

Weller	Wilson (NM)	Wynn
Westmoreland	Wilson (SC)	Young (AK)
Whitfield	Wolf	Young (FL)
Wicker	Wu	

□ 2230

PERSONAL EXPLANATION

Mr. INSLEE. Mr. Speaker, I would like the RECORD to reflect on rollcall 501 on the motion to recommit on H.R. 5825, I was unavoidably detained and had I been present I would have voted "aye" on that motion.

COAST GUARD AUTHORIZATION ACT OF 2006

Mr. LOBIONDO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5681) to authorize appropriations for the Coast Guard for fiscal year 2007, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5681

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Coast Guard Authorization Act of 2006".

SEC. 2. TABLE OF CONTENTS.

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—COAST GUARD

Sec. 201. Appointment of civilian Coast Guard judges.

Sec. 202. Industrial activities.

Sec. 203. Reimbursement for medical-related travel expenses.

Sec. 204. Commissioned officers.

Sec. 205. Coast Guard participation in the Armed Forces Retirement Home (AFRH) system.

Sec. 206. Grants to international maritime organizations.

Sec. 207. Emergency leave retention authority.

Sec. 208. Enforcement authority.

Sec. 209. Notification.

Sec. 210. Repeal.

Sec. 211. Maritime safety for nuclear power facilities located adjacent to navigable waters.

TITLE III—SHIPPING AND NAVIGATION

Sec. 301. Vessel size limits.

Sec. 302. Goods and services.

Sec. 303. Maritime activities.

Sec. 304. Seaward extension of anchorage grounds jurisdiction.

Sec. 305. Maritime Drug Law Enforcement Act amendment-simple possession.

Sec. 306. Technical amendments to tonnage measurement law.

Sec. 307. Seamen's shoreside access.

Sec. 308. Limitation on maritime liens on fishing permits.

Sec. 309. Extension of exemption.

Sec. 310. Documentation of certain fishing vessels.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Secure communications program.

Sec. 402. Certificate of documentation for GALLANT LADY.

Sec. 403. Waiver.

Sec. 404. Data.

Sec. 405. Great Lakes Maritime Research Institute.

Sec. 406. Inspection and certification of permanently moored vessels.

Sec. 407. Competitive contracting for patrol boat replacement.

Sec. 408. Patrol boat report.

Sec. 409. Actions to address sexual harassment and violence at Coast Guard Academy.

Sec. 410. Cruise ship demonstration project.

Sec. 411. Crew wages on passenger vessels.

Sec. 412. Technical corrections.

TITLE V—MARPOL ANNEX VI IMPLEMENTATION

Sec. 501. Short title.

Sec. 502. References.

Sec. 503. Definitions.

Sec. 504. Applicability.

Sec. 505. Administration and enforcement.

Sec. 506. Certificates.

Sec. 507. Reception facilities.

Sec. 508. Inspections.

Sec. 509. Amendments to the protocol.

Sec. 510. Effect on other laws.

Sec. 511. MARPOL technical corrections.

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for fiscal year 2007 for necessary expenses of the Coast Guard as follows:

(1) For the operation and maintenance of the Coast Guard, \$5,680,000,000, of which—

(A) \$24,255,000 is authorized to be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5));

(B) \$629,000,000 shall be available only for paying for search and rescue programs; and

(C) \$502,000,000 shall be available only for paying for marine safety programs.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, \$2,095,861,000, of which—

(A) \$19,800,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990, to remain available until expended;

(B) \$1,419,223,000 is authorized for acquisition and construction of shore and offshore facilities, vessels, and aircraft, including equipment related thereto, and other activities that constitute the Integrated Deepwater System; and

(C) \$316,638,000 is authorized for conversion and sustainment of legacy vessels and aircraft, including equipment related thereto, and other activities that constitute the Integrated Deepwater Systems.

(3) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, \$24,000,000, to remain available until expended, of which \$2,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,063,323,000, to remain available until expended.

(5) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program, \$17,000,000.

NAYS—98

Abercrombie	Israel	Pelosi
Ackerman	Johnson, E. B.	Poe
Andrews	Kelly	Rangel
Baca	King (NY)	Reynolds
Becerra	Kuhl (NY)	Rothman
Berman	Lantos	Roybal-Allard
Bishop (NY)	Lee	Sánchez, Linda
Boyd	LoBiondo	T.
Brady (PA)	Lofgren, Zoe	Saxton
Brown, Corrine	Lowey	Schiff
Capps	Maloney	Schwartz (PA)
Cardoza	Markey	Serrano
Case	Matsui	Sherman
Conyers	McCarthy	Slaughter
Costa	McDermott	Smith (NJ)
Crowley	McGovern	Solis
Davis (CA)	McHugh	Stark
Davis (FL)	McKinney	Stearns
Duncan	McNulty	Sweeney
Engel	Meek (FL)	Tauscher
Eshoo	Meeks (NY)	Terry
Farr	Michaud	Thompson (CA)
Fattah	Millender-	Towns
Ferguson	McDonald	Velázquez
Filner	Miller, George	Walsh
Fossella	Nadler	Wasserman
Frelinghuysen	Napolitano	Schultz
Garrett (NJ)	Olver	Waters
Hastings (FL)	Owens	Watson
Higgins	Oxley	Waxman
Hinchey	Pallone	Weiner
Holt	Pascrell	Wexler
Honda	Paul	Woolsey
Hostettler	Payne	

NOT VOTING—9

Castle	Istook	Ney
Chabot	Lewis (GA)	Strickland
Evans	Meehan	Stupak

□ 2228

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER pro tempore. Pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), the order of the House of December 18, 2005, and upon the recommendation of the minority leader, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on Student Financial Assistance for a 3-year term effective October 1, 2006:

Mr. Robert Shireman, Oakland, California.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

(6) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operation and maintenance), \$12,000,000, to remain available until expended.

(7) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services, \$124,000,000.

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

(a) **ACTIVE DUTY STRENGTH.**—The Coast Guard is authorized an end-of-year strength for active duty personnel of 45,500 for the fiscal year ending on September 30, 2007.

(b) **MILITARY TRAINING STUDENT LOADS.**—For fiscal year 2007, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, 2,500 student years.

(2) For flight training, 125 student years.

(3) For professional training in military and civilian institutions, 350 student years.

(4) For officer acquisition, 1,200 student years.

TITLE II—COAST GUARD

SEC. 201. APPOINTMENT OF CIVILIAN COAST GUARD JUDGES.

(a) **IN GENERAL.**—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“§ 153. Appointment of judges

“The Secretary may appoint civilian employees of the Department in which the Coast Guard is operating as appellate military judges, available for assignment to the Coast Guard Court of Criminal Appeals as provided for in section 866(a) of title 10.”.

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

“153. Appointment of judges.”.

SEC. 202. INDUSTRIAL ACTIVITIES.

Section 151 of title 14, United States Code is amended—

(1) by inserting “(a) **IN GENERAL.**—” before “All orders”; and

(2) by adding at the end the following:

“(b) **ORDERS AND AGREEMENTS FOR INDUSTRIAL ACTIVITIES.**—Under this section, the Coast Guard industrial activities may accept orders and enter into reimbursable agreements with establishments, agencies, and departments of the Department of Defense.”.

SEC. 203. REIMBURSEMENT FOR MEDICAL-RELATED TRAVEL EXPENSES.

(a) **IN GENERAL.**—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

“§ 518. Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States

“In any case in which a covered beneficiary (as defined in section 1072(5) of title 10) resides on an island that is located in the 48 contiguous States and the District of Columbia and that lacks public access roads to the mainland and is referred by a primary care physician to a specialty care provider (as defined in section 1074i(b) of title 10) on the mainland who provides services less than 100 miles from the location where the beneficiary resides, the Secretary shall reimburse the reasonable travel expenses of the covered beneficiary and, when accompaniment by an adult is necessary, for a parent or guardian of the covered beneficiary or another member of the covered beneficiary's family who is at least 21 years of age.”.

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

“518. Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States.”.

SEC. 204. COMMISSIONED OFFICERS.

(a) **ACTIVE DUTY PROMOTION LIST.**—Section 42 of title 14, United States Code, is amended to read as follows:

“§ 42. Number and distribution of commissioned officers on active duty promotion list

“(a) **MAXIMUM TOTAL NUMBER.**—The total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed 6,700; except that the Commandant may temporarily increase such number by up to 2 percent for no more than 60 days following the date of the commissioning of a Coast Guard Academy class.

“(b) **DISTRIBUTION PERCENTAGES BY GRADE.**—

“(1) **REQUIRED.**—The total number of commissioned officers authorized by this section shall be distributed in grade in the following percentages: 0.375 percent for rear admiral; 0.375 percent for rear admiral (lower half); 6.0 percent for captain; 15.0 percent for commander; and 22.0 percent for lieutenant commander.

“(2) **DISCRETIONARY.**—The Secretary shall prescribe the percentages applicable to the grades of lieutenant, lieutenant (junior grade), and ensign.

