

113TH CONGRESS  
2D SESSION

# H. R. 4005

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## AN ACT

To authorize appropriations for the Coast Guard for fiscal  
years 2015 and 2016, and for other purposes.

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Coast Guard and Maritime Transportation Act of 2014”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

Sec. 1. Short title; 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. Commissioned officers.

Sec. 202. Prevention and response workforces.

Sec. 203. Centers of expertise.

Sec. 204. Agreements.

Sec. 205. Coast Guard housing.

Sec. 206. Determinations.

Sec. 207. Annual Board of Visitors.

Sec. 208. Repeal of limitation on medals of honor.

Sec. 209. Mission need statement.

Sec. 210. Transmission of annual Coast Guard authorization request.

Sec. 211. Inventory of real property.

Sec. 212. Active duty for emergency augmentation of regular forces.

Sec. 213. Acquisition workforce expedited hiring authority.

Sec. 214. Icebreakers.

Sec. 215. Multiyear procurement authority for Offshore Patrol Cutters.

Sec. 216. Maintaining Medium Endurance Cutter mission capability.

Sec. 217. Coast Guard administrative savings.

Sec. 218. Technical corrections to title 14.

Sec. 219. Flag officers.

Sec. 220. Aviation capability in the Great Lakes region.

Sec. 221. E-LORAN.

**TITLE III—SHIPPING AND NAVIGATION**

Sec. 301. Treatment of fishing permits.

Sec. 302. International ice patrol reform.

Sec. 303. Repeal.

Sec. 304. Donation of historical property.

Sec. 305. Small shipyards.

Sec. 306. Drug testing reporting.

Sec. 307. Recourse for noncitizens.

Sec. 308. Penalty wages.

Sec. 309. Crediting time in the sea services.

Sec. 310. Treatment of abandoned seafarers.

Sec. 311. Clarification of high-risk waters.

Sec. 312. Uninspected passenger vessels in the Virgin Islands.

Sec. 313. Offshore supply vessel third-party inspection.

- Sec. 314. Survival craft.
- Sec. 315. Technical correction to title 46.
- Sec. 316. Enforcement.
- Sec. 317. Severe marine debris events.
- Sec. 318. Minimum tonnage.
- Sec. 319. Merchant Marine Personnel Advisory Committee.
- Sec. 320. Report on effect of LNG export carriage requirements on job creation in the United States maritime industry.

#### TITLE IV—FEDERAL MARITIME COMMISSION

- Sec. 401. Authorization of appropriations.
- Sec. 402. Terms of Commissioners.

#### TITLE V—COMMERCIAL VESSEL DISCHARGE REFORM

- Sec. 501. Short title.
- Sec. 502. Discharges incidental to the normal operation of certain vessels.

#### TITLE VI—MISCELLANEOUS

- Sec. 601. Distant water tuna fleet.
- Sec. 602. Vessel determination.
- Sec. 603. Lease authority.
- Sec. 604. National maritime strategy.
- Sec. 605. IMO Polar Code negotiations.
- Sec. 606. Valley View Ferry.
- Sec. 607. Competition by United States flag vessels.
- Sec. 608. Survey.
- Sec. 609. Fishing safety grant programs.

## 1           **TITLE I—AUTHORIZATION**

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

3           Funds are authorized to be appropriated for each of  
4   fiscal years 2015 and 2016 for necessary expenses of the  
5   Coast Guard as follows:

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

8                           (A) \$6,981,036,000 for fiscal year 2015;  
9                           and

10                           (B) \$6,981,036,000 for fiscal year 2016.

11                   (2) For the acquisition, construction, rebuild-  
12   ing, and improvement of aids to navigation, shore

1 and offshore facilities, vessels, and aircraft, includ-  
2 ing equipment related thereto—

3 (A) \$1,546,448,000 for fiscal year 2015;

4 and

5 (B) \$1,546,448,000 for fiscal year 2016;

6 to remain available until expended.

7 (3) For the Coast Guard Reserve program, in-  
8 cluding personnel and training costs, equipment, and  
9 services—

10 (A) \$140,016,000 for fiscal year 2015; and

11 (B) \$140,016,000 for fiscal year 2016.

12 (4) For environmental compliance and restora-  
13 tion of Coast Guard vessels, aircraft, and facilities  
14 (other than parts and equipment associated with op-  
15 eration and maintenance)—

16 (A) \$16,701,000 for fiscal year 2015; and

17 (B) \$16,701,000 for fiscal year 2016;

18 to remain available until expended.

19 (5) To the Commandant of the Coast Guard for  
20 research, development, test, and evaluation of tech-  
21 nologies, materials, and human factors directly re-  
22 lated to improving the performance of the Coast  
23 Guard's mission with respect to search and rescue,  
24 aids to navigation, marine safety, marine environ-  
25 mental protection, enforcement of laws and treaties,

1 ice operations, oceanographic research, and defense  
2 readiness—

3 (A) \$19,890,000 for fiscal year 2015; and

4 (B) \$19,890,000 for fiscal year 2016.

5 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
6 **AND TRAINING.**

7 (a) **ACTIVE DUTY STRENGTH.**—The Coast Guard is  
8 authorized an end-of-year strength for active duty per-  
9 sonnel of 43,000 for each of fiscal years 2015 and 2016.

10 (b) **MILITARY TRAINING STUDENT LOADS.**—The  
11 Coast Guard is authorized average military training stu-  
12 dent loads for each of fiscal years 2015 and 2016 as fol-  
13 lows:

14 (1) For recruit and special training, 2,500 stu-  
15 dent years.

16 (2) For flight training, 165 student years.

17 (3) For professional training in military and ci-  
18 vilian institutions, 350 student years.

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

20 **TITLE II—COAST GUARD**

21 **SEC. 201. COMMISSIONED OFFICERS.**

22 Section 42(a) of title 14, United States Code, is  
23 amended by striking “7,200” and inserting “6,700”.

1 **SEC. 202. PREVENTION AND RESPONSE WORKFORCES.**

2 Section 57 of title 14, United States Code, is amend-  
3 ed—

4 (1) in subsection (b)—

5 (A) in paragraph (2) by striking “or” at  
6 the end;

7 (B) in paragraph (3) by striking the period  
8 at the end and inserting a semicolon; and

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

10 “(4) waterways operations manager shall have  
11 knowledge, skill, and practical experience with re-  
12 spect to marine transportation system management;  
13 or

14 “(5) port and facility safety and security spe-  
15 cialist shall have knowledge, skill, and practical ex-  
16 perience with respect to the safety, security, and en-  
17 vironmental protection responsibilities associated  
18 with maritime ports and facilities.”;

19 (2) in subsection (c) by striking “or marine  
20 safety engineer” and inserting “marine safety engi-  
21 neer, waterways operations manager, or port and fa-  
22 cility safety and security specialist”; and

23 (3) in subsection (f)(2) by striking “investigator  
24 or marine safety engineer.” and inserting “investi-  
25 gator, marine safety engineer, waterways operations

1 manager, or port and facility safety and security  
2 specialist.”.

3 **SEC. 203. CENTERS OF EXPERTISE.**

4 Section 58(b) of title 14, United States Code, is  
5 amended to read as follows:

6 “(b) MISSIONS.—Any center established under sub-  
7 section (a) may—

8 “(1) promote, facilitate, and conduct—

9 “(A) education;

10 “(B) training; and

11 “(C) activities authorized under section  
12 93(a)(4); and

13 “(2) be a repository of information on oper-  
14 ations, practices, and resources related to the mis-  
15 sion for which the center was established.”.

16 **SEC. 204. AGREEMENTS.**

17 (a) IN GENERAL.—Section 93(a)(4) of title 14,  
18 United States Code, is amended—

19 (1) by striking “, investigate” and inserting  
20 “and investigate”; and

21 (2) by striking “, and cooperate and coordinate  
22 such activities with other Government agencies and  
23 with private agencies”.

1 (b) AUTHORITY.—Chapter 5 of title 14, United  
2 States Code, is amended by adding at the end the fol-  
3 lowing:

4 **“§ 102. Agreements**

5 “(a) IN GENERAL.—In carrying out section 93(a)(4),  
6 the Commandant may—

7 “(1) enter into cooperative agreements, con-  
8 tracts, and other agreements with Federal entities  
9 and other public or private entities, including aca-  
10 demic entities; and

11 “(2) impose on and collect from an entity sub-  
12 ject to an agreement or contract under paragraph  
13 (1) a fee to assist with expenses incurred in carrying  
14 out such section.

15 “(b) DEPOSIT AND USE OF FEES.—Fees collected  
16 under this section shall be deposited in the general fund  
17 of the Treasury as offsetting receipts. The fees may be  
18 used, to the extent provided in advance in an appropria-  
19 tion law, only to carry out activities under section  
20 93(a)(4).”.

21 (c) CLERICAL AMENDMENT.—The analysis for chap-  
22 ter 5 of title 14, United States Code, is amended by add-  
23 ing at the end the following:

“102. Agreements.”.



1 **SEC. 205. COAST GUARD HOUSING.**

2 (a) COMMANDANT; GENERAL POWERS.—Section  
3 93(a)(13) of title 14, United States Code, is amended by  
4 striking “the Treasury” and inserting “the fund estab-  
5 lished under section 687”.

6 (b) LIGHTHOUSE PROPERTY.—Section 672a(b) of  
7 title 14, United States Code, is amended by striking “the  
8 Treasury” and inserting “the fund established under sec-  
9 tion 687”.

10 (c) CONFORMING AMENDMENT.—Section 687(b) of  
11 title 14, United States Code, is amended by adding at the  
12 end the following:

13 “(4) Monies received under section 93(a)(13).

14 “(5) Amounts received under section 672a(b).”.

15 **SEC. 206. DETERMINATIONS.**

16 (a) IN GENERAL.—Chapter 5 of title 14, United  
17 States Code, as amended by this Act, is further amended  
18 by adding at the end the following:

19 **“§ 103. Determinations**

20 “The Secretary may only make a determination that  
21 a waterway, or any portion thereof, is navigable for pur-  
22 poses of the jurisdiction of the Coast Guard through a  
23 rulemaking that is conducted in a manner consistent with  
24 subchapter II of chapter 5 of title 5.”.

25 (b) CLERICAL AMENDMENT.—The analysis for chap-  
26 ter 5 of title 14, United States Code, as amended by this

1 Act, is further amended by adding at the end the fol-  
 2 lowing:

“103. Determinations.”.

3 **SEC. 207. ANNUAL BOARD OF VISITORS.**

4 Section 194 of title 14, United States Code, is  
 5 amended to read as follows:

6 **“§ 194. Annual Board of Visitors**

7 “(a) IN GENERAL.—A Board of Visitors to the Coast  
 8 Guard Academy is established to review and make rec-  
 9 ommendations on the operation of the Academy.

10 “(b) MEMBERSHIP.—

11 “(1) IN GENERAL.—The membership of the  
 12 Board shall consist of the following:

13 “(A) The chairman of the Committee on  
 14 Commerce, Science, and Transportation of the  
 15 Senate, or the chairman’s designee.

16 “(B) The chairman of the Committee on  
 17 Transportation and Infrastructure of the House  
 18 of Representatives, or the chairman’s designee.

19 “(C) 3 Members of the Senate designated  
 20 by the Vice President.

21 “(D) 4 Members of the House of Rep-  
 22 resentatives designated by the Speaker of the  
 23 House of Representatives.

