

106TH CONGRESS
1ST SESSION

H. R. 820

To authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1999

Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. GILCHREST, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coast Guard Author-
5 ization Act of 1999”.

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

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

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.

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

TITLE II—MISCELLANEOUS

Sec. 201. Vessel NOT A SHOT.

Sec. 202. Costs of clean-up of Cape May lighthouse.

Sec. 203. Clarification of Coast Guard authority to control vessels in territorial waters of the United States.

1 **TITLE I—AUTHORIZATION**

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

3 Funds are authorized to be appropriated for nec-
4 essary expenses of the Coast Guard, as follows:

5 (1) For the operation and maintenance of the
6 Coast Guard—

7 (A) for fiscal year 2000, \$3,084,400,000,
8 of which—

9 (i) \$25,000,000 shall be derived from
10 the Oil Spill Liability Trust Fund to carry
11 out the purposes of section 1012(a)(5) of
12 the Oil Pollution Act of 1990;

13 (ii) not less than \$663,000,000 shall
14 be available for expenses related to drug
15 interdiction; and

16 (iii) \$5,500,000 shall be available for
17 the commercial fishing vessel safety pro-
18 gram; and

19 (B) for fiscal year 2001, \$3,207,800,000,
20 of which—

21 (i) \$25,000,000 shall be derived from
22 the Oil Spill Liability Trust Fund to carry

1 out the purposes of section 1012(a)(5) of
2 the Oil Pollution Act of 1990;

3 (ii) not less than \$689,500,000 shall
4 be available for expenses related to drug
5 interdiction; and

6 (iii) \$5,500,000 shall be available for
7 the commercial fishing vessel safety pro-
8 gram.

9 (2) For the acquisition, construction, rebuild-
10 ing, and improvement of aids to navigation, shore
11 and offshore facilities, vessels, and aircraft, includ-
12 ing equipment related thereto—

13 (A) for fiscal year 2000, \$691,300,000, of
14 which—

15 (i) \$20,000,000 shall be derived from
16 the Oil Spill Liability Trust Fund to carry
17 out the purposes of section 1012(a)(5) of
18 the Oil Pollution Act of 1990;

19 (ii) not less than \$280,300,000 shall
20 be available for expenses related to drug
21 interdiction;

22 (iii) \$100,000,000 shall be available
23 for modernization of the national distress
24 response system; and

1 (iv) \$3,000,000 shall be available for
2 completion of the design of a replacement
3 vessel for the Coast Guard icebreaker
4 MACKINAW; and

5 (B) for fiscal year 2001, \$792,000,000, of
6 which—

7 (i) \$20,000,000 shall be derived from
8 the Oil Spill Liability Trust Fund to carry
9 out the purposes of section 1012(a)(5) of
10 the Oil Pollution Act of 1990;

11 (ii) not less than \$233,000,000 shall
12 be available for expenses related to drug
13 interdiction;

14 (iii) \$110,000,000 shall be available
15 for modernization of the national distress
16 response system; and

17 (iv) \$128,000,000 shall be available
18 for construction or acquisition of a replace-
19 ment vessel for the Coast Guard icebreaker
20 MACKINAW.

21 (3) For research, development, test, and evalua-
22 tion of technologies, materials, and human factors
23 directly relating to improving the performance of the
24 Coast Guard's mission in support of search and res-
25 cue, aids to navigation, marine safety, marine envi-

1 ronmental protection, enforcement of laws and
2 treaties, ice operations, oceanographic research, and
3 defense readiness—

4 (A) for fiscal year 2000, \$21,700,000; and

5 (B) for fiscal year 2001, \$23,000,000,

6 to remain available until expended, of which
7 \$3,500,000 shall be derived each fiscal year from the
8 Oil Spill Liability Trust Fund to carry out the pur-
9 poses of section 1012(a)(5) of the Oil Pollution Act
10 of 1990.

11 (4) For retired pay (including the payment of
12 obligations otherwise chargeable to lapsed appropria-
13 tions for this purpose), payments under the Retired
14 Serviceman's Family Protection and Survivor Bene-
15 fit Plans, and payments for medical care of retired
16 personnel and their dependents under chapter 55 of
17 title 10, United States Code—

18 (A) for fiscal year 2000, \$730,000,000;

19 and

20 (B) for fiscal year 2001, \$785,000,000.

21 (5) For alteration or removal of bridges over
22 navigable waters of the United States constituting
23 obstructions to navigation, and for personnel and
24 administrative costs associated with the Bridge Al-
25 teration Program—

1 (A) for fiscal year 2000, \$11,000,000; and

2 (B) for fiscal year 2001, \$11,000,000,

3 to remain available until expended.