“(3) **AUTHORITY OF SECRETARY TO REDUCE PERCENTAGE.**—The Secretary—

“(A) may reduce, as the needs of the Coast Guard require, any of the percentages set forth in paragraph (1); and

“(B) shall apply that total percentage reduction to any other lower grade or combination of lower grades.

“(c) **COMPUTATIONS.**—

“(1) **IN GENERAL.**—The Secretary shall compute, at least once each year, the total number of commissioned officers authorized to serve in each grade by applying the grade distribution percentages established by or under this section to the total number of commissioned officers listed on the current active duty promotion list.

“(2) **ROUNDING FRACTIONS.**—Subject to subsection (a), in making the computations under paragraph (1), any fraction shall be rounded to the nearest whole number.

“(3) **TREATMENT OF OFFICERS SERVING OUTSIDE COAST GUARD.**—The number of commissioned officers on the active duty promotion list serving with other Federal departments or agencies on a reimbursable basis or excluded under section 324(d) of title 49 shall not be counted against the total number of commissioned officers authorized to serve in each grade.

“(d) **USE OF NUMBERS; TEMPORARY INCREASES.**—The numbers resulting from computations under subsection (c) shall be, for all purposes, the authorized number in each grade; except that the authorized number for a grade is temporarily increased during the period between one computation and the next by the number of officers originally appointed in that grade during that period and the number of officers of that grade for whom vacancies exist in the next higher grade but whose promotion has been delayed for any reason.

“(e) **OFFICERS SERVING COAST GUARD ACADEMY AND RESERVE.**—The number of officers authorized to be serving on active duty in each grade of the permanent commissioned teaching staff of the Coast Guard Academy and of the Reserve serving in connection with organizing, administering, recruiting, instructing, or training the reserve components shall be prescribed by the Secretary.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 3 of such title is amended by striking the item relating to section 42 and inserting the following:

“42. Number and distribution of commissioned officers on active duty promotion list.”.

SEC. 205. COAST GUARD PARTICIPATION IN THE ARMED FORCES RETIREMENT HOME (AFRH) SYSTEM.

(a) **IN GENERAL.**—Section 1502 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 401) is amended—

(1) by striking paragraph (4);

(2) in paragraph (5)—

(A) by striking “and” at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting “; and”; and

(C) by inserting at the end the following:

“(E) the Assistant Commandant of the Coast Guard for Human Resources.”; and

(3) by adding at the end of paragraph (6) the following:

“(E) The Master Chief Petty Officer of the Coast Guard.”.

(b) **CONFORMING AMENDMENTS.**—(1) Section 2772 of title 10, United States Code, is amended—

(A) in subsection (a) by inserting “or, in the case of the Coast Guard, the Commandant” after “concerned”; and

(B) by striking subsection (c).

(2) Section 1007(i) of title 37, United States Code, is amended—

(A) in paragraph (3) by inserting “or, in the case of the Coast Guard, the Commandant” after “Secretary of Defense”; and

(B) by striking paragraph (4); and

(C) by redesignating paragraph (5) as paragraph (4).

SEC. 206. GRANTS TO INTERNATIONAL MARITIME ORGANIZATIONS.

Section 149 of title 14, United States Code, is amended—

(1) by inserting “(a) **IN GENERAL.**—” before “The President”; and

(2) by adding at the end the following:

“(b) **GRANTS TO INTERNATIONAL MARITIME ORGANIZATIONS.**—After consultation with the Secretary of State, the Commandant may make grants to, or enter into cooperative agreements, contracts, or other agreements with, international maritime organizations for the purpose of acquiring information or data about merchant vessel inspections, security, safety, classification, and port state or flag state law enforcement or oversight.”.

SEC. 207. EMERGENCY LEAVE RETENTION AUTHORITY.

(a) **IN GENERAL.**—Chapter 11 of title 14, United States Code, is amended by inserting after section 425 the following:

“§ 426. Emergency leave retention authority

“With regard to a member of the Coast Guard who serves on active duty, a duty assignment in support of a declaration of a major disaster or emergency by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) shall be treated, for the purpose of section 701(f)(2) of title 10, a duty assignment in support of a contingency operation.”.

(b) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by inserting after the item relating to section 425 the following new item:

“426. Emergency leave retention authority.”.

SEC. 208. ENFORCEMENT AUTHORITY.

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

“§ 99. Enforcement authority

“Subject to guidelines approved by the Secretary, members of the Coast Guard, in the performance of official duties, may—

“(1) carry a firearm; and

“(2) while at a facility (as defined in section 70101 of title 46)—

“(A) make an arrest without warrant for any offense against the United States; and

“(B) seize property as otherwise provided by law.”.

(b) **CONFORMING REPEAL.**—The first section added to title 46, United States Code, by the amendment made by subsection (a) of section 801 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1078), and the item relating to such first section enacted by the amendment made by subsection (b) of such section 801, are repealed.

(c) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by adding at the end the following:

“99. Enforcement authority.”.

SEC. 209. NOTIFICATION.

The Secretary of the department in which the Coast Guard is operating may not transfer the permanent headquarters of the United States Coast Guard Band until at least 180 days after the date on which a plan for such transfer is submitted to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 210. REPEAL.

Section 216 of title 14, United States Code, and the item relating to such section in the analysis for chapter 11 of such title, are repealed.

SEC. 211. MARITIME SAFETY FOR NUCLEAR POWER FACILITIES LOCATED ADJACENT TO NAVIGABLE WATERS.

(a) **RESPONSIBILITY.**—Section 2 of title 14, United States Code, is amended by inserting before “and shall maintain a state of readiness” the following: “shall administer laws and promulgate and enforce regulations to assure the maritime safety of nuclear power facilities located adjacent to navigable waters of the United States not specifically delegated by law to some other executive department;”.

(b) **COOPERATION WITH NRC.**—Chapter 7 of such title is amended by inserting after section 147a the following:

“§ 147b. Nuclear regulatory commission

“(a) **IN GENERAL.**—The Commandant may enter into an agreement with the Chairman of the Nuclear Regulatory Commission to enhance the maritime safety of the navigable waters of the United States that are located adjacent to a nuclear power plant. Such agreement shall provide for—

“(1) the exchange of certain information with the Chairman relating to the maritime safety of a nuclear power plant located adjacent to the navigable waters of the United States;

“(2) the assignment of officers of the Coast Guard to serve as liaisons to the Nuclear Regulatory Commission; and

“(3) the provisions of equipment and support to, or accept the same from, the Nuclear Regulatory Commission.

“(b) **PAYMENT OR REIMBURSEMENT.**—With regard to any agreement entered into under subsection (a), the Commandant may prescribe conditions, including advance payment or reimbursement, under which such resources may be provided.”.

(c) **CLERICAL AMENDMENT.**—The analysis for chapter 7 of such title is amended by adding at the end the following:

“147b. Nuclear Regulatory Commission.”.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. VESSEL SIZE LIMITS.

(a) **LENGTH, TONNAGE, AND HORSEPOWER.**—Section 12102 (c)(5) of title 46, United States Code, is amended—

(1) by inserting “and” after the semicolon at the end of subparagraph (A)(i);

(2) by striking “and” at the end of subparagraph (A)(ii);

(3) by striking subparagraph (A)(iii);

(4) by striking the period at the end of subparagraph (B) and inserting “; or”; and

(5) by inserting at the end the following:

“(C) the vessel is either a rebuilt vessel or a replacement vessel under section 208(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-627) and is eligible for a fishery endorsement under section 12108 of this title.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **VESSEL REBUILDING AND REPLACEMENT.**—Section 208(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-627) is amended to read as follows:

“(g) **VESSEL REBUILDING AND REPLACEMENT.**—

“(1) **IN GENERAL.**—

“(A) **REBUILD OR REPLACE.**—Notwithstanding any limitation to the contrary on replacing, rebuilding, or lengthening vessels or transferring permits or licenses to a replacement vessel contained in sections 679.2 and 679.4 of title 50, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2006 and except as provided in paragraph (4), the owner of a vessel eligible under subsection (a), (b), (c), (d), or (e) (other than paragraph (21)), in order to improve vessel safety and operational efficiencies (including fuel efficiency), may rebuild or replace that vessel (including fuel efficiency) with a vessel documented with a fishery endorsement under section 12108 of title 46, United States Code.

“(B) **SAME REQUIREMENTS.**—The rebuilt or replacement vessel shall be eligible in the same manner and subject to the same restrictions and limitations under such subsection as the vessel being rebuilt or replaced.

“(C) **TRANSFER OF PERMITS AND LICENSES.**—Each fishing permit and license held by the owner of a vessel or vessels to be rebuilt or replaced under subparagraph (A) shall be transferred to the rebuilt or replacement vessel.

“(2) **RECOMMENDATIONS OF NORTH PACIFIC COUNCIL.**—The North Pacific Council may recommend for approval by the Secretary such conservation and management measures, including size limits and measures to control fishing capacity, in accordance with the Magnuson-Stevens Act as it considers necessary to ensure that this subsection does not diminish the effectiveness of fishery management plans of the Bering Sea and Aleutian Islands Management Area or the Gulf of Alaska.

