IN THE SENATE OF THE UNITED STATES

APRIL 2, 2014

Received; read twice and referred to the Committee on Commerce, Science, and Transportation

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,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Coast Guard and Maritime Transportation Act of 2014”.

(b) Table of Contents.—The table of contents for 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. 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. 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 fiscal years 2015 and 2016 for necessary expenses of the Coast Guard as follows:

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

5           (A) $6,981,036,000 for fiscal year 2015;

6           and

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

8       (2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore
and offshore facilities, vessels, and aircraft, including equipment related thereto—

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

(B) $1,546,448,000 for fiscal year 2016; to remain available until expended.

(3) For the Coast Guard Reserve program, including personnel and training costs, equipment, and services—

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

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

(4) For environmental compliance and restoration of Coast Guard vessels, aircraft, and facilities (other than parts and equipment associated with operation and maintenance)—

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

(B) $16,701,000 for fiscal year 2016; to remain available until expended.

(5) To the Commandant of the Coast Guard for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties,
ice operations, oceanographic research, and defense
readiness—

(A) $19,890,000 for fiscal year 2015; and
(B) $19,890,000 for fiscal year 2016.

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

(a) Active Duty Strength.—The Coast Guard is
authorized an end-of-year strength for active duty per-
sonnel of 43,000 for each of fiscal years 2015 and 2016.

(b) Military Training Student Loads.—The
Coast Guard is authorized average military training stu-
dent loads for each of fiscal years 2015 and 2016 as fol-
lows:

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

(2) For flight training, 165 student years.

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

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

TITLE II—COAST GUARD

SEC. 201. COMMISSIONED OFFICERS.

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

HR 4005 RFS
SEC. 202. PREVENTION AND RESPONSE WORKFORCES.

Section 57 of title 14, United States Code, is amended—

(1) in subsection (b)—

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

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

(C) by adding at the end the following:

“(4) waterways operations manager shall have knowledge, skill, and practical experience with respect to marine transportation system management; or

“(5) port and facility safety and security specialist shall have knowledge, skill, and practical experience with respect to the safety, security, and environmental protection responsibilities associated with maritime ports and facilities.”;

(2) in subsection (c) by striking “or marine safety engineer” and inserting “marine safety engineer, waterways operations manager, or port and facility safety and security specialist”; and

(3) in subsection (f)(2) by striking “investigator or marine safety engineer.” and inserting “investigator, marine safety engineer, waterways operations
manager, or port and facility safety and security specialist.”.

SEC. 203. CENTERS OF EXPERTISE.

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

“(b) MISSIONS.—Any center established under subsection (a) may—

“(1) promote, facilitate, and conduct—

“(A) education;

“(B) training; and

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

“(2) be a repository of information on operations, practices, and resources related to the mission for which the center was established.”.

SEC. 204. AGREEMENTS.

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

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

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

VerDate Mar 15 2010 23:45 Apr 02, 2014 Jkt 039200 PO 00000 Frm 00007 Fmt 6652 Sfmt 6201 E:\BILLS\H4005.RFS H4005jbell on DSK7SPTVN1PROD with BILLS
(b) Authority.—Chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"§102. Agreements

"(a) In General.—In carrying out section 93(a)(4), the Commandant may—

"(1) enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities; and

"(2) impose on and collect from an entity subject to an agreement or contract under paragraph (1) a fee to assist with expenses incurred in carrying out such section.

"(b) Deposit and Use of Fees.—Fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts. The fees may be used, to the extent provided in advance in an appropriation law, only to carry out activities under section 93(a)(4)."

(c) Clerical Amendment.—The analysis for chapter 5 of title 14, United States Code, is amended by adding at the end the following:

"102. Agreements."
SEC. 205. COAST GUARD HOUSING.

(a) Commandant; General Powers.—Section 93(a)(13) of title 14, United States Code, is amended by striking “the Treasury” and inserting “the fund established under section 687”.

(b) Lighthouse Property.—Section 672a(b) of title 14, United States Code, is amended by striking “the Treasury” and inserting “the fund established under section 687”.

(c) Conforming Amendment.—Section 687(b) of title 14, United States Code, is amended by adding at the end the following:

“(4) Monies received under section 93(a)(13).
“(5) Amounts received under section 672a(b).”.

SEC. 206. DETERMINATIONS.

(a) In General.—Chapter 5 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 103. Determinations

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

(b) Clerical Amendment.—The analysis for chapter 5 of title 14, United States Code, as amended by this
Act, is further amended by adding at the end the fol-
lowing:

“103. Determinations.”.

SEC. 207. ANNUAL BOARD OF VISITORS.

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

“§ 194. Annual Board of Visitors

“(a) In General.—A Board of Visitors to the Coast
Guard Academy is established to review and make rec-
ommendations on the operation of the Academy.

“(b) Membership.—

“(1) In General.—The membership of the
Board shall consist of the following:

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

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

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

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

“(E) 6 individuals designated by the Presi-
dent.
“(2) LENGTH OF SERVICE.—

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

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

“(3) DEATH OR RESIGNATION OF A MEMBER.—If a member of the Board dies or resigns, a successor shall be designated for any unexpired portion of the term of the member by the official who designated the member.

