

115TH CONGRESS
1ST SESSION

S. 1129

To authorize appropriations for the Coast Guard, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 16, 2017

Mr. SULLIVAN (for himself, Mr. THUNE, and Mr. NELSON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To authorize appropriations for the Coast Guard, and for other purposes.

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

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Coast Guard Authorization Act of 2017”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Effective dates.

TITLE I—AUTHORIZATIONS

- Sec. 101. Authorization of appropriations.
- Sec. 102. Authorized levels of military strength and training.

TITLE II—COAST GUARD

- Sec. 201. Primary duties.
- Sec. 202. Training; emergency response providers.
- Sec. 203. Commissioned service retirement.
- Sec. 204. Officer promotion zones.
- Sec. 205. Officer evaluation report.
- Sec. 206. Retired pay; amounts for payments in connection with modernized retirement system.
- Sec. 207. Inclusion of vessel for investigation purposes.
- Sec. 208. Leave for the birth of adoption of a child.
- Sec. 209. Aviation cadets; appointment as Reserve officers; cross reference.
- Sec. 210. Clothing at time of discharge for good of service; repeal.
- Sec. 211. Multiyear contracts.
- Sec. 212. Coast Guard ROTC Program.

TITLE III—MARINE SAFETY

- Sec. 301. Coast Guard advisory committees.
- Sec. 302. Clarification of logbook and entry requirements.
- Sec. 303. Technical corrections; licenses, certifications of registry, and merchant mariner documents.
- Sec. 304. Numbering for undocumented barges.
- Sec. 305. Aids to navigation.
- Sec. 306. Equipment requirements; exemption from throwable personal flotation devices.
- Sec. 307. Ensuring maritime coverage.
- Sec. 308. Deadline for compliance with alternate safety compliance program.
- Sec. 309. Fishing, fish tender, and fish processing vessel certification.
- Sec. 310. Termination of unsafe operations; technical amendment.
- Sec. 311. Installation and use of engine cut-off switches on recreational vessel.
- Sec. 312. Visual distress signals and alternative use.
- Sec. 313. Renewal period for documented recreational vessels.
- Sec. 314. Exception from survival craft requirements.
- Sec. 315. Inland waterway and river tender acquisition plan.
- Sec. 316. Arctic planning criteria.

TITLE IV—MARITIME SECURITY

- Sec. 401. Maritime border security cooperation.
- Sec. 402. Currency detection canine team program.
- Sec. 403. Confidential investigative expenses.
- Sec. 404. Arctic maritime domain awareness.
- Sec. 405. Strategic assets in the Arctic.

TITLE V—MISCELLANEOUS

- Sec. 501. Ship shoal lighthouse transfer; repeal.
- Sec. 502. Acquisition workforce expedited hiring authority.
- Sec. 503. Drawbridges.
- Sec. 504. Incentive contract; Coast Guard yard and industrial establishments.
- Sec. 505. Coast Guard health-care professionals; licensure portability.
- Sec. 506. Land exchange; Ayakulik Island, Alaska.
- Sec. 507. Abandoned seafarers fund amendments.
- Sec. 508. Assistance for small shipyards.
- Sec. 509. Small shipyard contracts.
- Sec. 510. Western challenger; certificate of documentation.

TITLE VI—DEPARTMENT OF COMMERCE VESSELS

Sec. 601. Waivers for certain contracts.

1 **SEC. 2. EFFECTIVE DATES.**

2 (a) IN GENERAL.—Except as otherwise specifically
3 provided in this Act, this Act and the amendments made
4 by this Act shall take effect on the date of enactment of
5 this Act.

6 (b) CERTAIN DELAYED EFFECTIVE DATES.—The
7 amendments made by sections 101, 102, 403, and 508(a)
8 shall take effect on October 1, 2017. The amendments
9 made by section 206 shall take effect on January 1, 2018.

10 **TITLE I—AUTHORIZATIONS**

11 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 2702 of title 14, United States Code, is
13 amended to read as follows:

14 “Funds are authorized to be appropriated for each
15 of fiscal years 2018 and 2019 for necessary expenses of
16 the Coast Guard as follows:

17 “(1) For the operation and maintenance of the
18 Coast Guard, not otherwise provided for—

19 “(A) \$7,300,000,000 for fiscal year 2018;

20 and

21 “(B) \$7,592,000,000 for fiscal year 2019.

22 “(2) For the acquisition, construction, renova-
23 tion, and improvement of aids to navigation, shore
24 and offshore facilities, vessels, and aircraft, includ-

1 ing equipment related thereto, and for maintenance,
2 rehabilitation, lease, and operation of facilities and
3 equipment—

4 “(A) \$1,985,845,000 for fiscal year 2018,
5 to remain available through September 30,
6 2022; and

7 “(B) \$2,027,547,745 for fiscal year 2019,
8 to remain available through September 30,
9 2023.

10 “(3) For the Coast Guard Reserve program, in-
11 cluding operations and maintenance of the program,
12 personnel and training costs, equipment, and serv-
13 ices—

14 “(A) \$142,956,336 for fiscal year 2018;

15 and

16 “(B) \$145,958,419 for fiscal year 2019.

17 “(4) For the environmental compliance and res-
18 toration of Coast Guard under chapter 19 of this
19 title—

20 “(A) \$17,051,721 for fiscal year 2018, to
21 remain available through September 30, 2022;

22 and

23 “(B) \$17,409,807 for fiscal year 2019, to
24 remain available through September 20, 2023.

1 “(5) To the Commandant of the Coast Guard
2 for research, development, test, and evaluation of
3 technologies, materials, and human factors directly
4 related to improving the performance of the Coast
5 Guard’s mission with respect to search and rescue,
6 aids to navigation, marine safety, marine environ-
7 mental protection, enforcement of laws and treaties,
8 ice operations, oceanographic research, and defense
9 readiness, and for maintenance, rehabilitation, lease,
10 and operation of facilities and equipment—

11 “(A) \$20,307,690 for fiscal year 2018; and

12 “(B) \$20,734,151 for fiscal year 2019.”.

13 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**
14 **AND TRAINING.**

15 Section 2704 of title 14, United States Code, is
16 amended to read as follows:

17 “(a) **ACTIVE DUTY STRENGTH.**—The Coast Guard is
18 authorized an end-of-year strength for active duty per-
19 sonnel of 43,000 for each of fiscal years 2018 and 2019.

20 “(b) **MILITARY TRAINING STUDENT LOADS.**—The
21 Coast Guard is authorized average military training stu-
22 dent loads for each of fiscal years 2018 and 2019 as fol-
23 lows:

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

1 “(2) For flight training, 165 student years.

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

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

6 **TITLE II—COAST GUARD**

7 **SEC. 201. PRIMARY DUTIES.**

8 Section 2(7) of title 14, United States Code, is
9 amended by striking “including the fulfillment of Mari-
10 time Defense Zone command responsibilities” and insert-
11 ing “and at all times assist in the defense of the United
12 States”.

13 **SEC. 202. TRAINING; EMERGENCY RESPONSE PROVIDERS.**

14 (a) IN GENERAL.—Chapter 7 of title 14, United
15 States Code, is amended by inserting after section 141 the
16 following:

17 **“SEC. 141a. TRAINING; EMERGENCY RESPONSE PROVIDERS.**

18 “(a) IN GENERAL.—The Commandant (or the Com-
19 mandant’s designee) may, on a reimbursable or a non-re-
20 imburseable basis, make training available to public safety
21 personnel whenever the Commandant (or the Com-
22 mandant’s designee) determines that—

23 “(1) a member of the Coast Guard, who was
24 scheduled to participate in such training, is unable
25 or unavailable to participate in such training;

1 “(2) no other member of the Coast Guard, who
2 is assigned to the unit to which the member of the
3 Coast Guard described in paragraph (1), is able or
4 available to participate in such training; and

5 “(3) such training, if made available to public
6 safety personnel, would further the goal of interoper-
7 ability among Federal agencies, non-Federal govern-
8 mental agencies, or both.

9 “(b) DEFINITION OF EMERGENCY RESPONSE PRO-
10 VIDER.—In this section, the term ‘emergency response
11 provider’ has the meaning given the term in section 101
12 of title 6.

13 “(c) TREATMENT OF REIMBURSEMENT.—Any reim-
14 bursement for training that the Coast Guard receives
15 under this section shall be credited to the appropriation
16 used to pay the costs for such training.

17 “(d) STATUS; LIMITATION ON LIABILITY.—

18 “(1) STATUS.—Any individual to whom, as an
19 emergency response provider, training is made avail-
20 able under this section shall not be considered a
21 Federal employee for any purpose, including the
22 purposes of—

23 “(A) chapter 81 of title 5 (relating to com-
24 pensation for injury); or

1 “(B) sections 2671 through 2680 of title
2 28 (relating to tort claims).

3 “(2) LIMITATION ON LIABILITY.—The indi-
4 vidual described in paragraph (1) or that individ-
5 ual’s employer shall be liable for any claim arising
6 out of such training.”.

7 (b) TABLE OF CONTENTS.—The table of contents of
8 chapter 7 of title 14, United States Code, is amended by
9 inserting after the item relating to section 141 the fol-
10 lowing:

 “141a. Training; emergency response providers.”.

11 **SEC. 203. COMMISSIONED SERVICE RETIREMENT.**

12 Section 291 of title 14, United States Code, is
13 amended—

14 (1) by inserting “(a) IN GENERAL.—” before
15 “Any regular” and indenting appropriately;

16 (2) in subsection (a), as designated—

17 (A) by inserting “of the Coast Guard”
18 after “officer”; and

19 (B) by striking “President” and inserting
20 “Secretary”; and

21 (3) by adding at the end the following:

22 “(b) ACTIVE COMMISSIONED SERVICE.—The Sec-
23 retary may authorize the Commandant, through fiscal
24 year 2019, to reduce the requirement under subsection (a)

1 for at least ten years of active service as a commissioned
2 officer to a period of not less than eight years.”.

3 **SEC. 204. OFFICER PROMOTION ZONES.**

4 Section 256(a) of title 14, United States Code, is
5 amended by striking “six-tenths” and inserting “one-
6 half”.

7 **SEC. 205. OFFICER EVALUATION REPORT.**

8 (a) IN GENERAL.—Beginning with the first evalua-
9 tion cycle after the date of enactment of this Act, the Com-
10 mandant of the Coast Guard shall reduce lieutenant junior
11 grade evaluation reports to the same length as an ensign
12 or place lieutenant junior grade evaluations on an annual
13 schedule.

14 (b) BOARD SURVEY.—The Commandant of the Coast
15 Guard shall survey outgoing promotion board members to
16 determine, at a minimum—

17 (1) which sections of the officer evaluation re-
18 port were most useful;

19 (2) which sections of the officer evaluation re-
20 port were least useful;

21 (3) how to better reflect high performers, and

22 (4) any recommendations for improving the of-
23 ficer evaluation report.

1 (c) SURVEY OF OFFICERS.—The Commandant of the
2 Coast Guard shall conduct a survey on the officer evalua-
3 tion report to—

4 (1) cover at least 10 percent of the officers
5 from each grade of officers from O1 to O6; and

6 (2) determine how much time each member of
7 the rating chain spends on that member's portion of
8 the officer evaluation report.

9 (d) REPORT.—

10 (1) IN GENERAL.—Not later than 545 days
11 after the date of enactment of this Act, the Com-
12 mandant of the Coast Guard shall submit to the
13 Committee on Commerce, Science, and Transpor-
14 tation of the Senate and the Committee on Trans-
15 portation and Infrastructure of the House of Rep-
16 resentatives a report—

17 (A) on the findings of the survey under
18 subsection (b); and

19 (B) on the findings of the survey under
20 subsection (c).

21 (2) FORMAT.—The report under paragraph (1)
22 shall be formatted by each rank, type of board, and
23 position, as applicable.

1 **SEC. 206. RETIRED PAY; AMOUNTS FOR PAYMENTS IN CON-**
 2 **NECTION WITH MODERNIZED RETIREMENT**
 3 **SYSTEM.**

4 (a) IN GENERAL.—Chapter 11 of title 14, United
 5 States Code, is amended by inserting after section 424a
 6 the following:

7 **“§ 424b. Retired pay; amounts for payments in con-**
 8 **nection with modernized retirement sys-**
 9 **tem**

10 “Of the amounts appropriated for retirement pay
 11 under this chapter in any fiscal year, the Secretary may
 12 use such sums as are necessary for the following purposes
 13 (in addition to other amounts that may be available for
 14 such purposes) as such purposes relate to a member:

15 “(1) Lump sum payment of certain retired pay
 16 under section 1415 of title 10.

17 “(2) Thrift Savings Plan contributions under
 18 section 8440e(e) of title 5.

19 “(3) Continuation pay under section 356 of title
 20 37.”.

21 (b) TABLE OF CONTENTS.—The table of contents for
 22 chapter 11 of title 14, United States Code, is amended
 23 by inserting after the item relating to section 424 the fol-
 24 lowing:

“424b. Retired pay; amounts for payments in connection with modernized retire-
 ment system.”.

1 **SEC. 207. INCLUSION OF VESSEL FOR INVESTIGATION PUR-**
2 **POSES.**

3 (a) IN GENERAL.—Section 678 of title 14, United
4 States Code, is amended by inserting “or vessel” after
5 “aircraft” each place it appears.

6 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
7 Chapter 17 of title 14, United States Code, is amended—

8 (1) in the table of contents of chapter 17, by
9 inserting “and vessel” after “Aircraft” in the item
10 relating to section 678; and

11 (2) in the heading for section 678, by inserting
12 “**and vessel**” after “**Aircraft**”.

13 **SEC. 208. LEAVE FOR THE BIRTH OF ADOPTION OF A**
14 **CHILD.**

15 Section 431 of title 14, United States Code, is
16 amended—

17 (1) by striking “Not later than 1 year” and in-
18 serting the following:

19 “(a) IN GENERAL.—Except as provided in subsection
20 (b), not later than 1 year”; and

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

22 “(b) LEAVE ASSOCIATED WITH THE BIRTH OR
23 ADOPTION OF A CHILD.—Notwithstanding any other pro-
24 vision of law, including section 701 of title 10, the Sec-
25 retary of the department in which the Coast Guard is op-
26 erating shall ensure that any rule, policy, or memorandum

1 that provides leave associated with the birth or adoption
2 of a child to officers and enlisted members of the Coast
3 Guard permits, at the discretion of the Commanding Offi-
4 cer—

5 “(1) an officer or member to take such leave in
6 increments; and

7 “(2) flexible work schedules for such officer or
8 member until all such leave is expended.”.

9 **SEC. 209. AVIATION CADETS; APPOINTMENT AS RESERVE**
10 **OFFICERS; CROSS REFERENCE.**

11 Section 373(a) of title 14, United States Code, is
12 amended by inserting “designated under section 371”
13 after “cadet”.

14 **SEC. 210. CLOTHING AT TIME OF DISCHARGE FOR GOOD OF**
15 **SERVICE; REPEAL.**

16 Section 482 of title 14, United States Code, and the
17 item relating to that section in the table of contents of
18 chapter 13 of that title, are repealed.

19 **SEC. 211. MULTIYEAR CONTRACTS.**

20 The Secretary is authorized to enter into a multiyear
21 contract for the procurement of a tenth, eleventh, and
22 twelfth National Security Cutter and associated govern-
23 ment-furnished equipment.

1 **SEC. 212. COAST GUARD ROTC PROGRAM.**

2 Not later than 1 year after the date of enactment
 3 of this Act, the Commandant of the Coast Guard shall
 4 submit to the Committee on Commerce, Science, and
 5 Transportation of the Senate and the Committee on
 6 Transportation and Infrastructure of the House of Rep-
 7 resentatives a report on the costs and benefits of creating
 8 a Coast Guard Reserve Officers' Training Corps Program
 9 based on the other armed forces programs.

10 **TITLE III—MARINE SAFETY**

11 **SEC. 301. COAST GUARD ADVISORY COMMITTEES.**

12 (a) ESTABLISHMENT.—Subtitle I of title 46, United
 13 States Code, is amended by adding at the end the fol-
 14 lowing:

15 **“CHAPTER 7—COAST GUARD ADVISORY**
 16 **COMMITTEES**

“Sec.

“701. Administration.

“702. Chemical Transportation Advisory Committee.

“703. Commercial Fishing Safety Advisory Committee.

“704. Great Lakes Pilotage Advisory Committee.

“705. Lower Mississippi River Waterway Safety Advisory Committee.

“706. Merchant Marine Personnel Advisory Committee.

“707. Merchant Mariner Medical Advisory Committee.

“708. National Boating Safety Advisory Council.

“709. National Maritime Security Advisory Committee.

“710. National Offshore Safety Advisory Committee.

“711. Navigation Safety Advisory Council.

“712. Towing Safety Advisory Committee.