“(3) **SPECIAL RULE FOR REPLACEMENT OF CERTAIN VESSELS.**—

“(A) **IN GENERAL.**—Notwithstanding the requirements of paragraphs (1), (2), and (3) of section 12102(c) of title 46, United States Code, a vessel that is eligible under subsection (a), (b), (c), (d), or (e) (other than paragraph (21)) and that qualifies to be documented with a fishery endorsement pursuant to section 203(g) or 213(g) may be replaced with a replacement vessel under paragraph (1) if the vessel that is replaced is validly documented with a fishery endorsement pursuant to section 203(g) or 213(g) before the replacement vessel is documented with a fishery endorsement under section 12108 of title 46, United States Code.

“(B) **APPLICABILITY.**—A replacement vessel under subparagraph (A) and its owner and mortgagee are subject to the same limitations under section 203(g) or 213(g) that are applicable to the vessel that has been replaced and its owner and mortgagee.

“(4) **SPECIAL RULES FOR CERTAIN CATCHER VESSELS.**—

“(A) **IN GENERAL.**—A replacement for a covered vessel described in subparagraph (B) is prohibited from harvesting fish in any fish-

ery (except for the Pacific whiting fishery) managed under the authority of any regional fishery management council (other than the North Pacific Council) established under section 302(a) of the Magnuson-Stevens Act.

“(B) **COVERED VESSELS.**—A covered vessel referred to in subparagraph (A) is—

“(i) a vessel eligible under subsection (a), (b), or (c) that is replaced under paragraph (1); or

“(ii) a vessel eligible under subsection (a), (b), or (c) that is rebuilt to increase its registered length, gross tonnage, or shaft horsepower.

“(5) **LIMITATION ON FISHERY ENDORSEMENTS.**—Any vessel that is replaced under this subsection shall thereafter not be eligible for a fishery endorsement under section 12108 of title 46, United States Code, unless that vessel is also a replacement vessel described in paragraph (1).

“(6) **GULF OF ALASKA LIMITATION.**—Notwithstanding paragraph (1), the Secretary shall prohibit from participation in the groundfish fisheries of the Gulf of Alaska any vessel that is rebuilt or replaced under this subsection and that exceeds the maximum length overall specified on the license that authorizes fishing for groundfish pursuant to the license limitation program under part 679 of title 50, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2006.

“(7) **AUTHORITY OF PACIFIC COUNCIL.**—Nothing in this section shall be construed to diminish or otherwise affect the authority of the Pacific Council to recommend to the Secretary conservation and management measures to protect fisheries under its jurisdiction (including the Pacific whiting fishery) and participants in such fisheries from adverse impacts caused by this Act.”.

(2) **EXEMPTION OF CERTAIN VESSELS.**—Section 203(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-620) is amended—

(A) by inserting “and” after “(United States official number 651041)”;

(B) by striking “, NORTHERN TRAVELER (United States official number 635986), and NORTHERN VOYAGER (United States official number 637398) (or a replacement vessel for the NORTHERN VOYAGER that complies with paragraphs (2), (5), and (6) of section 208(g) of this Act)”;

(C) by striking “, in the case of the NORTHERN” and all that follows through “PHOENIX.”.

(3) **FISHERY COOPERATIVE EXIT PROVISIONS.**—Section 210(b) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-629) is amended—

(A) by moving the matter beginning with “the Secretary shall” in paragraph (1) 2 ems to the right;

(B) by adding at the end the following:

“(7) **FISHERY COOPERATIVE EXIT PROVISIONS.**—

“(A) **FISHING ALLOWANCE DETERMINATION.**—For purposes of determining the aggregate percentage of directed fishing allowances under paragraph (1), when a catcher vessel is removed from the directed pollock fishery, the fishery allowance for pollock for the vessel being removed—

“(i) shall be based on the catch history determination for the vessel made pursuant to section 679.62 of title 50, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act 2006; and

“(ii) shall be assigned, for all purposes under this title, in the manner specified by the owner of the vessel being removed to any other catcher vessel or among other catcher vessels participating in the fishery cooperative if such vessel or vessels remain in the fishery cooperative for at least one year

after the date on which the vessel being removed leaves the directed pollock fishery.

“(B) ELIGIBILITY FOR FISHERY ENDORSEMENT.—Except as provided in subparagraph (C), a vessel that is removed pursuant to this paragraph shall be permanently ineligible for a fishery endorsement, and any claim (including relating to catch history) associated with such vessel that could qualify any owner of such vessel for any permit to participate in any fishery within the exclusive economic zone of the United States shall be extinguished, unless such removed vessel is thereafter designated to replace a vessel to be removed pursuant to this paragraph.

“(C) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this paragraph shall be construed—

“(i) to make the vessels AJ (United States official number 905625), DONA MARTITA (United States official number 651751), NOR-DIC EXPLORER (United States official number 678234), and PROVIDIAN (United States official number 1062183) ineligible for a fishery endorsement or any permit necessary to participate in any fishery under the authority of the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council established, respectively, under subparagraphs (A) and (B) of section 302(a)(1) of the Magnuson-Stevens Act; or

“(ii) to allow the vessels referred to in clause (i) to participate in any fishery under the authority of the Councils referred to in clause (i) in any manner that is not consistent with the fishery management plan for the fishery developed by the Councils under section 303 of the Magnuson-Stevens Act.”.

(c) VESSEL SAFETY STANDARDS.—

(1) LOADLINES.—Section 5102(b)(3) of title 46, United States Code, is amended by striking “a fishing vessel.” and inserting “a fishing vessel unless the vessel is—

“(A) a rebuilt vessel under section 208(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-627); or

“(B) a replacement vessel under such section and the replacement vessel did not harvest fish under section 208(a), 208(b), 208(c), or 208(e) of that Act before June 1, 2006.”.

(2) CLASSING.—Section 4503 of title 46, United States Code, is amended—

(A) in subsection (a) by inserting after “A” the following: “fishing or”;

(B) by adding at the end the following:

“(c) APPLICABILITY TO FISHING VESSELS.—This section applies to a fishing vessel to which this chapter applies that is—

“(1) a rebuilt vessel under section 208(g) of the American Fisheries Act (title II of division C of Public Law 105-277; 112 Stat. 2681-627); or

“(2) a replacement vessel under such section and the replacement vessel did not harvest fish under section 208(a), 208(b), 208(c), or 208(e) of that Act before June 1, 2006.”; and

(C) in the heading for such section by striking “Fish” and inserting “Fishing and fish”.

(d) CONVERSION TO CATCHER/PROCESSOR SHARES.—

(1) IN GENERAL.—

(A) AMENDMENT OF PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary of Commerce shall amend the fishery management plan for Bering Sea/Aleutian Islands King and Tanner Crabs (in this section referred to as the “Plan”) for the Northern Region (as that term is used in the Plan) to authorize entities affiliated through common ownership to elect on an annual basis to work together to combine any of their catcher vessel owner quota shares for the Northern Region with any of their processor quota shares and to exchange

them for newly created catcher/processor owner quota shares for the Northern Region.

(B) EXCHANGE RATE.—The entities referred to in subparagraph (A) shall receive under the amendment one unit of newly created catcher/processor owner quota shares in exchange for one unit of catcher vessel owner quota shares and 0.9 units of processor quota shares.

(C) AREA OF VALIDITY.—Each unit of newly created catcher/processor owner quota shares under this paragraph shall only be valid for the Northern Region.

(2) FEES.—

(A) LOCAL FEES.—The holder of the newly created catcher/processor owner quota shares under paragraph (1) shall pay a fee of 5.0 percent of the ex-vessel value of the crab harvested pursuant to those shares to any local governmental entities in the Northern Region, that would otherwise have received tax revenues from local raw fish taxes had the exchange authorized by paragraph (1) not occurred.

(B) STATE FEE.—The State of Alaska may collect from the holder of the newly created catcher/processor owner quota shares under paragraph (1) a fee of 1.0 percent of the ex-vessel value of the crab harvested pursuant to those shares.

(3) LANDING REQUIREMENT.—Crab harvested pursuant to catcher/processor owner quota shares created under this subsection shall be landed in those communities receiving the local governmental entities fee revenue set forth in paragraph (2)(A).

(4) PERIODIC COUNCIL REVIEW.—As part of its periodic review of the Plan referred to in paragraph (1), the North Pacific Fishery Management Council may review the effect, if any, of this subsection upon communities in the Northern Region. If the Council determines that this section adversely affects the communities, the Council may recommend to the Secretary of Commerce, and the Secretary may approve, such changes to the Plan as are necessary to mitigate those adverse effects.

(5) LIMITATION ON APPLICATIONS.—Paragraph (1) shall apply only with respect to entities that—

(A) were initially awarded catcher/processor owner quota shares under the Plan; and

(B) either were initially awarded processor quota shares under the Plan or received such shares under section 417(a) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241; 120 Stat. 546).

SEC. 302. GOODS AND SERVICES.