“(c) ACADEMY VISITS.—

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

“(2) ADDITIONAL VISITS.—With the approval of the Secretary, the Board or individual members
of the Board may make other visits to the Academy in connection with the duties of the Board or to consult with the Superintendent of the Academy.

“(d) **Scope of Review.**—The Board shall review, with respect to the Academy—

“(1) the state of morale and discipline;

“(2) the curriculum;

“(3) instruction;

“(4) physical equipment;

“(5) fiscal affairs; and

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

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

“(f) **Advisors.**—If approved by the Secretary, the Board may consult with advisors in carrying out this section.

“(g) **Reimbursement.**—Each member of the Board and each adviser consulted by the Board under subsection
(f) shall be reimbursed, to the extent permitted by law, by the Coast Guard for actual expenses incurred while engaged in duties as a member or adviser.”

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

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

SEC. 209. MISSION NEED STATEMENT.

(a) In General.—Section 569 of title 14, United States Code, is amended to read as follows:

“§ 569. Mission need statement

“(a) In General.—On the date on which the President submits to Congress a budget for fiscal year 2016 under section 1105 of title 31, on the date on which the President submits to Congress a budget for fiscal year 2019 under such section, and every 4 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an integrated major acquisition mission need statement.

“(b) Definitions.—In this section, the following definitions apply:

“(1) Integrated major acquisition mission need statement.—The term ‘integrated major ac-
quisition mission need statement’ means a document that—

“(A) identifies current and projected gaps in Coast Guard mission capabilities using mission hour targets;

“(B) explains how each major acquisition program addresses gaps identified under subparagraph (A) if funded at the levels provided for such program in the most recently submitted capital investment plan; and

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

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

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

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

“569. Mission need statement.”.
SEC. 210. TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.

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

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

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

“(b) COAST GUARD AUTHORIZATION REQUEST DEFINED.—In this section, the term ‘Coast Guard authorization request’ means a proposal for legislation that, with respect to the Coast Guard for the relevant fiscal year—

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

“(2) recommends authorizations of appropriations for that fiscal year, including with respect to matters described in section 662; and
“(3) addresses any other matter that the Secretary determines is appropriate for inclusion in a Coast Guard authorization bill.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, is amended by inserting after the item relating to section 662 the following:

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

SEC. 211. INVENTORY OF REAL PROPERTY.

(a) IN GENERAL.—Chapter 17 of title 14, United States Code, is amended by adding at the end the following:

§679. Inventory of real property

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

“(1) the size, the location, and any other appropriate description of each unit of such property;

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

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

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

“(A) retained to fulfill a current or projected Coast Guard mission requirement; or
“(B) subject to divestiture; and

“(5) other information the Commandant considers appropriate.

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

“(1) maintain the inventory required under subsection (a) on an ongoing basis; and

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

“(c) RECOMMENDATIONS TO CONGRESS.—Not later than March 30, 2015, and every 5 years thereafter, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

“(1) a list of all real property under the control of the Coast Guard and the location of such property by property type;

“(2) recommendations for divestiture with respect to any units of such property, including an estimate of—

“(A) the fair market value of any property recommended for divestiture; and
“(B) the costs or savings associated with divestiture; and

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

“(A) an estimate of the costs or savings associated with each recommended consolidation; and

“(B) a discussion of the impact that such consolidation would have on Coast Guard mission effectiveness.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 17 of title 14, United States Code, as amended by this Act, is further amended by adding at the end the following:

“679. Inventory of real property.”.

SEC. 212. ACTIVE DUTY FOR EMERGENCY AUGMENTATION OF REGULAR FORCES.

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

SEC. 213. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.

Section 404(b) of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2951) is amended by striking “2015” and inserting “2017”.
SEC. 214. ICEBREAKERS.

(a) COAST GUARD POLAR ICEBREAKERS.—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213; 126 Stat. 1560) is amended—

(1) in subsection (d)(2)—

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

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

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

“(3) RESULT OF NO DETERMINATION.—If in the analysis submitted under this section the Secretary does not make a determination under subsection (a)(5) regarding whether it is cost-effective to reactivate the Polar Sea, then—

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

“(B) the Secretary may make such determination, not later than 90 days after the date of enactment of this paragraph, and take actions in accordance with this subsection as
though such determination was made in the analysis previously submitted.”;

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

(4) by inserting after subsection (d) the following:

“(e) STRATEGIES.—

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

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

“(B) unless the Secretary makes a determination under this section that it is cost-effective to reactivate the Polar Sea, a bridging strategy for maintaining the Coast Guard’s polar icebreaking services until at least September 30, 2024.

“(2) REQUIREMENT.—The strategies required under paragraph (1) shall include a business case
analysis comparing the leasing and purchasing of
icebreakers to maintain the needs and services de-
scribed in that paragraph.”.
(b) LIMITATION.—

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

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

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

(2) OTHER AMOUNTS.—Amounts made avail-
able to the Secretary under an agreement with an-
other Federal department or agency and expended
on a capability of a Polar-Class Icebreaker that is
based on an operational requirement of that or an-
other Federal department or agency shall not be
treated as amounts expended by the Secretary for
purposes of the limitation established under para-
graph (1).