17 **“§ 701. Administration**

18 “(a) EMPLOYEE STATUS.—A member of an advisory
 19 committee or advisory council established under this chap-

1 ter shall not be considered an employee of the Federal
2 Government by reason of service on such committee or
3 council, except for the purposes of the following provisions
4 of law:

5 “(1) Section 5703 of title 5 (relating to travel
6 expenses).

7 “(2) Chapter 81 of title 5 (relating to com-
8 pensation for work injuries).

9 “(3) Chapter 171 of title 28 and any other
10 Federal statute relating to tort liability.

11 “(4) If the member is a special Government
12 employee—

13 “(A) chapter 73 of title 5;

14 “(B) sections 201, 202, 203, 205, 207,
15 208, and 209 of title 18;

16 “(C) the Ethics in Government Act of
17 1978 (5 U.S.C. App.); and

18 “(D) any other provision of law relating to
19 employee conduct, political activities, ethics,
20 conflict of interest, and corruption that applies
21 to a special Government employee.

22 “(b) COMPENSATION.—A member of an advisory
23 committee or advisory council established under this chap-
24 ter who is not otherwise a Federal employee shall not re-

1 ceive pay by reason of service on such committee or coun-
2 cil.

3 “(c) ACCEPTANCE OF VOLUNTEER SERVICES.—A
4 member of an advisory committee or advisory council es-
5 tablished under this chapter may serve on a voluntary
6 basis without pay without regard to section 1342 of title
7 31 or any other law.

8 **“§ 702. Chemical Transportation Advisory Committee**

9 “(a) ESTABLISHMENT.—There is established a
10 Chemical Transportation Advisory Committee (referred to
11 in this section as the ‘Committee’).

12 “(b) FUNCTION.—The Committee, acting through
13 the Commandant (or the Commandant’s designee), is au-
14 thorized to advise, consult with, report to, and make rec-
15 ommendations to the Secretary on matters relating to the
16 safe and secure marine transportation of hazardous mate-
17 rials.

18 “(c) ORGANIZATION.—

19 “(1) MEETING.—The Committee shall, at least
20 once each calendar year, meet at the call of the
21 Commandant (or the Commandant’s designee).

22 “(2) MEMBERSHIP.—

23 “(A) IN GENERAL.—The Committee shall
24 consist of not more than 25 members.

1 “(B) POINTS OF VIEW.—Each member of
2 the Committee shall represent the point of view
3 of 1 of the following entities or groups associ-
4 ated with marine transportation of hazardous
5 materials:

6 “(i) Chemical manufacturing.

7 “(ii) Marine handling or transpor-
8 tation of chemicals.

9 “(iii) Vessel design and construction.

10 “(iv) Marine safety or security.

11 “(v) Marine environmental protection.

12 “(C) NEEDS OF THE COAST GUARD.—The
13 Commandant (or the Commandant’s designee)
14 shall, based on the needs of the Coast Guard,
15 determine the number of members who rep-
16 resent a specific point of view.

17 “(D) RULE OF CONSTRUCTION.—Neither
18 this subsection nor any other provision of law
19 or policy shall be construed to require an equal
20 distribution of members representing specific
21 points of view among the membership of the
22 Committee.

23 “(3) STATUS OF MEMBERS.—For the purposes
24 of Federal law, including the Ethics in Government
25 Act of 1978 and chapter 11 of title 18, each member

1 of the Committee is hereby deemed a representative
2 of the member's respective special interest entity or
3 group, and not a special Government employee (as
4 defined in section 202(a) of title 18).

5 “(4) NOMINATIONS; APPOINTMENTS; SERV-
6 ICE.—

7 “(A) NOMINATIONS.—As necessary, the
8 Secretary shall publish, in the Federal Register,
9 a notice soliciting nominations for membership
10 on the Committee.

11 “(B) APPOINTMENTS.—

12 “(i) IN GENERAL.—After timely notice
13 is published, the Secretary shall, as nec-
14 essary, appoint members to the Committee.

15 “(ii) LIMITATIONS.—The Secretary
16 may not seek, consider, or otherwise use
17 information concerning the political affili-
18 ation of a nominee in making an appoint-
19 ment to the Committee.

20 “(iii) REAPPOINTMENTS.—The Sec-
21 retary may reappoint a member to the
22 Committee more than once.

23 “(C) SERVICE.—Each member of the Com-
24 mittee shall serve at the pleasure of the Sec-
25 retary.

1 “(5) TERM; VACANCY.—

2 “(A) TERM.—

3 “(i) IN GENERAL.—The term of each
4 member of the Committee shall expire on
5 December 31 of the third full year after
6 the effective date of the appointment.

7 “(ii) EXTENSIONS.—Notwithstanding
8 clause (i), paragraph (4), or any other pro-
9 vision of law or policy, the Commandant
10 (or the Commandant’s designee) may ex-
11 tend the term of a member of the Com-
12 mittee to December 31 of the fifth full
13 year after the effective date of the appoint-
14 ment.

15 “(B) VACANCY.—In the case of an ap-
16 pointment to fill a vacancy on the Committee,
17 the Secretary shall appoint an individual for a
18 full term.

19 “(6) CHAIRMAN; VICE CHAIRMAN.—

20 “(A) IN GENERAL.—The Commandant (or
21 the Commandant’s designee) shall designate 1
22 member of the Committee as the Chairman and
23 another member of the Committee as the Vice
24 Chairman, both of whom shall serve in such ca-
25 pacity at the pleasure of the Commandant (or

1 the Commandant’s designee) and for a term to
2 be fixed by the Commandant (or the Com-
3 mandant’s designee).

4 “(B) RECOMMENDATIONS.—The Com-
5 mandant (or the Commandant’s designee) may
6 solicit, from the Committee, recommendations
7 with regard to the members whom the Com-
8 mandant (or the Commandant’s designee) shall
9 designate as the Chairman and the Vice Chair-
10 man.

11 “(C) VACANCY.—The Vice Chairman shall
12 act as Chairman in the absence or incapacity
13 of, or in the event of a vacancy in the office of,
14 the Chairman.

15 “(7) DESIGNATED FEDERAL OFFICER.—The
16 Commandant (or the Commandant’s designee) shall
17 designate a Designated Federal Officer to the Com-
18 mittee in accordance with the Federal Advisory
19 Committee Act (5 U.S.C. App.).

20 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
21 NATION.—

22 “(1) FACA.—The Federal Advisory Committee
23 Act (5 U.S.C. App.) shall apply to the Committee.

24 “(2) TERMINATION.—The Committee shall ter-
25minate on September 30, 2027.

1 **“§ 703. Commercial Fishing Safety Advisory Com-**
2 **mittee**

3 “(a) ESTABLISHMENT.—There is established a Com-
4 mercial Fishing Safety Advisory Committee (referred to
5 in this section as the ‘Committee’).

6 “(b) FUNCTION.—The Committee, acting through
7 the Commandant (or the Commandant’s designee), is au-
8 thorized—

9 “(1) to advise, consult with, report to, and
10 make recommendations to the Secretary on matters
11 relating to the safe operation of vessels to which
12 chapter 45 of this title applies, including navigation
13 safety, safety equipment and procedures, marine in-
14 surance, vessel design, construction, maintenance
15 and operation, and personnel qualifications and
16 training; and

17 “(2) to review proposed regulations promul-
18 gated pursuant to chapter 45 of this title.

19 “(c) ORGANIZATION.—

20 “(1) MEETING.—The Committee shall, at least
21 once each calendar year, meet at the call of the
22 Commandant (or the Commandant’s designee).

23 “(2) MEMBERSHIP.—

24 “(A) IN GENERAL.—The Committee shall
25 consist of 18 members.

1 “(B) EXPERIENCE.—Each member of the
2 Committee shall have particular expertise,
3 knowledge, and experience regarding the com-
4 mercial fishing industry.

5 “(C) POINTS OF VIEW.—Except as pro-
6 vided in subparagraph (D), a member of the
7 Committee shall represent the point of view of
8 an entity or group, as follows:

9 “(i) 10 members representing the
10 commercial fishing industry who—

11 “(I) reflect a regional and rep-
12 resentational balance; and

13 “(II) have experience in the oper-
14 ation of vessels to which chapter 45 of
15 this title applies or as a crew member
16 or processing line worker on a fish
17 processing vessel.

18 “(ii) 1 member representing naval ar-
19 chitects or marine engineers.

20 “(iii) 1 member representing manu-
21 facturers of equipment for vessels to which
22 chapter 45 of this title applies.

23 “(iv) 1 member representing edu-
24 cation or training professionals related to
25 fishing vessel, fish processing vessel, or

1 fish tender vessel safety or personnel quali-
2 fications.

3 “(v) 1 member representing under-
4 writers that insure vessels to which chapter
5 45 of this title applies.

6 “(vi) 1 member representing owners
7 of vessels to which chapter 45 of this title
8 applies.

9 “(D) EXCEPTION.—

10 “(i) IN GENERAL.—Subject to clause
11 (ii), 3 members of the Committee shall
12 represent the general public.

13 “(ii) EXPERIENCE.—Whenever pos-
14 sible, a member who represents the general
15 public shall be either—

16 “(I) an independent expert or
17 consultant in maritime safety;

18 “(II) a marine surveyor who pro-
19 vides services to vessels to which
20 chapter 45 of this title applies; or

21 “(III) a person familiar with
22 issues affecting fishing communities
23 and families of fishermen.

1 “(3) STATUS OF MEMBERS.—For the purposes
2 of Federal law, including the Ethics in Government
3 Act of 1978 and chapter 11 of title 18—

4 “(A) a member of the Committee, whom
5 the Secretary appoints to represent a point of
6 view of an entity or group under paragraph
7 (2)(C), is hereby deemed a representative of the
8 member’s respective special interest entity or
9 group, and not a special Government employee
10 (as defined in section 202(a) of title 18); and

11 “(B) a member of the Committee, whom
12 the Secretary may appoint to represent the gen-
13 eral public, is hereby deemed a special Govern-
14 ment employee (as defined in section 202(a) of
15 title 18).

16 “(4) NOMINATIONS; APPOINTMENTS; SERV-
17 ICE.—

18 “(A) NOMINATIONS.—As necessary, the
19 Secretary shall publish, in the Federal Register,
20 a notice soliciting nominations for membership
21 on the Committee.

22 “(B) APPOINTMENTS.—

23 “(i) IN GENERAL.—After timely notice
24 is published, the Secretary shall, as nec-
25 essary, appoint members to the Committee.

1 “(ii) LIMITATIONS.—The Secretary
2 may not seek, consider, or otherwise use
3 information concerning the political affili-
4 ation of a nominee in making an appoint-
5 ment to the Committee.

6 “(iii) REAPPOINTMENTS.—The Sec-
7 retary may reappoint a member to the
8 Committee more than once.

9 “(C) SERVICE.—Each member of the Com-
10 mittee shall serve at the pleasure of the Sec-
11 retary.

12 “(5) TERM; VACANCY.—

13 “(A) TERM.—

14 “(i) IN GENERAL.—The term of each
15 member of the Committee shall expire on
16 December 31 of the third full year after
17 the effective date of the appointment.

18 “(ii) EXTENSIONS.—Notwithstanding
19 clause (i), paragraph (4), or any other pro-
20 vision of law or policy, the Commandant
21 (or the Commandant’s designee) may ex-
22 tend the term of a member of the Com-
23 mittee to December 31 of the fifth full
24 year after the effective date of the appoint-
25 ment.

1 “(B) VACANCY.—In the case of an ap-
2 pointment to fill a vacancy on the Committee,
3 the Secretary shall appoint an individual for a
4 full term.

5 “(6) CHAIRMAN; VICE CHAIRMAN.—

6 “(A) IN GENERAL.—The Commandant (or
7 the Commandant’s designee) shall designate 1
8 member of the Committee as the Chairman and
9 another member of the Committee as the Vice
10 Chairman, both of whom shall serve in such ca-
11 pacity at the pleasure of the Commandant (or
12 the Commandant’s designee) and for a term to
13 be fixed by the Commandant (or the Com-
14 mandant’s designee).

15 “(B) RECOMMENDATIONS.—The Com-
16 mandant (or the Commandant’s designee) may
17 solicit, from the Committee, recommendations
18 with regard to the members whom the Com-
19 mandant (or the Commandant’s designee) shall
20 designate as the Chairman and the Vice Chair-
21 man.

22 “(C) VACANCY.—The Vice Chairman shall
23 act as Chairman in the absence or incapacity
24 of, or in the event of a vacancy in the office of,
25 the Chairman.

1 “(7) DESIGNATED FEDERAL OFFICER.—The
2 Commandant (or the Commandant’s designee) shall
3 designate a Designated Federal Officer to the Com-
4 mittee in accordance with the Federal Advisory
5 Committee Act (5 U.S.C. App.).

6 “(d) CONSULTATION.—The Commandant (or the
7 Commandant’s designee) shall, whenever practicable—

8 “(1) consult with the Committee before taking
9 any significant action relating to the safe operation
10 of vessels to which chapter 45 of this title applies;
11 and

12 “(2) consider the information, advice, and rec-
13 ommendations of the Committee in consulting with
14 other agencies and the public or in formulating pol-
15 icy regarding the safe operation of vessels to which
16 chapter 45 of this title applies.

17 “(e) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
18 NATION.—

19 “(1) FACA.—The Federal Advisory Committee
20 Act (5 U.S.C. App.) shall apply to the Committee.

21 “(2) TERMINATION.—The Committee shall ter-
22 minate on September 30, 2027.

1 **“§ 704. Great Lakes Pilotage Advisory Committee**

2 “(a) ESTABLISHMENT.—There is established a Great
3 Lakes Pilotage Advisory Committee (referred to in this
4 section as the ‘Committee’).

5 “(b) FUNCTION; RECOMMENDATIONS.—

6 “(1) FUNCTIONS.—Subject to paragraph (2),
7 the Committee, acting through the Commandant (or
8 the Commandant’s designee), is authorized—

9 “(A) to advise, consult with, report to, and
10 make recommendations to the Secretary on
11 matters relating to Great Lakes pilotage; and

12 “(B) to review proposed Great Lakes pilot-
13 age regulations and policies and make rec-
14 ommendations to the Secretary that the Com-
15 mittee considers appropriate.

16 “(2) RECOMMENDATIONS.—At least 6 of the 7
17 members shall agree by vote to make any rec-
18 ommendation under this subsection.

19 “(c) ORGANIZATION.—

20 “(1) MEETINGS.—The Committee shall, at least
21 once each calendar year, meet at the call of the
22 Commandant (or the Commandant’s designee).

23 “(2) MEMBERSHIP.—

24 “(A) IN GENERAL.—The Committee shall
25 consist of 7 members.

1 “(B) EXPERIENCE.—Except as provided in
2 subparagraph (D), each member of the Com-
3 mittee shall have at least 5 years practical expe-
4 rience in maritime operations.

5 “(C) POINTS OF VIEW.—Except as pro-
6 vided in subparagraph (D), a member of the
7 Committee shall represent the point of view of
8 an entity or group, as follows:

9 “(i) 3 members representing the inter-
10 ests of Great Lake pilots, among whom
11 shall be the president of each Great Lake
12 pilotage district (or the president’s des-
13 ignee).

14 “(ii) 1 member representing the inter-
15 ests of vessel operators that contract for
16 Great Lakes pilotage services.

17 “(iii) 1 member representing the in-
18 terests of Great Lakes ports.

19 “(iv) 1 member representing the inter-
20 ests of shippers whose cargoes are trans-
21 ported through Great Lakes ports.

22 “(D) REMAINING MEMBER.—1 member of
23 the Committee—

24 “(i) shall have a background in fi-
25 nance or accounting;

1 “(ii) must have been recommended to
2 the Secretary by a unanimous vote of the
3 other members of the Committee; and

4 “(iii) may be appointed without re-
5 gard to requirement under subparagraph
6 (B) that each member have 5 years of
7 practical experience in maritime oper-
8 ations.

9 “(3) STATUS OF MEMBERS.—For the purposes
10 of Federal law, including the Ethics in Government
11 Act of 1978 and chapter 11 of title 18—

12 “(A) a member of the Committee, whom
13 the Secretary appoints to represent the point of
14 view of an entity or group under paragraph
15 (2)(C), is hereby deemed a representative of the
16 member’s respective special interest entity or
17 group, and not a special Government employee
18 (as defined in section 202(a) of title 18); and

19 “(B) the member of the Committee with
20 the background prescribed under paragraph
21 (2)(D) is hereby deemed a special Government
22 employee (as defined in section 202(a) of title
23 18).

24 “(4) NOMINATIONS; APPOINTMENTS; SERV-
25 ICE.—

1 “(A) NOMINATIONS.—As necessary, the
2 Secretary shall publish, in the Federal Register,
3 a notice soliciting nominations for membership
4 on the Committee.