Section 4(b) of the Act of July 5, 1884, commonly known as the Rivers and Harbors Appropriation Act of 1884 (33 U.S.C. 5(b)), is amended—

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

(2) by striking the period at the end of paragraph (3) and inserting “; or”; and

(3) by adding at the end the following:

“(4) sales taxes on goods and services provided to or by vessels or watercraft (other than vessels or watercraft primarily engaged in foreign commerce).”.

SEC. 303. MARITIME ACTIVITIES.

Not later than 30 days after the date of enactment of this Act, the Commandant of the Coast Guard shall prepare and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the use of funds provided to the Alaska Sealife Center from the Oil Spill Liability Trust Fund.

SEC. 304. SEAWARD EXTENSION OF ANCHORAGE GROUNDS JURISDICTION.

Section 7 of the Rivers and Harbors Appropriations Act of 1915 (33 U.S.C. 471) is amended—

(1) by inserting before “The” the following: “(a) IN GENERAL.—”.

(2) in subsection (a) (as designated by paragraph (1)) by striking “\$100; and the” and inserting “up to \$10,000. Each day during which a violation continues shall constitute a separate violation. The”;

(3) by adding at the end the following:

“(b) DEFINITION.—As used in this section ‘navigable waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.”.

SEC. 305. MARITIME DRUG LAW ENFORCEMENT ACT AMENDMENT—SIMPLE POSSESSION.

The Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901-1904) is amended by adding at the end the following:

“SEC. 1905. SIMPLE POSSESSION.

“(a) IN GENERAL.—Any individual at a facility (as defined under section 70101 of title 46, United States Code) or on a vessel subject to the jurisdiction of the United States who is found by the Secretary, after notice and an opportunity for a hearing, to have knowingly or intentionally possessed a controlled substance within the meaning of the Controlled Substances Act (21 U.S.C. 812) shall be liable to the United States for a civil penalty of not to exceed \$10,000 for each violation. The Secretary shall notify the individual in writing of the amount of the civil penalty.

“(b) DETERMINATION OF AMOUNT.—In determining the amount of the penalty, the Secretary shall consider the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and other matters that justice requires.

“(c) TREATMENT OF CIVIL PENALTY ASSESSMENT.—Assessment of a civil penalty under this section shall not be considered a conviction for purposes of State or Federal law but may be considered proof of possession if such a determination is relevant.”.

SEC. 306. TECHNICAL AMENDMENTS TO TONNAGE MEASUREMENT LAW.

(a) APPLICATION.—Section 14301(b)(3) of title 46, United States Code, is amended by inserting “of United States or Canadian registry” after “vessel”.

(b) MEASUREMENT.—Section 14302(b) of such title is amended to read as follows:

“(b) MEASUREMENT.—A vessel measured under this chapter may not be required to be measured under any other law.”.

(c) RECIPROCITY FOR FOREIGN VESSELS.—Subchapter II of chapter 145 of such title is amended by adding at the end the following:

“§ 14514. Reciprocity for foreign vessels

“For a foreign vessel not measured under chapter 143, if the Secretary finds that the laws and regulations of a foreign country related to measurement of vessels are substantially similar to those of this chapter and the regulations prescribed under this chapter, the Secretary may accept the measurement and certificate of a vessel of that foreign country as complying with this chapter and the regulations prescribed under this chapter.”.

(d) DUAL TONNAGE MEASUREMENT.—Section 14513(c) of such title is amended—

(1) in paragraph (1)—

(A) by striking “vessel’s tonnage mark is below the uppermost part of the load line marks,” and inserting “vessel is assigned 2 sets of gross and net tonnages under this section.”; and

(B) by striking “the mark” and inserting “the vessel’s tonnage mark”; and

(2) in paragraph (2) by striking the period at the end and inserting “as assigned under this section.”.

(e) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 145 of such title is amended by adding at the end the following:

“14514. Reciprocity for foreign vessels.”.

SEC. 307. SEAMEN'S SHORESIDE ACCESS.

Each facility security plan approved under section 70103(c) of title 46, United States Code, shall provide a system for seamen assigned to a vessel at that facility, pilots, and representatives of seamen's welfare and labor organizations to board and depart the vessel through the facility in a timely manner at no cost to the individual.

SEC. 308. LIMITATION ON MARITIME LIENS ON FISHING PERMITS.

(a) IN GENERAL.—Subchapter I of chapter 313 of title 46, United States Code, is amended by adding at the end the following:

“§ 31310. Limitation on maritime liens on fishing permits

“(a) IN GENERAL.—A maritime lien shall not attach to a permit that—

“(1) authorizes use of a vessel to engage in fishing; and

“(2) is issued under State or Federal law.

“(b) LIMITATION ON ENFORCEMENT.—No civil action may be brought to enforce a maritime lien on a permit described in subsection (a).

“(c) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in subsections (a) and (b) shall be construed as imposing any limitation upon the authority of the Secretary of Commerce to modify, suspend, revoke, or sanction any Federal fishery permit issued by the Secretary of Commerce or to bring a civil action to enforce such modification, suspension, revocation, or sanction.”.

(b) CLERICAL AMENDMENT.—The analysis for such chapter is amended by inserting after the item relating to section 31309 the following:

“31310. Limitation on maritime liens on fishing permits.”.

SEC. 309. EXTENSION OF EXEMPTION.

Section 3503(a) of title 46, United States Code, is amended by striking “2008” and inserting “2018”.

SEC. 310. DOCUMENTATION OF CERTAIN FISHING VESSELS.

Section 12102(c)(5) of title 46, United States Code, as amended by section 301(a) of this Act, is amended by adding at the end the following:

“(D) the vessel has been issued a permit pursuant to part 648.6(a)(2) of title 50, Code of Federal Regulations, and the owner of the vessel—

“(i) demonstrates to the Secretary the recommendation and approval referred to in subparagraph (B);

“(ii) is required under the endorsement to land all harvested fish and processed fish products at a United States port; and

“(iii) demonstrates to the Secretary that the vessel is in compliance with—

“(I) requirements that otherwise apply under section 403 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881b) that the vessel carry one or more Federal observers; and

“(II) recordkeeping and reporting requirements that otherwise apply under part 648.7 of title 50, Code of Federal Regulations.”.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. SECURE COMMUNICATIONS PROGRAM.

There is authorized to be appropriated to the Commandant of the Coast Guard \$3,000,000 to improve boarding team communications through the use of a cryptographic mesh overlay protocol.

SEC. 402. CERTIFICATE OF DOCUMENTATION FOR GALLANT LADY.

Section 1120(c) of the Coast Guard Authorization Act of 1996 (110 Stat. 3977) is amended—

(1) in paragraph (1)—

(A) by striking “of Transportation” and inserting “of the department in which the Coast Guard is operating”; and

(B) by striking subparagraph (A) and inserting the following:

“(A) the vessel GALLANT LADY (Feadship hull number 672, approximately 168 feet in length).”;

(2) by striking paragraphs (3) and (4) and redesignating paragraph (5) as paragraph (3); and

(3) in paragraph (3) (as so redesignated) by striking all after “shall expire” and inserting “on the date of the sale of the vessel by the owner.”.

SEC. 403. WAIVER.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), section 8 of the Act of June 19, 1886 (46 U.S.C. App. 289; 24 Stat. 81), and section 12106 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for the OCEAN VERITAS (IMO Number 7366805).

SEC. 404. DATA.

In each of fiscal years 2007 and 2008, there is authorized to be appropriated to the Administrator of the National Oceanic and Atmospheric Administration \$7,000,000 to acquire through the use of unmanned aerial vehicles data to improve the management of natural disasters, and the safety of marine and aviation transportation.

SEC. 405. GREAT LAKES MARITIME RESEARCH INSTITUTE.

Section 605 of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1052) is amended—

(1) in subsection (b)(1)—

(A) by striking “The Secretary of Transportation shall conduct a study that” and inserting “The Institute shall conduct maritime transportation studies of the Great Lakes region, including studies that”;

(B) in subparagraphs (A), (B), (C), (E), (F), (H), (I), and (J) by striking “evaluates” and inserting “evaluate”;

(C) in subparagraphs (D) and (G) by striking “analyzes” and inserting “analyze”;

(D) by striking “and” at the end of subparagraph (I);

(E) by striking the period at the end of subparagraph (J) and inserting a semicolon;

(F) by adding at the end the following: “(K) identify ways to improve the integration of the Great Lakes marine transportation system into the national transportation system;

“(L) examine the potential of expanded operations on the Great Lakes marine transportation system;

“(M) identify ways to include intelligent transportation applications into the Great Lakes marine transportation system;

“(N) analyze the effects and impacts of aging infrastructure and port corrosion on the Great Lakes marine transportation system;

“(O) establish and maintain a model Great Lakes marine transportation system database; and

“(P) identify market opportunities for, and impediments to, the use of United States-flag vessels in trade with Canada on the Great Lakes.”; and

(2) by striking subsection (b)(4) and inserting the following:

“(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out paragraph (1)—

“(A) \$2,100,000 for fiscal year 2007;

“(B) \$2,200,000 for fiscal year 2008;

“(C) \$2,300,000 for fiscal year 2009;

“(D) \$2,400,000 for fiscal year 2010; and

“(E) \$2,500,000 for fiscal year 2011.”.