SEC. 215. MULTIYEAR PROCUREMENT AUTHORITY FOR
OFFSHORE PATROL CUTTERS.

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

SEC. 216. MAINTAINING MEDIUM ENDURANCE CUTTER MISSION CAPABILITY.

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

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

(2) a schedule and plan for enhancing the
maintenance or extending the service life of each of
the 270-foot, Famous-Class Cutters operated by the Coast Guard on the date of enactment of this Act—

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

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

(3) an identification of the number of Offshore Patrol Cutters capable of sea state 5 operations that, if 8 National Security Cutters are commissioned, are necessary to return the sea state 5 operating capability of the Coast Guard to the level of capability that existed prior to the decommissioning of the first High Endurance Cutter in fiscal year 2011;

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

(5) a schedule and plan for commissioning, not later than September 30, 2034, a number of Off-
shore Patrol Cutters not capable of sea state 5 operations that is equal to—

(A) 25; less

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

SEC. 217. COAST GUARD ADMINISTRATIVE SAVINGS.

(a) Elimination of Outdated and Duplicative Reports.—

(1) Marine Industry Training.—Section 59 of title 14, United States Code, is amended—

(A) by striking “(a) In General.—The Commandant” and inserting “The Commandant”; and

(B) by striking subsection (b).

(2) Operations and Expenditures.—Section 651 of title 14, United States Code, and the item relating to such section in the analysis for chapter 17 of such title, are repealed.

(3) Drug Interdiction.—Section 103 of the Coast Guard Authorization Act of 1996 (14 U.S.C. 89 note), and the item relating to that section in the table of contents in section 2 of that Act, are repealed.

(4) National Defense.—Section 426 of the Maritime Transportation Security Act of 2002 (14
U.S.C. 2 note), and the item relating to that section in the table of contents in section 1(b) of that Act, are repealed.

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

(b) CONSOLIDATION AND REFORM OF REPORTING REQUIREMENTS.—

(1) MARINE SAFETY.—

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

“(B) on the program’s mission performance in achieving numerical measurable goals established under subsection (b), including—

“(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and
“(ii) an identification of marine safety positions that are understaffed to meet the workload required to accomplish each activity included in the strategy and plans under subsection (a); and”.

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

(i) by striking subsection (e); and

(ii) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g) respectively.

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

“(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such
project was more than $1,000,000. If no such
project was carried out during a fiscal year, no re-
port under this paragraph shall be required with re-
spect to that fiscal year.”.

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

“SEC. 346. MODERNIZATION OF NATIONAL DISTRESS AND
RESPONSE SYSTEM.

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

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

“(1) describe what improvements are being
made to the distress response system in the areas
specified in subsection (a), including information on
which areas will receive digital selective calling and
direction finding capability;
“(2) describe the impediments to installing digital selective calling and direction finding capability in areas where such technology will not be installed;

“(3) identify locations in the areas specified in subsection (a) where communication gaps will continue to present a risk to mariners after completion of the Rescue 21 project;

“(4) include a list of all reported marine accidents, casualties, and fatalities occurring in the locations identified under paragraph (3) since 1990; and

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

SEC. 218. TECHNICAL CORRECTIONS TO TITLE 14.

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

(1) in section 93(b)(1) by striking “Notwithstanding subsection (a)(14)” and inserting “Notwithstanding subsection (a)(13)”;

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

(3) in section 573(c)(3)(A) by inserting “and shall maintain such cutter in such class” before the period at the end.
SEC. 219. FLAG OFFICERS.

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

§ 296. Flag officers

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

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 295 the following:

“296. Flag officers.”.

SEC. 220. AVIATION CAPABILITY IN THE GREAT LAKES REGION.

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

(1) request and accept through a direct military-to-military transfer under section 2571 of title 10, United States Code, such H–60 helicopters as may be necessary to establish a year-round operational capability in the Coast Guard’s Ninth District; and

(2) use funds provided under section 101 of this Act to convert such helicopters to Coast Guard MH–60T configuration.
SEC. 221. E-LORAN.

(a) IN GENERAL.—The Secretary of the department in which the Coast Guard is operating may not carry out activities related to the dismantling or disposal of infrastructure that supported the former LORAN system until the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

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

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

(c) AGREEMENTS.—The Secretary may enter into cooperative agreements, contracts, and other agreements with Federal entities and other public or private entities, including academic entities, to develop a positioning, timing, and navigation system, including an enhanced LORAN system, to provide redundant capability in the 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) to modify, suspend, revoke, or impose a sanction on any fishing permit issued by the Secretary of Commerce; or

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

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

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

“31310. Treatment of fishing permits.”.

SEC. 302. INTERNATIONAL ICE PATROL REFORM.

(a) IN GENERAL.—Section 80301 of title 46, United States Code, is amended by adding at the end the following:

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

“(d) LIMITATION.—

“(1) IN GENERAL.—A Coast Guard vessel or aircraft may not be used to carry out an agreement under subsection (a) in fiscal year 2015 and any fiscal year thereafter unless payments are received by the United States Government pursuant to sub-
section (b)(1) in the preceding fiscal year in a total amount that is not less than difference between—

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

“(B) the amount of the proportionate share of the expense generated by vessels documented under the laws of the United States.