24 “(E) 6 individuals designated by the Presi-  
 25 dent.

1           “(2) LENGTH OF SERVICE.—

2                   “(A) MEMBERS OF CONGRESS.—A Member  
3 of Congress designated under subparagraph (C)  
4 or (D) of paragraph (1) as a member of the  
5 Board shall be designated as a member in the  
6 First Session of a Congress and serve for the  
7 duration of that Congress.

8                   “(B) INDIVIDUALS DESIGNATED BY THE  
9 PRESIDENT.—Each individual designated by the  
10 President under subparagraph (E) of para-  
11 graph (1) shall serve as a member of the Board  
12 for 3 years, except that any such member whose  
13 term of office has expired shall continue to  
14 serve until a successor is appointed.

15           “(3) DEATH OR RESIGNATION OF A MEMBER.—  
16 If a member of the Board dies or resigns, a suc-  
17 cessor shall be designated for any unexpired portion  
18 of the term of the member by the official who des-  
19 ignated the member.

20           “(c) ACADEMY VISITS.—

21                   “(1) ANNUAL VISIT.—The Board shall visit the  
22 Academy annually to review the operation of the  
23 Academy.

24                   “(2) ADDITIONAL VISITS.—With the approval  
25 of the Secretary, the Board or individual members

1 of the Board may make other visits to the Academy  
2 in connection with the duties of the Board or to con-  
3 sult with the Superintendent of the Academy.

4 “(d) SCOPE OF REVIEW.—The Board shall review,  
5 with respect to the Academy—

6 “(1) the state of morale and discipline;

7 “(2) the curriculum;

8 “(3) instruction;

9 “(4) physical equipment;

10 “(5) fiscal affairs; and

11 “(6) other matters relating to the Academy that  
12 the Board determines appropriate.

13 “(e) REPORT.—Not later than 60 days after the date  
14 of an annual visit of the Board under subsection (c)(1),  
15 the Board shall submit to the Secretary, the Committee  
16 on Commerce, Science, and Transportation of the Senate,  
17 and the Committee on Transportation and Infrastructure  
18 of the House of Representatives a report on the actions  
19 of the Board during such visit and the recommendations  
20 of the Board pertaining to the Academy.

21 “(f) ADVISORS.—If approved by the Secretary, the  
22 Board may consult with advisors in carrying out this sec-  
23 tion.

24 “(g) REIMBURSEMENT.—Each member of the Board  
25 and each adviser consulted by the Board under subsection

1 (f) shall be reimbursed, to the extent permitted by law,  
 2 by the Coast Guard for actual expenses incurred while en-  
 3 gaged in duties as a member or adviser.”.

4 **SEC. 208. REPEAL OF LIMITATION ON MEDALS OF HONOR.**

5 Section 494 of title 14, United States Code, is  
 6 amended by striking “medal of honor,” each place that  
 7 it appears.

8 **SEC. 209. MISSION NEED STATEMENT.**

9 (a) IN GENERAL.—Section 569 of title 14, United  
 10 States Code, is amended to read as follows:

11 **“§ 569. Mission need statement**

12 “(a) IN GENERAL.—On the date on which the Presi-  
 13 dent submits to Congress a budget for fiscal year 2016  
 14 under section 1105 of title 31, on the date on which the  
 15 President submits to Congress a budget for fiscal year  
 16 2019 under such section, and every 4 years thereafter, the  
 17 Commandant shall submit to the Committee on Transpor-  
 18 tation and Infrastructure of the House of Representatives  
 19 and the Committee on Commerce, Science, and Transpor-  
 20 tation of the Senate an integrated major acquisition mis-  
 21 sion need statement.

22 “(b) DEFINITIONS.—In this section, the following  
 23 definitions apply:

24 “(1) INTEGRATED MAJOR ACQUISITION MISSION  
 25 NEED STATEMENT.—The term ‘integrated major ac-

1       quisition mission need statement’ means a document  
2       that—

3               “(A) identifies current and projected gaps  
4               in Coast Guard mission capabilities using mis-  
5               sion hour targets;

6               “(B) explains how each major acquisition  
7               program addresses gaps identified under sub-  
8               paragraph (A) if funded at the levels provided  
9               for such program in the most recently sub-  
10              mitted capital investment plan; and

11              “(C) describes the missions the Coast  
12              Guard will not be able to achieve, by fiscal year,  
13              for each gap identified under subparagraph (A).

14              “(2) MAJOR ACQUISITION PROGRAM.—The term  
15              ‘major acquisition program’ has the meaning given  
16              that term in section 569a(e).

17              “(3) CAPITAL INVESTMENT PLAN.—The term  
18              ‘capital investment plan’ means the plan required  
19              under section 663(a)(1).”.

20              (b) CLERICAL AMENDMENT.—The analysis for chap-  
21              ter 15 of title 14, United States Code, is amended by  
22              striking the item relating to section 569 and inserting the  
23              following:

            “569. Mission need statement.”.

1 **SEC. 210. TRANSMISSION OF ANNUAL COAST GUARD AU-**  
2 **THORIZATION REQUEST.**

3 (a) IN GENERAL.—Title 14, United States Code, as  
4 amended by this Act, is further amended by inserting after  
5 section 662 the following:

6 **“§ 662a. Transmission of annual Coast Guard author-**  
7 **ization request**

8 “(a) IN GENERAL.—Not later than 30 days after the  
9 date on which the President submits to Congress a budget  
10 for a fiscal year pursuant to section 1105 of title 31, the  
11 Secretary shall submit to the Committee on Transpor-  
12 tation and Infrastructure of the House of Representatives  
13 and the Committee on Commerce, Science, and Transpor-  
14 tation of the Senate a Coast Guard authorization request  
15 with respect to such fiscal year.

16 “(b) COAST GUARD AUTHORIZATION REQUEST DE-  
17 FINED.—In this section, the term ‘Coast Guard authoriza-  
18 tion request’ means a proposal for legislation that, with  
19 respect to the Coast Guard for the relevant fiscal year—

20 “(1) recommends end strengths for personnel  
21 for that fiscal year, as described in section 661;

22 “(2) recommends authorizations of appropria-  
23 tions for that fiscal year, including with respect to  
24 matters described in section 662; and

1 “(3) addresses any other matter that the Sec-  
 2 retary determines is appropriate for inclusion in a  
 3 Coast Guard authorization bill.”.

4 (b) CLERICAL AMENDMENT.—The analysis for chap-  
 5 ter 17 of title 14, United States Code, is amended by in-  
 6 serting after the item relating to section 662 the following:

“662a. Transmission of annual Coast Guard authorization request.”.

7 **SEC. 211. INVENTORY OF REAL PROPERTY.**

8 (a) IN GENERAL.—Chapter 17 of title 14, United  
 9 States Code, is amended by adding at the end the fol-  
 10 lowing:

11 **“§ 679. Inventory of real property**

12 “(a) IN GENERAL.—Not later than September 30,  
 13 2014, the Commandant shall establish an inventory of all  
 14 real property, including submerged lands, under the con-  
 15 trol of the Coast Guard, which shall include—

16 “(1) the size, the location, and any other appro-  
 17 priate description of each unit of such property;

18 “(2) an assessment of the physical condition of  
 19 each unit of such property, excluding lands;

20 “(3) an estimate of the fair market value of  
 21 each unit of such property;

22 “(4) a determination of whether each unit of  
 23 such property should be—

24 “(A) retained to fulfill a current or pro-  
 25 jected Coast Guard mission requirement; or



1 “(B) subject to divestiture; and

2 “(5) other information the Commandant con-  
3 siders appropriate.

4 “(b) INVENTORY MAINTENANCE.—The Commandant  
5 shall—

6 “(1) maintain the inventory required under sub-  
7 section (a) on an ongoing basis; and

8 “(2) update information on each unit of real  
9 property included in such inventory not later than  
10 30 days after any change relating to such property.

11 “(c) RECOMMENDATIONS TO CONGRESS.—Not later  
12 than March 30, 2015, and every 5 years thereafter, the  
13 Commandant shall submit to the Committee on Transpor-  
14 tation and Infrastructure of the House of Representatives  
15 and the Committee on Commerce, Science, and Transpor-  
16 tation of the Senate a report that includes—

17 “(1) a list of all real property under the control  
18 of the Coast Guard and the location of such prop-  
19 erty by property type;

20 “(2) recommendations for divestiture with re-  
21 spect to any units of such property, including an es-  
22 timate of—

23 “(A) the fair market value of any property  
24 recommended for divestiture; and

1 “(B) the costs or savings associated with  
2 divestiture; and

3 “(3) recommendations for consolidating any  
4 units of such property, including—

5 “(A) an estimate of the costs or savings  
6 associated with each recommended consolida-  
7 tion; and

8 “(B) a discussion of the impact that such  
9 consolidation would have on Coast Guard mis-  
10 sion effectiveness.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-  
12 ter 17 of title 14, United States Code, as amended by this  
13 Act, is further amended by adding at the end the fol-  
14 lowing:

“679. Inventory of real property.”.

15 **SEC. 212. ACTIVE DUTY FOR EMERGENCY AUGMENTATION**  
16 **OF REGULAR FORCES.**

17 Section 712(a) of title 14, United States Code, is  
18 amended by striking “not more than 60 days in any 4-  
19 month period and”.

20 **SEC. 213. ACQUISITION WORKFORCE EXPEDITED HIRING**  
21 **AUTHORITY.**

22 Section 404(b) of the Coast Guard Authorization Act  
23 of 2010 (Public Law 111–281; 124 Stat. 2951) is amend-  
24 ed by striking “2015” and inserting “2017”.

1 **SEC. 214. ICEBREAKERS.**

2 (a) COAST GUARD POLAR ICEBREAKERS.—Section  
3 222 of the Coast Guard and Maritime Transportation Act  
4 of 2012 (Public Law 112–213; 126 Stat. 1560) is amend-  
5 ed—

6 (1) in subsection (d)(2)—

7 (A) in the paragraph heading by striking  
8 “; BRIDGING STRATEGY”; and

9 (B) by striking “Commandant of the Coast  
10 Guard” and all that follows through the period  
11 at the end and inserting “Commandant of the  
12 Coast Guard may decommission the Polar  
13 Sea.”;

14 (2) by adding at the end of subsection (d) the  
15 following:

16 “(3) RESULT OF NO DETERMINATION.—If in  
17 the analysis submitted under this section the Sec-  
18 retary does not make a determination under sub-  
19 section (a)(5) regarding whether it is cost-effective  
20 to reactivate the Polar Sea, then—

21 “(A) the Commandant of the Coast Guard  
22 may decommission the Polar Sea; or

23 “(B) the Secretary may make such deter-  
24 mination, not later than 90 days after the date  
25 of enactment of this paragraph, and take ac-  
26 tions in accordance with this subsection as

1           though such determination was made in the  
2           analysis previously submitted.”;

3           (3) by redesignating subsections (e), (f), and  
4           (g) as subsections (f), (g), and (h), respectively; and

5           (4) by inserting after subsection (d) the fol-  
6           lowing:

7           “(e) STRATEGIES.—

8           “(1) IN GENERAL.—Not later than 180 days  
9           after the date on which the analysis required under  
10          subsection (a) is submitted, the Commandant of the  
11          Coast Guard shall submit to the Committee on  
12          Transportation and Infrastructure of the House of  
13          Representatives and the Committee on Commerce,  
14          Science, and Transportation of the Senate—

15               “(A) a strategy to meet the Coast Guard’s  
16               Arctic ice operations needs through September  
17               30, 2050; and

18               “(B) unless the Secretary makes a deter-  
19               mination under this section that it is cost-effec-  
20               tive to reactivate the Polar Sea, a bridging  
21               strategy for maintaining the Coast Guard’s  
22               polar icebreaking services until at least Sep-  
23               tember 30, 2024.

