

106TH CONGRESS  
1ST SESSION

# S. 1089

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

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## IN THE SENATE OF THE UNITED STATES

MAY 20, 1999

Ms. SNOWE (for herself, Mr. McCAIN, Mr. HOLLINGS, Mr. KERRY, Mr. BREAX, and Mr. INOUYE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize appropriations for fiscal years 2000 and 2001 for the United States 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”.

## 1                   **TITLE I—AUTHORIZATION**

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

#### 3                   (a) AUTHORIZATION FOR FISCAL YEAR 2000.—

4   Funds are authorized to be appropriated for necessary ex-  
5   penses of the Coast Guard for fiscal year 2000, as follows:

6                   (1) For the operation and maintenance of the  
7   Coast Guard, \$2,941,039,000, of which  
8   \$334,000,000 shall be available for defense-related  
9   activities and of which \$25,000,000 shall be derived  
10   from the Oil Spill Liability Trust Fund.

11                  (2) For the acquisition, construction, rebuilding,  
12   and improvement of aids to navigation, shore  
13   and offshore facilities, vessels, and aircraft, includ-  
14   ing equipment related thereto, \$350,326,000, to re-  
15   main available until expended, of which \$20,000,000  
16   shall be derived from the Oil Spill Liability Trust  
17   Fund to carry out the purposes of section  
18   1012(a)(5) of the Oil Pollution Act of 1990.

19                  (3) For research, development, test, and evalua-  
20   tion of technologies, materials, and human factors  
21   directly relating to improving the performance of the  
22   Coast Guard's mission in support of search and res-  
23   cue, aids to navigation, marine safety, marine envi-  
24   ronmental protection, enforcement of laws and trea-  
25   ties, ice operations, oceanographic research, and de-

1       fense readiness, \$21,709,000, to remain available  
2       until expended, of which \$3,500,000 shall be derived  
3       from the Oil Spill Liability Trust Fund.

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 Ben-  
8       efit Plans, and payments for medical care of retired  
9       personnel and their dependents under chapter 55 of  
10       title 10, United States Code, such sums as may be  
11       necessary, to remain available until expended.

12           (5) For environmental compliance and restora-  
13       tion at Coast Guard facilities (other than parts and  
14       equipment associated with operations and mainte-  
15       nance), \$19,500,000, to remain available until ex-  
16       pended.

17           (6) For alteration or removal of bridges over  
18       navigable waters of the United States constituting  
19       obstructions to navigation, and for personnel and  
20       administrative costs associated with the Bridge Al-  
21       teration Program, \$26,000,000, to remain available  
22       until expended.

23           (b) AUTHORIZATION FOR FISCAL YEAR 2001.—  
24       Funds are authorized to be appropriated for necessary ex-  
25       penses of the Coast Guard for fiscal year 2001, as follows:

23 (4) For retired pay (including the payment of  
24 obligations otherwise chargeable to lapsed appropri-  
25 tions for this purpose), payments under the Retired

1        Serviceman's Family Protection and Survivor Ben-  
2        efit Plans, and payments for medical care of retired  
3        personnel and their dependents under chapter 55 of  
4        title 10, United States Code, such sums as may be  
5        necessary, to remain available until expended.

17 SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH  
18 AND TRAINING.

19 (a) END-OF-YEAR STRENGTH FOR FISCAL YEAR  
20 2000.—The Coast Guard is authorized an end-of-year  
21 strength for active duty personnel of 36,350 as of Sep-  
22 tember 30, 2000.

23 (b) TRAINING STUDENT LOADS FOR FISCAL YEAR  
24 2000.—For fiscal year 2000, the Coast Guard is author-  
25 ized average military training student loads as follows:

(1) For recruit and special training, 1,500 student years.

3 (2) For flight training, 100 student years.

6 (4) For officer acquisition, 1,000 student years.

7 (c) END-OF-YEAR STRENGTH FOR FISCAL YEAR

8 2001.—The Coast Guard is authorized an end-of-year  
9 strength for active duty personnel of 36,350 as of Sep-  
10 tember 30, 2001.

11 (d) TRAINING STUDENT LOADS FOR FISCAL YEAR  
12 2001.—For fiscal year 2001, the Coast Guard is author-  
13 ized average military training student loads as follows:

14 (1) For recruit and special training, 1,500 stu-  
15 dent years.

16 (2) For flight training, 100 student years.

17 (3) For professional training in military and ci-  
18 vilian institutions, 300 student years.

19 (4) For officer acquisition, 1,000 student years.

# **TITLE II—PERSONNEL MANAGEMENT**

**22 SEC. 201. COAST GUARD BAND DIRECTOR RANK.**

23 Section 336(d) of title 14, United States Code, is  
24 amended by striking “commander” and inserting “cap-  
25 tain”.

1 **SEC. 202. COAST GUARD RESERVE SPECIAL PAY.**

2       Section 308d(a) of title 37, United States Code, is  
3 amended by inserting “or the Secretary of the Department  
4 in which the Coast Guard is operating” after “Secretary  
5 of Defense”.

6 **SEC. 203. COAST GUARD MEMBERSHIP ON THE USO BOARD**

7                   **OF GOVERNORS.**

8       Section 1305(b) of title 36, United States Code, is  
9 amended by redesignating paragraph (3) as paragraph (4)  
10 and inserting after paragraph (2) the following:

11               “(3) The Secretary of Transportation, or the  
12               Secretary’s designee, when the Coast Guard is not  
13               operating under the Department of the Navy.”.