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

“(3) NOTIFICATION.—The President shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of a determination made under paragraph (2) within 15 days after such determination.”.

(b) REPEAL.—Section 80302 of title 46, United States Code, and the item relating to such section in the analysis for chapter 803 of such title, are repealed on October 1, 2014.
SEC. 303. REPEAL.

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

(1) by repealing section 55501;

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

(3) in the analysis by striking the items relating to sections 55501 and 55502 and inserting the following:

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

SEC. 304. DONATION OF HISTORICAL PROPERTY.

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

“(e) DONATION FOR HISTORICAL PURPOSES.—

“(1) IN GENERAL.—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

“(A) the Secretary determines that such property is not needed by the Maritime Administration; and

“(B) the recipient—

“(i) is a nonprofit organization, a State, or a political subdivision of a State;
“(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos, polychlorinated biphenyls, or lead paint, after conveyance of the property;

“(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

“(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

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

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

“(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and
“(vi) agree to any additional terms the Secretary considers appropriate.

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

SEC. 305. SMALL SHIPYARDS.

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

SEC. 306. DRUG TESTING REPORTING.

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

(1) in subsection (a), by inserting “an applicant for employment by a Federal agency,” after “Federal agency,”; and

(2) in subsection (c), by—

(A) inserting “or an applicant for employment by a Federal agency” after “an employee”; and

(B) striking “the employee.” and inserting “the employee or the applicant.”.
SEC. 307. RECURSE FOR NONCITIZENS.

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

(1) by inserting ``(a) IN GENERAL.—'' before the first sentence; and

(2) by adding at the end the following new subsection:

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

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

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

``(3) the seaman or the seaman’s personal representative has or had a right to seek compensation for the injury, illness, or death in, or under the laws of—

``(A) the nation in which the vessel was registered at the time the claim arose; or
“(B) the nation in which the seaman maintained citizenship or residency at the time the claim arose.”.

SEC. 308. PENALTY WAGES.

(a) FOREIGN AND INTERCOASTAL VOYAGES.—Section 10313(g) of title 46, United States Code, is amended—

(1) in paragraph (2)—

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

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

(2) in paragraph (3)—

(A) by striking “class action”; and

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

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

(1) in paragraph (2)—

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

(2) in paragraph (3)—

(A) by striking “class action”; and

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

SEC. 309. CREDITING TIME IN THE SEA SERVICES.

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

“(j) The Secretary may issue a license under this section in a class under subsection (c) to an applicant that—

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

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

(b) SEA SERVICE LETTERS.—

(1) IN GENERAL.—Title 14, United States Code, as amended by this Act, is further amended by inserting after section 427 the following:
§ 428. Sea service letters

(a) In general.—The Secretary shall provide a sea service letter to a member or former member of the Coast Guard who—

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

“(2) requests such letter.

“(b) Deadline.—Not later than 30 days after receiving a request for a sea service letter from a member or former member of the Coast Guard under subsection (a), the Secretary shall provide such letter to such member or former member if such member or former member satisfies the requirement under subsection (a)(1).”.

(2) Clerical amendment.—The analysis for chapter 11 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 427 the following:

“428. Sea service letters.”.

(c) Credit of United States armed forces service, training, and qualifications.—

(1) Maximizing creditability.—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document
laws and the International Convention on Standards
of Training, Certification and Watchkeeping for Sea-
farers, 1978, shall maximize the extent to which
United States Armed Forces service, training, and
qualifications are creditable toward meeting the re-
quirements of such laws and such Convention.

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

SEC. 310. TREATMENT OF ABANDONED SEAFARERS.

(a) In General.—The Act to Prevent Pollution
from Ships (33 U.S.C. 1901 et seq.) is amended—

(1) by adding at the end the following:

“SEC. 18. TREATMENT OF ABANDONED SEAFARERS.

“(a) Abandoned Seafarers Fund.—

“(1) Establishment.—There is established in
the Treasury a separate account to be known as the
Abandoned Seafarers Fund.

“(2) Crediting of Amounts to Fund.—

“(A) In General.—There shall be cred-
ited to the Fund the following:
“(i) Penalties deposited in the Fund under section 9, except as provided in subparagraph (B).

“(ii) Amounts reimbursed or recovered under subsection (d).

“(B) LIMITATION.—Amounts may be credited to the Fund under subparagraph (A)(i) only if the unobligated balance of the Fund is less than $2,000,000.

“(3) REPORT REQUIRED.—On the date on which the President submits each budget for a fiscal year pursuant to section 1105 of title 31, United States Code, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

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

“(B) amounts in the Fund that were expended for the preceding fiscal year.

“(b) AUTHORIZATION OF APPROPRIATIONS FROM FUND.—Amounts in the Fund may be appropriated to the Secretary for use to—
“(1) pay necessary support of—

“(A) a seafarer that—

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

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

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

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

“(c) LIMITATION.—Nothing in this section shall be
construed—
“(1) to create a private right of action or any other right, benefit, or entitlement to necessary support for any person; or

“(2) to compel the Secretary to pay or reimburse the cost of necessary support.