24           “(2) REQUIREMENT.—The strategies required  
25          under paragraph (1) shall include a business case

1 analysis comparing the leasing and purchasing of  
2 icebreakers to maintain the needs and services de-  
3 scribed in that paragraph.”.

4 (b) LIMITATION.—

5 (1) IN GENERAL.—The Secretary of the depart-  
6 ment in which the Coast Guard is operating may not  
7 expend amounts appropriated for the Coast Guard  
8 for any of fiscal years 2015 through 2024, for—

9 (A) design activities related to a capability  
10 of a Polar-Class Icebreaker that is based on an  
11 operational requirement of another Federal de-  
12 partment or agency, except for amounts appro-  
13 priated for design activities for a fiscal year be-  
14 fore fiscal year 2016; or

15 (B) long-lead-time materials, production,  
16 or post-delivery activities related to such a ca-  
17 pability.

18 (2) OTHER AMOUNTS.—Amounts made avail-  
19 able to the Secretary under an agreement with an-  
20 other Federal department or agency and expended  
21 on a capability of a Polar-Class Icebreaker that is  
22 based on an operational requirement of that or an-  
23 other Federal department or agency shall not be  
24 treated as amounts expended by the Secretary for

1 purposes of the limitation established under para-  
2 graph (1).

3 **SEC. 215. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
4 **OFFSHORE PATROL CUTTERS.**

5 In fiscal year 2015 and each fiscal year thereafter,  
6 the Secretary of the department in which the Coast Guard  
7 is operating may enter into, in accordance with section  
8 2306b of title 10, United States Code, multiyear contracts  
9 for the procurement of Offshore Patrol Cutters and associ-  
10 ated equipment.

11 **SEC. 216. MAINTAINING MEDIUM ENDURANCE CUTTER MIS-**  
12 **SION CAPABILITY.**

13 Not later than 30 days after the date of enactment  
14 of this Act, the Secretary of the department in which the  
15 Coast Guard is operating shall submit to the Committee  
16 on Transportation and Infrastructure of the House of  
17 Representatives and the Committee on Commerce,  
18 Science, and Transportation of the Senate a report that  
19 includes—

20 (1) a schedule and plan for decommissioning,  
21 not later than September 30, 2029, each of the 210-  
22 foot, Reliance-Class Cutters operated by the Coast  
23 Guard on the date of enactment of this Act;

24 (2) a schedule and plan for enhancing the  
25 maintenance or extending the service life of each of

1 the 270-foot, Famous-Class Cutters operated by the  
2 Coast Guard on the date of enactment of this Act—

3 (A) to maintain the capability of the Coast  
4 Guard to carry out sea-going missions with re-  
5 spect to such Cutters at the level of capability  
6 existing on September 30, 2013; and

7 (B) for the period beginning on the date of  
8 enactment of this Act and ending on the date  
9 on which the final Offshore Patrol Cutter is  
10 scheduled and planned to be commissioned  
11 under paragraph (4);

12 (3) an identification of the number of Offshore  
13 Patrol Cutters capable of sea state 5 operations  
14 that, if 8 National Security Cutters are commis-  
15 sioned, are necessary to return the sea state 5 oper-  
16 ating capability of the Coast Guard to the level of  
17 capability that existed prior to the decommissioning  
18 of the first High Endurance Cutter in fiscal year  
19 2011;

20 (4) a schedule and plan for commissioning the  
21 number of Offshore Patrol Cutters identified under  
22 paragraph (3); and

23 (5) a schedule and plan for commissioning, not  
24 later than September 30, 2034, a number of Off-

1 shore Patrol Cutters not capable of sea state 5 oper-  
2 ations that is equal to—

3 (A) 25; less

4 (B) the number of Offshore Patrol Cutters  
5 identified under paragraph (3).

6 **SEC. 217. COAST GUARD ADMINISTRATIVE SAVINGS.**

7 (a) ELIMINATION OF OUTDATED AND DUPLICATIVE  
8 REPORTS.—

9 (1) MARINE INDUSTRY TRAINING.—Section 59  
10 of title 14, United States Code, is amended—

11 (A) by striking “(a) IN GENERAL.—The  
12 Commandant” and inserting “The Com-  
13 mandant”; and

14 (B) by striking subsection (b).

15 (2) OPERATIONS AND EXPENDITURES.—Section  
16 651 of title 14, United States Code, and the item re-  
17 lating to such section in the analysis for chapter 17  
18 of such title, are repealed.

19 (3) DRUG INTERDICTION.—Section 103 of the  
20 Coast Guard Authorization Act of 1996 (14 U.S.C.  
21 89 note), and the item relating to that section in the  
22 table of contents in section 2 of that Act, are re-  
23 pealed.

24 (4) NATIONAL DEFENSE.—Section 426 of the  
25 Maritime Transportation Security Act of 2002 (14



1 U.S.C. 2 note), and the item relating to that section  
2 in the table of contents in section 1(b) of that Act,  
3 are repealed.

4 (5) LIVING MARINE RESOURCES.—Section 4(b)  
5 of the Cruise Vessel Security and Safety Act of 2010  
6 (16 U.S.C. 1828 note) is amended by adding at the  
7 end the following: “No report shall be required  
8 under this subsection, including that no report shall  
9 be required under section 224 of the Coast Guard  
10 and Maritime Transportation Act of 2004 or section  
11 804 of the Coast Guard and Maritime Transpor-  
12 tation Act of 2006, for fiscal years beginning after  
13 fiscal year 2013.”.

14 (b) CONSOLIDATION AND REFORM OF REPORTING  
15 REQUIREMENTS.—

16 (1) MARINE SAFETY.—

17 (A) IN GENERAL.—Section 2116(d)(2)(B)  
18 of title 46, United States Code, is amended to  
19 read as follows:

20 “(B) on the program’s mission perform-  
21 ance in achieving numerical measurable goals  
22 established under subsection (b), including—

23 “(i) the number of civilian and mili-  
24 tary Coast Guard personnel assigned to  
25 marine safety positions; and

1 “(ii) an identification of marine safety  
2 positions that are understaffed to meet the  
3 workload required to accomplish each ac-  
4 tivity included in the strategy and plans  
5 under subsection (a); and”.

6 (B) CONFORMING AMENDMENT.—Section  
7 57 of title 14, United States Code, as amended  
8 by this Act, is further amended—

9 (i) by striking subsection (e); and  
10 (ii) by redesignating subsections (f),  
11 (g), and (h) as subsections (e), (f), and (g)  
12 respectively.

13 (2) MINOR CONSTRUCTION.—Section 656(d)(2)  
14 of title 14, United States Code, is amended to read  
15 as follows:

16 “(2) REPORT.—Not later than the date on  
17 which the President submits to Congress a budget  
18 under section 1105 of title 31 each year, the Sec-  
19 retary shall submit to the Committee on Transpor-  
20 tation and Infrastructure of the House of Represent-  
21 atives and the Committee on Commerce, Science,  
22 and Transportation of the Senate a report describ-  
23 ing each project carried out under paragraph (1), in  
24 the most recently concluded fiscal year, for which  
25 the amount expended under such paragraph for such

1 project was more than \$1,000,000. If no such  
2 project was carried out during a fiscal year, no re-  
3 port under this paragraph shall be required with re-  
4 spect to that fiscal year.”.

5 (3) RESCUE 21.—Section 346 of the Maritime  
6 Transportation Security Act of 2002 (14 U.S.C. 88  
7 note) is amended to read as follows:

8 **“SEC. 346. MODERNIZATION OF NATIONAL DISTRESS AND**  
9 **RESPONSE SYSTEM.**

10 “(a) REPORT.—Not later than March 30, 2014, the  
11 Secretary of the department in which the Coast Guard is  
12 operating shall submit to the Committee on Transpor-  
13 tation and Infrastructure of the House of Representatives  
14 and the Committee on Commerce, Science, and Transpor-  
15 tation of the Senate a report on the implementation of  
16 the Rescue 21 project in Alaska and in Coast Guard sec-  
17 tors Upper Mississippi River, Lower Mississippi River,  
18 and Ohio River Valley.

19 “(b) CONTENTS.—The report required under sub-  
20 section (a) shall—

21 “(1) describe what improvements are being  
22 made to the distress response system in the areas  
23 specified in subsection (a), including information on  
24 which areas will receive digital selective calling and  
25 direction finding capability;

1 “(2) describe the impediments to installing dig-  
 2 ital selective calling and direction finding capability  
 3 in areas where such technology will not be installed;

4 “(3) identify locations in the areas specified in  
 5 subsection (a) where communication gaps will con-  
 6 tinue to present a risk to mariners after completion  
 7 of the Rescue 21 project;

8 “(4) include a list of all reported marine acci-  
 9 dents, casualties, and fatalities occurring in the loca-  
 10 tions identified under paragraph (3) since 1990; and

11 “(5) provide an estimate of the costs associated  
 12 with installing the technology necessary to close  
 13 communication gaps in the locations identified under  
 14 paragraph (3).”.

15 **SEC. 218. TECHNICAL CORRECTIONS TO TITLE 14.**

16 Title 14, United States Code, as amended by this Act,  
 17 is further amended—

18 (1) in section 93(b)(1) by striking “Notwith-  
 19 standing subsection (a)(14)” and inserting “Not-  
 20 withstanding subsection (a)(13)”;

21 (2) in section 197(b) by striking “of Homeland  
 22 Security”; and

23 (3) in section 573(c)(3)(A) by inserting “and  
 24 shall maintain such cutter in such class” before the  
 25 period at the end.

1 **SEC. 219. FLAG OFFICERS.**

2 (a) IN GENERAL.—Title 14, United States Code, is  
3 amended by inserting after section 295 the following:

4 **“§ 296. Flag officers**

5 “During any period in which the Coast Guard is not  
6 operating as a service in the Navy, section 1216(d) of title  
7 10 does not apply with respect to flag officers of the Coast  
8 Guard.”.

9 (b) CLERICAL AMENDMENT.—The analysis for chap-  
10 ter 11 of title 14, United States Code, is amended by in-  
11 serting after the item relating to section 295 the following:  
“296. Flag officers.”.

12 **SEC. 220. AVIATION CAPABILITY IN THE GREAT LAKES RE-**  
13 **GION.**

14 The Secretary of the department in which the Coast  
15 Guard is operating may—

16 (1) request and accept through a direct mili-  
17 tary-to-military transfer under section 2571 of title  
18 10, United States Code, such H-60 helicopters as  
19 may be necessary to establish a year-round oper-  
20 ational capability in the Coast Guard’s Ninth Dis-  
21 trict; and

22 (2) use funds provided under section 101 of  
23 this Act to convert such helicopters to Coast Guard  
24 MH-60T configuration.

1 **SEC. 221. E-LORAN.**

2 (a) IN GENERAL.—The Secretary of the department  
3 in which the Coast Guard is operating may not carry out  
4 activities related to the dismantling or disposal of infra-  
5 structure that supported the former LORAN system until  
6 the later of—

7 (1) the date that is 1 year after the date of en-  
8 actment of this Act; or

9 (2) the date on which the Secretary provides to  
10 the Committee on Transportation and Infrastructure  
11 of the House of Representatives and the Committee  
12 on Commerce, Science, and Transportation of the  
13 Senate notice of a determination by the Secretary  
14 that such infrastructure is not required to provide a  
15 positioning, navigation, and timing system to provide  
16 redundant capability in the event GPS signals are  
17 disrupted.