SEC. 406. INSPECTION AND CERTIFICATION OF PERMANENTLY MOORED VESSELS.

Any vessel which has a valid certificate of inspection in effect on the date of enactment of this Act and which is subsequently classified by the Coast Guard as a permanently moored vessel shall remain eligible for a certificate of inspection for an additional 5 years from the expiration date of the certificate of inspection in effect on the date of the reclassification.

SEC. 407. COMPETITIVE CONTRACTING FOR PATROL BOAT REPLACEMENT.

The Coast Guard may only buy or operate a patrol boat replacement (fast response cutter) if the contract to build the cutter is awarded using a competitive contracting procedure among shipyards in the United States and the management of the competitive contracting procedure is done by the Coast Guard or the primary contractor for the Deepwater Program of the Coast Guard.

SEC. 408. PATROL BOAT REPORT.

Not later than 90 days after the date of enactment of this Act the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report how the Coast Guard plans to manage the annual readiness gap of lost time for 110-foot patrol boats from fiscal year 2007 through fiscal year 2013. The report shall include—

(1) an identification of assets that may be used to alleviate the annual readiness gap of lost time for such patrol boats;

(2) a projection of the remaining operational lifespan of the 110-foot patrol boat fleet;

(3) a description of how extending through fiscal year 2013 the transfer agreement between the Coast Guard and the United States Navy for 5 Cyclone class 179-foot patrol coastal ships would effect the annual readiness gap of lost time for 110-foot patrol boats; and

(4) an estimate of the cost to extend the operational lifespan of the 110-foot patrol boat fleet for each of fiscal years 2007 through 2013.

SEC. 409. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND VIOLENCE AT COAST GUARD ACADEMY.

(a) POLICY ON SEXUAL HARASSMENT.—

(1) IN GENERAL.—Under guidance prescribed by the Secretary of the department in which the Coast Guard is operating, the Commandant of the Coast Guard shall direct the Superintendent of the Coast Guard Academy to prescribe a policy on sexual harassment and violence applicable to the personnel of the Coast Guard Academy.

(2) SPECIFIED PROGRAMS AND PROCEDURES.—The policy on sexual harassment and violence prescribed for the Academy under paragraph (1) shall specify the following:

(A) Programs to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve academy personnel.

(B) Procedures that a cadet should follow in the case of an occurrence of sexual harassment or violence, including—

(i) a specification of the person or persons to whom the alleged offense should be reported;

(ii) a specification of any other person whom the victim should contact; and

(iii) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault.

(C) Procedures for disciplinary action in cases of alleged criminal sexual assault involving academy personnel.

(D) Any other sanction authorized to be imposed in a substantiated case of harassment or violence involving academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible.

(E) Required training on the policy for all academy personnel, including the specific training required for personnel who process allegations of sexual harassment or violence involving academy personnel.

(3) FACTORS TO CONSIDER.—In prescribing the policy on sexual harassment and violence for the Academy under paragraph (1), the Superintendent shall take into consideration—

(A) the findings, conclusions, and recommendations of the panel established pursuant to title V of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 609) to review sexual misconduct allegations at the United States Air Force Academy; and

(B) the findings, conclusions, and recommendations of other previous reviews and investigations of sexual harassment and violence conducted with respect to the Coast Guard Academy and one or more of the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy.

(4) DEADLINE.—The policy required by paragraph (1) shall be prescribed not later than June 1, 2007.

(b) ANNUAL ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall direct the Superintendent to conduct at the Coast Guard Academy an assessment during the Academy's program year to determine the effectiveness of the Academy's policies, training, and procedures on sexual harassment and violence to prevent criminal sexual harassment and violence involving academy personnel.

(2) SURVEY OF PERSONNEL.—For the assessment for each academy program year, the Superintendent shall conduct a survey of all academy personnel—

(A) to measure—

(i) the incidence, during that program year, of sexual harassment and violence events, on or off the academy reservation, that have been reported to officials of the Academy; and

(ii) the incidence, in that program year, of sexual harassment and violence events, on or off the academy reservation, that have not been reported to officials of the Academy; and

(B) to assess the perceptions of academy personnel on—

(i) the policies, training, and procedures on sexual harassment and violence involving academy personnel;

(ii) the enforcement of such policies;

(iii) the incidence of sexual harassment and violence involving academy personnel in such program year; and

(iv) any other issues relating to sexual harassment and violence involving academy personnel.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—The Commandant shall direct the Superintendent to submit to the Secretary a report on sexual harassment and violence involving academy personnel for each academy program year.

(2) SPECIFIED MATTERS TO BE COVERED.—The annual report for the Academy under paragraph (1) shall contain, for the academy program year covered by the report, the following matters:

(A) The number of sexual assaults, rapes, and other sexual offenses involving academy personnel that have been reported to academy officials during the program year and the number of the reported cases that have been substantiated.

(B) The policies, procedures, and processes implemented by the Commandant and the leadership of the Academy in response to sexual harassment and violence involving academy personnel during the program year.

(C) In the report for the 2008 academy program year, a discussion of the survey conducted under subsection (b), together with an analysis of the results of the survey and a discussion of any initiatives undertaken on the basis of such results and analysis.

(D) In the report for each of the subsequent academy program years, the results of the annual survey conducted in such program year under subsection (b).

(E) A plan for the actions that are to be taken in the following academy program year regarding prevention of and response to sexual harassment and violence involving academy personnel.

(3) TRANSMITTAL TO SECRETARY.—The Commandant shall transmit the annual report on an academy under this subsection, together with the Commandant's comments on the report, to the Secretary and the Board of Visitors of the Academy.

(4) TRANSMITTAL TO CONGRESS.—The Secretary shall transmit the annual report on the Academy under this subsection, together with the Secretary's comments on the report to, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(5) DEADLINE FOR 2008 REPORT.—The report for the 2008 academy program year shall be submitted to the Commandant not later than June 1, 2009.

(6) DEFINITION.—In this subsection, the term "academy program year" with respect to a year, means the academy program year that ends in that year.

SEC. 410. CRUISE SHIP DEMONSTRATION PROJECT.

(a) IN GENERAL.—The Commandant of the Coast Guard, in cooperation the regional trade association representing the major cruise lines that operate in the Alaska cruise trade, shall conduct a demonstration project on the methods and best practices of the use of smokestack scrubbers on cruise ships that operate in that region.

(b) AGREEMENT.—The Commandant of the Coast Guard may enter into an agreement with the regional trade association referred to in subsection (a), or one or more of its members, to assist in conducting the demonstration project under subsection (a).

(c) REPORT.—Upon completion of the project described in subsection (a), the Commandant of the Coast Guard shall submit a report on the results of the project to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

SEC. 411. CREW WAGES ON PASSENGER VESSELS.

(a) FOREIGN AND INTERCOASTAL VOYAGES.—

(1) CAP ON PENALTY WAGES.—Section 10313(g) of title 46, United States Code, is amended—

(A) by striking "When" and inserting "(1) Subject to paragraph (2), when"; and

(B) by adding at the end the following:

"(2) The total amount required to be paid under paragraph (1) with respect to all claims in a class action suit by seamen on a passenger vessel capable of carrying more than 500 passengers for wages under this section against a vessel master, owner, or operator or the employer of the seamen shall not exceed ten times the unpaid wages that are the subject of the claims.

"(3) A class action suit for wages under this subsection must be commenced within three years after the later of—

"(A) the date of the end of the last voyage for which the wages are claimed; or

"(B) the receipt, by a seaman who is a claimant in the suit, of a payment of wages that are the subject of the suit that is made in the ordinary course of employment."

(2) DEPOSITS.—Section 10315 of such title is amended by adding at the end the following:

"(f) DEPOSITS IN SEAMAN ACCOUNT.—A seaman employed on a passenger vessel capable of carrying more than 500 passengers may authorize, by written request signed by the seaman, the master, owner, or operator of the vessel, or the employer of the seaman, to make deposits of wages of the seaman into a checking, savings, investment, or retirement account, or other account to secure a payroll or debit card for the seaman if—

"(1) the wages designated by the seaman for such deposit are deposited in a United States or international financial institution designated by the seaman;

"(2) such deposits in the financial institution are fully guaranteed under commonly accepted international standards by the government of the country in which the financial institution is licensed;

"(3) a written wage statement or pay stub, including an accounting of any direct deposit, is delivered to the seaman no less often than monthly; and

"(4) while on board the vessel on which the seaman is employed, the seaman is able to arrange for withdrawal of all funds on deposit in the account in which the wages are deposited."

(b) COASTWISE VOYAGES.—

(1) CAP ON PENALTY WAGES.—Section 10504(c) of such title is amended—

(A) by striking "When" and inserting "(1) Subject to subsection (d), when"; and

(B) by inserting at the end the following:

"(2) The total amount required to be paid under paragraph (1) with respect to all claims in a class action suit by seamen on a passenger vessel capable of carrying more than 500 passengers for wages under this section against a vessel master, owner, or operator or the employer of the seamen shall not exceed ten times the unpaid wages that are the subject of the claims.