“(d) Reimbursement; Recovery.—

“(1) IN GENERAL.—A vessel owner or operator shall reimburse the Fund an amount equal to the total amount paid from the Fund for necessary support of a seafarer, if—

“(A) the vessel owner or operator—

“(i) during the course of an investigation, reporting, documentation, or adjudication of any matter under this Act that the Coast Guard referred to a United States attorney or the Attorney General, fails to provide necessary support of a seafarer who was paroled into the United States to facilitate the investigation, reporting, documentation, or adjudication; and

“(ii) subsequently is—

“(I) convicted of a criminal offense related to such matter; or
“(II) required to reimburse the Fund pursuant to a court order or negotiation related to such matter; or

“(B) the vessel owner or operator abandons a seafarer in the United States, as determined by the Secretary based on substantial evidence.

“(2) ENFORCEMENT.—If a vessel owner or operator fails to reimburse the Fund under paragraph (1), the Secretary may—

“(A) proceed in rem against the vessel on which the affected seafarer served in the Federal district court for the district in which the vessel is found; and

“(B) withhold or revoke the clearance required under section 60105 of title 46, United States Code, for the vessel.

“(3) REMEDY.—A vessel may obtain clearance from the Secretary after it is withheld or revoked under paragraph (2)(B) if the vessel owner or operator—

“(A) reimburses the Fund the amount required under paragraph (1); or
“(B) provides a bond, or other evidence of financial responsibility sufficient to meet the amount required to be reimbursed under paragraph (1).

“(e) DEFINITIONS.—In this section:

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

“(A) a vessel owner’s or operator’s unilateral severance of ties with a seafarer; and

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

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

“(3) NECESSARY SUPPORT.—The term ‘necessary support’ means normal wages and expenses the Secretary considers reasonable for lodging, subsistence, clothing, medical care (including hospitalization), repatriation, and any other support the Secretary considers to be appropriate.

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

(2) in section 9, by adding at the end the following:
“(g) Any penalty collected under subsection (a) or (b) that is not paid under that subsection to the person giving information leading to the conviction or assessment of such penalties shall be deposited in the Abandoned Seafarers Fund established under section 18, subject to the limitation in subsection (a)(2)(B) of such section.”.

SEC. 311. CLARIFICATION OF HIGH-RISK WATERS.

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

(1) in paragraph (1)—

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

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

(2) by striking paragraphs (2) and (3) and inserting the following:

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

“(A) so designated by the Commandant of the Coast Guard in the maritime security directive issued by the Commandant and in effect on
the date on which an applicable voyage begins; and

“(B) in which the Secretary of Transportation determines an act of piracy is likely to occur based on documented acts of piracy that occurred in such waters during the 12-month period preceding the date on which an applicable voyage begins.”.

SEC. 312. UNINSPECTED PASSENGER VESSELS IN THE VIRGIN ISLANDS.

(a) In general.—Section 4105 of title 46, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

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

“(1) the Code of Practice for the Safety of Small Commercial Motor Vessels (commonly referred
to as the ‘Yellow Code’), as published by the U.K. 
Maritime and Coastguard Agency and in effect on 
January 1, 2014; or

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

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

SEC. 313. OFFSHORE SUPPLY VESSEL THIRD-PARTY IN-
SPECTION.

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

“(f)(1) Upon request of an owner or operator of an 
offshore supply vessel, the Secretary shall delegate the au-
thorities set forth in paragraph (1) of subsection (b) with 
respect to such vessel to a classification society to which 
a delegation is authorized under that paragraph. A delega-
tion by the Secretary under this subsection shall be used 
for any vessel inspection and examination function carried
out by the Secretary, including the issuance of certificates of inspection and all other related documents.

“(2) If the Secretary determines that a certificate of inspection or related document issued under authority delegated under paragraph (1) of this subsection with respect to a vessel has reduced the operational safety of that vessel, the Secretary may terminate the certificate or document, respectively.

“(3) Not later than 2 years after the date of the enactment of the Coast Guard and Maritime Transportation Act of 2014, and for each year of the subsequent 2-year period, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing—

“(A) the number of vessels for which a delegation was made under paragraph (1);

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

“(C) based on measurable marine casualty and other data, any impacts of the delegations on the operational safety of vessels for which the delegations were made, and on the crew on those vessels.”.
SEC. 314. SURVIVAL CRAFT.

(a) In general.—Section 3104 of title 46, United States Code, is amended to read as follows:

§ 3104. Survival craft

(a) Requirement to equip.—The Secretary shall require that a passenger vessel be equipped with survival craft that ensures that no part of an individual is immersed in water, if—

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

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

(b) Higher standard of safety.—The Secretary may revise part 117 or part 180 of title 46, Code of Federal Regulations, as in effect before January 1, 2016, if such revision provides a higher standard of safety than is provided by the regulations in effect on or before the date of enactment of the Coast Guard and Maritime Transportation Act of 2014.