5 “(B) APPOINTMENTS.—

6 “(i) IN GENERAL.—After timely notice
7 is published, the Secretary shall, as nec-
8 essary, appoint members to the Committee.

9 “(ii) LIMITATIONS.—The Secretary
10 may not seek, consider, or otherwise use
11 information concerning the political affili-
12 ation of a nominee in making an appoint-
13 ment to the Committee.

14 “(iii) REAPPOINTMENTS.—The Sec-
15 retary may reappoint a member to the
16 Committee more than once.

17 “(C) SERVICE.—Each member of the Com-
18 mittee shall serve at the pleasure of the Sec-
19 retary.

20 “(5) TERM; VACANCY.—

21 “(A) TERM.—

22 “(i) IN GENERAL.—The term of each
23 member of the Committee shall expire on
24 December 31 of the third full year after
25 the effective date of the appointment.

1 “(ii) EXTENSIONS.—Notwithstanding
2 clause (i), paragraph (4), or any other pro-
3 vision of law or policy, the Commandant
4 (or the Commandant’s designee) may ex-
5 tend the term of a member of the Com-
6 mittee to December 31 of the fifth full
7 year after the effective date of the appoint-
8 ment.

9 “(B) VACANCY.—In the case of an ap-
10 pointment to fill a vacancy on the Committee,
11 the Secretary shall appoint an individual for a
12 full term.

13 “(6) CHAIRMAN; VICE CHAIRMAN.—

14 “(A) DESIGNATION.—The Commandant
15 (or the Commandant’s designee) shall designate
16 1 member of the Committee as the Chairman
17 and another member of the Committee as the
18 Vice Chairman, both of whom shall serve in
19 such capacity at the pleasure of the Com-
20 mandant (or the Commandant’s designee) and
21 for a term to be fixed by the Commandant (or
22 the Commandant’s designee).

23 “(B) RECOMMENDATIONS.—The Com-
24 mandant (or the Commandant’s designee) may
25 solicit, from the Committee, recommendations

1 with regard to the members whom the Com-
2 mandant (or the Commandant's designee) shall
3 designate as the Chairman and the Vice Chair-
4 man.

5 “(C) VACANCY.—The Vice Chairman shall
6 act as Chairman in the absence or incapacity
7 of, or in the event of a vacancy in the office of,
8 the Chairman.

9 “(7) DESIGNATED FEDERAL OFFICER.—The
10 Commandant (or the Commandant's designee) shall
11 designate a Designated Federal Officer to the Com-
12 mittee in accordance with the Federal Advisory
13 Committee Act (5 U.S.C. App.).

14 “(8) OBSERVERS.—

15 “(A) IN GENERAL.—The Secretary, at the
16 request of the Commandant, may designate 2
17 individuals to participate as observers in the
18 work of the Committee and offer necessary in-
19 formation for which each observer is uniquely
20 qualified to provide.

21 “(B) REQUIREMENTS.—Each observer—

22 “(i) shall not be deemed a member of
23 the Committee;

24 “(ii) shall not vote on any matter be-
25 fore the Committee;

1 “(iii) shall not contribute to a
2 quorum;

3 “(iv) shall serve without compensa-
4 tion; and

5 “(v) shall be responsible for all travel
6 expenses.

7 “(C) DESIGNATION; EXPERIENCE.—

8 “(i) EXPERIENCE.—The Secretary
9 may designate an individual as an observer
10 without regard to the requirement of para-
11 graph (2)(B), except that—

12 “(I) 1 observer shall have par-
13 ticular knowledge of the national in-
14 terests of American pilots; and

15 “(II) 1 observer shall have par-
16 ticular knowledge of the interests of
17 Canadian shippers.

18 “(ii) NOTICE.—The Secretary may
19 designate an individual as an observer
20 without regard to the requirement of para-
21 graph (4)(A), except that the Secretary
22 may solicit, from the Commandant, rec-
23 ommendations with regard to the indi-
24 vidual whom the Secretary shall designate
25 as an observer.

1 “(iii) CANADIAN SHIPPERS.—With re-
2 gard to the individual with particular
3 knowledge of the interests of Canadian
4 shippers, the Secretary may, with the con-
5 currence of the Secretary of State, des-
6 ignate an individual who is a citizen of
7 Canada.

8 “(D) VACANCY.—An observer shall serve a
9 term of not more than 3 years from the effec-
10 tive date of the designation, except that, in the
11 case of a designation to fill a vacancy on the
12 Committee, the observer shall be designated for
13 a full term.

14 “(d) CONSULTATION.—The Commandant (or the
15 Commandant’s designee) shall, whenever practicable—

16 “(1) consult with the Committee before taking
17 any significant action relating to Great Lakes pilot-
18 age; and

19 “(2) consider the information, advice, and rec-
20 ommendations of the Committee in formulating pol-
21 icy regarding matters affecting Great Lakes pilot-
22 age.

23 “(e) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
24 NATION.—

1 “(1) FACA.—The Federal Advisory Committee
2 Act (5 U.S.C. App.) shall apply to the Committee.

3 “(2) TERMINATION.—The Committee shall ter-
4 minate on September 30, 2027.

5 **“§ 705. Lower Mississippi River Waterway Safety Ad-
6 visory Committee**

7 “(a) ESTABLISHMENT.—There is established a
8 Lower Mississippi River Waterway Safety Advisory Com-
9 mittee (referred to in this section as the ‘Committee’).

10 “(b) FUNCTION.—The Committee, acting through
11 the Commandant (or the Commandant’s designee), is au-
12 thorized to advise, consult with, report to, and make rec-
13 ommendations to the Secretary on matters relating to
14 communication, surveillance, traffic management, anchor-
15 ages, development and operation of New Orleans Vessel
16 Traffic Services, and other related topics dealing with and
17 actions relating to navigational safety on the Lower Mis-
18 sissippi River.

19 “(c) ORGANIZATION.—

20 “(1) MEETING.—The Committee shall, at least
21 once each calendar year, meet at the call of the
22 Commandant (or the Commandant’s designee).

23 “(2) MEMBERSHIP.—

24 “(A) IN GENERAL.—The Committee shall
25 consist of 24 members.

1 “(B) EXPERIENCE.—Each member of the
2 Committee shall have expertise, knowledge, and
3 experience regarding the transportation, equip-
4 ment, and techniques that are used to ship
5 cargo and to navigate vessels on the Lower Mis-
6 sissippi River and its connecting navigable wa-
7 terways, including the Gulf of Mexico.

8 “(C) POINTS OF VIEW.—Except as pro-
9 vided in subparagraph (D), each member of the
10 Committee shall represent the point of view of
11 an entity or group, as follows:

12 “(i) 5 members representing River
13 Port Authorities between Baton Rouge,
14 Louisiana, and the head of passes of the
15 Lower Mississippi River, of which—

16 “(I) 1 member shall be from the
17 Port of St. Bernard; and

18 “(II) 1 member from the Port of
19 Plaquemines.

20 “(ii) 2 members representing vessel
21 owners or ship owners domiciled in the
22 State of Louisiana.

23 “(iii) 2 members representing organi-
24 zations which operate harbor tugs or barge

1 fleets in the geographical area covered by
2 the Committee.

3 “(iv) 2 members representing compa-
4 nies which transport cargo or passengers
5 on the navigable waterways in the geo-
6 graphical area covered by the Committee.

7 “(v) 3 members representing State
8 Commissioned Pilot organizations, with 1
9 member each representing—

10 “(I) the New Orleans-Baton
11 Rouge Steamship Pilots Association;

12 “(II) the Crescent River Port Pi-
13 lots Association; and

14 “(III) the Association Branch Pi-
15 lots.

16 “(vi) 3 members representing con-
17 sumers, shippers, or importers and export-
18 ers that utilize vessels which utilize the
19 navigable waterways covered by the Com-
20 mittee.

21 “(vii) 2 members representing those
22 licensed merchant mariners, other than pi-
23 lots, who perform shipboard duties on
24 those vessels which utilize navigable water-
25 ways covered by the Committee.

1 “(viii) 1 member representing an or-
2 ganization that serves in a consulting or
3 advisory capacity to the maritime industry.

4 “(ix) 1 member representing an envi-
5 ronmental organization.

6 “(D) ADDITIONAL MEMBERS.—

7 “(i) IN GENERAL.—3 members of the
8 Committee shall represent the general pub-
9 lic.

10 “(ii) WATER TRANSPORTATION FA-
11 CILITIES.—Whenever possible, 2 of the 3
12 members who represent the general public
13 shall be individuals who utilize water
14 transportation facilities located in the geo-
15 graphic area that the Committee covers.

16 “(3) STATUS OF MEMBERS.—For the purposes
17 of Federal law, including the Ethics in Government
18 Act of 1978 and chapter 11 of title 18—

19 “(A) each member of the Committee,
20 whom the Secretary appoints to represent the
21 point of view of an entity or group set out in
22 paragraph (2)(C), is hereby deemed a rep-
23 resentative of the member’s respective special
24 interest entity or group, and not a special Gov-

1 ernment employee (as defined in section 202(a)
2 of title 18); and

3 “(B) each member of the Committee,
4 whom the Secretary appoints to represent the
5 general public, is hereby deemed a special Gov-
6 ernment employee (as defined in section 202(a)
7 of title 18).

8 “(4) NOMINATIONS; APPOINTMENTS; SERV-
9 ICE.—

10 “(A) NOMINATIONS.—As necessary, the
11 Secretary shall publish, in the Federal Register,
12 a notice soliciting nominations for membership
13 on the Committee.

14 “(B) APPOINTMENTS.—

15 “(i) IN GENERAL.—After timely notice
16 is published, the Secretary shall, as nec-
17 essary, appoint members to the Committee.

18 “(ii) LIMITATIONS.—The Secretary
19 may not seek, consider, or otherwise use
20 information concerning the political affili-
21 ation of a nominee in making an appoint-
22 ment to the Committee.

23 “(iii) REAPPOINTMENTS.—The Sec-
24 retary may reappoint a member to the
25 Committee more than once.

1 “(C) SERVICE.—Each member of the Com-
2 mittee shall serve at the pleasure of the Sec-
3 retary.

4 “(5) TERM; VACANCY.—

5 “(A) TERM.—

6 “(i) IN GENERAL.—The term of each
7 member of the Committee shall expire on
8 December 31 of the third full year after
9 the effective date of the appointment.

10 “(ii) EXTENSION.—Notwithstanding
11 clause (i), paragraph (4), or any other pro-
12 vision of law or policy, the Commandant
13 (or the Commandant’s designee) may ex-
14 tend the term of a member of the Com-
15 mittee to December 31 of the fifth full
16 year after the effective date of the appoint-
17 ment.

18 “(B) VACANCY.—In the case of an ap-
19 pointment to fill a vacancy on the Committee,
20 the Secretary shall appoint an individual for a
21 full term.

22 “(6) CHAIRMAN; VICE CHAIRMAN.—

23 “(A) IN GENERAL.—The Commandant (or
24 the Commandant’s designee) shall designate 1
25 member of the Committee as the Chairman and

1 another member of the Committee as the Vice
2 Chairman, both of whom shall serve in such ca-
3 pacity at the pleasure of the Commandant (or
4 the Commandant's designee) and for a term to
5 be fixed by the Commandant (or the Com-
6 mandant's designee).

7 “(B) RECOMMENDATIONS.—The Com-
8 mandant (or the Commandant's designee) may
9 solicit, from the Committee, recommendations
10 with regard to the members whom the Com-
11 mandant (or the Commandant's designee) shall
12 designate as the Chairman and the Vice Chair-
13 man.

14 “(C) VACANCY.—The Vice Chairman shall
15 act as Chairman in the absence or incapacity
16 of, or in the event of a vacancy in the office of,
17 the Chairman.

18 “(7) DESIGNATED FEDERAL OFFICER.—The
19 Commandant (or the Commandant's designee) shall
20 designate a Designated Federal Officer to the Com-
21 mittee in accordance with the Federal Advisory
22 Committee Act (5 U.S.C. App.).

23 “(d) CONSULTATION.—The Commandant (or the
24 Commandant's designee) shall, whenever practicable, con-
25 sult with the Committee before taking any significant ac-

1 tion relating to navigation safety in the Lower Mississippi
2 River.

3 “(e) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
4 NATION.—

5 “(1) FACA.—The Federal Advisory Committee
6 Act (5 U.S.C. App.) shall apply to the Committee.

7 “(2) TERMINATION.—The Committee shall ter-
8minate on September 30, 2027.

9 **“§ 706. Merchant Marine Personnel Advisory Com-
10 mittee**

11 “(a) ESTABLISHMENT.—There is established a Mer-
12 chant Marine Personnel Advisory Committee (referred to
13 in this section as the ‘Committee’).

14 “(b) FUNCTION.—The Committee, acting through
15 the Commandant (or the Commandant’s designee), is au-
16 thorized to advise, consult with, report to, and make rec-
17 ommendations to the Secretary on matters relating to per-
18 sonnel in the United States merchant marine, including
19 training, qualifications, certification, documentation, and
20 fitness standards.

21 “(c) MEETING.—The Committee shall, at least once
22 each calendar year, meet at the call of the Commandant
23 (or the Commandant’s designee).

24 “(d) MEMBERSHIP.—

1 “(1) IN GENERAL.—The Committee shall con-
2 sist of 19 members.

3 “(2) POINTS OF VIEW.—Except as provided in
4 subparagraph (C), each member of the Committee
5 shall represent the point of view of an entity or
6 group, as follows:

7 “(A) 9 members representing the interests
8 of mariners—

9 “(i) each of whom—

10 “(I) shall be a citizen of the
11 United States; and

12 “(II) shall hold an active license
13 or certificate issued under chapter 71
14 of this title or a merchant mariner
15 document issued under chapter 73 of
16 this title; and

17 “(ii) among whom shall be—

18 “(I) 3 deck officers representing
19 the interests of merchant marine deck
20 officers, of whom—

21 “(aa) 2 shall be licensed for
22 oceans any gross tons;

23 “(bb) 1 shall be licensed for
24 inland river route with a limited
25 or unlimited tonnage;

1 “(cc) 2 shall have a master’s
2 license or a master of towing ves-
3 sels license;

4 “(dd) 1 shall have signifi-
5 cant tanker experience; and

6 “(ee) to the extent prac-
7 ticable—

8 “(AA) 1 shall represent
9 the interests of labor; and

10 “(BB) 1 shall represent
11 the interests of manage-
12 ment;

13 “(II) 3 engineering officers rep-
14 resenting the interests of merchant
15 marine engineering officers, of
16 whom—

17 “(aa) 2 shall be licensed as
18 chief engineer any horsepower;

19 “(bb) 1 shall be licensed as
20 either a limited chief engineer or
21 a designated duty engineer; and

22 “(cc) to the extent prac-
23 ticable—

24 “(AA) 1 shall represent
25 the interests of labor; and

1 “(BB) 1 shall represent
2 the interests of manage-
3 ment;

4 “(III) 2 unlicensed seamen, of
5 whom—

6 “(aa) 1 shall represent the
7 interests of able-bodied seamen;
8 and

9 “(bb) 1 shall represent the
10 interests of qualified members of
11 the engine department; and

12 “(IV) 1 pilot representing the in-
13 terests of merchant marine pilots.

14 “(B) 6 members representing the interests
15 of marine educators—

16 “(i) each of whom shall be a marine
17 educator; and

18 “(ii) among whom shall be—

19 “(I) 3 marine educators who
20 shall represent the interests of mari-
21 time academies, including—

22 “(aa) 2 who shall represent
23 the interests of State maritime
24 academies; and

1 “(bb) 1 who shall represent
2 either the viewpoint of the State
3 maritime academies or the
4 United States Merchant Marine
5 Academy; and

6 “(II) 3 marine educators who
7 shall represent the interests of other
8 maritime training institutions, 1 of
9 whom shall represent the interests of
10 the small vessel industry.

11 “(C) 2 members representing the interests
12 of shipping companies employed in ship oper-
13 ation management.

14 “(D) 2 members of the Committee shall
15 represent the general public.

16 “(3) STATUS OF MEMBERS.—

17 “(A) IN GENERAL.—For the purposes of
18 Federal law, including the Ethics in Govern-
19 ment Act of 1978 and chapter 11 of title 18—

20 “(i) a member of the Committee,
21 whom the Secretary appoints to represent
22 the point of view of an entity or group set
23 out in paragraph (2)(B), is hereby deemed
24 a representative of the member’s respective
25 special interest entity or group, and not a

1 special Government employee (as defined
2 in section 202(a) of title 18); and

3 “(ii) a member of the Committee,
4 whom the Secretary appoints to represent
5 the general public, is hereby deemed a spe-
6 cial Government employee (as defined in
7 section 202(a) of title 18).