14 **SEC. 204. COMPENSATORY ABSENCE FOR ISOLATED DUTY.**

15       (a) **IN GENERAL.**—Section 511 of title 14, United  
16 States Code, is amended to read as follows:

17       **“Sec. 511. Compensatory absence from duty for military per-**  
18                   **sonnel at isolated duty stations**

19       “The Secretary may prescribe regulations to grant  
20 compensatory absence from duty to military personnel of  
21 the Coast Guard serving at isolated duty stations of the  
22 Coast Guard when conditions of duty result in confine-  
23 ment because of isolation or in long periods of continuous  
24 duty.”.

1       (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 13 of title 14, United States  
3 Code, is amended to read as follows:

“511. Compensatory absence from duty for military personnel at isolated duty stations.”.

4 **SEC. 205. ACCELERATED PROMOTION OF CERTAIN COAST  
5 GUARD OFFICERS.**

6 Title 14, United States Code, is amended—

7       (1) in section 259, by adding at the end a new  
8 subsection (c) to read as follows:

9       “(c) After selecting the officers to be recommended  
10 for promotion, a selection board may recommend officers  
11 of particular merit, from among those officers chosen for  
12 promotion, to be placed at the top of the list of selectees  
13 promulgated by the Secretary under section 271(a) of this  
14 title. The number of officers that a board may recommend  
15 to be placed at the top of the list of selectees may not  
16 exceed the percentages set forth in subsection (b) unless  
17 such a percentage is a number less than one, in which  
18 case the board may recommend one officer for such place-  
19 ment. No officer may be recommended to be placed at the  
20 top of the list of selectees unless he or she receives the  
21 recommendation of at least a majority of the members of  
22 a board composed of five members, or at least two-thirds  
23 of the members of a board composed of more than five  
24 members.”;

## 13 TITLE III—MARINE SAFETY

14 SEC. 301. EXTENSION OF TERRITORIAL SEA FOR VESSEL

15 BRIDGE-TO-BRIDGE RADIOTELEPHONE ACT.

16       Section 4(b) of the Vessel Bridge-to-Bridge Radio-  
17 telephone Act (33 U.S.C. 1203(b)), is amended by striking  
18 “United States inside the lines established pursuant to  
19 section 2 of the Act of February 19, 1895 (28 Stat. 672),  
20 as amended.” and inserting “United States, which in-  
21 cludes all waters of the territorial sea of the United States  
22 as described in Presidential Proclamation 5928 of Decem-  
23 ber 27, 1988.”.

1 **SEC. 302. REPORT ON ICEBREAKING SERVICES.**

2 (a) REPORT.—Not later than 9 months after the date  
3 of enactment of this Act, the Commandant of the Coast  
4 Guard shall submit to the Committee on Commerce,  
5 Science, and Transportation of the Senate, and the Com-  
6 mittee on Transportation and Infrastructure of the House,  
7 a report on the use of WYTL-class harbor tugs. The re-  
8 port shall include an analysis of the use of such vessels  
9 to perform icebreaking services; the degree to which, if  
10 any, the decommissioning of each such vessel would result  
11 in a degradation of current icebreaking services; and in  
12 the event that the decommissioning of any such vessel  
13 would result in a significant degradation of icebreaking  
14 services, recommendations to remediate such degradation.

15 (b) 9-MONTH WAITING PERIOD.—The Commandant  
16 of the Coast Guard shall not plan, implement or finalize  
17 any regulation or take any other action which would result  
18 in the decommissioning of any WYTL-class harbor tugs  
19 until 9 months after the date of the submission of the re-  
20 port required by subsection (a) of this section.

21 **SEC. 303. OIL SPILL LIABILITY TRUST FUND ANNUAL RE-  
22 PORT.**

23 (a) IN GENERAL.—The report regarding the Oil Spill  
24 Liability Trust Fund required by the Conference Report  
25 (House Report 101-892) accompanying the Department  
26 of Transportation and Related Agencies Appropriations

1 Act, 1991, as that requirement was amended by section  
2 1122 of the Federal Reports Elimination and Sunset Act  
3 of 1995 (26 U.S.C. 9509 note), shall no longer be sub-  
4 mitted to Congress.

5 (b) REPEAL.—Section 1122 of the Federal Reports  
6 Elimination and Sunset Act of 1995 (26 U.S.C. 9509  
7 note) is amended by—

8 (1) striking subsection (a); and  
9 (2) striking “(b) REPORT ON JOINT FEDERAL  
10 AND STATE MOTOR FUEL TAX COMPLIANCE  
11 PROJECT.—”.

12 **SEC. 304. OIL SPILL LIABILITY TRUST FUND; EMERGENCY  
13 FUND BORROWING AUTHORITY.**

14 Section 6002(b) of the Oil Pollution Act of 1990 (33  
15 U.S.C. 2752(b)) is amended after the first sentence by  
16 inserting “To the extent that such amount is not adequate  
17 for removal of a discharge or the mitigation or prevention  
18 of a substantial threat of a discharge, the Coast Guard  
19 may borrow from the Fund such sums as may be nec-  
20 essary, up to a maximum of \$100,000,000, and within 30  
21 days shall notify Congress of the amount borrowed and  
22 the facts and circumstances necessitating the loan.  
23 Amounts borrowed shall be repaid to the Fund when, and  
24 to the extent that removal costs are recovered by the Coast

- 1 Guard from responsible parties for the discharge or sub-
- 2 stantial threat of discharge.”.

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