(c) Innovative and novel designs.—The Secretary may, in lieu of the requirements set out in part 117 or part 180 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Coast Guard and Maritime Transportation Act of 2014, allow a passenger vessel to be equipped with a life saving appli-
ance or arrangement of an innovative or novel design that—

“(1) ensures no part of an individual is immersed in water; and

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

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

(b) REVIEW; REVISION OF REGULATIONS.—

(1) REVIEW.—Not later than December 31, 2015, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a review of—

(A) the number of casualties for individuals with disabilities, children, and the elderly as a result of immersion in water, reported to the Coast Guard over the preceding 30-year period, by vessel type and area of operation;

(B) the risks to individuals with disabilities, children, and the elderly as a result of im-
mersion in water, by passenger vessel type and
area of operation;

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

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

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

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

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

(E) the number of small businesses and
nonprofit vessel operators that would be af-
fected by requiring the carriage of such survival
craft on passenger vessels to address the risks
to individuals with disabilities, children, and the elderly.

(2) **REVISION.**—Based on the review conducted under paragraph (1), the Secretary may revise regulations concerning the carriage of survival craft pursuant to section 3104(c) of title 46, United States Code.

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

Section 2116(b)(1)(D) of title 46, United States Code, is amended by striking “section 93(c)” and inserting “section 93(c) of title 14”.

**SEC. 316. ENFORCEMENT.**

(a) **IN GENERAL.**—

(1) **DETERMINATION OF COVERED PROGRAMS.**—Section 55305(d) of title 46, United States Code, is amended—

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

“(1) The Secretary of Transportation shall annually review programs administered by other departments and agencies and determine whether each such program is subject to the requirements of this section.”;
(B) by redesignating paragraph (2) as paragraph (5), and by inserting after paragraph (1) the following:

“(2) The Secretary shall have the sole responsibility to make determinations described in paragraph (1).

“(3) A determination made by the Secretary under paragraph (1) regarding a program shall remain in effect until the Secretary determines that such program is no longer subject to the requirements of this section.

“(4) Each department or agency administering a program determined by the Secretary under paragraph (1) to be subject to the requirements of this section shall administer such program in accordance with this section and any rules or guidance issued by the Secretary. The issuance of such rules or guidance is not a prerequisite to the issuance of final determinations under paragraph (1).”;

(C) in paragraph (5)(A), as so redesignated, by striking “section;” and inserting “section, to determine compliance with the requirements of this section;”; and

(D) by adding at the end the following:
“(6) On the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

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

“(B) describes the results of the most recent annual review required by paragraph (5)(A), including identification of the departments and agencies that transported cargo in violation of this section and any action the Secretary took under paragraph (5) with respect to each violation.”.

(2) Deadline for first review.—The Secretary of Transportation shall complete the first review and make the determinations required under the amendment made by paragraph (1)(A) by not later than December 31, 2015.

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

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

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

SEC. 317. SEVERE MARINE DEBRIS EVENTS.

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

(1) in subsection (c)—

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

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—To carry out the purposes set forth in section 2, the Administrator, acting 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—
“(i) review each marine debris project proposal submitted under subparagraph (A) to determine if the proposal meets grant criteria established by the Administrator and supports the purposes set forth in section 2;

“(ii) after considering any written comments and recommendations with respect to the review conducted under clause (i), approve or disapprove a grant for the proposal; and

“(iii) provide notification of that approval or disapproval to the entity that submitted the proposal.

“(C) REPORTING.—Each entity receiving a grant under paragraph (1)(B) shall provide reports to the Administrator as required by the Administrator. Each report provided shall include all information determined necessary by the Administrator for evaluating the progress and success of the project for which the grant was provided and describe the impact of the grant on the identification, determination of sources, assessment, prevention, reduction, or removal of marine debris.
“(D) Training.—The Administrator may require a recipient of a grant under this subsection to provide training to persons engaged in marine debris response efforts funded by such grant with respect to the potential impacts of marine debris, including nonindigenous species related to the debris, on the economy of the United States, the marine environment, and navigation safety.”; and

(2) by adding at the end the following:

“(d) Severe Marine Debris Events.—

“(1) Grant Preference.—In evaluating proposals for grants under subsection (c), the Administrator may give preference in approving grants to proposals that address a severe marine debris event.

“(2) Request for a Declaration.—

“(A) In General.—For purposes of paragraph (1), the Governor of a State may request that the Administrator declare a severe marine debris event in such State or a region that includes such State.

“(B) Response to Requests.—Not later than 30 days after the Administrator receives a request under subparagraph (A), the Administrator shall either—
“(i) declare a severe marine debris event with respect to the request; or
“(ii) submit a response to the Governor who submitted the request, explaining why the Administrator has not declared a severe marine debris event with respect to the request.”.

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

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

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

(3) by inserting after paragraph (4) the following:

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

(c) SEVERE MARINE DEBRIS EVENT DETERMINATION.—

(1) AUTHORITY TO PROVIDE FUNDS.—

(A) IN GENERAL.—The Administrator of the National Oceanic and Atmospheric Admin-
istration may provide funds to an eligible entity impacted by the covered severe marine debris event to assist such entity with the costs of any activity carried out to address the effects of such event.

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

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

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

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

(2) REPEAL.—The Coast Guard and Maritime Transportation Act of 2012 (Public Law 112–213) is amended—
(A) in the table of contents in section 1(b) by striking the item relating to section 609; and

(B) by striking section 609.

SEC. 318. MINIMUM TONNAGE.

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

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

SEC. 319. MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.