4 (6) For environmental compliance and restora-

5 tion at Coast Guard facilities (other than parts and

6 equipment associated with operations and mainte-

7 nance)—

8 (A) for fiscal year 2000, \$19,500,000; and

9 (B) for fiscal year 2001, \$21,000,000,

10 to remain available until expended.

11 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**

12 **AND TRAINING.**

13 (a) ACTIVE DUTY STRENGTH.—The Coast Guard is

14 authorized an end-of-year strength for active duty person-

15 nel of—

16 (1) 40,000 as of September 30, 2000; and

17 (2) 44,000 as of September 30, 2001.

18 (b) MILITARY TRAINING STUDENT LOADS.—The

19 Coast Guard is authorized average military training stu-

20 dent loads as follows:

21 (1) For recruit and special training—

22 (A) for fiscal year 2000, 1,500 student

23 years; and

24 (B) for fiscal year 2001, 1,500 student

25 years.

1 (2) For flight training—

2 (A) for fiscal year 2000, 100 student
3 years; and

4 (B) for fiscal year 2001, 100 student
5 years.

6 (3) For professional training in military and ci-
7 vilian institutions—

8 (A) for fiscal year 2000, 300 student
9 years; and

10 (B) for fiscal year 2001, 300 student
11 years.

12 (4) For officer acquisition—

13 (A) for fiscal year 2000, 1,000 student
14 years; and

15 (B) for fiscal year 2001, 1,000 student
16 years.

17 **TITLE II—MISCELLANEOUS**

18 **SEC. 201. VESSEL NOT A SHOT.**

19 Notwithstanding section 27 of the Merchant Marine
20 Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of
21 June 19, 1886 (46 App. U.S.C. 289), and section 12106
22 of title 46, United States Code, the Secretary of Transpor-
23 tation may issue a certificate of documentation with ap-
24 propriate endorsement for employment in the coastwise

1 trade for the vessel NOT A SHOT (United States official
2 number 911064).

3 **SEC. 202. COSTS OF CLEAN-UP OF CAPE MAY LIGHTHOUSE.**

4 Of amounts authorized by this Act for fiscal year
5 2000 for environmental compliance and restoration of
6 Coast Guard facilities, \$99,000 shall be available to reim-
7 burse the owner of the former Coast Guard lighthouse fa-
8 cility at Cape May, New Jersey, for costs incurred for
9 clean-up of lead contaminated soil at that facility.

10 **SEC. 203. CLARIFICATION OF COAST GUARD AUTHORITY TO**
11 **CONTROL VESSELS IN TERRITORIAL WATERS**
12 **OF THE UNITED STATES.**

13 The Ports and Waterways Safety Act (33 U.S.C.
14 1221 et seq.) is amended by adding at the end the follow-
15 ing:

16 **“SEC. 15. ENTRY OF VESSELS INTO TERRITORIAL SEA; DI-**
17 **RECTION OF VESSELS BY COAST GUARD.**

18 “(a) NOTIFICATION OF COAST GUARD.—Under regu-
19 lations prescribed by the Secretary, a commercial vessel
20 entering the territorial sea of the United States shall no-
21 tify the Secretary not later than 24 hours before that
22 entry and provide the following information:

23 “(1) The name of the vessel.

24 “(2) The port or place of destination in the
25 United States.

1 “(3) The time of entry into the territorial sea.

2 “(4) Any information requested by the Sec-
3 retary to demonstrate compliance with applicable
4 international agreements to which the United States
5 is a party.

6 “(5) If the vessel is carrying dangerous cargo,
7 a description of that cargo.

8 “(6) A description of any hazardous conditions
9 on the vessel.

10 “(7) Any other information requested by the
11 Secretary.

12 “(b) DENIAL OF ENTRY.—The Secretary may deny
13 entry of a vessel into the territorial sea of the United
14 States if—

15 “(1) the Secretary has not received notification
16 for the vessel in accordance with subsection (a); or

17 “(2) the vessel is not in compliance with any
18 other applicable law relating to marine safety, secu-
19 rity, or environmental protection.

20 “(c) DIRECTION OF VESSEL.—The Secretary may di-
21 rect the operation of any vessel in the navigable waters
22 of the United States as necessary during hazardous cir-
23 cumstances, including the absence of a pilot required by

- 1 State or Federal law, weather, casualty, vessel traffic, or
- 2 the poor condition of the vessel.”.

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