

116TH CONGRESS  
1ST SESSION

# H. R. 4719

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IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2019

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

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## AN ACT

To amend the Federal share of the fishing safety standards  
grants.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Funding Instruction  
3 for Safety, Health, and Security Avoids Fishing Emer-  
4 gencies Act” or the “FISH SAFE Act”.

5 **SEC. 2. AMENDMENT OF FEDERAL SHARE OF THE FISHING**  
6 **SAFETY STANDARDS GRANTS.**

7 (a) AMENDMENT.—Section 4502 of title 46, United  
8 States Code, is amended—

9 (1) in subsection (i)(3), by striking “50” and  
10 inserting “75”; and

11 (2) in subsection (j)(3), by striking “50” and  
12 inserting “75”.

13 (b) RETROACTIVE EFFECTIVE DATE.—The amend-  
14 ment made by subsection (a) takes effect on the day after  
15 the date of enactment of the Frank LoBiondo Coast  
16 Guard Authorization Act of 2018 (Public Law 115–282).

17 **SEC. 3. COST SHARE.**

18 The cap on the Federal share of the cost of any activ-  
19 ity carried out with a grant under subsections (i) and (j)  
20 of section 4502 of title 46, United States Code, as in effect  
21 prior to the date of enactment of the Frank LoBiondo  
22 Coast Guard Authorization Act of 2018 (Public Law 115–  
23 282), shall apply to any funds appropriated under the  
24 Consolidated Appropriations Act, 2017 (Public Law 115–  
25 31) for the purpose of making such grants.

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS AMEND-**  
2 **MENTS.**

3 Section 4502 of title 46, United States Code, is  
4 amended—

5 (1) in subsection (i)(4), by striking “2019” and  
6 inserting “2021”; and

7 (2) in subsection (j)(4), by striking “2019” and  
8 inserting “2021”.

9 **SEC. 5. AIDS TO NAVIGATION.**

10 (a) Section 541 of title 14, United States Code, is  
11 amended—

12 (1) by striking “In” and inserting “(a) In”; and

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

14 “(b) In the case of pierhead beacons, the Com-  
15 mandant may—

16 “(1) acquire, by donation or purchase in behalf  
17 of the United States, the right to use and occupy  
18 sites for pierhead beacons; and

19 “(2) properly mark all pierheads belonging to  
20 the United States situated on the northern and  
21 northwestern lakes, whenever the Commandant is  
22 duly notified by the department charged with the  
23 construction or repair of pierheads that the con-  
24 struction or repair of any such pierheads has been  
25 completed.”.

1 (b) Subchapter III of chapter 5 of title 14, United  
2 States Code, is amended by adding at the end the fol-  
3 lowing:

4 **“§ 548. Prohibition against officers and employees**  
5 **being interested in contracts for mate-**  
6 **rials, etc.**

7 “No officer, enlisted member, or civilian member of  
8 the Coast Guard in any manner connected with the con-  
9 struction, operation, or maintenance of lighthouses, shall  
10 be interested, either directly or indirectly, in any contract  
11 for labor, materials, or supplies for the construction, oper-  
12 ation, or maintenance of lighthouses, or in any patent,  
13 plan, or mode of construction or illumination, or in any  
14 article of supply for the construction, operation, or mainte-  
15 nance of lighthouses.

16 **“§ 549. Lighthouse and other sites; necessity and suf-**  
17 **ficiency of cession by State of jurisdiction**

18 “(a) No lighthouse, beacon, public pier, or landmark,  
19 shall be built or erected on any site until cession of juris-  
20 diction over the same has been made to the United States.

21 “(b) For the purposes of subsection (a), a cession by  
22 a State of jurisdiction over a place selected as the site  
23 of a lighthouse, or other structure or work referred to in  
24 subsection (a), shall be deemed sufficient if the cession

1 contains a reservation that process issued under authority  
2 of such State may continue to be served within such place.

3 “(c) If no reservation of service described in sub-  
4 section (b) is contained in a cession, all process may be  
5 served and executed within the place ceded, in the same  
6 manner as if no cession had been made.

7 **“§ 550. Marking pierheads in certain lakes**

8 “The Commandant of the Coast Guard shall properly  
9 mark all pierheads belonging to the United States situated  
10 on the northern and northwestern lakes, whenever he is  
11 duly notified by the department charged with the construc-  
12 tion or repair of pierheads that the construction or repair  
13 of any such pierhead has been completed.”.

14 (c) CONFORMING AMENDMENT.—The table of sec-  
15 tions for chapter 5 of title 14, United States Code, is  
16 amended by inserting after the item relating to section  
17 547 the following:

“548. Prohibition against officers and employees being interest in contracts for  
materials, etc.

“549. Lighthouse and other sites; necessity and sufficiency of cession by State  
of jurisdiction.

“550. Marking pierheads in certain lakes.”.

18 **SEC. 6. TRANSFERS RELATED TO EMPLOYEES OF THE**  
19 **LIGHTHOUSE SERVICE.**

20 (a) Section 6 of chapter 103 of the Act of June 20,  
21 1918 (33 U.S.C. 763) is repealed.