8 “(B) RULE OF CONSTRUCTION.—Nothing
9 in this section shall be construed to prohibit the
10 nomination or appointment of a Federal em-
11 ployee to serve as a member of the Committee
12 representing the interests of the United States
13 Merchant Marine Academy.

14 “(4) NOMINATIONS; APPOINTMENTS; SERV-
15 ICE.—

16 “(A) NOMINATIONS.—As necessary, the
17 Secretary shall publish, in the Federal Register,
18 a notice soliciting nominations for membership
19 on the Committee.

20 “(B) APPOINTMENTS.—

21 “(i) IN GENERAL.—After timely notice
22 is published, the Secretary shall, as nec-
23 essary, appoint members to the Committee.

24 “(ii) LIMITATIONS.—The Secretary
25 may not seek, consider, or otherwise use

1 information concerning the political affili-
2 ation of a nominee in making an appoint-
3 ment to the Committee.

4 “(iii) REAPPOINTMENT.—The Sec-
5 retary may reappoint a member to the
6 Committee more than once.

7 “(C) SOLICITING NOMINATIONS.—Notwith-
8 standing subparagraphs (A) and (B), the Sec-
9 retary may—

10 “(i) with regard to the appointment of
11 a member or members to represent the in-
12 terests of the State maritime academies,
13 solicit nominations for membership on the
14 Committee from each State maritime acad-
15 emy or a joint nomination from some or all
16 State maritime academies; and

17 “(ii) with regard to the appointment
18 of a member to represent the interests of
19 the United States Merchant Marine Acad-
20 emy, solicit a nomination for membership
21 on the Committee from the Secretary of
22 Transportation.

23 “(D) SERVICE.—Each member of the
24 Committee shall serve at the pleasure of the
25 Secretary.

1 “(5) TERM; VACANCY.—

2 “(A) TERM.—

3 “(i) IN GENERAL.—The term of each
4 member of the Committee shall expire on
5 December 31 of the third full year after
6 the effective date of the appointment.

7 “(ii) EXTENSIONS.—Notwithstanding
8 clause (i), paragraph (4), or any other pro-
9 vision of law or policy, the Commandant
10 (or the Commandant’s designee) may ex-
11 tend the term of a member of the Com-
12 mittee to December 31 of the fifth full
13 year after the effective date of the appoint-
14 ment.

15 “(iii) VACANCY.—In the case of an
16 appointment to fill a vacancy on the Com-
17 mittee, the Secretary shall appoint an indi-
18 vidual for a full term.

19 “(6) CHAIRMAN; VICE CHAIRMAN.—

20 “(A) IN GENERAL.—The Commandant (or
21 the Commandant’s designee) shall designate 1
22 member of the Committee as the Chairman and
23 another member of the Committee as the Vice
24 Chairman, both of whom shall serve in such ca-
25 pacity at the pleasure of the Commandant (or

1 the Commandant’s designee) and for a term to
2 be fixed by the Commandant (or the Com-
3 mandant’s designee).

4 “(B) RECOMMENDATIONS.—The Com-
5 mandant (or the Commandant’s designee) may
6 solicit, from the Committee, recommendations
7 with regard to the members whom the Com-
8 mandant (or the Commandant’s designee) shall
9 designate as the Chairman and the Vice Chair-
10 man.

11 “(C) VACANCY.—The Vice Chairman shall
12 act as Chairman in the absence or incapacity
13 of, or in the event of a vacancy in the office of,
14 the Chairman.

15 “(7) DESIGNATED FEDERAL OFFICER.—The
16 Commandant (or the Commandant’s designee) shall
17 designate a Designated Federal Officer to the Com-
18 mittee in accordance with the Federal Advisory
19 Committee Act (5 U.S.C. App.).

20 “(e) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
21 NATION.—

22 “(1) FACA.—The Federal Advisory Committee
23 Act (5 U.S.C. App.) shall apply to the Committee.

24 “(2) TERMINATION.—The Committee shall ter-
25minate on September 30, 2027.

1 **“§ 707. Merchant Mariner Medical Advisory Com-**
2 **mittee**

3 “(a) ESTABLISHMENT.—There is established a Mer-
4 chant Mariner Medical Advisory Committee (referred to
5 in this section as the ‘Committee’).

6 “(b) FUNCTION.—The Committee, acting through
7 the Commandant (or the Commandant’s designee), is au-
8 thorized to advise, consult with, report to, and make rec-
9 ommendations to the Secretary on matters relating to—

10 “(1) medical certification determinations of
11 merchant mariners;

12 “(2) medical standards and guidelines for the
13 physical qualifications of operators of commercial
14 vessels;

15 “(3) medical examiner education; and

16 “(4) medical research.

17 “(c) ORGANIZATION.—

18 “(1) MEETING.—The Committee shall, at least
19 once each calendar year, meet at the call of the
20 Commandant (or the Commandant’s designee).

21 “(2) MEMBERSHIP.—

22 “(A) IN GENERAL.—The Committee shall
23 consist of 14 members.

24 “(B) RESTRICTION.—No member of the
25 Committee shall be a regular Federal employee.

1 “(C) EXPERIENCE.—Of the members of
2 the Committee—

3 “(i) 10 members shall be health-care
4 professionals with particular expertise,
5 knowledge, or experience regarding the
6 medical examinations of merchant mari-
7 ners or occupational medicine; and

8 “(ii) 4 members shall be professional
9 mariners with knowledge and experience in
10 mariners’ occupational requirements.

11 “(3) STATUS OF MEMBERS.—For the purposes
12 of Federal law, including the Ethics in Government
13 Act of 1978 and chapter 11 of title 18, each member
14 of the Committee is hereby deemed a special Govern-
15 ment employee (as defined in section 202(a) of title
16 18).

17 “(4) NOMINATIONS; APPOINTMENTS; SERV-
18 ICE.—

19 “(A) NOMINATIONS.—As necessary, the
20 Secretary shall publish, in the Federal Register,
21 a notice soliciting nominations for membership
22 on the Committee.

23 “(B) APPOINTMENTS.—

1 “(i) IN GENERAL.—After timely notice
2 is published, the Secretary shall, as nec-
3 essary, appoint members to the Committee.

4 “(ii) LIMITATIONS.—The Secretary
5 may not seek, consider, or otherwise use
6 information concerning the political affili-
7 ation of a nominee in making an appoint-
8 ment to the Committee.

9 “(iii) REAPPOINTMENTS.—The Sec-
10 retary may reappoint a member to the
11 Committee more than once.

12 “(C) SERVICE.—Each member of the Com-
13 mittee shall serve at the pleasure of the Sec-
14 retary.

15 “(5) TERM; VACANCY.—

16 “(A) TERM.—

17 “(i) IN GENERAL.—The term of each
18 member of the Committee shall expire on
19 December 31 of the third full year after
20 the effective date of the appointment.

21 “(ii) EXTENSIONS.—Notwithstanding
22 clause (i), paragraph (4), or any other pro-
23 vision of law or policy, the Commandant
24 (or the Commandant’s designee) may ex-
25 tend the term of a member of the Com-

1 mittee to December 31 of the fifth full
2 year after the effective date of the appoint-
3 ment.

4 “(iii) VACANCY.—In the case of an
5 appointment to fill a vacancy on the Com-
6 mittee, the Secretary shall appoint an indi-
7 vidual for a full term.

8 “(6) CHAIRMAN; VICE CHAIRMAN.—

9 “(A) IN GENERAL.—The Commandant (or
10 the Commandant’s designee) shall designate 1
11 member of the Committee as the Chairman and
12 another member of the Committee as the Vice
13 Chairman, both of whom shall serve in such ca-
14 pacity at the pleasure of the Commandant (or
15 the Commandant’s designee) and for a term to
16 be fixed by the Commandant (or the Com-
17 mandant’s designee).

18 “(B) RECOMMENDATIONS.—The Com-
19 mandant (or the Commandant’s designee) may
20 solicit, from the Committee, recommendations
21 with regard to the members whom the Com-
22 mandant (or the Commandant’s designee) shall
23 designate as the Chairman and the Vice Chair-
24 man.

1 “(C) VACANCY.—The Vice Chairman shall
2 act as Chairman in the absence or incapacity
3 of, or in the event of a vacancy in the office of,
4 the Chairman.

5 “(7) DESIGNATED FEDERAL OFFICER.—The
6 Commandant (or the Commandant’s designee) shall
7 designate a Designated Federal Officer to the Com-
8 mittee in accordance with the Federal Advisory
9 Committee Act (5 U.S.C. App.).

10 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
11 NATION.—

12 “(1) FACA.—The Federal Advisory Committee
13 Act (5 U.S.C. App.) shall apply to the Committee.

14 “(2) TERMINATION.—The Committee shall ter-
15 minate on September 30, 2027.

16 **“§ 708. National Boating Safety Advisory Council**

17 “(a) ESTABLISHMENT.—There is established a Na-
18 tional Boating Safety Advisory Council (referred to in this
19 section as the ‘Council’).

20 “(b) ORGANIZATION.—

21 “(1) MEETING.—The Council shall, at least
22 once each calendar year, meet at the call of the
23 Commandant (or the Commandant’s designee).

24 “(2) MEMBERSHIP.—

1 “(A) IN GENERAL.—The Council shall con-
2 sist of 21 members.

3 “(B) EXPERIENCE.—Each member of the
4 Council shall have particular expertise, knowl-
5 edge, and experience in recreational boating
6 safety.

7 “(C) POINTS OF VIEW.—Except as pro-
8 vided in subparagraph (D), each member of the
9 Council shall represent the point of view of an
10 entity or group, as follows:

11 “(i) 7 members representing State of-
12 ficials responsible for State boating safety
13 programs.

14 “(ii) 7 members representing manu-
15 facturers, wholesale distributors, or retail
16 distributors of recreational vessels or asso-
17 ciated equipment.

18 “(iii) At least 5 members representing
19 national recreational boating organizations.

20 “(D) ADDITIONAL MEMBERS.—Not more
21 than 2 members of the Council may represent
22 the general public.

23 “(E) PANELS.—Additional individuals
24 from an entity or group set out in subpara-
25 graph (C) may be appointed to panels of the

1 Council to assist the Council in performing its
2 duties.

3 “(3) STATUS OF MEMBERS.—For the purposes
4 of Federal law, including the Ethics in Government
5 Act of 1978 and chapter 11 of title 18—

6 “(A) a member of the Council, whom the
7 Secretary appoints to represent the point of
8 view of an entity or group set out in paragraph
9 (2)(C), is hereby deemed a representative of the
10 member’s respective special interest entity or
11 group, and not a special Government employee
12 (as defined in section 202(a) of title 18); and

13 “(B) in the event that the Secretary ap-
14 points a member to represent the general pub-
15 lic, such member of the Council is hereby
16 deemed a special Government employee (as de-
17 fined in section 202(a) of title 18).

18 “(4) NOMINATIONS; APPOINTMENTS; SERV-
19 ICE.—

20 “(A) NOMINATIONS.—As necessary, the
21 Secretary shall publish, in the Federal Register,
22 a notice soliciting nominations for membership
23 on the Council.

24 “(B) APPOINTMENTS.—

1 “(i) IN GENERAL.—After timely notice
2 is published, the Secretary shall, as nec-
3 essary, appoint members to the Council.

4 “(ii) LIMITATIONS.—The Secretary
5 may not seek, consider, or otherwise use
6 information concerning the political affili-
7 ation of a nominee in making an appoint-
8 ment to the Council.

9 “(iii) VACANCY.—The Secretary may
10 reappoint a member to the Council more
11 than once.

12 “(C) SERVICE.—Each member of the
13 Council shall serve at the pleasure of the Sec-
14 retary.

15 “(5) TERM; VACANCY.—

16 “(A) TERM.—

17 “(i) IN GENERAL.—The term of each
18 member of the Council shall expire on De-
19 cember 31 of the third full year after the
20 effective date of the appointment.

21 “(ii) EXTENSIONS.—Notwithstanding
22 clause (1), paragraph (4), or any other
23 provision of law or policy, the Com-
24 mandant (or the Commandant’s designee)
25 may extend the term of a member of the

1 Council to December 31 of the fifth full
2 year after the effective date of the appoint-
3 ment.

4 “(iii) VACANCY.—In the case of an
5 appointment to fill a vacancy on the Coun-
6 cil, the Secretary shall appoint an indi-
7 vidual for a full term.

8 “(6) CHAIRMAN; VICE CHAIRMAN.—

9 “(A) IN GENERAL.—The Commandant (or
10 the Commandant’s designee) shall designate 1
11 member of the Council as the Chairman and
12 another member of the Council as the Vice
13 Chairman, both of whom shall serve in such ca-
14 pacity at the pleasure of the Commandant (or
15 the Commandant’s designee) and for a term to
16 be fixed by the Commandant (or the Com-
17 mandant’s designee).

18 “(B) RECOMMENDATIONS.—The Com-
19 mandant (or the Commandant’s designee) may
20 solicit, from the Council, recommendations with
21 regard to the members whom the Commandant
22 (or the Commandant’s designee) shall designate
23 as the Chairman and the Vice Chairman.

24 “(C) VACANCY.—The Vice Chairman shall
25 act as Chairman in the absence or incapacity

1 of, or in the event of a vacancy in the office of,
2 the Chairman.

3 “(7) DESIGNATED FEDERAL OFFICER.—The
4 Commandant (or the Commandant’s designee) shall
5 designate a Designated Federal Officer to the Coun-
6 cil in accordance with the Federal Advisory Com-
7 mittee Act (5 U.S.C. App.).

8 “(c) CONSULTATION.—In addition to the consulta-
9 tion required by section 4302 of this title, the Com-
10 mandant (or the Commandant’s designee) shall, whenever
11 practicable, consult with the Council on boating safety
12 matters related to chapter 131 of this title.

13 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
14 NATION.—

15 “(1) FACA.—The Federal Advisory Committee
16 Act (5 U.S.C. App.) shall apply to the Council.

17 “(2) TERMINATION.—The Council shall termi-
18 nate on September 30, 2027.

19 **“§ 709. National Maritime Security Advisory Com-**
20 **mittee**

21 “(a) ESTABLISHMENT.—There is established a Na-
22 tional Maritime Security Advisory Committee (referred to
23 in this section as the ‘Committee’).

24 “(b) FUNCTION.—The Committee, acting through
25 the Commandant (or the Commandant’s designee), is au-

1 thORIZED to advise, consult with, report to, and make rec-
2 ommendations to the Secretary on matters relating to na-
3 tional maritime security.

4 “(c) ORGANIZATION.—

5 “(1) MEETING.—The Committee shall, at least
6 once each calendar year, meet at the call of the
7 Commandant (or the Commandant’s designee).

8 “(2) MEMBERSHIP.—

9 “(A) IN GENERAL.—The Committee shall
10 consist of not less than 8 members, but not
11 more than 12 members.

12 “(B) EXPERIENCE.—Each member of the
13 Committee shall have at least 5 years practical
14 experience in maritime security operations.

15 “(C) POINTS OF VIEW.—Each member of
16 the Committee shall represent the point of view
17 of an entity or group, as follows:

18 “(i) At least 1 member representing
19 the port authorities.

20 “(ii) At least 1 member representing
21 the facilities owners or operators.

22 “(iii) At least 1 member representing
23 the terminal owners or operators.

24 “(iv) At least 1 member representing
25 the vessel owners or operators.

1 “(v) At least 1 member representing
2 the maritime labor organizations.

3 “(vi) At least 1 member representing
4 the academic community.

5 “(vii) At least 1 member representing
6 State or local governments.

7 “(viii) At least 1 member representing
8 the maritime industry.

9 “(ix) Not more than 4 members, each
10 representing an entity or group, the point
11 of view of which or the area of expertise of
12 which the Commandant (or the Com-
13 mandant’s designee) determines would aid
14 the Committee’s deliberations.

15 “(3) STATUS OF MEMBERS.—For the purposes
16 of Federal law, including the Ethics in Government
17 Act of 1978 and chapter 11 of title 18, each member
18 of the Committee is hereby deemed a representative
19 of the member’s respective special interest entity or
20 group, and not a special Government employee (as
21 defined in section 202(a) of title 18).

22 “(4) NOMINATIONS; APPOINTMENTS; SERV-
23 ICE.—

24 “(A) NOMINATIONS.—As necessary, the
25 Secretary shall publish in the Federal Register,

1 a notice soliciting nominations for membership
2 on the Committee.

3 “(B) APPOINTMENTS.—

4 “(i) IN GENERAL.—After timely notice
5 is published, the Secretary shall appoint
6 members to the Committee.

7 “(ii) LIMITATIONS.—The Secretary
8 may not seek, consider, or otherwise use
9 information concerning the political affili-
10 ation of an individual in making an ap-
11 pointment to the Committee.