18 (b) EXCEPTION.—Subsection (a) does not apply to  
19 activities necessary for the safety of human life.

20 (c) AGREEMENTS.—The Secretary may enter into co-  
21 operative agreements, contracts, and other agreements  
22 with Federal entities and other public or private entities,  
23 including academic entities, to develop a positioning, tim-  
24 ing, and navigation system, including an enhanced  
25 LORAN system, to provide redundant capability in the  
26 event GPS signals are disrupted.

## **TITLE III—SHIPPING AND NAVIGATION**

### **SEC. 301. TREATMENT OF 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. Treatment of fishing permits**

“(a) LIMITATION ON MARITIME LIENS.—This chapter—

“(1) does not establish a maritime lien on a fishing permit; and

“(2) does not authorize any civil action to enforce a maritime lien on a fishing permit.

“(b) TREATMENT OF FISHING PERMITS UNDER STATE AND FEDERAL LAW.—A fishing permit—

“(1) is governed solely by the State or Federal law under which it is issued; and

“(2) shall not be treated as part of a vessel, or as an appurtenance or intangible of a vessel, for any purpose under Federal law.

“(c) AUTHORITY OF SECRETARY OF COMMERCE NOT AFFECTED.—Nothing in this section shall be construed as imposing any limitation upon the authority of the Secretary of Commerce—

1 “(1) to modify, suspend, revoke, or impose a  
 2 sanction on any fishing permit issued by the Sec-  
 3 retary of Commerce; or

4 “(2) to bring a civil action to enforce such a  
 5 modification, suspension, revocation, or sanction.

6 “(d) FISHING PERMIT DEFINED.—In this section the  
 7 term ‘fishing permit’ means any authorization of a person  
 8 or vessel to engage in fishing that is issued under State  
 9 or Federal law.”.

10 (b) CLERICAL AMENDMENT.—The table of sections  
 11 at the beginning of such chapter is amended by inserting  
 12 after the item relating to section 31309 the following:

“31310. Treatment of fishing permits.”.

13 **SEC. 302. INTERNATIONAL ICE PATROL REFORM.**

14 (a) IN GENERAL.—Section 80301 of title 46, United  
 15 States Code, is amended by adding at the end the fol-  
 16 lowing:

17 “(c) PAYMENTS.—Payments received pursuant to  
 18 subsection (b)(1) shall be credited to the appropriation for  
 19 operating expenses of the Coast Guard.

20 “(d) LIMITATION.—

21 “(1) IN GENERAL.—A Coast Guard vessel or  
 22 aircraft may not be used to carry out an agreement  
 23 under subsection (a) in fiscal year 2015 and any fis-  
 24 cal year thereafter unless payments are received by  
 25 the United States Government pursuant to sub-



1 section (b)(1) in the preceding fiscal year in a total  
2 amount that is not less than difference between—

3 “(A) the cost incurred by the Coast Guard  
4 in maintaining the services; minus

5 “(B) the amount of the proportionate  
6 share of the expense generated by vessels docu-  
7 mented under the laws of the United States.

8 “(2) EXCEPTION.—Notwithstanding paragraph  
9 (1), Coast Guard aircraft may be used to carry out  
10 an agreement under subsection (a) if the President  
11 determines it necessary in the interest of national  
12 security.

13 “(3) NOTIFICATION.—The President shall no-  
14 tify the Committee on Transportation and Infra-  
15 structure of the House of Representatives and the  
16 Committee on Commerce, Science, and Transpor-  
17 tation of the Senate of a determination made under  
18 paragraph (2) within 15 days after such determina-  
19 tion.”.

20 (b) REPEAL.—Section 80302 of title 46, United  
21 States Code, and the item relating to such section in the  
22 analysis for chapter 803 of such title, are repealed on Oc-  
23 tober 1, 2014.

1 **SEC. 303. REPEAL.**

2 Chapter 555 of title 46, United States Code, is  
3 amended—

4 (1) by repealing section 55501;

5 (2) by redesignating section 55502 as section  
6 55501; and

7 (3) in the analysis by striking the items relating  
8 to sections 55501 and 55502 and inserting the fol-  
9 lowing:

“55501. United States Committee on the Marine Transportation System.”.

10 **SEC. 304. DONATION OF HISTORICAL PROPERTY.**

11 Section 51103 of title 46, United States Code, is  
12 amended by adding at the end the following:

13 “(e) DONATION FOR HISTORICAL PURPOSES.—

14 “(1) IN GENERAL.—The Secretary may convey  
15 the right, title, and interest of the United States  
16 Government in any property administered by the  
17 Maritime Administration, except real estate or ves-  
18 sels, if—

19 “(A) the Secretary determines that such  
20 property is not needed by the Maritime Admin-  
21 istration; and

22 “(B) the recipient—

23 “(i) is a nonprofit organization, a  
24 State, or a political subdivision of a State;

1           “(ii) agrees to hold the Government  
2 harmless for any claims arising from expo-  
3 sure to hazardous materials, including as-  
4 bestos, polychlorinated biphenyls, or lead  
5 paint, after conveyance of the property;

6           “(iii) provides a description and expla-  
7 nation of the intended use of the property  
8 to the Secretary for approval;

9           “(iv) has provided to the Secretary  
10 proof, as determined by the Secretary, of  
11 resources sufficient to accomplish the in-  
12 tended use provided under clause (iii) and  
13 to maintain the property;

14           “(v) agrees that when the recipient no  
15 longer requires the property, the recipient  
16 shall—

17           “(I) return the property to the  
18 Secretary, at the recipient’s expense  
19 and in the same condition as received  
20 except for ordinary wear and tear; or

21           “(II) subject to the approval of  
22 the Secretary, retain, sell, or other-  
23 wise dispose of the property in a man-  
24 ner consistent with applicable law;  
25 and

1 “(vi) agree to any additional terms  
2 the Secretary considers appropriate.

3 “(2) REVERSION.—The Secretary shall include  
4 in any conveyance under this subsection terms under  
5 which all right, title, and interest conveyed by the  
6 Secretary shall revert to the Government if the Sec-  
7 retary determines the property has been used other  
8 than as approved by the Secretary under paragraph  
9 (1)(B)(iii).”.

10 **SEC. 305. SMALL SHIPYARDS.**

11 Section 54101(i) of title 46, United States Code, is  
12 amended by striking “2009 through 2013” and inserting  
13 “2015 and 2016”.

14 **SEC. 306. DRUG TESTING REPORTING.**

15 Section 7706 of title 46, United States Code, is  
16 amended—

17 (1) in subsection (a), by inserting “an applicant  
18 for employment by a Federal agency,” after “Fed-  
19 eral agency,”; and

20 (2) in subsection (c), by—

21 (A) inserting “or an applicant for employ-  
22 ment by a Federal agency” after “an em-  
23 ployee”; and

24 (B) striking “the employee.” and inserting  
25 “the employee or the applicant.”.

1 **SEC. 307. RECOURSE FOR NONCITIZENS.**

2 Section 30104 of title 46, United States Code, is  
3 amended—

4 (1) by inserting “(a) IN GENERAL.—” before  
5 the first sentence; and

6 (2) by adding at the end the following new sub-  
7 section:

8 “(b) RESTRICTION ON RECOVERY FOR NON-  
9 RESIDENT ALIENS EMPLOYED ON FOREIGN PASSENGER  
10 VESSELS.—A claim for damages or expenses relating to  
11 personal injury, illness, or death of a seaman who is a  
12 citizen of a foreign nation, arising during or from the en-  
13 gagement of the seaman by or for a passenger vessel duly  
14 registered under the laws of a foreign nation, may not be  
15 brought under the laws of the United States if—

16 “(1) such seaman was not a permanent resident  
17 alien of the United States at the time the claim  
18 arose;

19 “(2) the injury, illness, or death arose outside  
20 the territorial waters of the United States; and

21 “(3) the seaman or the seaman’s personal rep-  
22 resentative has or had a right to seek compensation  
23 for the injury, illness, or death in, or under the laws  
24 of—

25 “(A) the nation in which the vessel was  
26 registered at the time the claim arose; or

1 “(B) the nation in which the seaman main-  
 2 tained citizenship or residency at the time the  
 3 claim arose.”.

4 **SEC. 308. PENALTY WAGES.**

5 (a) FOREIGN AND INTERCOASTAL VOYAGES.—Sec-  
 6 tion 10313(g) of title 46, United States Code, is amend-  
 7 ed—

8 (1) in paragraph (2)—

9 (A) by striking “all claims in a class action  
 10 suit by seamen” and inserting “each claim by  
 11 a seaman”; and

12 (B) by striking “the seamen” and inserting  
 13 “the seaman”; and

14 (2) in paragraph (3)—

15 (A) by striking “class action”; and

16 (B) in subparagraph (B), by striking “, by  
 17 a seaman who is a claimant in the suit,” and  
 18 inserting “by the seaman”.

19 (b) COASTWISE VOYAGES.—Section 10504(c) of such  
 20 title is amended—

21 (1) in paragraph (2)—

22 (A) by striking “all claims in a class action  
 23 suit by seamen” and inserting “each claim by  
 24 a seaman”; and

1 (B) by striking “the seamen” and inserting  
 2 “the seaman”; and  
 3 (2) in paragraph (3)—  
 4 (A) by striking “class action”; and  
 5 (B) in subparagraph (B), by striking “, by  
 6 a seaman who is a claimant in the suit,” and  
 7 inserting “by the seaman”.

8 **SEC. 309. CREDITING TIME IN THE SEA SERVICES.**

9 (a) ENDORSEMENTS FOR VETERANS.—Section 7101  
 10 of title 46, United States Code, is amended by adding at  
 11 the end the following:

12 “(j) The Secretary may issue a license under this sec-  
 13 tion in a class under subsection (c) to an applicant that—

14 “(1) has at least 3 months of qualifying service  
 15 on vessels of the uniformed services (as that term is  
 16 defined in section 101(a) of title 10) of appropriate  
 17 tonnage or horsepower within the 7-year period im-  
 18 mediately preceding the date of application; and

19 “(2) satisfies all other requirements for such a  
 20 license.”.

21 (b) SEA SERVICE LETTERS.—

22 (1) IN GENERAL.—Title 14, United States  
 23 Code, as amended by this Act, is further amended  
 24 by inserting after section 427 the following:

1 **“§ 428. Sea service letters**

2 “(a) IN GENERAL.—The Secretary shall provide a  
3 sea service letter to a member or former member of the  
4 Coast Guard who—

5 “(1) accumulated sea service on a vessel of the  
6 armed forces (as such term is defined in section  
7 101(a) of title 10); and

8 “(2) requests such letter.

9 “(b) DEADLINE.—Not later than 30 days after re-  
10 ceiving a request for a sea service letter from a member  
11 or former member of the Coast Guard under subsection  
12 (a), the Secretary shall provide such letter to such member  
13 or former member if such member or former member sat-  
14 isfies the requirement under subsection (a)(1).”.

15 (2) CLERICAL AMENDMENT.—The analysis for  
16 chapter 11 of title 14, United States Code, as  
17 amended by this Act, is further amended by insert-  
18 ing after the item relating to section 427 the fol-  
19 lowing:

“428. Sea service letters.”.

