section 12107.

22 (2) Section 12101(b)(3) of title 46, United States
 23 Code, is repealed.

24 (3) Section 4370(a) of the Revised Statutes of the
 25 United States (46 App. U.S.C. 316(a)) is amended by
 26 striking “or 12107”.

(4) *Section 2793 of the Revised Statutes of the United States (46 App. U.S.C. 111, 123) is amended—*

(A) by striking “coastwise, Great Lakes endorsement” and all that follows through “foreign ports,” and inserting “registry endorsement, engaged in foreign trade on the Great Lakes or their tributary or connecting waters in trade with Canada,”; and

(B) by striking “, as if from or to foreign ports”.

SEC. 747. CONVENTION TONNAGE FOR LICENSES, CERTIFICATES, AND DOCUMENTS.

(a) AUTHORITY TO USE CONVENTION TONNAGE.—Chapter 75 of title 46, United States Code, is amended by adding at the end the following:

“§ 7506. Convention tonnage for licenses, certificates, and documents

“Notwithstanding any provision of section 14302(c) or 14305 of this title, the Secretary may—

“(1) evaluate the service of an individual who is applying for a license, a certificate of registry, or a merchant mariner’s document by using the tonnage as measured under chapter 143 of this title for the vessels on which that service was acquired, and

1 “(2) issue the license, certificate, or document
2 based on that service.”.

3 (b) *CLERICAL AMENDMENT.*—*The analysis to chapter*
4 *75 of title 46, United States Code, is amended by adding*
5 *a new item as follows:*

“7506. *Convention tonnage for licenses, certificates, and documents.*”.

6 ***TITLE VIII—COAST GUARD***
7 ***AUXILIARY AMENDMENTS***

8 ***SEC. 801. ADMINISTRATION OF THE COAST GUARD AUXIL-***
9 ***IARY.***

10 (a) *IN GENERAL.*—*Section 821 of title 14, United*
11 *States Code, is amended to read as follows:*

12 ***“§ 821. Administration of the Coast Guard Auxiliary***

13 “(a) *The Coast Guard Auxiliary is a nonmilitary or-*
14 *ganization administered by the Commandant under the di-*
15 *rection of the Secretary. For command, control, and admin-*
16 *istrative purposes, the Auxiliary shall include such organi-*
17 *zational elements and units as are approved by the Com-*
18 *mandant, including but not limited to, a national board*
19 *and staff (to be known as the ‘Auxiliary headquarters*
20 *unit’), districts, regions, divisions, flotillas, and other orga-*
21 *nizational elements and units. The Auxiliary organization*
22 *and its officers shall have such rights, privileges, powers,*
23 *and duties as may be granted to them by the Commandant,*
24 *consistent with this title and other applicable provisions of*
25 *law. The Commandant may delegate to officers of the Auxil-*

1 *iary the authority vested in the Commandant by this sec-*
 2 *tion, in the manner and to the extent the Commandant con-*
 3 *siders necessary or appropriate for the functioning, organi-*
 4 *zation, and internal administration of the Auxiliary.*

5 “(b) *Each organizational element or unit of the Coast*
 6 *Guard Auxiliary organization (but excluding any corpora-*
 7 *tion formed by an organizational element or unit of the*
 8 *Auxiliary under subsection (c) of this section), shall, except*
 9 *when acting outside the scope of section 822, at all times*
 10 *be deemed to be an instrumentality of the United States,*
 11 *for purposes of—*

12 “(1) *chapter 26 of title 28 (popularly known as*
 13 *the Federal Tort Claims Act);*

14 “(2) *section 2733 of title 10 (popularly known as*
 15 *the Military Claims Act);*

16 “(3) *the Act of March 3, 1925 (46 App. U.S.C.*
 17 *781–790; popularly known as the Public Vessels Act);*

18 “(4) *the Act of March 9, 1920 (46 App. U.S.C.*
 19 *741–752; popularly known as the Suits in Admiralty*
 20 *Act);*

21 “(5) *the Act of June 19, 1948 (46 App. U.S.C.*
 22 *740; popularly known as the Admiralty Extension*
 23 *Act); and*

24 “(6) *other matters related to noncontractual civil*
 25 *liability.*

1 “(c) *The national board of the Auxiliary, and any*
 2 *Auxiliary district or region, may form a corporation under*
 3 *State law in accordance with policies established by the*
 4 *Commandant.*”.

5 (b) *CLERICAL AMENDMENT.—The table of sections at*
 6 *the beginning of chapter 23 of title 14, United States Code,*
 7 *is amended by striking the item relating to section 821, and*
 8 *inserting the following:*

“821. *Administration of the Coast Guard Auxiliary.*”.

9 **SEC. 802. PURPOSE OF THE COAST GUARD AUXILIARY.**

10 (a) *IN GENERAL.—Section 822 of title 14, United*
 11 *States Code, is amended to read as follows:*

12 **“§ 822. Purpose of the Coast Guard Auxiliary**

13 *“The purpose of the Auxiliary is to assist the Coast*
 14 *Guard as authorized by the Commandant, in performing*
 15 *any Coast Guard function, power, duty, role, mission, or*
 16 *operation authorized by law.*”.

17 (b) *CLERICAL AMENDMENT.—The table of sections at*
 18 *the beginning of chapter 23 of title 14, United States Code,*
 19 *is amended by striking the item relating to section 822 and*
 20 *inserting the following:*

“822. *Purpose of the Coast Guard Auxiliary.*”.