12 “(iii) REAPPOINTMENTS.—The Sec-
13 retary may reappoint a member to the
14 Committee more than once.

15 “(C) SERVICE.—Each member of the Com-
16 mittee shall serve at the pleasure of the Sec-
17 retary.

18 “(D) BACKGROUND EXAMINATIONS.—The
19 Secretary may require an individual to have
20 passed an appropriate security background ex-
21 amination before appointment to the Com-
22 mittee.

23 “(5) TERM; VACANCY.—

24 “(A) TERM.—

1 “(i) IN GENERAL.—The term of each
2 member of the Committee shall expire on
3 December 31 of the third full year after
4 the effective date of the appointment.

5 “(ii) EXTENSIONS.—Notwithstanding
6 clause (i), paragraph (4), or any other pro-
7 vision of law or policy, the Commandant
8 (or the Commandant’s designee) may ex-
9 tend the term of a member of the Com-
10 mittee to December 31 of the fifth full
11 year after the effective date of the appoint-
12 ment.

13 “(iii) VACANCY.—In the case of an
14 appointment to fill a vacancy on the Com-
15 mittee, the Secretary shall appoint an indi-
16 vidual for a full term.

17 “(6) CHAIRMAN; VICE CHAIRMAN.—

18 “(A) IN GENERAL.—The Commandant (or
19 the Commandant’s designee) shall designate 1
20 member of the Committee as the Chairman and
21 another member of the Committee as the Vice
22 Chairman, both of whom shall serve in such ca-
23 pacity at the pleasure of the Commandant (or
24 the Commandant’s designee) and for a term to

1 be fixed by the Commandant (or the Com-
2 mandant's designee).

3 “(B) RECOMMENDATIONS.—The Com-
4 mandant (or the Commandant's designee) may
5 solicit, from the Committee, recommendations
6 with regard to the members whom the Com-
7 mandant (or the Commandant's designee) shall
8 designate as the Chairman and the Vice Chair-
9 man.

10 “(C) VACANCY.—The Vice Chairman shall
11 act as Chairman in the absence or incapacity
12 of, or in the event of a vacancy in the office of,
13 the Chairman.

14 “(7) DESIGNATED FEDERAL OFFICER.—The
15 Commandant (or the Commandant's designee) shall
16 designate a Designated Federal Officer to the Com-
17 mittee in accordance with the Federal Advisory
18 Committee Act (5 U.S.C. App.).

19 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
20 NATION.—

21 “(1) FACA.—The Federal Advisory Committee
22 Act (5 U.S.C. App.) shall apply to the Committee.

23 “(2) TERMINATION.—The Committee shall ter-
24minate on September 30, 2027.

1 **“§ 710. National Offshore Safety Advisory Committee**

2 “(a) ESTABLISHMENT.—There is established a Na-
3 tional Offshore Safety Advisory Committee (referred to in
4 this section as the ‘Committee’).

5 “(b) FUNCTION.—The Committee, acting through
6 the Commandant (or the Commandant’s designee), is au-
7 thorized to advise, consult with, report to, and make rec-
8 ommendations to the Secretary on matters relating to ac-
9 tivities directly involved with, or in support of, the explo-
10 ration of offshore mineral and energy resources insofar as
11 such activities relate to matters within Coast Guard juris-
12 diction.

13 “(c) ORGANIZATION.—

14 “(1) MEETING.—The Committee shall, at least
15 once each calendar year, meet at the call of the
16 Commandant (or the Commandant’s designee).

17 “(2) MEMBERSHIP.—

18 “(A) IN GENERAL.—The Committee shall
19 consist of 15 members.

20 “(B) POINTS OF VIEW.—Except as pro-
21 vided in subparagraph (C), each member of the
22 Committee shall represent the point of view of
23 an entity or group, as follows:

24 “(i) 2 members representing compa-
25 nies, organizations, enterprises, or similar

1 entities engaged in the production of petro-
2 leum.

3 “(ii) 2 members representing compa-
4 nies, organizations, enterprises, or similar
5 entities engaged in offshore drilling.

6 “(iii) 2 members representing compa-
7 nies, organizations, enterprises or similar
8 entities engaged in the support, by offshore
9 supply vessels or other vessels, of offshore
10 operations.

11 “(iv) 1 member representing a com-
12 pany, organization, enterprise or similar
13 entity engaged in the construction of off-
14 shore facilities.

15 “(v) 1 member representing a com-
16 pany, organization, enterprise or similar
17 entity providing diving services to the off-
18 shore industry.

19 “(vi) 1 member representing a com-
20 pany, organization, enterprise or similar
21 entity providing safety and training serv-
22 ices to the offshore industry.

23 “(vii) 1 member representing a com-
24 pany, organization, enterprise or similar
25 entity providing subsea engineering, con-

1 struction or remotely operated vehicle sup-
2 port to the offshore industry.

3 “(viii) 2 members representing em-
4 ployees of companies, organizations, enter-
5 prises or similar entities engaged in off-
6 shore operations, 1 of whom should have
7 recent practical experience on vessels or
8 units involved in the offshore industry.

9 “(ix) 1 member representing a com-
10 pany, organization, enterprise or similar
11 entity providing environmental protection,
12 compliance or response services to the off-
13 shore industry.

14 “(x) 1 member representing a com-
15 pany, organization, enterprise or similar
16 entity engaged in offshore oil exploration
17 or production on the Outer Continental
18 Shelf of Alaska.

19 “(C) ADDITIONAL MEMBER.—1 member of
20 the Committee shall represent the general pub-
21 lic.

22 “(3) STATUS OF MEMBERS.—For the purposes
23 of Federal law, including the Ethics in Government
24 Act of 1978 and chapter 11 of title 18—

1 “(A) a member of the Committee, whom
2 the Secretary appoints to represent the point of
3 view of an entity or group set out in paragraph
4 (2)(C), is hereby deemed a representative of the
5 member’s respective special interest entity or
6 group, and not a special Government employee
7 (as defined in section 202(a) of title 18); and

8 “(B) a member of the Committee, whom
9 the Secretary appoints to represent the general
10 public, is hereby deemed a special Government
11 employee (as defined in section 202(a) of title
12 18).

13 “(4) NOMINATIONS; APPOINTMENTS; SERV-
14 ICE.—

15 “(A) NOMINATIONS.—As necessary, the
16 Secretary shall publish, in the Federal Register,
17 a notice soliciting nominations for membership
18 on the Committee.

19 “(B) APPOINTMENTS.—

20 “(i) IN GENERAL.—After timely notice
21 is published, the Secretary shall, as nec-
22 essary, appoint members to the Committee.

23 “(ii) LIMITATIONS.—The Secretary
24 may not seek, consider, or otherwise use
25 information concerning the political affli-

1 ation of a nominee in making an appoint-
2 ment to the Committee.

3 “(iii) REAPPOINTMENTS.—The Sec-
4 retary may reappoint a member to the
5 Committee more than once.

6 “(C) SERVICE.—Each member of the Com-
7 mittee shall serve at the pleasure of the Sec-
8 retary.

9 “(5) TERM; VACANCY.—

10 “(A) TERM.—

11 “(i) IN GENERAL.—The term of each
12 member of the Committee shall expire on
13 December 31 of the third full year after
14 the effective date of the appointment.

15 “(ii) EXTENSIONS.—Notwithstanding
16 clause (i), paragraph (4), or any other pro-
17 vision of law or policy, the Commandant
18 (or the Commandant’s designee) may ex-
19 tend the term of a member of the Com-
20 mittee to December 31 of the fifth full
21 year after the effective date of the appoint-
22 ment.

23 “(iii) VACANCY.—In the case of an
24 appointment to fill a vacancy on the Com-

1 mittee, the Secretary shall appoint an indi-
2 vidual for a full term.

3 “(6) CHAIRMAN; VICE CHAIRMAN.—

4 “(A) IN GENERAL.—The Commandant (or
5 the Commandant’s designee) shall designate
6 one member of the Committee as the Chairman
7 and another member of the Committee as the
8 Vice Chairman, both of whom shall serve in
9 such capacity at the pleasure of the Com-
10 mandant (or the Commandant’s designee) and
11 for a term to be fixed by the Commandant (or
12 the Commandant’s designee).

13 “(B) RECOMMENDATIONS.—The Com-
14 mandant (or the Commandant’s designee) may
15 solicit, from the Committee, recommendations
16 with regard to the members whom the Com-
17 mandant (or the Commandant’s designee) shall
18 designate as the Chairman and the Vice Chair-
19 man.

20 “(C) VACANCY.—The Vice Chairman shall
21 act as Chairman in the absence or incapacity
22 of, or in the event of a vacancy in the office of,
23 the Chairman.

24 “(7) DESIGNATED FEDERAL OFFICER.—The
25 Commandant (or the Commandant’s designee) shall

1 designate a Designated Federal Officer to the Com-
2 mittee in accordance with the Federal Advisory
3 Committee Act (5 U.S.C. App.).

4 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
5 NATION.—

6 “(1) FACA.—The Federal Advisory Committee
7 Act (5 U.S.C. App.) shall apply to the Committee.

8 “(2) TERMINATION.—The Committee shall ter-
9minate on September 30, 2027.

10 **“§ 711. Navigation Safety Advisory Council**

11 “(a) ESTABLISHMENT.—There is established a Navi-
12 gation Safety Advisory Council (referred to in this section
13 as the ‘Council’).

14 “(b) FUNCTION.—The Council, acting through the
15 Commandant (or the Commandant’s designee), is author-
16 ized to advise, consult with, report to, and make rec-
17 ommendations to the Secretary on matters relating to
18 maritime collisions, rammings and groundings, Inland
19 Rules of the Road, International Rules of the Road, navi-
20 gation regulations and equipment, routing measures, ma-
21 rine information, and aids to navigation systems.

22 “(c) ORGANIZATION.—

23 “(1) MEETING.—The Council shall, at least
24 once each calendar year, meet at the call of the
25 Commandant (or the Commandant’s designee).

1 “(2) MEMBERSHIP.—

2 “(A) IN GENERAL.—The Council shall con-
3 sist of not more than 21 members.

4 “(B) EXPERIENCE.—Each member of the
5 Council shall have expertise in Inland and
6 International vessel navigation Rules of the
7 Road, aids to maritime navigation, maritime
8 law, vessel safety, or port safety.

9 “(C) POINTS OF VIEW.—Each member of
10 the Council shall represent the point of view of
11 one of the following entities or groups:

12 “(i) Commercial vessel owners or op-
13 erators.

14 “(ii) Professional mariners.

15 “(iii) Recreational boaters.

16 “(iv) State agencies responsible for
17 vessel or port safety.

18 “(v) The Maritime Law Association.

19 “(3) STATUS OF MEMBERS.—For the purposes
20 of Federal law, including the Ethics in Government
21 Act of 1978 and chapter 11 of title 18, each member
22 of the Council is hereby deemed a representative of
23 the member’s respective special interest entity or
24 group, and not a special Government employee (as
25 defined in section 202(a) of title 18).

1 “(4) NOMINATIONS; APPOINTMENTS; SERV-
2 ICE.—

3 “(A) NOMINATIONS.—As necessary, the
4 Secretary shall publish, in the Federal Register,
5 a notice soliciting nominations for membership
6 on the Council.

7 “(B) APPOINTMENTS.—

8 “(i) IN GENERAL.—After timely notice
9 is published, the Secretary shall, as nec-
10 essary, appoint members to the Council.

11 “(ii) LIMITATIONS.—The Secretary
12 may not seek, consider, or otherwise use
13 information concerning the political affili-
14 ation of a nominee in making an appoint-
15 ment to the Council.

16 “(iii) REAPPOINTMENTS.—The Sec-
17 retary may reappoint a member to the
18 Council more than once.

19 “(C) SERVICE.—Each member of the
20 Council shall serve at the pleasure of the Sec-
21 retary.

22 “(5) TERM; VACANCY.—

23 “(A) TERM.—

24 “(i) IN GENERAL.—The term of each
25 member of the Council shall expire on De-

1 cember 31 of the third full year after the
2 effective date of the appointment.

3 “(ii) EXTENSIONS.—Notwithstanding
4 clause (i), paragraph (4), or any other pro-
5 vision of law or policy, the Commandant
6 (or the Commandant’s designee) may ex-
7 tend the term of a member of the Council
8 to December 31 of the fifth full year after
9 the effective date of the appointment.

10 “(iii) REAPPOINTMENTS.—In the case
11 of an appointment to fill a vacancy on the
12 Council, the Secretary shall appoint an in-
13 dividual for a full term.

14 “(6) CHAIRMAN; VICE CHAIRMAN.—

15 “(A) IN GENERAL.—The Commandant (or
16 the Commandant’s designee) shall designate 1
17 member of the Council as the Chairman and
18 another member of the Council as the Vice
19 Chairman, both of whom shall serve in such ca-
20 pacity at the pleasure of the Commandant (or
21 the Commandant’s designee) and for a term to
22 be fixed by the Commandant (or the Com-
23 mandant’s designee).

24 “(B) RECOMMENDATIONS.—The Com-
25 mandant (or the Commandant’s designee) may

1 solicit, from the Council, recommendations with
2 regard to the members whom the Commandant
3 (or the Commandant’s designee) shall designate
4 as the Chairman and the Vice Chairman.

5 “(C) VACANCY.—The Vice Chairman shall
6 act as Chairman in the absence or incapacity
7 of, or in the event of a vacancy in the office of,
8 the Chairman.

9 “(7) DESIGNATED FEDERAL OFFICER.—The
10 Commandant (or the Commandant’s designee) shall
11 designate a Designated Federal Officer to the Coun-
12 cil who shall perform the duties set forth in section
13 10(c) of the Federal Advisory Committee Act (5
14 U.S.C. App.).

15 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
16 NATION.—

17 “(1) FACA.—The Federal Advisory Committee
18 Act (5 U.S.C. App.) shall apply to the Council.

19 “(2) TERMINATION.—The Council shall termi-
20 nate on September 30, 2027.

21 **“§ 712. Towing Safety Advisory Committee**

22 “(a) ESTABLISHMENT.—There is established a Tow-
23 ing Safety Advisory Committee (referred to in this section
24 as the ‘Committee’).

1 “(b) FUNCTION.—The Committee, acting through
2 the Commandant (or the Commandant’s designee), is au-
3 thorized to advise, consult with, report to, and make rec-
4 ommendations to the Secretary on matters relating to
5 shallow-draft inland navigation, coastal waterway naviga-
6 tion, and towing safety.

7 “(c) ORGANIZATION.—

8 “(1) MEETING.—The Committee shall, at least
9 once each calendar year, meet at the call of the
10 Commandant (or the Commandant’s designee).

11 “(2) MEMBERSHIP.—

12 “(A) IN GENERAL.—The Committee shall
13 consist of 18 members.

14 “(B) EXPERIENCE.—Each member of the
15 Committee shall have particular expertise,
16 knowledge, and experience regarding—

17 “(i) shallow-draft inland navigation or
18 coastal waterway navigation; and

19 “(ii) towing safety.

20 “(C) POINTS OF VIEW.—Except as pro-
21 vided in subparagraph (D), each member of the
22 Committee shall represent the point of view of
23 an entity or group, as follows:

1 “(i) 7 members representing the barge
2 and towing industry, reflecting a regional
3 geographic balance.

4 “(ii) 1 member representing the off-
5 shore mineral and oil supply vessel indus-
6 try.

7 “(iii) 1 member representing Masters
8 or Pilots of towing vessels who have experi-
9 ence on the Western Rivers and the Gulf
10 Intracoastal Waterway.

11 “(iv) 1 member representing Masters
12 of towing vessels who have experience in
13 offshore service.

14 “(v) 1 member representing Masters
15 of towing vessels who have experience in
16 harbor-assist operations.

17 “(vi) 1 member representing towing
18 vessel engineers.

19 “(vii) 2 members representing port
20 districts, authorities, or terminal operators.

21 “(viii) 1 member representing ship-
22 pers.

23 “(ix) 1 member representing shippers
24 who are engaged in the chartering or ship-

1 ping of oil or hazardous materials by
2 barge.

3 “(D) ADDITIONAL MEMBERS.—2 members
4 of the Committee shall represent the general
5 public.

6 “(3) STATUS OF MEMBERS.—For the purposes
7 of Federal law, including the Ethics in Government
8 Act of 1978 and chapter 11 of title 18—

9 “(A) a member of the Committee, whom
10 the Secretary appoints to represent the point of
11 view of an entity or group set out in paragraph
12 (2)(C), is hereby deemed a representative of the
13 member’s respective special interest entity or
14 group, and not a special Government employee
15 (as defined in section 202(a) of title 18); and

16 “(B) a member of the Committee, whom
17 the Secretary appoints to represent the general
18 public, is hereby deemed a special Government
19 employee (as defined in section 202(a) of title
20 18).