20 (c) CREDITING OF UNITED STATES ARMED FORCES  
21 SERVICE, TRAINING, AND QUALIFICATIONS.—

22 (1) MAXIMIZING CREDITABILITY.—The Sec-  
23 retary of the department in which the Coast Guard  
24 is operating, in implementing United States mer-  
25 chant mariner license, certification, and document



1 laws and the International Convention on Standards  
 2 of Training, Certification and Watchkeeping for Sea-  
 3 farers, 1978, shall maximize the extent to which  
 4 United States Armed Forces service, training, and  
 5 qualifications are creditable toward meeting the re-  
 6 quirements of such laws and such Convention.

7 (2) NOTIFICATION.—Not later than 90 days  
 8 after the date of enactment of this Act, the Sec-  
 9 retary shall notify the Committee on Transportation  
 10 and Infrastructure of the House of Representatives  
 11 and the Committee on Commerce, Science, and  
 12 Transportation of the Senate on the steps taken to  
 13 implement this subsection.

14 **SEC. 310. TREATMENT OF ABANDONED SEAFARERS.**

15 (a) IN GENERAL.—The Act to Prevent Pollution  
 16 from Ships (33 U.S.C. 1901 et seq.) is amended—

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

18 **“SEC. 18. TREATMENT OF ABANDONED SEAFARERS.**

19 **“(a) ABANDONED SEAFARERS FUND.—**

20 **“(1) ESTABLISHMENT.—**There is established in  
 21 the Treasury a separate account to be known as the  
 22 Abandoned Seafarers Fund.

23 **“(2) CREDITING OF AMOUNTS TO FUND.—**

24 **“(A) IN GENERAL.—**There shall be cred-  
 25 ited to the Fund the following:

1 “(i) Penalties deposited in the Fund  
2 under section 9, except as provided in sub-  
3 paragraph (B).

4 “(ii) Amounts reimbursed or recov-  
5 ered under subsection (d).

6 “(B) LIMITATION.—Amounts may be cred-  
7 ited to the Fund under subparagraph (A)(i)  
8 only if the unobligated balance of the Fund is  
9 less than \$2,000,000.

10 “(3) REPORT REQUIRED.—On the date on  
11 which the President submits each budget for a fiscal  
12 year pursuant to section 1105 of title 31, United  
13 States Code, the Secretary shall submit to the Com-  
14 mittee on Transportation and Infrastructure of the  
15 House of Representatives and the Committee on  
16 Commerce, Science, and Transportation of the Sen-  
17 ate a report that describes—

18 “(A) the amounts credited to the Fund  
19 under paragraph (2) for the preceding fiscal  
20 year; and

21 “(B) amounts in the Fund that were ex-  
22 pended for the preceding fiscal year.

23 “(b) AUTHORIZATION OF APPROPRIATIONS FROM  
24 FUND.—Amounts in the Fund may be appropriated to the  
25 Secretary for use to—

1 “(1) pay necessary support of—

2 “(A) a seafarer that—

3 “(i) enters, remains, or is paroled into  
4 the United States; and

5 “(ii) is involved in an investigation,  
6 reporting, documentation, or adjudication  
7 of any matter that is related to the admin-  
8 istration or enforcement of this Act by the  
9 Coast Guard; and

10 “(B) a seafarer that the Secretary deter-  
11 mines was abandoned in the United States and  
12 has not applied for asylum under section 208 or  
13 235 of the Immigration and Nationality Act (8  
14 U.S.C. 1158, 1225); and

15 “(2) reimburse a vessel owner or operator that  
16 has provided necessary support of a seafarer who  
17 has been paroled into the United States to facilitate  
18 an investigation, reporting, documentation, or adju-  
19 dication of any matter that is related to the adminis-  
20 tration or enforcement of this Act by the Coast  
21 Guard, for the costs of such necessary support.

22 “(c) LIMITATION.—Nothing in this section shall be  
23 construed—

1           “(1) to create a private right of action or any  
2           other right, benefit, or entitlement to necessary sup-  
3           port for any person; or

4           “(2) to compel the Secretary to pay or reim-  
5           burse the cost of necessary support.

6           “(d) REIMBURSEMENT; RECOVERY.—

7           “(1) IN GENERAL.—A vessel owner or operator  
8           shall reimburse the Fund an amount equal to the  
9           total amount paid from the Fund for necessary sup-  
10          port of a seafarer, if—

11          “(A) the vessel owner or operator—

12               “(i) during the course of an investiga-  
13               tion, reporting, documentation, or adju-  
14               dication of any matter under this Act that  
15               the Coast Guard referred to a United  
16               States attorney or the Attorney General,  
17               fails to provide necessary support of a sea-  
18               farer who was paroled into the United  
19               States to facilitate the investigation, re-  
20               porting, documentation, or adjudication;  
21               and

22               “(ii) subsequently is—

23                       “(I) convicted of a criminal of-  
24                       fense related to such matter; or

1                   “(II) required to reimburse the  
2                   Fund pursuant to a court order or ne-  
3                   gotiated settlement related to such  
4                   matter; or

5                   “(B) the vessel owner or operator aban-  
6                   dons a seafarer in the United States, as deter-  
7                   mined by the Secretary based on substantial  
8                   evidence.

9                   “(2) ENFORCEMENT.—If a vessel owner or op-  
10                  erator fails to reimburse the Fund under paragraph  
11                  (1), the Secretary may—

12                  “(A) proceed in rem against the vessel on  
13                  which the affected seafarer served in the Fed-  
14                  eral district court for the district in which the  
15                  vessel is found; and

16                  “(B) withhold or revoke the clearance re-  
17                  quired under section 60105 of title 46, United  
18                  States Code, for the vessel.

19                  “(3) REMEDY.—A vessel may obtain clearance  
20                  from the Secretary after it is withheld or revoked  
21                  under paragraph (2)(B) if the vessel owner or oper-  
22                  ator—

23                  “(A) reimburses the Fund the amount re-  
24                  quired under paragraph (1); or

1           “(B) provides a bond, or other evidence of  
2           financial responsibility sufficient to meet the  
3           amount required to be reimbursed under para-  
4           graph (1).

5           “(e) DEFINITIONS.—In this section:

6           “(1) ABANDONS; ABANDONED.—Each of the  
7           terms ‘abandons’ and ‘abandoned’ means—

8           “(A) a vessel owner’s or operator’s unilat-  
9           eral severance of ties with a seafarer; and

10           “(B) a vessel owner’s or operator’s failure  
11           to provide necessary support of a seafarer.

12           “(2) FUND.—The term ‘Fund’ means the  
13           Abandoned Seafarers Fund established under this  
14           section.

15           “(3) NECESSARY SUPPORT.—The term ‘nec-  
16           essary support’ means normal wages and expenses  
17           the Secretary considers reasonable for lodging, sub-  
18           sistence, clothing, medical care (including hos-  
19           pitalization), repatriation, and any other support the  
20           Secretary considers to be appropriate.

21           “(4) SEAFARER.—The term ‘seafarer’ means an  
22           alien crewman who is employed or engaged in any  
23           capacity on board a vessel subject to this Act.”; and

24           (2) in section 9, by adding at the end the fol-  
25           lowing:

1 “(g) Any penalty collected under subsection (a) or (b)  
 2 that is not paid under that subsection to the person giving  
 3 information leading to the conviction or assessment of  
 4 such penalties shall be deposited in the Abandoned Sea-  
 5 farers Fund established under section 18, subject to the  
 6 limitation in subsection (a)(2)(B) of such section.”.

7 **SEC. 311. CLARIFICATION OF HIGH-RISK WATERS.**

8 Section 55305(e) of title 46, United States Code, is  
 9 amended—

10 (1) in paragraph (1)—

11 (A) by striking “provide armed personnel  
 12 aboard” and inserting “reimburse, subject to  
 13 the availability of appropriations, the owners or  
 14 operators of”; and

15 (B) by inserting “for the cost of providing  
 16 armed personnel aboard such vessels” before  
 17 “if”; and

18 (2) by striking paragraphs (2) and (3) and in-  
 19 serting the following:

20 “(2) In this subsection, the term ‘high-risk  
 21 waters’ means waters—

22 “(A) so designated by the Commandant of  
 23 the Coast Guard in the maritime security direc-  
 24 tive issued by the Commandant and in effect on

1 the date on which an applicable voyage begins;  
 2 and

3 “(B) in which the Secretary of Transpor-  
 4 tation determines an act of piracy is likely to  
 5 occur based on documented acts of piracy that  
 6 occurred in such waters during the 12-month  
 7 period preceding the date on which an applica-  
 8 ble voyage begins.”.

9 **SEC. 312. UNINSPECTED PASSENGER VESSELS IN THE VIR-**  
 10 **GIN ISLANDS.**

11 (a) IN GENERAL.—Section 4105 of title 46, United  
 12 States Code, is amended—

13 (1) by redesignating subsection (b) as sub-  
 14 section (c); and

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

17 “(b) In applying this title with respect to an  
 18 uninspected vessel of less than 24 meters overall in length  
 19 that carries passengers to or from a port in the United  
 20 States Virgin Islands, the Secretary shall substitute ‘12  
 21 passengers’ for ‘6 passengers’ each place it appears in sec-  
 22 tion 2101(42) if the Secretary determines that the vessel  
 23 complies with—

24 “(1) the Code of Practice for the Safety of  
 25 Small Commercial Motor Vessels (commonly referred



1 to as the ‘Yellow Code’), as published by the U.K.  
2 Maritime and Coastguard Agency and in effect on  
3 January 1, 2014; or

4 “(2) the Code of Practice for the Safety of  
5 Small Commercial Sailing Vessels (commonly re-  
6 ferred to as the ‘Blue Code’), as published by such  
7 agency and in effect on such date.”.

8 (b) TECHNICAL CORRECTION.—Section 4105(c) of  
9 title 46, United States Code, as redesignated by subsection  
10 (a)(1) of this section, is amended by striking “Within  
11 twenty-four months of the date of enactment of this sub-  
12 section, the” and inserting “The”.

13 **SEC. 313. OFFSHORE SUPPLY VESSEL THIRD-PARTY IN-**  
14 **SPECTION.**

15 Section 3316 of title 46, United States Code, is  
16 amended by redesignating subsection (f) as subsection (g),  
17 and by inserting after subsection (e) the following:

18 “(f)(1) Upon request of an owner or operator of an  
19 offshore supply vessel, the Secretary shall delegate the au-  
20 thorities set forth in paragraph (1) of subsection (b) with  
21 respect to such vessel to a classification society to which  
22 a delegation is authorized under that paragraph. A delega-  
23 tion by the Secretary under this subsection shall be used  
24 for any vessel inspection and examination function carried

1 out by the Secretary, including the issuance of certificates  
2 of inspection and all other related documents.

3 “(2) If the Secretary determines that a certificate of  
4 inspection or related document issued under authority del-  
5 egated under paragraph (1) of this subsection with respect  
6 to a vessel has reduced the operational safety of that ves-  
7 sel, the Secretary may terminate the certificate or docu-  
8 ment, respectively.