"(3) A class action suit for wages under this subsection must be commenced within three years after the later of—

"(A) the date of the end of the last voyage for which the wages are claimed; or

"(B) the receipt, by a seaman who is a claimant in the suit, of a payment of wages that are the subject of the suit that is made in the ordinary course of employment."

(2) DEPOSITS.—Section 10504 of such title is amended by adding at the end the following:

"(f) DEPOSITS IN SEAMAN ACCOUNT.—A seaman employed on a passenger vessel capable of carrying more than 500 passengers may authorize, by written request signed by the seaman, the master, owner, or operator of the vessel, or the employer of the seaman, to make deposits of wages of the seaman into a checking, savings, investment, or retirement account, or other account to secure a payroll or debit card for the seaman if—

"(1) the wages designated by the seaman for such deposit are deposited in a United States or international financial institution designated by the seaman;

"(2) such deposits in the financial institution are fully guaranteed under commonly accepted international standards by the government of the country in which the financial institution is licensed;

"(3) a written wage statement or pay stub, including an accounting of any direct deposit, is delivered to the seaman no less often than monthly; and

"(4) while on board the vessel on which the seaman is employed, the seaman is able to arrange for withdrawal of all funds on deposit in the account in which the wages are deposited."

SEC. 412. TECHNICAL CORRECTIONS.

(a) COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2006.—Effective with enactment of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109-241), such Act is amended—

(1) in section 311(b) (120 Stat. 530) by inserting “paragraphs (1) and (2) of” before “section 8104(o)”;

(2) in section 603(a)(2) (120 Stat. 554) by striking “33 U.S.C. 2794(a)(2)” and inserting “33 U.S.C. 2704(a)(2)”;

(3) in section 901(r)(2) (120 Stat. 566) by striking “the” the second place it appears;

(4) in section 902(c) (120 Stat. 566) by inserting “of the United States” after “Revised Statutes”;

(5) in section 902(e) (120 Stat. 567) is amended—

(A) by inserting “and” after the semicolon at the end of paragraph (1);

(B) by striking “and” at the end of paragraph (2)(A); and

(C) by redesignating paragraphs (3) and (4) as subparagraphs (C) and (D) of paragraph (2), respectively, and aligning the left margin of such subparagraphs with the left margin of subparagraph (A) of paragraph (2);

(6) in section 902(e)(2)(C) (as so redesignated) by striking “this section” and inserting “this paragraph”;

(7) in section 902(e)(2)(D) (as so redesignated) by striking “this section” and inserting “this paragraph”;

(8) in section 902(h)(1) (120 Stat. 567)—

(A) by striking “Bisti/De-Na-Zin” and all that follows through “Protection” and inserting “Omnibus Parks and Public Lands Management”; and

(B) by inserting a period after “Commandant of the Coast Guard”;

(9) in section 902(k) (120 Stat. 568) is amended—

(A) by inserting “the Act of March 23, 1906, commonly known as” before “the General Bridge”;

(B) by striking “491” and inserting “494.”;

(C) by inserting “each place it appears” before “and inserting”;

(10) in section 902(o) (120 Stat. 569) by striking the period after “Homeland Security”.

(b) TITLE 14.—(1) The analysis for chapter 7 of title 14, United States Code, is amended by adding a period at the end of the item relating to section 149.

(2) The analysis for chapter 17 of title 14, United States Code, is amended by adding a period at the end of the item relating to section 677.

(3) The analysis for chapter 9 of title 14, United States Code, is amended by adding a period at the end of the item relating to section 198.

(c) TITLE 46.—(1) The analysis for chapter 81 of title 46, United States Code, is amended by adding a period at the end of the item relating to section 8106.

(2) Section 70105(c)(3)(C) of such title is amended by striking “National Intelligence Director” and inserting “Director of National Intelligence”.

(d) DEEPWATER PORT ACT OF 1974.—Section 5(c)(2) of the Deepwater Port Act of 1974 (33 U.S.C. 1504(c)(2)) is amended by aligning the left margin of subparagraph (K) with the left margin of subparagraph (L).

(e) OIL POLLUTION ACT OF 1990.—(1) Section 1104(a)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2794(a)(2)) is amended by striking the first comma following “\$800,000”.

(2) The table of sections in section 2 of such Act is amended by inserting a period at the end of the item relating to section 7002.

(f) COAST GUARD AUTHORIZATION ACT OF 1996.—The table of sections in section 2 of the Coast Guard Authorization Act of 1996 is amended in the item relating to section 103

by striking “reports” and inserting “report”.

TITLE V—MARPOL ANNEX VI IMPLEMENTATION**SEC. 501. SHORT TITLE.**

This title may be cited as the “MARPOL Annex VI Implementation Act of 2006”.

SEC. 502. REFERENCES.

Wherever in this title an amendment or repeal is expressed in terms of an amendment to or a repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.).

SEC. 503. DEFINITIONS.

Section 2(a) (33 U.S.C. 1901(a)) is amended—

(1) by redesignating the paragraphs (1) through (12) as paragraphs (2) through (13), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) ‘Administrator’ means the Administrator of the Environmental Protection Agency.”;

(3) in paragraph (5) (as so redesignated) by striking “and V” and inserting “V, and VI”;

(4) in paragraph (6) (as so redesignated) by striking “‘discharge’ and ‘garbage’ and ‘harmful substance’ and ‘incident’” and inserting “‘discharge’, ‘emission’, ‘garbage’, ‘harmful substance’, and ‘incident’”.

SEC. 504. APPLICABILITY.

Section 3 (33 U.S.C. 1902) is amended—

(1) in subsection (a)—

(A) by striking “and” at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting “; and”;

(C) by adding at the end the following:

“(5) with respect to Annex VI to the Convention, and to the extent consistent with international law, to a ship (other than a ship referred to in paragraph (1)), that—

“(A) is in a port, shipyard, offshore terminal, or the internal waters of the United States;

“(B) is in the territorial sea of the United States as defined in Presidential Proclamation 5928 of December 27, 1988;

“(C) is in an emission control area designated pursuant to section 4; or

“(D)(i) is bound for or departing a port, shipyard, offshore terminal, or the internal waters of the United States; and

“(ii) is in any other area that the Administrator, in consultation with the Secretary, has designated by regulation and based on the best available scientific data as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment.”;

(2) in subsection (b)(1) by inserting “or (3)” after “paragraph (2)”;

(3) in subsection (b) by adding at the end the following:

“(3) With respect to Annex VI to the Convention, the head of a Federal department or agency may determine that some or all of the requirements under this Act shall apply to one or more classes of public vessels operated under the authority of such department or agency.”; and

(4) in subsection (d)—

(A) by inserting “, or the Administrator as authorized by section 4,” after “Secretary”;

(B) by inserting “(or an applicable Annex)” after “MARPOL Protocol” the first place it appears; and

(C) by inserting “and Annex VI” after “Annex V”.

SEC. 505. ADMINISTRATION AND ENFORCEMENT.

Section 4(b) (33 U.S.C. 1903(b)) is amended—

(1) by redesignating paragraph (2) as paragraph (4);

(2) by inserting after paragraph (1) the following:

“(2) In prescribing regulations under this section to carry out the provisions of Annex VI to the Convention, the Secretary shall consult with the Administrator with respect to Regulations 12 and 16 of such Annex and with the Administrator and the Secretary of the Interior with respect to Regulation 19 of such Annex.

“(3) In addition to the authority the Secretary has to prescribe regulations under this section to carry out Annex VI to the Convention, the Administrator, in consultation with the Secretary, shall prescribe any necessary or desired regulations to carry out Regulations 13, 14, 15, and 18 of such Annex.”; and

(3) by adding at the end the following:

“(5) No standard issued by any person or Federal agency regarding emissions from tank vessels that are subject to Regulation 15 of Annex VI to the Convention shall be effective until six months after the date on which the Secretary submits a notification to the International Maritime Organization that such standard has been established.”.

SEC. 506. CERTIFICATES.

Section 5 (33 U.S.C. 1904) is amended—

(1) in subsection (a)—

(A) by striking “The” and inserting “(1) Except as provided in paragraph (2), the”;

(B) by adding at the end the following new paragraph:

“(2) The Administrator shall, and no other person may, issue an Engine International Air Pollution Prevention Certificate in accordance with Annex VI to the Convention and the International Maritime Organization’s Technical Code on Control of Emissions of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States. The issuance of such certificates shall be consistent with any applicable requirements under the Clean Air Act (42 U.S.C. 7401 et seq.) and regulations promulgated thereunder.”;

(2) by striking subsection (b) and inserting the following:

“(b) A certificate issued by a country that is a party to the MARPOL Protocol has the same validity as a certificate issued by the Secretary under this Act or by the Administrator under subsection (a)(2).”; and

(3) in subsection (e) by inserting “or the public health or welfare” after “marine environment”.

SEC. 507. RECEPTION FACILITIES.