21 “(4) NOMINATIONS; APPOINTMENTS; SERV-
22 ICE.—

23 “(A) NOMINATIONS.—As necessary, the
24 Secretary shall publish, in the Federal Register,

1 a notice soliciting nominations for membership
2 on the Committee.

3 “(B) APPOINTMENTS.—

4 “(i) IN GENERAL.—After timely notice
5 is published, the Secretary shall, as nec-
6 essary, appoint members to the Committee.

7 “(ii) LIMITATIONS.—The Secretary
8 may not seek, consider, or otherwise use
9 information concerning the political affili-
10 ation of an individual in making an ap-
11 pointment to the Committee.

12 “(iii) REAPPOINTMENTS.—The Sec-
13 retary may reappoint a member to the
14 Committee more than once.

15 “(C) SERVICE.—Each member of the Com-
16 mittee shall serve at the pleasure of the Sec-
17 retary.

18 “(5) TERM; VACANCY.—

19 “(A) TERM.—

20 “(i) IN GENERAL.—The term of each
21 member of the Committee shall expire on
22 December 31 of the third full year after
23 the effective date of the appointment.

24 “(ii) EXTENSIONS.—Notwithstanding
25 clause (i), paragraph (4), or any other pro-

1 vision of law or policy, the Commandant
2 (or the Commandant's designee) may ex-
3 tend the term of a member of the Com-
4 mittee to December 31 of the fifth full
5 year after the effective date of the appoint-
6 ment.

7 “(iii) VACANCY.—In the case of an
8 appointment to fill a vacancy on the Com-
9 mittee, the Secretary shall appoint an indi-
10 vidual for a full term.

11 “(6) CHAIRMAN; VICE CHAIRMAN.—

12 “(A) IN GENERAL.—The Commandant (or
13 the Commandant's designee) shall designate 1
14 member of the Committee as the Chairman and
15 another member of the Committee as the Vice
16 Chairman, both of whom shall serve in such ca-
17 pacity at the pleasure of the Commandant (or
18 the Commandant's designee) and for a term to
19 be fixed by the Commandant (or the Com-
20 mandant's designee).

21 “(B) RECOMMENDATIONS.—The Com-
22 mandant (or the Commandant's designee) may
23 solicit, from the Committee, recommendations
24 with regard to the members whom the Com-
25 mandant (or the Commandant's designee) shall

1 designate as the Chairman and the Vice Chair-
2 man.

3 “(C) VACANCY.—The Vice Chairman shall
4 act as Chairman in the absence or incapacity
5 of, or in the event of a vacancy in the office of,
6 the Chairman.

7 “(7) DESIGNATED FEDERAL OFFICER.—The
8 Commandant (or the Commandant’s designee) shall
9 designate a Designated Federal Officer to the Com-
10 mittee in accordance with the Federal Advisory
11 Committee Act (5 U.S.C. App.).

12 “(d) CONSULTATION.—The Commandant (or the
13 Commandant’s designee) shall, whenever practicable, con-
14 sult with the Committee before taking any significant ac-
15 tion affecting shallow-draft inland navigation, coastal wa-
16 terway navigation, and towing safety.

17 “(e) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
18 NATION.—

19 “(1) FACA.—The Federal Advisory Committee
20 Act (5 U.S.C. App.) shall apply to the Committee.

21 “(2) TERMINATION.—The Committee shall ter-
22minate on September 30, 2027.”.

23 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

1 (1) TABLE OF CHAPTERS.—The table of chap-
 2 ters for subtitle I of title 46, United States Code, is
 3 amended by adding at the end the following:

“7. Coast Guard advisory committees 701”.

4 (2) COMMERCIAL FISHING SAFETY ADVISORY
 5 COMMITTEE.—

6 (A) REPEAL.—Section 4508 of title 46,
 7 United States Code, is repealed.

8 (B) TABLE OF CONTENTS.—The table of
 9 contents of chapter 45 of title 46, United
 10 States Code, is amended by striking the item
 11 relating to section 4508.

12 (3) GREAT LAKES PILOTAGE ADVISORY COM-
 13 MITTEE.—

14 (A) REPEAL.—Section 9307 of title 46,
 15 United States Code, is repealed.

16 (B) TABLE OF CONTENTS.—The table of
 17 contents of chapter 93 of title 46, United
 18 States Code, is amended by striking the item
 19 relating to section 9307.

20 (4) LOWER MISSISSIPPI RIVER WATERWAY
 21 SAFETY ADVISORY COMMITTEE.—Section 19 of the
 22 Coast Guard Authorization Act of 1991 (Public Law
 23 102–241; 105 Stat. 2215) is repealed.

24 (5) MERCHANT MARINE PERSONNEL ADVISORY
 25 COMMITTEE.—

1 (A) REPEAL.—Section 8108 of title 46,
2 United States Code, is repealed.

3 (B) TABLE OF CONTENTS.—The table of
4 contents of chapter 81 of title 46, United
5 States Code, is amended by striking the item
6 relating to section 8108.

7 (6) MERCHANT MARINER MEDICAL ADVISORY
8 COMMITTEE.—

9 (A) REPEAL.—Section 7115 of title 46,
10 United States Code, is repealed.

11 (B) TABLE OF CONTENTS.—The table of
12 contents of chapter 71 of title 46, United
13 States Code, is amended by striking the item
14 relating to section 7115.

15 (7) NATIONAL BOATING SAFETY ADVISORY
16 COUNCIL.—

17 (A) REPEAL.—Section 13110 of title 46,
18 United States Code, is repealed.

19 (B) TABLE OF CONTENTS.—The table of
20 contents of chapter 131 of title 46, United
21 States Code, is amended by striking the item
22 relating to section 13110.

23 (C) TECHNICAL AMENDMENT.—Section
24 4302(c)(4) of title 46, United States Code, is

1 amended by striking “13110” and inserting
2 “708”.

3 (8) NATIONAL MARITIME SECURITY ADVISORY
4 COMMITTEE.—Section 109(a)(1) of the Maritime
5 Transportation Security Act of 2002 (46 U.S.C.
6 70101 note) is amended by striking “section 70112
7 of title 46, United States Code, as amended by this
8 Act” and inserting “section 709 of title 46, United
9 States Code”.

10 (9) NAVIGATION SAFETY ADVISORY COUNCIL.—
11 Section 5 of the Inland Navigational Rules Act of
12 1980 (33 U.S.C. 2073) is repealed.

13 (10) TOWING SAFETY ADVISORY COMMITTEE.—
14 The Act to establish a Towing Safety Advisory Com-
15 mittee in the Department of Transportation, ap-
16 proved October 6, 1980 (33 U.S.C. 1231a), is re-
17 pealed.

18 (c) AREA MARITIME SECURITY ADVISORY COMMIT-
19 TEES.—

20 (1) IN GENERAL.—Section 70112 of title 46,
21 United States Code, is amended—

22 (A) in the heading, by striking “**Mari-**
23 **time Security Advisory Committees**”
24 and inserting “**Area Maritime Security**
25 **Advisory Committees**”;

1 (B) by amending subsection (a) to read as
2 follows:

3 “(a) ESTABLISHMENT OF COMMITTEES.—

4 “(1) The Secretary may—

5 “(A) establish an Area Maritime Security
6 Advisory Committee for any port area of the
7 United States; and

8 “(B) request an Area Maritime Security
9 Committee to review the proposed Area Mari-
10 time Transportation Security Plan developed
11 under section 70103(b) and make recommenda-
12 tions to the Secretary that the Committee con-
13 siderers appropriate.

14 “(2) Each Area Maritime Security Advisory
15 Committee—

16 “(A) may advise, consult with, report to,
17 and make recommendations to the Secretary on
18 matters relating to maritime security in that
19 area;

20 “(B) may make available to the Congress
21 recommendations that the Committee makes to
22 the Secretary; and

23 “(C) shall meet at the call of—

1 “(i) the Secretary, who shall call such
2 a meeting at least once during each cal-
3 endar year; or

4 “(ii) a majority of the Committee.”;

5 (C) in subsection (b)—

6 (i) in paragraph (1), by striking “of
7 the committees” and inserting “Area Mari-
8 time Security Advisory Committee”;

9 (ii) in paragraph (3)—

10 (I) by striking “such a com-
11 mittee” and inserting “an Area Mari-
12 time Security Advisory Committee”;

13 and

14 (II) by striking “the committee”
15 and inserting “an Area Maritime Se-
16 curity Advisory Committee”;

17 (iii) in paragraph (4), by striking “the
18 Committee” and inserting “an Area Mari-
19 time Security Advisory Committee”; and

20 (iv) in paragraph (5)—

21 (I) by striking subparagraph (A);

22 and

23 (II) in subparagraph (B), by
24 striking “(B)” and indenting appro-
25 priately;

1 (D) in subsection (c)(1), by striking “com-
2 mittee” and inserting “Area Maritime Security
3 Advisory Committee”;

4 (E) by striking subsection (d);

5 (F) by redesignating subsections (e), (f),
6 and (g) as subsections (d), (e), and (f), respec-
7 tively;

8 (G) in subsection (d), as redesignated—

9 (i) by striking “the Committee” and
10 inserting “an Area Maritime Security Ad-
11 visory Committee”; and

12 (ii) by striking the period at the end
13 and inserting “for an area.”;

14 (H) in subsection (e), as redesignated—

15 (i) in paragraph (1), by striking “a
16 committee” and inserting “an Area Mari-
17 time Security Advisory Committee”; and

18 (ii) in paragraph (2), by striking
19 “such a committee” and inserting “an
20 Area Maritime Security Advisory Com-
21 mittee”; and

22 (I) by amending subsection (f), as redesign-
23 ated, to read as follows:

24 “(f) FEDERAL ADVISORY COMMITTEE ACT; TERMI-
25 NATION DATE.—

1 “(1) FACA.—The Federal Advisory Committee
2 Act (5 U.S.C. App.) does not apply to Area Mari-
3 time Security Advisory Committees established
4 under this section.

5 “(2) TERMINATION.—The Area Maritime Secu-
6 rity Advisory Committees shall terminate on Sep-
7 tember 30, 2027.”.

8 (d) TABLE OF CONTENTS.—The table of contents of
9 chapter 701 of title 46, United States Code, is amended
10 in the item relating to section 70112 by striking “Mari-
11 time Security Advisory Committees” and inserting “Area
12 Maritime Security Advisory Committees”.

13 (e) HOUSTON-GALVESTON NAVIGATION SAFETY AD-
14 VISORY COMMITTEE; REPEAL.—Section 18 of the Coast
15 Guard Authorization Act of 1991 (Public Law 102–241;
16 105 Stat. 2213) is repealed.

17 (f) TRANSITION OF COAST GUARD ADVISORY COM-
18 MITTEES.—

19 (1) IN GENERAL.—Notwithstanding the amend-
20 ments made under subsections (b) and (c) of this
21 section, an advisory committee described in para-
22 graph (2) of this subsection shall continue to be sub-
23 ject to the requirements under law to which such ad-
24 visory committee was subject as in effect on the day
25 before the date of enactment of this Act, including

1 its charter, and the members appointed to such advisory
2 sory committee shall continue to serve pursuant
3 thereto, until the Secretary of the department in
4 which the Coast Guard is operating makes the applicable
5 appointments under sections 702 through 712
6 of title 46, United States Code.

7 (2) COAST GUARD ADVISORY COMMITTEES.—An
8 advisory committee described in this paragraph is as
9 follows:

10 (A) Chemical Transportation Advisory
11 Committee.

12 (B) Commercial Fishing Safety Advisory
13 Committee established under section 4508 of
14 title 46, United States Code.

15 (C) Great Lakes Pilotage Advisory Com-
16 mittee established under section 9307 of title
17 46, United States Code.

18 (D) Lower Mississippi River Waterway
19 Safety Advisory Committee established under
20 section 19 of the Coast Guard Authorization
21 Act of 1991 (Public Law 102–241; 105 Stat.
22 2215).

23 (E) Merchant Marine Personnel Advisory
24 Committee established under section 8108 of
25 title 46, United States Code.

1 (F) Merchant Mariner Medical Advisory
2 Committee established under section 7115 of
3 title 46, United States Code.

4 (G) National Boating Safety Advisory
5 Committee established under section 13110 of
6 title 46, United States Code.

7 (H) National Maritime Security Advisory
8 Committee established under section 70112 of
9 title 46, United States Code.

10 (I) National Offshore Safety Advisory
11 Committee.

12 (J) Navigation Safety Advisory Council es-
13 tablished under section 5 of the Inland Naviga-
14 tional Rules Act of 1980 (33 U.S.C. 2073).

15 (K) Towing Safety Advisory Committee es-
16 tablished under the Act entitled the “Act to es-
17 tablish a Towing Safety Advisory Committee in
18 the Department of Transportation”, approved
19 October 6, 1980 (33 U.S.C. 1231a).

20 (3) DEADLINE.—Not later than 2 years after
21 the date of enactment of this Act, the Secretary of
22 the department in which the Coast Guard is oper-
23 ating shall make the appointments, and file any nec-
24 essary charters, under sections 702 through 712 of
25 title 46, United States Code.

1 **SEC. 302. CLARIFICATION OF LOGBOOK AND ENTRY RE-**
2 **QUIREMENTS.**

3 Section 11304 of title 46, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “an official logbook, which”
7 and inserting “a logbook, which may be in any
8 form, including electronic, and”; and

9 (B) by inserting “or a ferry, passenger ves-
10 sel, or small passenger vessel (as those terms
11 are defined in section 2101)” after “Canada”;
12 and

13 (2) in subsection (b)—

14 (A) in the matter preceding paragraph (1),
15 by striking “log book” and inserting “logbook”;
16 and

17 (B) by amending paragraph (3) to read as
18 follows:

19 “(3) Each illness of or injury, the nature of the
20 illness or injury, and any medical treatment admin-
21 istered.”.

22 **SEC. 303. TECHNICAL CORRECTIONS; LICENSES, CERTIFI-**
23 **CATIONS OF REGISTRY, AND MERCHANT**
24 **MARINER DOCUMENTS.**

25 Part E of subtitle II of title 46, United States Code,
26 is amended—

1 (1) in section 7106(b), by striking “merchant
2 mariner’s document” and inserting “license”;

3 (2) in section 7107(b), by striking “merchant
4 mariner’s document” and inserting “certificate of
5 registry”; and

6 (3) in section 7507(b)(2), by striking “a mer-
7 chant mariner’s document” and inserting “a license
8 or a certificate of registry.”.

9 **SEC. 304. NUMBERING FOR UNDOCUMENTED BARGES.**

10 Chapter 121 of title 46, United States Code, is
11 amended—

12 (1) in section 12102—

13 (A) in subsection (c), by adding at the end
14 the following: “The Secretary may require such
15 an undocumented barge more than 100 gross
16 tons operating on the navigable waters of the
17 United States to be numbered under chapter
18 123 of this title.”; and

19 (B) in subsection (d), by striking “Sec-
20 retary of Transportation” and inserting “Sec-
21 retary of the department in which the Coast
22 Guard is operating”; and

23 (2) in section 12301—

24 (A) by striking subsection (b); and

1 (B) by striking the subsection designation
2 in subsection (a) and indenting appropriately.

3 **SEC. 305. AIDS TO NAVIGATION.**

4 (a) AUTHORIZATIONS.—Section 210(a) of the Water
5 Resources Development Act of 1986 (33 U.S.C. 2238) is
6 amended—

7 (1) in paragraph (1), by striking “; and” and
8 inserting a semicolon;

9 (2) in paragraph (2), by striking the period at
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(3) up to 100 percent of the Coast Guard’s el-
13 igible operations and maintenance costs necessitated
14 by the completion of a navigation improvement
15 project.”.

16 (b) DEFINITIONS.—Section 214(2) of the Water Re-
17 sources Development Act of 1986 (33 U.S.C. 2241) is
18 amended—

19 (1) in subparagraph (A), by striking “subpara-
20 graph (B)” and inserting “subparagraphs (B) and
21 (C)”;

22 (2) by redesignating subparagraph (C) as sub-
23 paragraph (D);

24 (3) by inserting after subparagraph (B) the fol-
25 lowing:

1 “(C) As applied to the Coast Guard, the
 2 term ‘eligible operations and maintenance’
 3 means all operations and maintenance reason-
 4 ably necessary to relocate or establish a Federal
 5 navigational aid necessary for a navigation im-
 6 provement project.”; and

7 (4) in subparagraph (D), as redesignated, by
 8 striking the period at the end and inserting “, except
 9 as applied to the Coast Guard under subparagraph
 10 (C).”.