1 (b) Subchapter II of chapter 25 of title 14, United  
2 States Code, is amended by adding at the end the fol-  
3 lowing:

4 **“§ 2532. Retirement of employees**

5 “(a) OPTIONAL RETIREMENT.—Except as provided  
6 in subsections (d) and (e), a covered employee may retire  
7 from further performance of duty if such officer or em-  
8 ployee—

9 “(1) has completed 30 years of active service in  
10 the Government and is at least 55 years of age;

11 “(2) has completed 25 years of active service in  
12 the Government and is at least 62 years of age; or

13 “(3) is involuntarily separated from further per-  
14 formance of duty, except by removal for cause on  
15 charges of misconduct or delinquency, after com-  
16 pleting 25 years of active service in the Government,  
17 or after completing 20 years of such service and if  
18 such employee is at least 50 years of age.

19 “(b) COMPULSORY RETIREMENT.—A covered em-  
20 ployee who becomes 70 years of age shall be compulsorily  
21 retired from further performance of duty.

22 “(c) RETIREMENT FOR DISABILITY.—

23 “(1) IN GENERAL.—A covered employee who  
24 has completed 15 years of active service in the Gov-  
25 ernment and is found, after examination by a med-

1        ical officer of the United States, to be disabled for  
2        useful and efficient service by reason of disease or  
3        injury not due to vicious habits, intemperance, or  
4        willful misconduct of such officer or employee, shall  
5        be retired.

6            “(2) RESTORATION TO ACTIVE DUTY.—Any in-  
7        dividual retired under paragraph (1) may, upon re-  
8        covery, be restored to active duty, and shall from  
9        time to time, before reaching the age at which such  
10       individual may retire under subsection (a), be reex-  
11       amined by a medical officer of the United States  
12       upon the request of the Secretary of the department  
13       in which the Coast Guard is operating.

14           “(d) ANNUAL COMPENSATION.—

15            “(1) IN GENERAL.—Except as provided in para-  
16        graph (2), The annual compensation of a person re-  
17        tired under this section shall be a sum equal to one-  
18        fortieth of the average annual pay received for the  
19        last three years of service for each year of active  
20        service in the Lighthouse Service, or in a depart-  
21        ment or branch of the Government having a retire-  
22        ment system, not to exceed thirty-fortieths of such  
23        average annual pay received.

24            “(2) RETIREMENT BEFORE 55.—The retirement  
25        pay computed under paragraph (1) for any officer or

1 employee retiring under this section shall be reduced  
2 by one-sixth of 1 percent for each full month the of-  
3 ficer or employee is under 55 years of age at the  
4 date of retirement.

5 “(3) NO ALLOWANCE OR SUBSISTENCE.—Re-  
6 tirement pay under this section shall not include any  
7 amount on account of subsistence or other allow-  
8 ance.

9 “(e) EXCEPTION.—The retirement and pay provision  
10 in this section shall not apply to—

11 “(1) any person in the field service of the  
12 Lighthouse Service whose duties do not require sub-  
13 stantially all their time; or

14 “(2) persons of the Coast Guard.

15 “(f) WAIVER.—Any person entitled to retirement pay  
16 under this section may decline to accept all or any part  
17 of such retirement pay by a waiver signed and filed with  
18 the Secretary of the Treasury. Such waiver may be re-  
19 voked in writing at any time, but no payment of the retire-  
20 ment pay waived shall be made covering the period during  
21 which such waiver was in effect.

22 “(g) DEFINITION.—For the purposes of this section,  
23 the term ‘covered employee’ means an officer or employee  
24 engaged in the field service or on vessels of the Lighthouse



1 Service, except a person continuously employed in district  
2 offices or shop.”.

3 (c) CONFORMING AMENDMENT.—The table of sec-  
4 tions for chapter 25 of title 14, United States Code, is  
5 amended by inserting after the item relating to section  
6 2531 the following:

“2532. Retirement of employees.”.

7 **SEC. 7. TRANSFERS RELATED TO SURVIVING SPOUSES OF**  
8 **LIGHTHOUSE SERVICE EMPLOYEES.**

9 (a) BENEFIT TO SURVIVING SPOUSES.—Subchapter  
10 II of chapter 25 of title 14, United States Code, is amend-  
11 ed by adding after section 2532 the following:

12 **“§ 2533. Surviving spouses**

13 “The Secretary of the department in which the Coast  
14 Guard is operating shall pay \$100 per month to the sur-  
15 viving spouse of a current or former employee of the  
16 Lighthouse Service in accordance with section 2532 if  
17 such employee dies—

18 “(1) at a time when such employee was receiv-  
19 ing or was entitled to receive retirement pay under  
20 this subchapter; or

21 “(2) from non-service-connected causes after  
22 fifteen or more years of employment in such serv-  
23 ice.”.