9 “(3) Not later than 2 years after the date of the en-  
10 actment of the Coast Guard and Maritime Transportation  
11 Act of 2014, and for each year of the subsequent 2-year  
12 period, the Secretary shall provide to the Committee on  
13 Transportation and Infrastructure of the House of Rep-  
14 resentatives and the Committee on Commerce, Science,  
15 and Transportation of the Senate a report describing—

16 “(A) the number of vessels for which a delega-  
17 tion was made under paragraph (1);

18 “(B) any savings in personnel and operational  
19 costs incurred by the Coast Guard that resulted  
20 from the delegations; and

21 “(C) based on measurable marine casualty and  
22 other data, any impacts of the delegations on the  
23 operational safety of vessels for which the delega-  
24 tions were made, and on the crew on those vessels.”.

1 **SEC. 314. SURVIVAL CRAFT.**

2 (a) IN GENERAL.—Section 3104 of title 46, United  
3 States Code, is amended to read as follows:

4 **“§ 3104. Survival craft**

5 “(a) REQUIREMENT TO EQUIP.—The Secretary shall  
6 require that a passenger vessel be equipped with survival  
7 craft that ensures that no part of an individual is im-  
8 mersed in water, if—

9 “(1) such vessel is built or undergoes a major  
10 conversion after January 1, 2016; and

11 “(2) operates in cold waters as determined by  
12 the Secretary.

13 “(b) HIGHER STANDARD OF SAFETY.—The Sec-  
14 retary may revise part 117 or part 180 of title 46, Code  
15 of Federal Regulations, as in effect before January 1,  
16 2016, if such revision provides a higher standard of safety  
17 than is provided by the regulations in effect on or before  
18 the date of enactment of the Coast Guard and Maritime  
19 Transportation Act of 2014.

20 “(c) INNOVATIVE AND NOVEL DESIGNS.—The Sec-  
21 retary may, in lieu of the requirements set out in part  
22 117 or part 180 of title 46, Code of Federal Regulations,  
23 as in effect on the date of the enactment of the Coast  
24 Guard and Maritime Transportation Act of 2014, allow  
25 a passenger vessel to be equipped with a life saving appli-

1   ance or arrangement of an innovative or novel design  
2   that—

3           “(1) ensures no part of an individual is im-  
4       mersed in water; and

5           “(2) provides an equal or higher standard of  
6       safety than is provided by such requirements as in  
7       effect before such date of enactment.

8       “(d) BUILT DEFINED.—In this section, the term  
9   ‘built’ has the meaning that term has under section  
10 4503(e).”.

11       (b) REVIEW; REVISION OF REGULATIONS.—

12           (1) REVIEW.—Not later than December 31,  
13       2015, the Secretary of the department in which the  
14       Coast Guard is operating shall submit to the Com-  
15       mittee on Transportation and Infrastructure of the  
16       House of Representatives and the Committee on  
17       Commerce, Science, and Transportation of the Sen-  
18       ate a review of—

19                (A) the number of casualties for individ-  
20       uals with disabilities, children, and the elderly  
21       as a result of immersion in water, reported to  
22       the Coast Guard over the preceding 30-year pe-  
23       riod, by vessel type and area of operation;

24                (B) the risks to individuals with disabil-  
25       ities, children, and the elderly as a result of im-

1 mersion in water, by passenger vessel type and  
2 area of operation;

3 (C) the effect that carriage of survival  
4 craft that ensure that no part of an individual  
5 is immersed in water has on—

6 (i) passenger vessel safety, including  
7 stability and safe navigation;

8 (ii) improving the survivability of indi-  
9 viduals, including individuals with disabil-  
10 ities, children, and the elderly; and

11 (iii) the costs, the incremental cost  
12 difference to vessel operators, and the cost  
13 effectiveness of requiring the carriage of  
14 such survival craft to address the risks to  
15 individuals with disabilities, children, and  
16 the elderly;

17 (D) the efficacy of alternative safety sys-  
18 tems, devices, or measures in improving surviv-  
19 ability of individuals with disabilities, children,  
20 and the elderly; and

21 (E) the number of small businesses and  
22 nonprofit vessel operators that would be af-  
23 fected by requiring the carriage of such survival  
24 craft on passenger vessels to address the risks

1 to individuals with disabilities, children, and the  
2 elderly.

3 (2) REVISION.—Based on the review conducted  
4 under paragraph (1), the Secretary may revise regu-  
5 lations concerning the carriage of survival craft pur-  
6 suant to section 3104(c) of title 46, United States  
7 Code.

8 **SEC. 315. TECHNICAL CORRECTION TO TITLE 46.**

9 Section 2116(b)(1)(D) of title 46, United States  
10 Code, is amended by striking “section 93(c)” and insert-  
11 ing “section 93(c) of title 14”.

12 **SEC. 316. ENFORCEMENT.**

13 (a) IN GENERAL.—

14 (1) DETERMINATION OF COVERED PRO-  
15 GRAMS.—Section 55305(d) of title 46, United States  
16 Code, is amended—

17 (A) by amending paragraph (1) to read as  
18 follows:

19 “(1) The Secretary of Transportation shall an-  
20 nually review programs administered by other de-  
21 partments and agencies and determine whether each  
22 such program is subject to the requirements of this  
23 section.”;

1 (B) by redesignating paragraph (2) as  
2 paragraph (5), and by inserting after paragraph  
3 (1) the following:

4 “(2) The Secretary shall have the sole responsi-  
5 bility to make determinations described in paragraph  
6 (1).

7 “(3) A determination made by the Secretary  
8 under paragraph (1) regarding a program shall re-  
9 main in effect until the Secretary determines that  
10 such program is no longer subject to the require-  
11 ments of this section.

12 “(4) Each department or agency administering  
13 a program determined by the Secretary under para-  
14 graph (1) to be subject to the requirements of this  
15 section shall administer such program in accordance  
16 with this section and any rules or guidance issued by  
17 the Secretary. The issuance of such rules or guid-  
18 ance is not a prerequisite to the issuance of final de-  
19 terminations under paragraph (1).”;

20 (C) in paragraph (5)(A), as so redesign-  
21 ated, by striking “section;” and inserting “sec-  
22 tion, to determine compliance with the require-  
23 ments of this section;”; and

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

1           “(6) On the date on which the President sub-  
2           mits to Congress a budget pursuant to section 1105  
3           of title 31, the Secretary shall submit to the Com-  
4           mittee on Transportation and Infrastructure of the  
5           House of Representatives and the Committee on  
6           Commerce, Science, and Transportation of the Sen-  
7           ate a report that—

8                   “(A) lists the programs determined under  
9                   paragraph (1) to be subject to the requirements  
10                  of this section; and

11                  “(B) describes the results of the most re-  
12                  cent annual review required by paragraph  
13                  (5)(A), including identification of the depart-  
14                  ments and agencies that transported cargo in  
15                  violation of this section and any action the Sec-  
16                  retary took under paragraph (5) with respect to  
17                  each violation.”.

18           (2) DEADLINE FOR FIRST REVIEW.—The Sec-  
19           retary of Transportation shall complete the first re-  
20           view and make the determinations required under  
21           the amendment made by paragraph (1)(A) by not  
22           later than December 31, 2015.

23           (b) RULEMAKING.—



1           (1) AUTHORITY.—Section 55305(d) of title 46,  
 2       United States Code, is further amended by adding  
 3       at the end the following:

4           “(7) The Secretary may prescribe rules, includ-  
 5       ing interim rules, necessary to carry out paragraph  
 6       (5). An interim rule prescribed under this paragraph  
 7       shall remain in effect until superseded by a final  
 8       rule.”.

9           (2) CONFORMING AMENDMENT.—Section  
 10      3511(c) of the Duncan Hunter National Defense  
 11      Authorization Act for Fiscal Year 2009 (46 U.S.C.  
 12      55305 note) is repealed.

13 **SEC. 317. SEVERE MARINE DEBRIS EVENTS.**

14      (a) NOAA MARINE DEBRIS PROGRAM.—Section 3 of  
 15      the Marine Debris Act (33 U.S.C. 1952) is amended—

16           (1) in subsection (c)—

17           (A) in the subsection heading by striking  
 18           “AND CONTRACTS” and inserting “CONTRACTS,  
 19           AND OTHER AGREEMENTS”;

20           (B) by striking paragraph (1) and insert-  
 21           ing the following:

22           “(1) IN GENERAL.—To carry out the purposes  
 23           set forth in section 2, the Administrator, acting  
 24           through the Program, may—

“(A) enter into cooperative agreements, contracts, and other agreements with Federal agencies, States, local governments, regional agencies, interstate agencies, and other entities, including agreements to use the personnel, services, equipment, or facilities of such entities on a reimbursable or non-reimbursable basis; and

“(B) make grants to—

“(i) State, local, and tribal governments; and

“(ii) institutions of higher education, nonprofit organizations, and commercial organizations with the expertise or responsibility to identify, determine sources of, assess, prevent, reduce, and remove marine debris.”; and

(C) by striking paragraphs (4), (5), and (6) and inserting the following:

“(4) GRANTS.—

“(A) ELIGIBILITY.—To be eligible for a grant under paragraph (1)(B), an entity specified in that paragraph shall submit to the Administrator a marine debris project proposal.

“(B) REVIEW AND APPROVAL.—The Administrator shall—

1 “(i) review each marine debris project  
2 proposal submitted under subparagraph  
3 (A) to determine if the proposal meets  
4 grant criteria established by the Adminis-  
5 trator and supports the purposes set forth  
6 in section 2;

7 “(ii) after considering any written  
8 comments and recommendations with re-  
9 spect to the review conducted under clause  
10 (i), approve or disapprove a grant for the  
11 proposal; and

12 “(iii) provide notification of that ap-  
13 proval or disapproval to the entity that  
14 submitted the proposal.

15 “(C) REPORTING.—Each entity receiving a  
16 grant under paragraph (1)(B) shall provide re-  
17 ports to the Administrator as required by the  
18 Administrator. Each report provided shall in-  
19 clude all information determined necessary by  
20 the Administrator for evaluating the progress  
21 and success of the project for which the grant  
22 was provided and describe the impact of the  
23 grant on the identification, determination of  
24 sources, assessment, prevention, reduction, or  
25 removal of marine debris.

1           “(D) TRAINING.—The Administrator may  
2           require a recipient of a grant under this sub-  
3           section to provide training to persons engaged  
4           in marine debris response efforts funded by  
5           such grant with respect to the potential impacts  
6           of marine debris, including nonindigenous spe-  
7           cies related to the debris, on the economy of the  
8           United States, the marine environment, and  
9           navigation safety.”; and

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

11          “(d) SEVERE MARINE DEBRIS EVENTS.—

12                 “(1) GRANT PREFERENCE.—In evaluating pro-  
13                 posals for grants under subsection (c), the Adminis-  
14                 trator may give preference in approving grants to  
15                 proposals that address a severe marine debris event.

16                 “(2) REQUEST FOR A DECLARATION.—

17                         “(A) IN GENERAL.—For purposes of para-  
18                         graph (1), the Governor of a State may request  
19                         that the Administrator declare a severe marine  
20                         debris event in such State or a region that in-  
21                         cludes such State.

22                         “(B) RESPONSE TO REQUESTS.—Not later  
23                         than 30 days after the Administrator receives a  
24                         request under subparagraph (A), the Adminis-  
25                         trator shall either—

1 “(i) declare a severe marine debris  
2 event with respect to the request; or

3 “(ii) submit a response to the Gov-  
4 ernor who submitted the request, explain-  
5 ing why the Administrator has not de-  
6 clared a severe marine debris event with  
7 respect to the request.”.