11 **SEC. 306. EQUIPMENT REQUIREMENTS; EXEMPTION FROM**
 12 **THROWABLE PERSONAL FLOTATION DE-**
 13 **VICES.**

14 Not later than 180 days after the date of enactment
 15 of this Act, the Secretary of the department in which the
 16 Coast Guard is operating shall revise section 175.17 of
 17 title 33, Code of Federal Regulations, to exempt
 18 paddleboards and rafts from the requirement for carriage
 19 of an additional throwable personal flotation device if each
 20 person is required to wear a personal flotation device while
 21 under way and at least 1 rescue throw bag, as typically
 22 used in whitewater rafting, is on board.

23 **SEC. 307. ENSURING MARITIME COVERAGE.**

24 In order to meet all of the mission requirements of
 25 its maritime response program, as the Coast Guard re-

1 capitalizes assets, it shall ensure continuity of the coverage
2 currently provided by that program to locations that may
3 lose assets.

4 **SEC. 308. DEADLINE FOR COMPLIANCE WITH ALTERNATE**
5 **SAFETY COMPLIANCE PROGRAM.**

6 (a) IN GENERAL.—Section 4503(d) of title 46,
7 United States Code, is amended—

8 (1) in paragraph (1), by striking “After Janu-
9 ary 1, 2020,” and all that follows through “the Sec-
10 retary, if” and inserting “Subject to paragraph (3),
11 beginning on the date that is 3 years after the date
12 that the Secretary prescribes an alternate safety
13 compliance program, a fishing vessel, fish processing
14 vessel, or fish tender vessel to which section 4502(b)
15 of this title applies shall comply with the alternate
16 safety compliance program if”;

17 (2) in paragraph (2), by striking “establishes
18 standards for an alternate safety compliance pro-
19 gram, shall comply with such an alternative safety
20 compliance program that is developed in cooperation
21 with the commercial fishing industry and prescribed
22 by the Secretary” and inserting “prescribes an alter-
23 nate safety compliance program under paragraph
24 (1), shall comply with the alternate safety compli-
25 ance program”; and

1 (3) by amending paragraph (3) to read as fol-
2 lows:

3 “(3) For purposes of paragraph (1), a separate
4 alternate safety compliance program may be devel-
5 oped for a specific region or specific fishery.”.

6 (b) FINAL RULE.—Not later than 1 year after the
7 date of enactment of this Act, the Secretary of the depart-
8 ment in which the Coast Guard is operating shall issue
9 a final rule implementing the alternate safety compliance
10 programs under section 4503 of title 46, United States
11 Code, as amended by subsection (a) of this section.

12 **SEC. 309. FISHING, FISH TENDER, AND FISH PROCESSING**
13 **VESSEL CERTIFICATION.**

14 (a) NONAPPLICATION.—Section 4503(c)(2)(A) of
15 title 46, United States Code, is amended by striking “79”
16 and inserting “180”.

17 (b) DETERMINING WHEN KEEL IS LAID.—Section
18 4503 of title 46, United States Code, is amended—

19 (1) by redesignating subsection (g) as sub-
20 section (h); and

21 (2) by inserting after subsection (f) the fol-
22 lowing:

23 “(g) For purposes of this section, a keel is laid when
24 a structure, adequate of serving as a keel for a vessel
25 greater than 79 feet in length is identified for use in the

1 construction of a specific vessel and is so affirmed by a
2 marine surveyor.”.

3 **SEC. 310. TERMINATION OF UNSAFE OPERATIONS; TECH-**
4 **NICAL AMENDMENT.**

5 Section 4505 of title 46, United States Code, is
6 amended by striking “4503(1)” and inserting
7 “4503(a)(1)”.

8 **SEC. 311. INSTALLATION AND USE OF ENGINE CUT-OFF**
9 **SWITCHES ON RECREATIONAL VESSEL.**

10 (a) USE OF ENGINE CUT-OFF SWITCH LINKS.—

11 (1) REQUIREMENT.—The Secretary of the de-
12 partment in which the Coast Guard is operating
13 shall revised the regulations under part 175 of title
14 33, Code of Federal Regulations, to prohibit a per-
15 son from operating a recreational vessel 25 feet or
16 less in length unless—

17 (A) the person is wearing an engine cut-off
18 switch link while operating on plane or above
19 displacement speed; and

20 (B) the engine cut-off switch is factory
21 equipped on the primary propulsion machinery.

22 (2) EXCEPTIONS.—The requirement under
23 paragraph (1) shall not apply to the following:

24 (A) A vessel 25 feet or less in length whose
25 main helm is installed within an enclosed cabin

1 that would protect an operator from being
2 thrown overboard should the operator be dis-
3 placed from the helm.

4 (B) A vessel with propulsion machinery de-
5 veloping static thrust of less than 115 pounds
6 or 3 horsepower.

7 (C) A vessel without factory equipped en-
8 gine cut-off switches.

9 (b) INSTALLATION OF ENGINE CUT-OFF SWITCH-
10 ES.—The Secretary of the department in which the Coast
11 Guard is operating shall revise the regulations under part
12 183 of title 33, Code of Federal Regulations, to require
13 an equipment manufacturer, distributor, or dealer that in-
14 stalls propulsion machinery and associate starting controls
15 on a recreational vessel 25 feet or less in length and capa-
16 ble of developing at least 115 pounds of static thrust to
17 install an engine cut-off switch on such recreational vessel
18 in accordance with the American Boat and Yacht Stand-
19 ard A-33, as amended.

20 (c) PENALTY.—A person that violates a regulation
21 promulgated under subsection (a)(1) of this section shall
22 be subject to a civil penalty under section 4311 of title
23 46, United States Code, not to exceed—

24 (1) \$100 for the first offense;

25 (2) \$250 for the second offense; and

1 (3) \$500 for any subsequent offense.

2 (d) PREEMPTION.—In accordance with section 4306
3 of title 46, United States Code, a State may not establish,
4 continue in effect, or enforce any law or regulation ad-
5 dressing engine cut-off switch requirements that is not
6 identical to a regulation prescribed under this section.

7 (e) DEFINITIONS.—In this section:

8 (1) ENGINE CUT-OFF SWITCH.—The term “en-
9 gine cut-off switch” means a mechanical or elec-
10 tronic device that is connected to propulsion machin-
11 ery that will stop propulsion if—

12 (A) the switch is not properly connected;

13 or

14 (B) the switch components are submerged
15 in water or separated from the switch by a pre-
16 determined distance.

17 (2) ENGINE CUT-OFF SWITCH LINK.—The term
18 “engine cut-off switch link” means the equipment
19 attached to the recreational vessel operator and
20 which activates the engine cut-off switch.

21 (f) EFFECTIVE DATES.—A regulation prescribed
22 under this section shall specify an effective date that is
23 not earlier than 1 year from the date the regulation was
24 published.

1 **SEC. 312. VISUAL DISTRESS SIGNALS AND ALTERNATIVE**
2 **USE.**

3 (a) IN GENERAL.—The Secretary of the department
4 in which the Coast Guard is operating shall develop a per-
5 formance standard for the alternative use and possession
6 of visual distress signals as mandated by carriage require-
7 ments for recreational boats in subpart C of part 175 of
8 title 33, Code of Federal Regulations.

9 (b) REGULATIONS.—Not later than 180 days after
10 the performance standard for alternative use and posses-
11 sion of a visual distress signal is finalized, the Secretary
12 shall revise part 175 of title 33, Code of Federal Regula-
13 tions, to allow for carriage of such alternative signal de-
14 vices.

15 (c) EPIRBs AND PLBs.—In revising the regulations
16 under subsection (b), the Secretary shall allow use of a
17 position indicating radio beacons (EPIRBs) or Personal
18 Locating Devices (PLBs) of 406 megahertz, operating on
19 the COSPAS–SARSAT system to meet the alternative
20 carriage requirements for recreational boats under subpart
21 C of part 175 of title 33, Code of Federal Regulations.

22 **SEC. 313. RENEWAL PERIOD FOR DOCUMENTED REC-**
23 **REATIONAL VESSELS.**

24 (a) IN GENERAL.—Not later than 2 years after the
25 date of the enactment of this Act, the Secretary of the
26 department in which the Coast Guard is operating shall

1 issue certificates of documentation for recreational vessels
 2 effective for 5 years and charge a nonrefundable fee of
 3 \$130 per issuance.

4 (b) FEES.—All fees collected from recreational vessel
 5 owners under subsection (a) shall be available to fund rec-
 6 reational vessel documentation costs until expended.

7 **SEC. 314. EXCEPTION FROM SURVIVAL CRAFT REQUIRE-**
 8 **MENTS.**

9 Section 3104 of title 46, United States Code, is
 10 amended—

11 (1) by redesignating subsection (d) as sub-
 12 section (e); and

13 (2) by inserting after subsection (c) the fol-
 14 lowing:

15 “(d) AUXILIARY CRAFT.—

16 “(1) EXCEPTION.—Subject to paragraph (2),
 17 this section shall not apply to a vessel carrying an
 18 auxiliary craft on board, except an inflatable liferaft,
 19 if the auxiliary craft—

20 “(A) is readily accessible during an emer-
 21 gency; and

22 “(B) is capable of safely holding all indi-
 23 viduals on board the vessel.

24 “(2) REQUIREMENT.—A vessel described in
 25 paragraph (1) may not exceed the rated capacity on

1 the capacity plate of the auxiliary craft if the auxil-
2 iary craft is equipped with a Coast Guard required
3 capacity plate.”.

4 **SEC. 315. INLAND WATERWAY AND RIVER TENDER ACQUI-**
5 **SITION PLAN.**

6 (a) ACQUISITION PLAN.—Not later than 545 days
7 after the date of enactment of this Act, the Commandant
8 of the Coast Guard shall submit to the Committee on
9 Commerce, Science, and Transportation of the Senate and
10 the Committee on Transportation and Infrastructure of
11 the House of Representatives a plan to replace the aging
12 fleet of inland waterway and river tenders.

13 (b) CONTENTS.—The plan described in subsection (a)
14 shall include—

- 15 (1) a schedule for the acquisition to begin;
- 16 (2) the date the first vessel will be delivered;
- 17 (3) the date the acquisition will be complete;
- 18 (4) a description of the order and location of re-
- 19 placements;
- 20 (5) an estimate of the cost per vessel and for
- 21 total acquisition program of record; and
- 22 (6) an analysis of whether existing vessels can
- 23 be used.

1 **SEC. 316. ARCTIC PLANNING CRITERIA.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of enactment of this Act, the Commandant of the
4 Coast Guard shall submit to the Committee on Commerce,
5 Science, and Transportation of the Senate and the Com-
6 mittee on Transportation and Infrastructure of the House
7 of Representatives a report on the oil spill prevention and
8 response capabilities for the area covered by the Captain
9 of the Port Zone that includes the Arctic.

10 (b) CONTENTS.—The report shall include the fol-
11 lowing:

12 (1) Levels of equipment and assets.

13 (2) Location the equipment and assets that are
14 to be deployed, including an estimate of the time to
15 deploy the equipment and assets.

16 (3) A determination on the degree of how effec-
17 tively the assets are distributed throughout the area.

18 (4) A statement on whether performance of
19 ability to deploy equipment is taken into account
20 when measuring the level of equipment available.

21 (5) Validation of port assessment visit process
22 and response resource inventory.

23 (6) A description of the resources need through-
24 out the Coast Guard to conduct port assessments,
25 exercises, response plan review and spill responses.

1 (c) DEFINITION OF ARCTIC.—In this section, the
2 term “Arctic” has the meaning given the term under sec-
3 tion 112 of the Arctic Research and Policy Act of 1984
4 (15 U.S.C. 4111).

5 **TITLE IV—MARITIME SECURITY**

6 **SEC. 401. MARITIME BORDER SECURITY COOPERATION.**

7 The Secretary of the department in which the Coast
8 Guard is operating shall, in accordance with law—

9 (1) partner with other Federal, State, and local
10 government agencies to leverage technology, includ-
11 ing existing sensor and camera systems and other
12 sensors, to provide continuous monitoring of the
13 maritime border; and

14 (2) enter into such agreements as the Secretary
15 considers necessary to ensure 24-hour monitoring of
16 such technology.

17 **SEC. 402. CURRENCY DETECTION CANINE TEAM PROGRAM.**

18 (a) DEFINITIONS.—In this section:

19 (1) CANINE CURRENCY DETECTION TEAM.—
20 The term “canine currency detection team” means a
21 canine and a canine handler that are trained to de-
22 tect currency.

23 (2) SECRETARY.—The term “Secretary” means
24 the Secretary of the department in which the Coast
25 Guard is operating.

1 (b) ESTABLISHMENT.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary shall es-
3 tablish a program to allow the use of canine currency de-
4 tection teams for purposes of Coast Guard maritime law
5 enforcement and maritime security operations, including
6 underway vessel boardings.

7 (c) OPERATION.—The Secretary may cooperate with,
8 or enter into an agreement with, the head of another Fed-
9 eral agency to meet the requirements under subsection (b).

10 **SEC. 403. CONFIDENTIAL INVESTIGATIVE EXPENSES.**

11 Section 658 of title 14, United States Code, is
12 amended by striking “\$45,000” and inserting
13 “\$250,000”.

14 **SEC. 404. ARCTIC MARITIME DOMAIN AWARENESS.**

15 (a) IN GENERAL.—The Secretary of the department
16 in which the Coast Guard is operating shall conduct a 1-
17 year pilot program to determine the impact of persistent
18 aircraft-based surveillance on illegal maritime activities in
19 the Alaskan and Western Pacific regions.

20 (b) REQUIREMENTS.—The pilot program shall—

21 (1) use light aircraft-based detection systems
22 which can identify potential illegal activity from
23 higher altitudes and produce enforcement-quality
24 evidence at lower altitudes; and

1 (2) be directed at detecting and deterring ille-
2 gal, unreported, and unregulated fishing and en-
3 hancing maritime domain awareness.

4 **SEC. 405. STRATEGIC ASSETS IN THE ARCTIC.**

5 (a) DEFINITION OF ARCTIC.—In this section, the
6 term “Arctic” has the meaning given the term in section
7 112 of the Arctic Research and Policy Act of 1984 (15
8 U.S.C. 4111).

9 (b) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) the Arctic continues to grow in significance
12 to both the national security interests and the eco-
13 nomic prosperity of the United States; and

14 (2) the Coast Guard must ensure it is posi-
15 tioned to respond to any accident, incident, or threat
16 with appropriate assets.

17 (c) REPORT.—Not later than 1 year after the date
18 of enactment of this Act, the Commandant of the Coast
19 Guard shall submit to the Committee on Commerce,
20 Science, and Transportation of the Senate and the Com-
21 mittee on Transportation and Infrastructure of the House
22 of Representatives a report on the progress toward imple-
23 menting the strategic objectives described in the United
24 States Coast Guard Arctic Strategy dated May 2013.

1 (d) CONTENTS.—The report under subsection (c)
2 shall include—

3 (1) a description of the Coast Guard’s progress
4 toward each strategic objective;

5 (2) plans to provide communications throughout
6 the entire Coastal Western Alaska Captain of the
7 Port zone to improve waterway safety and mitigate
8 close calls, collisions, and other dangerous inter-
9 actions between the shipping industry and subsist-
10 ence hunters;

11 (3) plans to prevent marine casualties, when
12 possible, by ensuring vessels avoid environmentally
13 sensitive areas and permanent security zones;

14 (4) an explanation of—

15 (A) whether it is feasible to establish a ves-
16 sel traffic service, using existing resources or
17 otherwise; and

18 (B) whether an Arctic Response Center of
19 Expertise is necessary to address the gaps in
20 experience, skills, equipment, resources, train-
21 ing, and doctrine to prepare, respond to, and
22 recover spilled oil in the Arctic;

23 (5) an assessment of whether sufficient agree-
24 ments are in place to ensure the Coast Guard is re-

1 ceiving the information it needs to carry out its re-
 2 sponsibilities;

3 (6) an assessment of the assets and infrastruc-
 4 ture necessary to meet the strategic objectives iden-
 5 tified in the United States Coast Guard Arctic
 6 Strategy dated May 2013 based on factors such
 7 as—

8 (A) response time;

9 (B) coverage area;

10 (C) endurance on scene;

11 (D) presence; and

12 (E) deterrence; and

13 (7) an analysis of National Security Cutters,
 14 Offshore Patrol Cutters, and Fast Response Cutters
 15 capabilities based on the factors described in sub-
 16 paragraphs (A) through (E) of paragraph (6), both
 17 stationed from various Alaska ports and in other lo-
 18 cations.