24 (b) TRANSFERS RELATED TO SURVIVING SPOUSES  
25 OF LIGHTHOUSE SERVICE EMPLOYEES.—

1           (1) Subchapter II of chapter 25 of title 14,  
2           United States Code, is amended by adding after sec-  
3           tion 2533 the following:

4           **“§ 2534. Application for benefits”.**

5           (2)(A) Section 3 of chapter 761 of the Act of  
6           August 19, 1950 (33 U.S.C. 773), is redesignated as  
7           section 2534(a) of title 14, United States Code,  
8           transferred to appear after the heading of section  
9           2534 of that title, and amended so that the enu-  
10          merator, section heading, typeface, and typestyle  
11          conform to those appearing in other sections in title  
12          14, United States Code.

13          (B) Section 2534(a), as so redesignated, trans-  
14          ferred, and amended is further amended by striking  
15          “this Act” and inserting “section 2533”.

16          (3)(A) Section 4 of chapter 761 of the Act of  
17          August 19, 1950 (33 U.S.C. 774), is redesignated as  
18          section 2534(b) of title 14, United States Code,  
19          transferred to appear after section 2534(a) of that  
20          title, and amended so that the enumerator, section  
21          heading, typeface, and typestyle conform to those  
22          appearing in other sections in title 14, United States  
23          Code.

24          (B) Section 2534(b), as so redesignated, trans-  
25          ferred, and amended is further amended by striking

1 “the provisions of this Act” and inserting “section  
2 2533”.

3 (4)(A) The proviso under the heading “Pay-  
4 ment to Civil Service Retirement and Disability  
5 Fund” of title V of division C of Public Law 112–  
6 74 (33 U.S.C. 776) is redesignated as section  
7 2534(e) of title 14, United States Code, transferred  
8 to appear after section 2534(b) of that title, and  
9 amended so that the enumerator, section heading,  
10 typeface, and typestyle conform to those appearing  
11 in other sections in title 14, United States Code.

12 (B) Section 2534(e), as so redesignated, trans-  
13 ferred, and amended is further amended by striking  
14 “the Act of May 29, 1944, and the Act of August  
15 19, 1950 (33 U.S.C. 771-775),” and inserting “sec-  
16 tion 2533”.

17 (c) CONFORMING AMENDMENT.—The table of sec-  
18 tions for chapter 25 of title 14, United States Code, is  
19 further amended by inserting after the item relating to  
20 section 2532 the following:

“2533. Surviving spouses.

“2534. Application for benefits.”.

21 **SEC. 8. REPEALS.**

22 (a) IN GENERAL.—The following provisions are re-  
23 pealed:

1           (1) Section 4680 of the Revised Statutes of the  
2           United States (33 U.S.C. 725).

3           (2) Section 4661 of the Revised Statutes of the  
4           United States (33 U.S.C. 727).

5           (3) Section 4662 of the Revised Statutes of the  
6           United States (33 U.S.C. 728).

7           (4) The final paragraph in the account “For  
8           Life-Saving and Life-Boat Stations” under the head-  
9           ing Treasury Department in the first section of  
10          chapter 130 of the Act of March 3, 1875 (33 U.S.C.  
11          730a).

12          (5) Section 11 of chapter 301 of the Act of  
13          June 17, 1910 (33 U.S.C. 743).

14          (6) Section 3 of chapter 371 of the Act of May  
15          22, 1926 (33 U.S.C. 747a).

16          (7) The first section of chapter 313 of the Act  
17          of February 25, 1929 (33 U.S.C. 747b).

18          (8) Section 2 of chapter 103 of the Act of June  
19          20, 1918 (33 U.S.C. 748).

20          (9) Section 4 of chapter 371 of the Act of May  
21          22, 1926 (33 U.S.C. 754a).

22          (10) Chapter 642 of the Act of August 10,  
23          1939 (33 U.S.C. 763a–1).

24          (11) Chapter 788 of the Act of October 29,  
25          1949 (33 U.S.C. 763–1).

1           (12) Chapter 524 of the Act of July 9, 1956  
2           (33 U.S.C. 763–2).

3           (13) The last two provisos under the heading  
4           Lighthouse Service, under the heading Department  
5           of Commerce, in the first section of chapter 161 of  
6           the Act of March 4, 1921 (41 Stat. 1417, formerly  
7           33 U.S.C. 764).

8           (14) Section 3 of chapter 215 of the Act of May  
9           13, 1938 (33 U.S.C. 770).

10          (15) The first section and section 2 of chapter  
11          761 of the Act of August 19, 1950 (33 U.S.C. 771  
12          and 772).

13          (b) SAVINGS.—

14           (1) Notwithstanding any repeals made by this  
15           section, any individual beneficiary currently receiving  
16           payments under the authority of any provisions re-  
17           pealed in this section shall continue to receive such  
18           benefits.

19           (2) Notwithstanding the repeals made under  
20           paragraphs (10) and (11) of subsection (a), any pay  
21           increases made under chapter 788 of the Act of Oc-  
22           tober 29, 1949, and chapter 524 of the Act of July

1       9, 1956, as in effect prior to their repeal shall re-  
2       main in effect.

Passed the House of Representatives December 17,  
2019.

Attest:                           CHERYL L. JOHNSON,  
*Clerk.*