Section 6 (33 U.S.C. 1905) is amended—

(1) in subsection (a) by adding at the end the following:

“(3) The Secretary, after consulting with appropriate Federal agencies, shall establish regulations to require that ports and terminals provide reception facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues or ensure that such facilities are available. The regulations shall establish criteria for determining the adequacy of reception facilities for receiving such substances, equipment, or residues at a port or terminal and such additional measures and requirements as are appropriate to ensure such adequacy.

“(4) The Secretary may establish regulations to certify, and may issue certificates to the effect, that a port’s or terminal’s facilities for receiving such substances, equipment, and residues from ships are adequate.”;

(2) in subsection (c)(2)(A) by inserting “or (a)(3)” after “subsection (a)(2).”; and

(3) by striking subsection (e)(2) and inserting the following:

“(2) The Secretary may deny the entry of a ship to a port or terminal required by regulations issued under this section to provide

adequate reception facilities for garbage, ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues if the port of terminal is not in compliance with such regulations.”; and

(4) in subsection (f)(1) by striking “MARPOL Protocol or the Antarctic Protocol” and inserting “MARPOL Protocol, the Antarctic Protocol, or this Act”.

SEC. 508. INSPECTIONS.

Section 8(f) (33 U.S.C. 1907(f)) is amended to read as follows:

“(f)(1) The Secretary may inspect a ship to which this Act applies as provided under section 3(a)(5), to verify whether the ship is in compliance with Annex VI to the Convention and this Act.

“(2) If an inspection under this subsection or any other information indicates that a violation has occurred, the Secretary may undertake enforcement action under this section.”.

SEC. 509. AMENDMENTS TO THE PROTOCOL.

Section 10(b) (33 U.S.C. 1909(b)) is amended by striking “Annex I, II, or V” and by inserting “Annex I, II, V, or VI”.

SEC. 510. EFFECT ON OTHER LAWS.

Section 15 (33 U.S.C. 1911) is amended to read as follows:

“SEC. 15. EFFECT ON OTHER LAWS.

“Authorities, requirements, and remedies of this Act supplement and neither amend nor repeal any other authorities, requirements, or remedies conferred by any other provision of law. Nothing in this Act shall limit, deny, amend, modify, or repeal any other authority, requirement, or remedy available to the United States or any other person, except as expressly provided in this Act.”.

SEC. 511. MARPOL TECHNICAL CORRECTIONS.

Subsections (a), (b), and (d) of section 9 (33 U.S.C. 1908(a), (b), and (d)) are amended by striking the second comma after “MARPOL Protocol” each place it appears.

The SPEAKER pro tempore (Ms. FOXX). Pursuant to the rule, the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LOBIONDO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5681, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LOBIONDO. Madam Speaker, I yield such time as he may consume to the Chair of the full committee, the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Speaker, I urge my colleagues to support this legislation.

The Coast Guard has a great deal of authority, but they need the money and they need further authorization to do the missions we have charged them as the United States Congress. I hope and ask all of my colleagues to see the movie “The Guardian.” It explains a

great deal what the Coast Guard does and why this bill should be supported.

I compliment Mr. LOBIONDO, the chairman of the subcommittee, and those who work on the minority side to make sure that this legislation is good. This legislation is well-thought out, and as it is presented tonight, I urge my colleagues to pass this legislation.

Mr. LOBIONDO. Madam Speaker, I yield myself such time as I may consume.

The Coast Guard Authorization Act of 2006 authorizes nearly \$9 billion in funding for the Coast Guard for fiscal year 2007. This authorization includes funding to support each of the Coast Guard’s vitally important missions.

The men and women of the Coast Guard work hard to carry out the service’s missions. Each day, they protect the public and help to ensure the safety and security of our great Nation. They are our Nation’s maritime first responders.

Consequently, this body must provide these men and women with the assets and resources that they so desperately need. H.R. 5681 will authorize the funding levels required to do just that. For example, the bill authorizes over \$1.7 billion for the Coast Guard’s integrated Deepwater System, the amount necessary to accelerate the replacement of the Coast Guard’s legacy assets from a 25- to 15-year schedule. As the Coast Guard’s legacy assets continue to rapidly deteriorate, servicemembers work with the risk that the aircraft or boat they use may fail to operate. This is totally unacceptable. Further, it puts the safety and security of our citizens at risk. We must accelerate the Deepwater Program and make replacement assets available as soon as possible. I strongly urge my colleagues to support the funding levels in this bill.

In addition, H.R. 5681 specifically provides that at least \$629 million must be used for search and rescue and at least \$502 million must be used for marine safety. While homeland security missions require more resources and personnel than ever, the Coast Guard’s other traditional missions are no less important than they have been in the past. Therefore, the bill sets a floor for spending in these critical areas.

The bill also requires the Coast Guard to report to Congress on how they intend to deal with the nearly 20,000-hour annual readiness gap that has developed in the 110-foot patrol boats. This is something that is very disturbing and troubling and must be addressed.

Additionally, the bill includes a provision establishing a civil penalty for individuals who possess personal use quantities of narcotics at maritime facilities or on a vessel. Drug use on vessels can have deadly consequences, and this provision will give the Coast Guard another tool to help keep our waterways safe.

I thank Chairman YOUNG and the ranking members, Mr. OBERSTAR and Mr. FILNER, for working with us so

closely to develop this bill. I think it takes a balanced approach to meet the Coast Guard’s requirements.

Madam Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in very strong support of the Coast Guard Authorization Act of 2006. The bill provides authorization of \$8 billion for Coast Guard programs for the coming fiscal year, 2007, including \$5.6 billion for Coast Guard operations; \$2 billion for Coast Guard acquisition and construction, of which amount \$1.4 billion is for the Integrated Deepwater System; \$24 billion for research and development; \$1 billion for retired pay; \$17 million for the Truman Hobbs Bridge Alteration Program; and \$12 million for environmental compliance at Coast Guard facilities.

For the past 3 years, Chairman YOUNG and the very dedicated subcommittee chairman, the gentleman from New Jersey (Mr. LOBIONDO), and I and the gentleman from California (Mr. FILNER) have been concerned about the diversion of Coast Guard resources from their historic missions, search and rescue, marine safety, being diverted to homeland security missions.

Those are important, but no more important than those historic missions of the Coast Guard about which we were concerned when the Department of Homeland Security was created and the Coast Guard was moved into it.

The maritime safety laws of this country were written in understanding and appreciation of the peril which mariners face when they get on a ship, go out to sea, whether on the saltwater or the fourth coastline of this country, the Great Lakes.

Americans put their trust every day in the Coast Guard to regulate safety on ferry boats and other types of vessels conveying passengers, or on liquefied natural gas tankers that come into our ports. We have to ensure that the Coast Guard will get their full funding needed to carry out those responsibilities. So in this legislation for the first time we set a floor on the amount of funding available for Coast Guard search and rescue and maritime safety programs.

We restore the funding for those programs that was cut in the President’s proposed budget. We also restore funding for the Truman Hobbs Bridge Alteration Program to remove bridges that are obstructions to navigation.

We ensure funding for the Coast Guard’s research and development program will go directly to the Coast Guard and will not be filtered through the Department of Homeland Security. As I warned when we brought that homeland security bill to the House floor that you put the Coast Guard in there, those dollars will be siphoned off to other functions within homeland security. Now we found a way to protect that that will not happen; the money will go directly to the Coast Guard.

In addition, we make a number of changes that will help the men and women of the Coast Guard of whom Chairman LOBIONDO and Chairman YOUNG and I and others have so frequently spoken with great admiration for their service.

First, we help pay for Coast Guard travel expenses for medical costs, if they are assigned to an isolated place that has no public access roads to the mainland, for example, allowing Coast Guard enlisted personnel to participate in the Armed Forces Retirement Home System; requiring that newly built fishing vessels built as replacement vessels under the American Fisheries Act be classed by the American Bureau of Shipping and have loadlines assigned if they are over 79 feet in length; and increasing the civil penalties for vessels that violate the anchorage regulations.

We also require that each facility security plan provide a method for seamen and representatives of seamen's welfare and labor organizations be able to board and depart the vessel through the facility in a timely fashion at no cost to the individual.

Those are just some of the highlights of this very, very important, comprehensive bill. It achieves that extraordinary goal that we on this committee in a bipartisan manner have had of setting a floor on the Coast Guard funding for search and rescue and for maritime safety programs.

This is a great accomplishment. We ought to pass this bill.

Mr. FLAKE. Madam Speaker, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Arizona.

Mr. FLAKE. We passed recently the earmark reform rule that applies simply to House rules. I had a concern that it might not apply to suspension bills, bills which are brought under suspension of the rules which would include suspending the earmark rule that we adopted.

I find in the report specific language referring to the Great Lakes Maritime Research Institute and specific moneys that are allocated in 2007, 2008, 2009 and 2010. That would seem to fit the definition of an earmark for the purposes of the rule that we passed, and the rule that we passed requires that a Member who requested that earmark identify their names with that earmark.

I would ask the gentleman if that is the earmark you requested?