8 (b) DEFINITIONS.—Section 7 of the Marine Debris  
9 Act (33 U.S.C. 1956) is amended—

10 (1) by moving paragraph (5) to appear before  
11 paragraph (6);

12 (2) by redesignating paragraphs (5), (6), and  
13 (7) as paragraphs (6), (7), and (8), respectively; and

14 (3) by inserting after paragraph (4) the fol-  
15 lowing:

16 “(5) NONINDIGENOUS SPECIES.—The term  
17 ‘nonindigenous species’ has the meaning given that  
18 term in section 1003 of the Nonindigenous Aquatic  
19 Nuisance Prevention and Control Act of 1990 (16  
20 U.S.C. 4702).”.

21 (c) SEVERE MARINE DEBRIS EVENT DETERMINA-  
22 TION.—

23 (1) AUTHORITY TO PROVIDE FUNDS.—

24 (A) IN GENERAL.—The Administrator of  
25 the National Oceanic and Atmospheric Admin-

1           istration may provide funds to an eligible entity  
2           impacted by the covered severe marine debris  
3           event to assist such entity with the costs of any  
4           activity carried out to address the effects of  
5           such event.

6           (B) FUNDING.—The Administrator may  
7           provide funds under subparagraph (A) using  
8           any funds provided by the Government of  
9           Japan for activities to address the effects of the  
10          covered severe marine debris event.

11          (C) DEFINITIONS.—In this subsection, the  
12          following definitions apply:

13               (i) COVERED SEVERE MARINE DEBRIS  
14               EVENT.—The term “covered severe marine  
15               debris event” means the events, including  
16               marine debris, resulting from the March  
17               2011 Tohoku earthquake and subsequent  
18               tsunami.

19               (ii) ELIGIBLE ENTITY.—The term “el-  
20               igible entity” means any State (as defined  
21               in section 7 of the Marine Debris Act (33  
22               U.S.C. 1956)), local, or tribal government.

23          (2) REPEAL.—The Coast Guard and Maritime  
24          Transportation Act of 2012 (Public Law 112–213)  
25          is amended—

1 (A) in the table of contents in section 1(b)  
2 by striking the item relating to section 609; and  
3 (B) by striking section 609.

4 **SEC. 318. MINIMUM TONNAGE.**

5 Section 55305 of title 46, United States Code, is  
6 amended by adding at the end the following:

7 “(f) MINIMUM TONNAGE.—With respect to commod-  
8 ities transported under the activities specified in section  
9 55314(b), the percentage specified in subsection (b) of this  
10 section shall be treated as 75 percent.”.

11 **SEC. 319. MERCHANT MARINE PERSONNEL ADVISORY COM-  
12 MITTEE.**

13 (a) ESTABLISHMENT OF ADVISORY COMMITTEE.—

14 (1) ESTABLISHMENT.—Chapter 81 of title 46,  
15 United States Code, is amended by adding at the  
16 end the following:

17 **“§ 8108. Merchant Marine Personnel Advisory Com-  
18 mittee**

19 “(a) ESTABLISHMENT.—The Secretary shall estab-  
20 lish a Merchant Marine Personnel Advisory Committee (in  
21 this section referred to as ‘the Committee’). The Com-  
22 mittee—

23 “(1) shall act solely in an advisory capacity to  
24 the Secretary through the Commandant of the Coast  
25 Guard on matters relating to personnel in the

1 United States merchant marine, including training,  
2 qualifications, certification, documentation, and fit-  
3 ness standards, and other matters as assigned by  
4 the Commandant;

5 “(2) shall review and comment on proposed  
6 Coast Guard regulations and policies relating to per-  
7 sonnel in the United States merchant marine, in-  
8 cluding training, qualifications, certification, docu-  
9 mentation, and fitness standards;

10 “(3) may be given special assignments by the  
11 Secretary and may conduct studies, inquiries, work-  
12 shops, and fact finding in consultation with individ-  
13 uals and groups in the private sector and with State  
14 or local governments;

15 “(4) shall advise, consult with, and make rec-  
16 ommendations reflecting its independent judgment  
17 to the Secretary;

18 “(5) shall meet not less than twice each year;  
19 and

20 “(6) may make available to the Congress rec-  
21 ommendations that the Committee makes to the Sec-  
22 retary.

23 “(b) MEMBERSHIP.—

24 “(1) IN GENERAL.—The Committee shall con-  
25 sist of not more than 19 members who are appointed



1 by and serve terms of a duration determined by the  
2 Secretary. Before filling a position on the Com-  
3 mittee, the Secretary shall publish a notice in the  
4 Federal Register soliciting nominations for member-  
5 ship on the Committee.

6 “(2) REQUIRED MEMBERS.—The Secretary  
7 shall appoint as members of the Committee—

8 “(A) 9 United States citizens with active  
9 licenses or certificates issued under chapter 71  
10 or merchant mariner documents issued under  
11 chapter 73, including—

12 “(i) 3 deck officers who represent the  
13 viewpoint of merchant marine deck offi-  
14 cers, of whom—

15 “(I) 2 shall be licensed for oceans  
16 any gross tons;

17 “(II) 1 shall be licensed for in-  
18 land river route with a limited or un-  
19 limited tonnage;

20 “(III) 2 shall have a master’s li-  
21 cense or a master of towing vessels li-  
22 cense;

23 “(IV) 1 shall have significant  
24 tanker experience; and

25 “(V) to the extent practicable—

1                   “(aa) 1 shall represent the  
2                   viewpoint of labor; and

3                   “(bb) another shall rep-  
4                   resent a management perspective;

5                   “(ii) 3 engineering officers who rep-  
6                   resent the viewpoint of merchant marine  
7                   engineering officers, of whom—

8                   “(I) 2 shall be licensed as chief  
9                   engineer any horsepower;

10                  “(II) 1 shall be licensed as either  
11                  a limited chief engineer or a des-  
12                  ignated duty engineer; and

13                  “(III) to the extent practicable—

14                         “(aa) 1 shall represent a  
15                         labor viewpoint; and

16                         “(bb) another shall rep-  
17                         resent a management perspective;

18                  “(iii) 2 unlicensed seamen, of whom—

19                         “(I) 1 shall represent the view-  
20                         point of able-bodied seamen; and

21                         “(II) another shall represent the  
22                         viewpoint of qualified members of the  
23                         engine department; and

24                         “(iv) 1 pilot who represents the view-  
25                         point of merchant marine pilots;

1 “(B) 6 marine educators, including—

2 “(i) 3 marine educators who represent  
3 the viewpoint of maritime academies, in-  
4 cluding—

5 “(I) 2 who represent the view-  
6 point of State maritime academies  
7 and are jointly recommended by such  
8 State maritime academies; and

9 “(II) 1 who represents either the  
10 viewpoint of the State maritime acad-  
11 emies or the United States Merchant  
12 Marine Academy; and

13 “(ii) 3 marine educators who rep-  
14 resent the viewpoint of other maritime  
15 training institutions, 1 of whom shall rep-  
16 resent the viewpoint of the small vessel in-  
17 dustry;

18 “(C) 2 individuals who represent the view-  
19 point of shipping companies employed in ship  
20 operation management; and

21 “(D) 2 members who are appointed from  
22 the general public.

23 “(c) CHAIRMAN AND VICE CHAIRMAN.—The Com-  
24 mittee shall elect one of its members as the Chairman and  
25 one of its members as the Vice Chairman. The Vice Chair-

1 man shall act as Chairman in the absence or incapacity  
 2 of the Chairman, or in the event of a vacancy in the office  
 3 of the Chairman.

4 “(d) SUBCOMMITTEES.—The Committee may estab-  
 5 lish and disestablish subcommittees and working groups  
 6 for any purpose consistent with this section, subject to  
 7 conditions imposed by the Committee. Members of the  
 8 Committee and additional persons drawn from the general  
 9 public may be assigned to such subcommittees and work-  
 10 ing groups. Only Committee members may chair sub-  
 11 committee or working groups.

12 “(e) TERMINATION.—The Committee shall terminate  
 13 on September 30, 2020.”.

14 (2) CLERICAL AMENDMENT.—The analysis at  
 15 the beginning of such chapter is amended by adding  
 16 at the end the following:

“8108. Merchant Marine Personnel Advisory Committee.”.

17 (b) COMPETITIVENESS OF THE U.S. MERCHANT MA-  
 18 RINE.—

19 (1) REQUIREMENT.—Not later than 1 year  
 20 after the date of enactment of this Act, the Mer-  
 21 chant Marine Personnel Advisory Committee estab-  
 22 lished under the amendment made by subsection (a)  
 23 shall—

24 (A) review—

1 (i) the merchant mariner licensing,  
2 certification, and documentation programs  
3 and STCW Convention implementation  
4 programs of the 3 flag-states; and

5 (ii) State maritime academy problems  
6 regarding implementation of the STCW  
7 Convention; and

8 (B) report to the Commandant of the  
9 Coast Guard—

10 (i) a description of each specific provi-  
11 sion for which United States merchant  
12 mariner license, certification, and docu-  
13 ment and STCW Convention implementa-  
14 tion requirements are more stringent than  
15 the requirements of such flag-state pro-  
16 grams, and a recommendation of whether  
17 such United States provision should be re-  
18 tained, modified, or eliminated;

19 (ii) a description of which United  
20 States merchant mariner license, certifi-  
21 cation, and document evaluation require-  
22 ments must be complied with separately  
23 from similar STCW Convention evaluation  
24 requirements, any statutory requirement  
25 for such separate compliance, and steps

1           that can be taken by the Coast Guard or  
2           by the Congress to minimize such redun-  
3           dant requirements; and

4           (iii) a description of problems State  
5           maritime academies are having in imple-  
6           menting the STCW Convention and rec-  
7           ommendations on how to address such  
8           problems.

9           (3) REPORT TO CONGRESS.—Within 6 months  
10          from the date the Commandant receives the report  
11          under paragraph (1)(B), the Commandant shall for-  
12          ward to the Congress a copy of the report with rec-  
13          ommendations for actions to implement the report’s  
14          recommendations.

15          (4) DEFINITIONS.—In this subsection:

16                (A) 3 FLAG STATES.—The term “3 flag  
17                states” means the 3 countries that are parties  
18                to the Annex to the International Maritime Or-  
19                ganization Maritime Safety Committee Circular  
20                MSC.1/Circ.1163/Rev.8 dated January 7, 2013,  
21                and, of all such countries, have the greatest ves-  
22                sel tonnage documented under the laws of each  
23                respective country.

24                (B) STCW CONVENTION.—The term  
25                “STCW Convention” means the amendments to

1 the International Convention on Standards of  
2 Training, Certification and Watchkeeping for  
3 Seafarers, 1978 that entered into force on Jan-  
4 uary 1, 2012.

5 **SEC. 320. REPORT ON EFFECT OF LNG EXPORT CARRIAGE**  
6 **REQUIREMENTS ON JOB CREATION IN THE**  
7 **UNITED STATES MARITIME INDUSTRY.**

8 No later than 180 days after the date of the enact-  
9 ment of this Act, the Comptroller General of the United  
10 States shall submit to the Committee on Transportation  
11 and Infrastructure of the House of Representatives and  
12 the Committee on Commerce, Science, and Transportation  
13 of the Senate a report on the number of jobs, including  
14 vessel construction and vessel operating jobs, that would  
15 be created in the United States maritime industry each  
16 year in 2015 through 2025 if liquified natural gas ex-  
17 ported from the United States were required to be car-  
18 ried—

19 (1) before December 31, 2018, on vessels docu-  
20 mented under the laws of the United States; and

21 (2) after such date, on vessels documented  
22 under the laws of the United States and constructed  
23 in the United States.