(a) ESTABLISHMENT OF ADVISORY COMMITTEE.—

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

“§8108. Merchant Marine Personnel Advisory Committee

“(a) ESTABLISHMENT.—The Secretary shall estab-

lish a Merchant Marine Personnel Advisory Committee (in this section referred to as ‘the Committee’). The Com-
mittee—

“(1) shall act solely in an advisory capacity to the Secretary through the Commandant of the Coast

Guard on matters relating to personnel in the
United States merchant marine, including training, qualifications, certification, documentation, and fitness standards, and other matters as assigned by the Commandant;

“(2) shall review and comment on proposed Coast Guard regulations and policies relating to personnel in the United States merchant marine, including training, qualifications, certification, documentation, and fitness standards;

“(3) may be given special assignments by the Secretary and may conduct studies, inquiries, workshops, and fact finding in consultation with individuals and groups in the private sector and with State or local governments;

“(4) shall advise, consult with, and make recommendations reflecting its independent judgment to the Secretary;

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

“(6) may make available to the Congress recommendations that the Committee makes to the Secretary.

“(b) MEMBERSHIP.—

“(1) In general.—The Committee shall consist of not more than 19 members who are appointed
by and serve terms of a duration determined by the Secretary. Before filling a position on the Committee, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Committee.

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

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

“(i) 3 deck officers who represent the viewpoint of merchant marine deck officers, of whom—

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

“(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

“(III) 2 shall have a master’s license or a master of towing vessels license;

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

“(V) to the extent practicable—
“(aa) 1 shall represent the viewpoint of labor; and

“(bb) another shall represent a management perspective;

“(ii) 3 engineering officers who represent the viewpoint of merchant marine engineering officers, of whom—

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

“(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

“(III) to the extent practicable—

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

“(bb) another shall represent a management perspective;

“(iii) 2 unlicensed seamen, of whom—

“(I) 1 shall represent the viewpoint of able-bodied seamen; and

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

“(iv) 1 pilot who represents the viewpoint of merchant marine pilots;
“(B) 6 marine educators, including—

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

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

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

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

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

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

“(c) CHAIRMAN AND VICE CHAIRMAN.—The Com-
mittee shall elect one of its members as the Chairman and
one of its members as the Vice Chairman. The Vice Chair-
man shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman.

“(d) SUBCOMMITTEES.—The Committee may establish and disestablish subcommittees and working groups for any purpose consistent with this section, subject to conditions imposed by the Committee. Members of the Committee and additional persons drawn from the general public may be assigned to such subcommittees and working groups. Only Committee members may chair subcommittee or working groups.

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

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

“8108. Merchant Marine Personnel Advisory Committee.”.

(b) COMPETITIVENESS OF THE U.S. MERCHANT MARINE.—

(1) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Merchant Marine Personnel Advisory Committee established under the amendment made by subsection (a) shall—

(A) review—
(i) the merchant mariner licensing, certification, and documentation programs and STCW Convention implementation programs of the 3 flag-states; and

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

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

(i) a description of each specific provision for which United States merchant mariner license, certification, and document and STCW Convention implementation requirements are more stringent than the requirements of such flag-state programs, and a recommendation of whether such United States provision should be retained, modified, or eliminated;

(ii) a description of which United States merchant mariner license, certification, and document evaluation requirements must be complied with separately from similar STCW Convention evaluation requirements, any statutory requirement for such separate compliance, and steps
that can be taken by the Coast Guard or
by the Congress to minimize such redund-
dant requirements; and

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

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

(4) DEFINITIONS.—In this subsection:

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

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

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

No later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the number of jobs, including vessel construction and vessel operating jobs, that would be created in the United States maritime industry each year in 2015 through 2025 if liquified natural gas exported from the United States were required to be carried—

(1) before December 31, 2018, on vessels documented under the laws of the United States; and

(2) after such date, on vessels documented under the laws of the United States and constructed in the United States.
TITLE IV—FEDERAL MARITIME COMMISSION

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 402. TERMS OF COMMISSIONERS.

(a) In General.—Section 301(b) of title 46, United States Code, is amended—

(1) by amending paragraph (2) to read as follows:

“(2) Terms.—The term of each Commissioner is 5 years. When the term of a Commissioner ends, the Commissioner may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. Except as provided in paragraph (3), no individual may serve more than 2 terms.”; and

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

“(3) Vacancies.—A vacancy shall be filled in the same manner as the original appointment. An individual appointed to fill a vacancy is appointed only for the unexpired term of the individual being
succeeded. An individual appointed to fill a vacancy may serve 2 terms in addition to the remainder of the term for which the predecessor of that individual was appointed.

“(4) Conflicts of interest.—

“(A) Limitation on relationships with regulated entities.—A Commissioner may not have a pecuniary interest in, hold an official relation to, or own stocks or bonds of any entity the Commission regulates under chapter 401 of this title.

“(B) Limitation on other activities.—A Commissioner may not engage in another business, vocation, or employment.”.

(b) Applicability.—The amendment made by subsection (a)(1) does not apply with respect to a Commissioner of the Federal Maritime Commission appointed and confirmed by the Senate before the date of enactment of this Act.

TITLE V—COMMERCIAL VESSEL DISCHARGE REFORM

SEC. 501. SHORT TITLE.