Mr. OBERSTAR. I appreciate the gentleman's concern. He has been a vigorous advocate for openness about designation and earmarking in appropriation bills and has been vigorous in his pursuit in that objective.

I would point out, this is not an earmark for a project. For example, when the Food and Drug Administration was established, it was established to be located at the place of the designation of the Secretary of Health and Human Services. Similarly with the National Institutes of Health. The legislation

didn't say that they should be in Maryland; they just happened to be located in Maryland.

This is not a project that fits a particular Member's district. This is an institute that was authorized in the Coast Guard bill of 2004 that became Public Law in August of that year with this language: "The Secretary of Transportation may designate a National Maritime Enhancement Institute for the Great Lakes region."

It didn't say where. It didn't direct the Secretary to put it in any Members' district, just the Great Lakes.

I know the gentleman represents a water-challenged State. We have one-fifth of all of the fresh water on the face of the Earth in the five Great Lakes that cover eight States and two provinces of Canada.

The purpose of this institute is to develop marketing opportunities, shipping opportunities, and to look at the corrosive effects of water that are happening in the Great Lakes on our port facilities. Steel suddenly in the last 5 years has begun to corrode. Something is happening in those waters. It was our purpose, the Great Lakes States members, to create an institute that would bring together a wide range of academic and Federal Government agencies. I will just list for the gentleman, the Coast Guard, the Lake Carriers Association, Association of Great Lakes Port Authorities, U.S. Maritime Administration, Army Corps of Engineers, Great Lakes Commission, St. Lawrence Seaway Development Corporation, Society of Naval Architects and Marine Engineers, and various universities are all participants in this Great Lakes Maritime Institute.

What we do in this bill is continue the authorization for this program with specific dollar amounts, but we do not designate where it shall be located.

Mr. FLAKE. If the gentleman would continue to yield, I am reading now from I believe it is a press release of December 2005.

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"Congressman DAVID OBEY, D-Wisconsin, announced December 12 that the Great Lakes Maritime Institute, the joint effort of the University of Wisconsin-Superior and the University of Minnesota-Duluth, will receive \$2 million in Federal funding." I believe that that is now the identified home of the Institute and, therefore, receiving money year after year would, I believe, be defined as an earmark for that purpose.

Mr. OBERSTAR. Madam Speaker, the gentleman refers to a press release. We don't legislate by press releases here.

Secondly, that statement was issued after the Secretary made a designation. After the Secretary made a designation. And participating in the Institute are the University of Toledo; the University of Wisconsin at Madison; the Great Lakes Maritime Academy, which is in Michigan; the Univer-

sity of Michigan; Michigan Tech University; and University of Minnesota-Duluth. This is a consortium of universities. But the legislation didn't designate where it should be located. That designation was left to the Secretary.

Mr. FLAKE. I thank the gentleman. We do not legislate by press release. Unfortunately, for those of us who are trying to bring some accountability or transparency, sometimes the only way we can find out who requested an earmark or specific funding is to go to press releases because the agency won't tell us and the committees won't tell us.

Mr. OBERSTAR. Reclaiming my time, I just want to say that the law directed the Secretary of Transportation to designate. The press release didn't. The legislation didn't. Appropriations didn't. If you are looking for transparency, it is very transparent what we have here in this bill. Additional years of authorization, the specific dollar amounts in an authorization, not an appropriation bill and not directed to a specific place.

Mr. FLAKE. I thank the gentleman. My concern is that when we did the earmark reform rule we didn't specifically cover suspension bills, and we want to make sure that all avenues are covered, whether it is authorizing on suspension bills or whatever else we do. So I appreciate the gentleman's explaining this particular source of funding and how it is arrived at.

The chairman of the Rules Committee said during the debate on that earmark rule, he said, "By adopting this new rule, we as a body are not only making the commitment to live under its provision, but every Member must make a commitment to adhere to the spirit of this new rule. It is more than just adding a new rule. It is making a commitment to change the culture of the institution."

And what I want to make sure is that under rules of suspension that we don't bring to the floor any earmarks that have not been identified according to the rule.

Mr. OBERSTAR. Madam Speaker, I thank the gentleman's integrity and his pursuit of a personal and institutional objective. However, this is not an earmark for a project. It is not a designation of a specific venue for an activity. It is an authorization for the Department to make a decision which was done pursuant to the 2004 law, and in this legislation we simply extend what is already in existence as designated by the Secretary.

Now, we are very careful in this committee. I will not stand for, in any aviation authorization bill, any specific designations or earmarks. People always want to have an air traffic control tower or center or something else designated in that bill. We keep it out. And we do not have any of those designations in this bill for specific districts for specific Members.

Mr. FLAKE. Madam Speaker, I thank the gentleman. I also thank the leadership for their continued commitment

to work and to ensure that suspension bills are covered under the new earmark rule.

Mr. OBERSTAR. Madam Speaker, that is an issue the gentleman I suggest should take up with his leadership. I do not have much of a say in that matter.

Madam Speaker, I reserve the balance of my time.

Mr. LOBIONDO. Madam Speaker, I yield 2 minutes to Congresswoman KELLY from New York.

Mrs. KELLY. Madam Speaker, I rise today in support of the Coast Guard reauthorization. I am pleased to see that the section that Mr. BARROW of Georgia and I authored in a bipartisan fashion is included in the measure before us.

Our provision would clarify the role of the Coast Guard in protecting our Nation's nuclear power plants along navigable waterways. This language will allow the Coast Guard to work with the Nuclear Regulatory Commission to better safeguard nuclear facilities like the Indian Point facility along the Hudson River in my district and provide vessels and weaponry capable of thwarting waterborne attacks.

I want to thank Chairman YOUNG and Coast Guard Subcommittee Chairman LOBIONDO for their great work in support of the U.S. Coast Guard and for working so cooperatively with Congressman BARROW and me to have this provision included. This provision will go a long way towards protecting a segment of our Nation's energy infrastructure that still remains vulnerable of attack.

Mr. OBERSTAR. Madam Speaker, I think we have essentially resolved the issue of the gentleman from Arizona.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LOBIONDO. Madam Speaker, I yield myself such time as I may consume.

I would like to thank all my colleagues again, thank Mr. YOUNG, Mr. OBERSTAR, and Mr. FILNER on the subcommittee for working so closely for such an excellent product.

I would like to remind all of the Members of the sacrifices that the men and women of the Coast Guard make every day on our behalf. Unsung heroes, underrecognized, underappreciated men and women who are putting their lives on the line for our country with extraordinary dedication. This bill will help give them the tools and the equipment necessary for them to carry out their jobs.

It is, I guess, somewhat fitting that within a very short period of time all of America will have an opportunity to have a much better understanding of what the Coast Guard does because of a film that is being released, I believe, tomorrow, that will paint an extraordinary picture, realistic picture, of Coast Guard rescue swimmers and the danger that the men and women put themselves in every day on our behalf.

So I once again would urge all of my colleagues to please vote "yes."

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. LOBIONDO) that the House suspend the rules and pass the bill, H.R. 5681, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109-700) on the resolution (H. Res. 1053) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 5441, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007; PROVIDING FOR CONSIDERATION OF S. 3930, MILITARY COMMISSIONS ACT OF 2006; PROVIDING FOR CONSIDERATION OF H.R. 4772, PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 2006

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109-701) on the resolution (H. Res. 1054) waiving points of order against the conference report to accompany the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes and providing for consideration of the bill (S. 3930) to authorize trial by military commission for violations of the law of war, and for other purposes and consideration of the bill (H.R. 4772) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ROBERT J. THOMPSON POST OFFICE BUILDING

Mr. MARCHANT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6075) to designate the facility of the United States Postal Service lo-

cated at 101 East Gay Street in West Chester, Pennsylvania, as the "Robert J. Thompson Post Office Building".

The Clerk read as follows:

H.R. 6075

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ROBERT J. THOMPSON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, shall be known and designated as the "Robert J. Thompson Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Robert J. Thompson Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MARCHANT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MARCHANT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MARCHANT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 6075, offered by the gentleman from Pennsylvania (Mr. PITTS), would designate the facility of the Post Office in West Chester, Pennsylvania, as the "Robert J. Thompson Post Office Building."

Born on November 30, 1937, Senator Thompson graduated from Penn State University in 1959 and was known to be a loyal and devoted fan of the Nittany Lions.

He was a native of West Chester, Pennsylvania, and began his career in public service in 1970 as a member of the West Goshen Township Board of Supervisors. He began serving as a member of the Pennsylvania State Senate in 1995, representing the 19th District, which includes parts of Chester and Montgomery Counties. During his distinguished career as Senator, Thompson also served as chairman of the Appropriations Committee and vice chairman of the State Government Committee.

But his contributions were not limited to just the public arena. He and his wife, Nancy, were very dedicated to the community in which they lived. Senator Thompson's list of involvements was impressive. He was the founding Executive Director of the Chester County Chamber of Commerce, a member of the Chester County Hospital Board, a member of the Immaculata College President's Council, and was an elder at the First Presbyterian Church of West Chester.