1     **TITLE IV—FEDERAL MARITIME**  
2                     **COMMISSION**

3     **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

4             There is authorized to be appropriated to the Federal  
5     Maritime Commission \$24,700,000 for each of fiscal years  
6     2015 and 2016.

7     **SEC. 402. TERMS OF COMMISSIONERS.**

8             (a) IN GENERAL.—Section 301(b) of title 46, United  
9     States Code, is amended—

10                 (1) by amending paragraph (2) to read as fol-  
11     lows:

12                     “(2) TERMS.—The term of each Commissioner  
13     is 5 years. When the term of a Commissioner ends,  
14     the Commissioner may continue to serve until a suc-  
15     cessor is appointed and qualified, but for a period  
16     not to exceed one year. Except as provided in para-  
17     graph (3), no individual may serve more than 2  
18     terms.”; and

19                 (2) by redesignating paragraph (3) as para-  
20     graph (5), and inserting after paragraph (2) the fol-  
21     lowing:

22                     “(3) VACANCIES.—A vacancy shall be filled in  
23     the same manner as the original appointment. An  
24     individual appointed to fill a vacancy is appointed  
25     only for the unexpired term of the individual being



1 succeeded. An individual appointed to fill a vacancy  
 2 may serve 2 terms in addition to the remainder of  
 3 the term for which the predecessor of that individual  
 4 was appointed.

5 “(4) CONFLICTS OF INTEREST.—

6 “(A) LIMITATION ON RELATIONSHIPS  
 7 WITH REGULATED ENTITIES.—A Commissioner  
 8 may not have a pecuniary interest in, hold an  
 9 official relation to, or own stocks or bonds of  
 10 any entity the Commission regulates under  
 11 chapter 401 of this title.

12 “(B) LIMITATION ON OTHER ACTIVITIES.—A Commissioner may not engage in an-  
 13 other business, vocation, or employment.”.

15 (b) APPLICABILITY.—The amendment made by sub-  
 16 section (a)(1) does not apply with respect to a Commis-  
 17 sioner of the Federal Maritime Commission appointed and  
 18 confirmed by the Senate before the date of enactment of  
 19 this Act.

## 20 **TITLE V—COMMERCIAL VESSEL** 21 **DISCHARGE REFORM**

### 22 **SEC. 501. SHORT TITLE.**

23 This title may be cited as the “Commercial Vessel  
 24 Discharge Reform Act of 2014”.

1 **SEC. 502. DISCHARGES INCIDENTAL TO THE NORMAL OP-**  
2 **ERATION OF CERTAIN VESSELS.**

3 Section 2(a) of Public Law 110–299 (33 U.S.C. 1342  
4 note) is amended by striking “during the period beginning  
5 on the date of the enactment of this Act and ending on  
6 December 18, 2014,”.

7 **TITLE VI—MISCELLANEOUS**

8 **SEC. 601. DISTANT WATER TUNA FLEET.**

9 Section 421 of the Coast Guard and Maritime Trans-  
10 portation Act of 2006 (Public Law 109–241; 120 Stat.  
11 547) is amended—

12 (1) in subsection (b)—

13 (A) by amending paragraph (1) to read as  
14 follows:

15 “(1) IN GENERAL.—Subsection (a) only applies  
16 to a foreign citizen who holds a credential to serve  
17 as an officer on a fishing vessel or vessel of similar  
18 tonnage.”; and

19 (B) in paragraph (2), by striking “An  
20 equivalent credential” and inserting “A creden-  
21 tial”; and

22 (2) by striking subsections (c), (e), and (f) and  
23 redesignating subsection (d) as subsection (c).

24 **SEC. 602. VESSEL DETERMINATION.**

25 The vessel assigned United States official number  
26 1205366 is deemed a new vessel effective on the date of

1 delivery of the vessel after January 1, 2012, from a pri-  
2 vately owned United States shipyard, if no encumbrances  
3 are on record with the Coast Guard at the time of the  
4 issuance of the new certificate of documentation for the  
5 vessel.

6 **SEC. 603. LEASE AUTHORITY.**

7 (a) **AUTHORITY.**—The Commandant of the Coast  
8 Guard may lease under section 93(a)(13) of title 14,  
9 United States Code, submerged lands and tidelands under  
10 the control of the Coast Guard without regard to the limi-  
11 tation under that section with respect to lease duration.

12 (b) **LIMITATION.**—The Commandant may lease sub-  
13 merged lands and tidelands under subsection (a) only if—

14 (1) lease payments are—

15 (A) received exclusively in the form of  
16 cash;

17 (B) equal to the fair market value of the  
18 leased submerged lands or tidelands, as deter-  
19 mined by the Commandant; and

20 (C) deposited in the fund established under  
21 section 687 of title 14, United States Code; and

22 (2) the lease does not provide authority to or  
23 commit the Coast Guard to use or support any im-  
24 provements to such submerged lands or tidelands, or  
25 obtain goods or services from the lessee.

1 **SEC. 604. NATIONAL MARITIME STRATEGY.**

2 (a) IN GENERAL.—Not later than 60 days after the  
3 date of enactment of this Act, the Secretary of Transpor-  
4 tation, in consultation with the Secretary of the depart-  
5 ment in which the Coast Guard is operating, shall submit  
6 to the Committee on Transportation and Infrastructure  
7 of the House of Representatives and the Committee on  
8 Commerce, Science, and Transportation of the Senate a  
9 national maritime strategy.

10 (b) CONTENTS.—The strategy required under sub-  
11 section (a) shall—

12 (1) identify—

13 (A) Federal regulations and policies that  
14 reduce the competitiveness of United States flag  
15 vessels in the international trade; and

16 (B) the impact of reduced cargo flow due  
17 to reductions in the number of members of the  
18 United States Armed Forces stationed or de-  
19 ployed outside of the United States; and

20 (2) include recommendations to—

21 (A) make United States flag vessels more  
22 competitive in shipping routes between United  
23 States and foreign ports;

24 (B) increase the use of United States flag  
25 vessels to carry cargo imported to and exported  
26 from the United States;

1 (C) assure compliance by Federal agencies  
2 with chapter 553 of title 46, United States  
3 Code;

4 (D) increase the use of third-party inspec-  
5 tion and certification authorities to inspect and  
6 certify vessels;

7 (E) increase the use of short sea transpor-  
8 tation routes designated under section 55601(c)  
9 of title 46, United States Code, to enhance  
10 intermodal freight movements; and

11 (F) enhance United States shipbuilding ca-  
12 pability.

13 **SEC. 605. IMO POLAR CODE NEGOTIATIONS.**

14 Not later than 30 days after the date of the enact-  
15 ment of this Act, and thereafter with the submission of  
16 the budget proposal submitted for each of fiscal years  
17 2016, 2017, and 2018 under section 1105 of title 31,  
18 United States Code, the Secretary of the department in  
19 which the Coast Guard is operating shall submit to the  
20 Committee on Transportation and Infrastructure of the  
21 House of Representatives and the Committee on Com-  
22 merce, Science, and Transportation of the Senate, a report  
23 on—

24 (1) the status of the negotiations at the Inter-  
25 national Maritime Organization regarding the estab-

1 lishment of a draft international code of safety for  
2 ships operating in polar waters, popularly known as  
3 the Polar Code, and any amendments proposed by  
4 such a code to be made to the International Conven-  
5 tion for the Safety of Life at Sea and the Inter-  
6 national Convention for the Prevention of Pollution  
7 from Ships;

8 (2) the coming into effect of such a code and  
9 such amendments for nations that are parties to  
10 those conventions;

11 (3) impacts, for coastal communities located in  
12 the Arctic (as that term is defined in the section 112  
13 of the Arctic Research and Policy Act of 1984 (15  
14 U.S.C. 4111)) of such a code or such amendments,  
15 on—

16 (A) the costs of delivering fuel and freight;  
17 and

18 (B) the safety of maritime transportation;  
19 and

20 (4) actions the Secretary must take to imple-  
21 ment the requirements of such a code and such  
22 amendments.

23 **SEC. 606. VALLEY VIEW FERRY.**

24 (a) EXEMPTION.—Section 8902 of title 46, United  
25 States Code, shall not apply to the vessel John Craig

1 (United States official number D1110613) when such ves-  
2 sel is operating on the portion of the Kentucky River, Ken-  
3 tucky, located at approximately mile point 158, in Pool  
4 Number 9, between Lock and Dam Number 9 and Lock  
5 and Dam Number 10.

6 (b) APPLICATION.—Subsection (a) shall apply on and  
7 after the date on which the Secretary determines that a  
8 licensing requirement has been established under Ken-  
9 tucky State law that applies to an operator of the vessel  
10 John Craig.

11 **SEC. 607. COMPETITION BY UNITED STATES FLAG VESSELS.**

12 (a) IN GENERAL.—The Commandant of the Coast  
13 Guard shall enter into an arrangement with the National  
14 Academy of Sciences to conduct an assessment of authori-  
15 ties under subtitle II of title 46, United States Code, that  
16 have been delegated to the Coast Guard that impact the  
17 ability of vessels documented under the laws of the United  
18 States to effectively compete in the carriage of merchan-  
19 dise and passengers in the international trade.

20 (b) REVIEW OF DIFFERENCES WITH IMO STAND-  
21 ARDS.—The assessment under subsection (a) shall include  
22 a review of differences between United States laws, poli-  
23 cies, regulations, and guidance governing the inspection  
24 of vessels documented under the laws of the United States

1 and standards set by the International Maritime Organi-  
2 zation governing the inspection of vessels.

3 (c) DEADLINE.—Not later than 180 days after the  
4 date on which the Commandant enters into an arrange-  
5 ment with the National Academy of Sciences under sub-  
6 section (a), the Commandant shall submit the assessment  
7 required under such subsection to the Committee on  
8 Transportation and Infrastructure of the House of Rep-  
9 resentatives and the Committee on Commerce, Science,  
10 and Transportation of the Senate.

11 **SEC. 608. SURVEY.**

12 Not later than 30 days after the date of enactment  
13 of this Act, the Commandant of the Coast Guard shall  
14 submit to the Committee on Transportation and Infra-  
15 structure of the House of Representatives and the Com-  
16 mittee on Commerce, Science, and Transportation of the  
17 Senate a survey of the parcel of real property under the  
18 administrative control of the Coast Guard, consisting of  
19 approximately 1.95 acres (measured at the mean low-  
20 water mark) located at the entrance to Gig Harbor, Wash-  
21 ington, and commonly known as the Gig Harbor Sand Spit  
22 Area.

23 **SEC. 609. FISHING SAFETY GRANT PROGRAMS.**

24 (a) FISHING SAFETY TRAINING GRANT PROGRAM.—  
25 Section 4502(i)(4) of title 46, United States Code, is



1 amended by striking “2010 through 2014” and inserting  
2 “2015 and 2016”.

3 (b) FISHING SAFETY RESEARCH GRANT PRO-  
4 GRAM.—Section 4502(j)(4) of title 46, United States  
5 Code, is amended by striking “2010 through 2014” and  
6 inserting “2015 and 2016”.

Passed the House of Representatives April 1, 2014.

Attest:

*Clerk.*

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4005

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## AN ACT

To authorize appropriations for the Coast Guard for fiscal years 2015 and 2016, and for other purposes.