19 **TITLE V—MISCELLANEOUS**

20 **SEC. 501. SHIP SHOAL LIGHTHOUSE TRANSFER; REPEAL.**

21 Section 27 of the Coast Guard Authorization Act of
 22 1991 (Public Law 102–241; 105 Stat. 2218) is repealed.

23 **SEC. 502. ACQUISITION WORKFORCE EXPEDITED HIRING** 24 **AUTHORITY.**

25 (a) EXPEDITED HIRING AUTHORITY.—

1 (1) IN GENERAL.—Chapter 15 of title 14,
 2 United States Code, is amended by inserting after
 3 section 563 the following:

4 **“§ 563a. Acquisition workforce expedited hiring au-**
 5 **thority**

6 “For purposes of section 3304 of title 5, the Com-
 7 mandant of the Coast Guard may—

8 “(1) designate any category of acquisition posi-
 9 tions within the Coast Guard as shortage category
 10 positions; and

11 “(2) use the authorities in such section to re-
 12 cruit and appoint highly qualified persons directly to
 13 positions so designated.”.

14 (2) TABLE OF CONTENTS.—The table of con-
 15 tents of chapter 15 of title 14, United States Code,
 16 is amended by inserting after the item relating to
 17 section 563 the following:

“563a. Acquisition workforce expedited hiring authority.”.

18 (3) REPEAL.—Section 404 of the Coast Guard
 19 Authorization Act of 2010 (Public Law 111–281;
 20 124 Stat. 2950) is repealed.

21 (b) ACQUISITION WORKFORCE REEMPLOYMENT AU-
 22 THORITY.—

23 (1) IN GENERAL.—Chapter 15 of title 14, as
 24 amended by subsection (a) of this section, is further

1 amended by inserting after section 563a the fol-
2 lowing:

3 **“§ 563b. Acquisition workforce reemployment author-**
4 **ity**

5 “(a) IN GENERAL.—Except as provided in subsection
6 (b), if an annuitant receiving an annuity from the Civil
7 Service Retirement and Disability Fund becomes em-
8 ployed in any category of acquisition positions designated
9 by the Commandant of the Coast Guard under section
10 563a of this title, the annuity of an annuitant so employed
11 shall continue. An annuitant so reemployed shall not be
12 considered an employee for purposes of subchapter III of
13 chapter 83 or chapter 84 of title 5.

14 “(b)(1) ELECTION.—An annuitant retired under sec-
15 tion 8336(d)(1) or 8414(b)(1)(A) of title 5, receiving an
16 annuity from the Civil Service Retirement and Disability
17 Fund, who becomes employed in a position within the
18 Coast Guard after the date of enactment of the Coast
19 Guard Authorization Act of 2017, may elect to be subject
20 to section 8344 or 8468 of such title (as the case may
21 be).

22 “(A) DEADLINE.—An election for coverage
23 under this subsection shall be filed not later than 90
24 days after the Commandant takes reasonable actions
25 to notify employees who may file an election.

1 “(B) COVERAGE.—If an employee files an elec-
 2 tion under this subsection, coverage shall be effective
 3 beginning on the first day of the first applicable pay
 4 period beginning on or after the date of the filing of
 5 the election.

6 “(2) APPLICATION.—Paragraph (1) shall apply to an
 7 individual who is eligible to file an election under subpara-
 8 graph (A) and does not file a timely election under sub-
 9 paragraph (B).”.

10 (2) TABLE OF CONTENTS.—The table of con-
 11 tents of chapter 15 of title 14, United States Code,
 12 as amended in subsection (a) of this section, is fur-
 13 ther amended by inserting after the item relating to
 14 section 563a the following:

“563b. Acquisition workforce reemployment authority.”.

15 **SEC. 503. DRAWBRIDGES.**

16 (a) PURPOSES.—The purposes of this section are—

17 (1) to ensure the public is made aware of any
 18 temporary change to a drawbridge operating sched-
 19 ule; and

20 (2) to ensure the operators are maintaining logs
 21 of drawbridge movement.

22 (b) TEMPORARY CHANGES TO DRAWBRIDGE OPER-
 23 ATING SCHEDULES.—Section 5 of the Act entitled “An
 24 Act making appropriations for the construction, repair,
 25 and preservation of certain public works on rivers and har-

1 bors, and for other purposes”, approved August 18, 1894
2 (33 U.S.C. 499), is amended by adding at the end the
3 following—

4 “(d) TEMPORARY CHANGES TO DRAWBRIDGE OPER-
5 ATING SCHEDULES.—Notwithstanding section 553 of title
6 5, United States Code, whenever a temporary change to
7 the operating schedule of a drawbridge, lasting 180 days
8 or less, is approved—

9 “(1) the Secretary of the department in which
10 the Coast Guard is operating shall—

11 “(A) issue a deviation approval letter to
12 the bridge owner;

13 “(B) publish a notice of the temporary de-
14 viation from the regulations in the Federal Reg-
15 ister; and

16 “(C) announce the temporary change in—

17 “(i) the Local Notice to Mariners;

18 “(ii) broadcast notices to mariners
19 through the Coast Guard radio station or
20 Navy radio station, or both; or

21 “(iii) such other local media as the
22 Secretary considers appropriate; and

23 “(2) the bridge owner, except a railroad bridge
24 owner, shall notify—

1 “(A) the public by publishing notice of the
2 temporary change in a newspaper of general
3 circulation published in the place where the
4 bridge is located;

5 “(B) the department, agency, or office of
6 transportation with jurisdiction over the road-
7 way that abuts the approaches to the bridge;
8 and

9 “(C) the law enforcement organization
10 with jurisdiction over the roadway that abuts
11 the approaches to the bridge.

12 “(e) DRAWBRIDGE MOVEMENTS.—The Secretary of
13 the department in which the Coast Guard is operating—

14 “(1) shall require a drawbridge operator to
15 record each movement of the drawbridge in a log;

16 “(2) may inspect the log to ensure drawbridge
17 movement is in accordance with the posted operating
18 schedule; and

19 “(3) may determine if the operating schedule
20 should be adjusted for efficiency.”.

21 **SEC. 504. INCENTIVE CONTRACT; COAST GUARD YARD AND**

22 **INDUSTRIAL ESTABLISHMENTS.**

23 (a) IN GENERAL.—Whenever the parties to a project
24 order for industrial work to be performed by the Coast
25 Guard Yard or a designated Coast Guard industrial estab-

1 lishment agree that delivery or technical performance of
2 the wage-grade industrial employees may, during the term
3 of such project order, improve, the parties to such project
4 order may, notwithstanding any other provision of law, in-
5 cluding any provision of law that provides for the time
6 or purpose of appropriated funds, enter into an incentive
7 project order or a cost-plus-incentive-fee project order by
8 which an agreed upon amount of the adjustment to be
9 made pursuant to section 648(a) of title 14, United States
10 Code, may, notwithstanding that provision of law or any
11 other provision of law, be distributed as an incentive to
12 the wage-grade industrial employees who completed the
13 project order.

14 (b) CONDITION.—Before entering into an incentive
15 project order or a cost-plus-incentive-fee project order, the
16 commanding officer of the Coast Guard Yard or the com-
17 manding officer of the Coast Guard industrial establish-
18 ment, as the case may be, shall complete a determination
19 and finding for such incentive project order or cost-plus-
20 incentive-fee project order that justifies the use of such
21 project order as in the best interest of the Federal Govern-
22 ment.

23 (c) TREATMENT OF INCENTIVE AWARD.—Notwith-
24 standing any other provision of law, in the event that the
25 industrial workforce of the Coast Guard Yard or a Coast

1 Guard industrial establishment satisfies the performance
2 target set out in an incentive project order or a cost-plus-
3 incentive-fee project order—

4 (1) the adjustment to be made pursuant to sec-
5 tion 648(a) of title 14, United States Code, shall,
6 notwithstanding that provision of law, be reduced by
7 the agreed amount and distributed as an incentive to
8 such wage-grade industrial employees; and

9 (2) the remainder of the adjustment shall be
10 credited to the appropriation current at that time.

11 **SEC. 505. COAST GUARD HEALTH-CARE PROFESSIONALS;**
12 **LICENSURE PORTABILITY.**

13 (a) **IN GENERAL.**—Section 1094(d)(1) of title 10,
14 United States Code, shall apply in the same manner and
15 to the same degree as such section applies to a health-
16 care professional described in subsection (d)(2) of that
17 section to a health-care professional described in sub-
18 section (b) of this section.

19 (b) **HEALTH-CARE PROFESSIONAL.**—A health-care
20 professional described in this subsection is a member of
21 the Coast Guard, civilian employee of the Coast Guard,
22 member of the Public Health Service assigned to the Coast
23 Guard, personal services contractor under section 1091 of
24 title 10, United States Code, or other health-care profes-
25 sional credentialed and privileged at a Federal health care

1 institution or location specially designated by the Sec-
2 retary of the department in which the Coast Guard is op-
3 erating for this purpose who—

4 (1) has a current license to practice medicine,
5 osteopathic medicine, dentistry, or another health
6 profession; and

7 (2) is performing authorized duties for the
8 Coast Guard.

9 **SEC. 506. LAND EXCHANGE; AYAKULIK ISLAND, ALASKA.**

10 (a) LAND EXCHANGE; AYAKULIK ISLAND, ALAS-
11 KA.—If the owner of Ayakulik Island, Alaska, offers to
12 exchange the Island for the Tract—

13 (1) within 30 days after receiving such offer,
14 the Secretary shall provide notice of the offer to the
15 Commandant;

16 (2) within 30 days after receiving the notice
17 under paragraph (1), the Commandant shall develop
18 and transmit to the Secretary proposed operational
19 restrictions on commercial activity conducted on the
20 Tract, including the right of the Commandant to—

21 (A) order the immediate termination, for a
22 period of up to 72 hours, of any activity occur-
23 ring on or from the Tract that violates or
24 threatens to violate 1 or more of such restric-
25 tions; or

1 (B) commence a civil action for appro-
2 priate relief, including a permanent or tem-
3 porary injunction enjoining the activity that vio-
4 lates or threatens to violate such restrictions;

5 (3) within 30 days after receiving the proposed
6 operational restrictions from the Commandant, the
7 Secretary shall transmit such restrictions to the
8 owner of Ayakulik Island; and

9 (4) within 30 days after transmitting the pro-
10 posed operational restrictions to the owner of
11 Ayakulik Island, and if the owner agrees to such re-
12 strictions, the Secretary shall convey all right, title,
13 and interest of the United States in and to the
14 Tract to the owner, subject to an easement granted
15 to the Commandant to enforce such restrictions, in
16 exchange for all right, title, and interest of such
17 owner in and to Ayakulik Island.

18 (b) BOUNDARY REVISIONS.—The Secretary may
19 make technical and conforming revisions to the boundaries
20 of the Tract before the date of the exchange.

21 (c) PUBLIC LAND ORDER.—Effective on the date of
22 an exchange under subsection (a), Public Land Order
23 5550 shall have no force or effect with respect to sub-
24 merged lands that are part of the Tract.

1 (d) FAILURE TO TIMELY RESPOND TO NOTICE.—If
2 the Commandant does not transmit proposed operational
3 restrictions to the Secretary within 30 days after receiving
4 the notice under subsection (a)(1), the Secretary shall, by
5 not later than 60 days after transmitting such notice, con-
6 vey all right, title, and interest of the United States in
7 and to the Tract to the owner of Ayakulik Island in ex-
8 change for all right, title, and interest of such owner in
9 and to Ayakulik Island.

10 (e) CERCLA NOT AFFECTED.—This section and an
11 exchange under this section shall not be construed to limit
12 the application of or otherwise affect section 120(h) of the
13 Comprehensive Environmental Response, Compensation,
14 and Liability Act of 1980 (42 U.S.C. 9620(h)).

15 (f) DEFINITIONS.—In this section:

16 (1) COMMANDANT.—The term “Commandant”
17 means the Secretary of the department in which the
18 Coast Guard is operating, acting through the Com-
19 mandant of the Coast Guard.

20 (2) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior.

22 (3) TRACT.—The term “Tract” means the land
23 (including submerged land) depicted as “PRO-
24 POSED PROPERTY EXCHANGE AREA” on the

1 survey titled “PROPOSED PROPERTY EX-
2 CHANGE PARCEL” and dated March 22, 2017.

3 **SEC. 507. ABANDONED SEAFARERS FUND AMENDMENTS.**

4 Section 11113 of title 46, United States Code, is
5 amended—

6 (1) in subsection (a)(2), by striking “may be
7 appropriated to the Secretary” in the matter before
8 subparagraph (A) and inserting “shall be available
9 to the Secretary without further appropriation, and
10 shall remain available until expended,”; and

11 (2) in subsection (c)—

12 (A) in paragraph (1), by inserting “plus a
13 surcharge of 25 percent of such total amount,”
14 after “seafarer,” in the matter preceding sub-
15 paragraph (A); and

16 (B) by striking paragraph (4).

17 **SEC. 508. ASSISTANCE FOR SMALL SHIPYARDS.**

18 (a) IN GENERAL.—Section 54101 of title 46, United
19 States Code, is amended—

20 (1) in the heading, by striking “**and mari-**
21 **time communities**”;

22 (2) in subsection (a)(2), by striking “in commu-
23 nities” and all that follows through the period and
24 inserting “relating to shipbuilding, ship repair, and
25 associated industries.”;

1 (3) by amending subsection (b)(1) to read as
2 follows:

3 “(1) consider projects that foster—

4 “(A) efficiency, competitive operations, and
5 quality ship construction, repair, and reconfig-
6 uration; and

7 “(B) employee skills and enhancing pro-
8 ductivity related to shipbuilding, ship repair,
9 and associated industries; and”;

10 (4) in subsection (c)(1), by striking subpara-
11 graphs (A), (B), and (C) and inserting the following:

12 “(A) to make capital and related improve-
13 ments in small shipyards; and

14 “(B) to provide training for workers in
15 shipbuilding, ship repair, and associated indus-
16 tries.”;

17 (5) in subsection (d), by striking “unless” and
18 all that follows and inserting a period;

19 (6) in subsection (e)—

20 (A) by striking paragraph (2); and

21 (B) by redesignating paragraph (3) as
22 paragraph (2); and

23 (7) in subsection (i), by striking “for each of
24 fiscal years 2015 through 2017” and all that follows

1 and inserting “to carry out this section \$5,000,000
2 for each of fiscal years 2018 and 2019.”.

3 (b) TECHNICAL AMENDMENT.—Section 54101(f)(2)
4 is amended by striking “shall include” and all that follows
5 and inserting: “shall include a comprehensive description
6 of—

7 “(1) the need for the project;

8 “(2) the methodology for implementing the
9 project; and

10 “(3) any existing programs or arrangements
11 that can be used to supplement or leverage assist-
12 ance under the program.”.

13 (c) SAVINGS CLAUSE.—Nothing in this section, or
14 the amendments made by this section, shall affect an
15 agreement to provide assistance under section 54101 of
16 title 46, United States Code, that was executed before Oc-
17 tober 1, 2017. Such an agreement shall continue to be
18 subject to the requirements to which such agreement was
19 subject under section 54101 of that title as in effect on
20 the day before October 1, 2017.

21 **SEC. 509. SMALL SHIPYARD CONTRACTS.**

22 (a) IN GENERAL.—Chapter 17 of title 14, United
23 States Code, is amended by inserting after section 667 the
24 following:

1 **“§ 667a. Construction of Coast Guard vessels and as-**
 2 **signment of vessel projects**

3 “The assignment of Coast Guard vessel conversion,
 4 alteration, and repair projects shall be based on economic
 5 and military considerations and may not be restricted by
 6 a requirement that certain parts of Coast Guard shipwork
 7 be assigned to a particular type of shipyard or geo-
 8 graphical area or by a similar requirement.”.

9 (b) TABLE OF CONTENTS.—The table of contents of
 10 chapter 17 of title 14, United States Code, is amended
 11 by inserting after the item relating to section 667 the fol-
 12 lowing:

“667a. Construction of Coast Guard vessels and assignment of vessel projects.”.

13 **SEC. 510. WESTERN CHALLENGER; CERTIFICATE OF DOCU-**
 14 **MENTATION.**

15 Section 604(b) of the Howard Coble Coast Guard and
 16 Maritime Transportation Act of 2014 (Public Law 113–
 17 281; 128 Stat. 3062) is amended by inserting “and a fish-
 18 eries endorsement” after “endorsement”.

19 **TITLE VI—DEPARTMENT OF**
 20 **COMMERCE VESSELS**

21 **SEC. 601. WAIVERS FOR CERTAIN CONTRACTS.**

22 Section 3134 of title 40, United States Code, is
 23 amended—

24 (1) by inserting “Secretary of Homeland Secu-
 25 rity,” after “Air Force,” each place it appears; and

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

2 “(c) COMMERCE.—The Secretary of Commerce may
3 waive this subchapter with respect to contracts for the
4 construction, alteration, or repair of vessels, regardless of
5 the terms of the contracts as to payment or title, when
6 the contract is made under the Act entitled ‘An Act to
7 define the functions and duties of the Coast and Geodetic
8 Survey, and for other purposes’, approved August 6, 1947
9 (33 U.S.C. 883a et seq.).”.

○