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

HR 4005 RFS
SEC. 502. DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF CERTAIN VESSELS.

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

TITLE VI—MISCELLANEOUS

SEC. 601. DISTANT WATER TUNA FLEET.

Section 421 of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241; 120 Stat. 547) is amended—

(1) in subsection (b)—

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

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

(B) in paragraph (2), by striking “An equivalent credential” and inserting “A credential”; and

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

SEC. 602. VESSEL DETERMINATION.

The vessel assigned United States official number 1205366 is deemed a new vessel effective on the date of
delivery of the vessel after January 1, 2012, from a privately owned United States shipyard, if no encumbrances are on record with the Coast Guard at the time of the issuance of the new certificate of documentation for the vessel.

SEC. 603. LEASE AUTHORITY.

(a) AUTHORITY.—The Commandant of the Coast Guard may lease under section 93(a)(13) of title 14, United States Code, submerged lands and tidelands under the control of the Coast Guard without regard to the limitation under that section with respect to lease duration.

(b) LIMITATION.—The Commandant may lease submerged lands and tidelands under subsection (a) only if—

(1) lease payments are—

(A) received exclusively in the form of cash;

(B) equal to the fair market value of the leased submerged lands or tidelands, as determined by the Commandant; and

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

(2) the lease does not provide authority to or commit the Coast Guard to use or support any improvements to such submerged lands or tidelands, or obtain goods or services from the lessee.
SEC. 604. NATIONAL MARITIME STRATEGY.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the department in which the Coast Guard is operating, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a national maritime strategy.

(b) CONTENTS.—The strategy required under subsection (a) shall—

(1) identify—

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

(B) the impact of reduced cargo flow due to reductions in the number of members of the United States Armed Forces stationed or deployed outside of the United States; and

(2) include recommendations to—

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

(B) increase the use of United States flag vessels to carry cargo imported to and exported from the United States;
(C) assure compliance by Federal agencies with chapter 553 of title 46, United States Code;

(D) increase the use of third-party inspection and certification authorities to inspect and certify vessels;

(E) increase the use of short sea transportation routes designated under section 55601(c) of title 46, United States Code, to enhance intermodal freight movements; and

(F) enhance United States shipbuilding capability.

SEC. 605. IMO POLAR CODE NEGOTIATIONS.

Not later than 30 days after the date of the enactment of this Act, and thereafter with the submission of the budget proposal submitted for each of fiscal years 2016, 2017, and 2018 under section 1105 of title 31, United States Code, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on—

(1) the status of the negotiations at the International Maritime Organization regarding the estab-
lishment of a draft international code of safety for
ships operating in polar waters, popularly known as
the Polar Code, and any amendments proposed by
such a code to be made to the International Conven-
tion for the Safety of Life at Sea and the Inter-
national Convention for the Prevention of Pollution
from Ships;

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

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

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

(B) the safety of maritime transportation;
and

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

SEC. 606. VALLEY VIEW FERRY.

(a) EXEMPTION.—Section 8902 of title 46, United
States Code, shall not apply to the vessel John Craig
(United States official number D1110613) when such ves-

12 sel is operating on the portion of the Kentucky River, Ken-
13 tucky, located at approximately mile point 158, in Pool
14 Number 9, between Lock and Dam Number 9 and Lock
15 and Dam Number 10.
16
17 (b) APPLICATION.—Subsection (a) shall apply on and
18 after the date on which the Secretary determines that a
19 licensing requirement has been established under Ken-
20 tucky State law that applies to an operator of the vessel
21 John Craig.
22
23 SEC. 607. COMPETITION BY UNITED STATES FLAG VESSELS.
24
25 (a) IN GENERAL.—The Commandant of the Coast
26 Guard shall enter into an arrangement with the National
27 Academy of Sciences to conduct an assessment of authori-
28 ties under subtitle II of title 46, United States Code, that
29 have been delegated to the Coast Guard that impact the
30 ability of vessels documented under the laws of the United
31 States to effectively compete in the carriage of merchan-
32 dise and passengers in the international trade.
33
34 (b) REVIEW OF DIFFERENCES WITH IMO STAND-
35 ARDS.—The assessment under subsection (a) shall include
36 a review of differences between United States laws, poli-
37 cies, regulations, and guidance governing the inspection
38 of vessels documented under the laws of the United States
and standards set by the International Maritime Organization governing the inspection of vessels.

(c) **Deadline.**—Not later than 180 days after the date on which the Commandant enters into an arrangement with the National Academy of Sciences under subsection (a), the Commandant shall submit the assessment required under such subsection to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

**SEC. 608. SURVEY.**

Not later than 30 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a survey of the parcel of real property under the administrative control of the Coast Guard, consisting of approximately 1.95 acres (measured at the mean low-water mark) located at the entrance to Gig Harbor, Washington, and commonly known as the Gig Harbor Sand Spit Area.

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

(a) **Fishing Safety Training Grant Program.**—Section 4502(i)(4) of title 46, United States Code, is
amended by striking “2010 through 2014” and inserting “2015 and 2016”.

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

Passed the House of Representatives April 1, 2014.

Attest: KAREN L. HAAS,

Clerk.