21 **SEC. 803. MEMBERS OF THE AUXILIARY; STATUS.**

22 (a) *IN GENERAL.—Section 823 of title 14, United*
 23 *States Code, is amended—*

1 (1) in the heading by adding “, **and status**”
 2 after “**enrollments**”;

3 (2) by inserting “(a)” before “*The Auxiliary*”;
 4 and

5 (3) by adding at the end the following new sub-
 6 sections:

7 “(b) *A member of the Coast Guard Auxiliary is not*
 8 *a Federal employee except for the following purposes:*

9 “(1) *Chapter 26 of title 28 (popularly known as*
 10 *the Federal Tort Claims Act).*

11 “(2) *Section 2733 of title 10 (popularly known*
 12 *as the Military Claims Act).*

13 “(3) *The Act of March 3, 1925 (46 App. U.S.C.*
 14 *781–790; popularly known as the Public Vessel Act).*

15 “(4) *The Act of March 9, 1920 (46 App. U.S.C.*
 16 *741–752; popularly known as the Suits in Admiralty*
 17 *Act).*

18 “(5) *The Act of June 19, 1948 (46 App. U.S.C.*
 19 *740; popularly known as the Admiralty Extension*
 20 *Act).*

21 “(6) *Other matters related to noncontractual*
 22 *civil liability.*

23 “(7) *Compensation for work injuries under chap-*
 24 *ter 81 of title 5.*

1 “(8) *The resolution of claims relating to damage*
 2 *to or loss of personal property of the member incident*
 3 *to service under section 3721 of title 31 (popularly*
 4 *known as the Military Personnel and Civilian Em-*
 5 *ployees’ Claims Act of 1964).*

6 “(c) *A member of the Auxiliary, while assigned to*
 7 *duty, shall be deemed to be a person acting under an officer*
 8 *of the United States or an agency thereof for purposes of*
 9 *section 1442(a)(1) of title 28.”.*

10 (b) *CLERICAL AMENDMENT.—The table of sections at*
 11 *the beginning of chapter 23 of title 14, United States Code,*
 12 *is amended by striking the item relating to section 823 and*
 13 *inserting the following:*

 “823. *Eligibility, enrollments, and status.*”.

14 **SEC. 804. ASSIGNMENT AND PERFORMANCE OF DUTIES.**

15 (a) *TRAVEL AND SUBSISTENCE EXPENSE.—Section*
 16 *830(a) of title 14, United States Code, is amended by strik-*
 17 *ing “specific”.*

18 (b) *ASSIGNMENT OF GENERAL DUTIES.—Section 831*
 19 *of title 14, United States Code, is amended by striking “spe-*
 20 *cific” each place it appears.*

21 (c) *BENEFITS FOR INJURY OR DEATH.—Section 832*
 22 *of title 14, United States Code, is amended by striking “spe-*
 23 *cific” each place it appears.*

1 **SEC. 805. COOPERATION WITH OTHER AGENCIES, STATES,**
 2 **TERRITORIES, AND POLITICAL SUBDIVI-**
 3 **SIONS.**

4 (a) *IN GENERAL.*—Section 141 of title 14, United
 5 States Code, is amended—

6 (1) *by striking the section heading and inserting*
 7 *the following:*

8 **“§ 141. Cooperation with other agencies, States, terri-**
 9 **tries, and political subdivisions”;**

10 (2) *in the first sentence of subsection (a), by in-*
 11 *serting after “personnel and facilities” the following:*

12 *“(including members of the Auxiliary and facilities*
 13 *governed under chapter 23)”;* and

14 (3) *by adding at the end of subsection (a) the fol-*
 15 *lowing new sentence: “The Commandant may pre-*
 16 *scribe conditions, including reimbursement, under*
 17 *which personnel and facilities may be provided under*
 18 *this subsection.”.*

19 (b) *CLERICAL AMENDMENT.*—The table of sections at
 20 the beginning of chapter 7 of title 14, United States Code,
 21 is amended by striking the item relating to section 141 and
 22 inserting the following:

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

1 **SEC. 806. VESSEL DEEMED PUBLIC VESSEL.**

2 Section 827 of title 14, United States Code, is amended
3 to read as follows:

4 **“§ 827. Vessel deemed public vessel**

5 “While assigned to authorized Coast Guard duty, any
6 motorboat or yacht shall be deemed to be a public vessel
7 of the United States and a vessel of the Coast Guard within
8 the meaning of sections 646 and 647 of this title and other
9 applicable provisions of law.”.

10 **SEC. 807. AIRCRAFT DEEMED PUBLIC AIRCRAFT.**

11 Section 828 of title 14, United States Code, is amended
12 to read as follows:

13 **“§ 828. Aircraft deemed public aircraft**

14 “While assigned to authorized Coast Guard duty, any
15 aircraft shall be deemed to be a Coast Guard aircraft, a
16 public vessel of the United States, and a vessel of the Coast
17 Guard within the meaning of sections 646 and 647 of this
18 title and other applicable provisions of law. Subject to the
19 provisions of sections 823a and 831 of this title, while as-
20 signed to duty, qualified Auxiliary pilots shall be deemed
21 to be Coast Guard pilots.”.

22 **SEC. 808. DISPOSAL OF CERTAIN MATERIAL.**

23 Section 641(a) of title 14, United States Code, is
24 amended—

- 1 (1) *by inserting after “with or without charge,”*
2 *the following: “to the Coast Guard Auxiliary, includ-*
3 *ing any incorporated unit thereof,”; and*
4 (2) *by striking “to any incorporated unit of the*
5 *Coast Guard Auxiliary,”.*

Attest:

Clerk.