

Union Calendar No. 271

116TH CONGRESS
1ST SESSION

H. R. 4719

[Report No. 116-340]

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 17, 2019

Mr. GOLDEN (for himself and Mr. YOUNG) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

DECEMBER 12, 2019

Additional sponsors: Mr. PAPPAS and Ms. PINGREE

DECEMBER 12, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on October 17, 2019]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Funding Instruction for*
5 *Safety, Health, and Security Avoids Fishing Emergencies*
6 *Act” or the “FISH SAFE Act”.*

7 **SEC. 2. AMENDMENT OF FEDERAL SHARE OF THE FISHING**
8 **SAFETY STANDARDS GRANTS.**

9 *(a) AMENDMENT.—Section 4502 of title 46, United*
10 *States Code, is amended—*

11 *(1) in subsection (i)(3), by striking “50” and in-*
12 *serting “75”; and*

13 *(2) in subsection (j)(3), by striking “50” and in-*
14 *serting “75”.*

15 *(b) RETROACTIVE EFFECTIVE DATE.—The amendment*
16 *made by subsection (a) takes effect on the day after the date*
17 *of enactment of the Frank LoBiondo Coast Guard Author-*
18 *ization Act of 2018 (Public Law 115–282).*

19 **SEC. 3. COST SHARE.**

20 *The cap on the Federal share of the cost of any activity*
21 *carried out with a grant under subsections (i) and (j) of*
22 *section 4502 of title 46, United States Code, as in effect*
23 *prior to the date of enactment of the Frank LoBiondo Coast*
24 *Guard Authorization Act of 2018 (Public Law 115–282),*
25 *shall apply to any funds appropriated under the Consoli-*

1 *dated Appropriations Act, 2017 (Public Law 115–31) for*
2 *the purpose of making such grants.*

3 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS AMEND-**
4 **MENTS.**

5 *Section 4502 of title 46, United States Code, is amend-*
6 *ed—*

7 *(1) in subsection (i)(4), by striking “2019” and*
8 *inserting “2021”; and*

9 *(2) in subsection (j)(4), by striking “2019” and*
10 *inserting “2021”.*

11 **SEC. 5. AIDS TO NAVIGATION.**

12 *(a) Section 541 of title 14, United States Code, is*
13 *amended—*

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

15 *(2) by adding at the end the following:*

16 *“(b) In the case of pierhead beacons, the Commandant*
17 *may—*

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

21 *“(2) properly mark all pierheads belonging to*
22 *the United States situated on the northern and north-*
23 *western lakes, whenever the Commandant is duly no-*
24 *tified by the department charged with the construc-*

1 *tion or repair of pierheads that the construction or re-*
2 *pair of any such pierheads has been completed.”.*

3 *(b) Subchapter III of chapter 5 of title 14, United*
4 *States Code, is amended by adding at the end the following:*

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

8 *“No officer, enlisted member, or civilian member of the*
9 *Coast Guard in any manner connected with the construc-*
10 *tion, operation, or maintenance of lighthouses, shall be in-*
11 *terested, either directly or indirectly, in any contract for*
12 *labor, materials, or supplies for the construction, operation,*
13 *or maintenance of lighthouses, or in any patent, plan, or*
14 *mode of construction or illumination, or in any article of*
15 *supply for the construction, operation, or maintenance of*
16 *lighthouses.*

17 **“§ 549. Lighthouse and other sites; necessity and suffi-**
18 ***ciency of cession by State of jurisdiction***

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

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

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

3 “(c) *If no reservation of service described in subsection*
 4 *(b) is contained in a cession, all process may be served and*
 5 *executed within the place ceded, in the same manner as if*
 6 *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 duly*
 11 *notified by the department charged with the construction*
 12 *or repair of pierheads that the construction or repair of*
 13 *any such pierhead has been completed.*”

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

 “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.*

22 (b) *Subchapter II of chapter 25 of title 14, United*
 23 *States Code, is amended by adding at the end the following:*

1 **“§ 2532. Retirement of employees**

2 “(a) *OPTIONAL RETIREMENT.*—*Except as provided in*
3 *subsections (d) and (e), a covered employee may retire from*
4 *further performance of duty if such officer or employee—*

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

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

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

15 “(b) *COMPULSORY RETIREMENT.*—*A covered employee*
16 *who becomes 70 years of age shall be compulsorily retired*
17 *from further performance of duty.*

18 “(c) *RETIREMENT FOR DISABILITY.*—

19 “(1) *IN GENERAL.*—*A covered employee who has*
20 *completed 15 years of active service in the Govern-*
21 *ment and is found, after examination by a medical*
22 *officer of the United States, to be disabled for useful*
23 *and efficient service by reason of disease or injury not*
24 *due to vicious habits, intemperance, or willful mis-*
25 *conduct of such officer or employee, shall be retired.*

1 “(2) *RESTORATION TO ACTIVE DUTY.*—Any indi-
2 *vidual retired under paragraph (1) may, upon recov-*
3 *ery, be restored to active duty, and shall from time*
4 *to time, before reaching the age at which such indi-*
5 *vidual may retire under subsection (a), be reexamined*
6 *by a medical officer of the United States upon the re-*
7 *quest of the Secretary of the department in which the*
8 *Coast Guard is operating.*

9 “(d) *ANNUAL COMPENSATION.*—

10 “(1) *IN GENERAL.*—Except as provided in para-
11 *graph (2), The annual compensation of a person re-*
12 *tired under this section shall be a sum equal to one-*
13 *fortieth of the average annual pay received for the last*
14 *three years of service for each year of active service*
15 *in the Lighthouse Service, or in a department or*
16 *branch of the Government having a retirement sys-*
17 *tem, not to exceed thirty-fortieths of such average an-*
18 *nual pay received.*

19 “(2) *RETIREMENT BEFORE 55.*—The retirement
20 *pay computed under paragraph (1) for any officer or*
21 *employee retiring under this section shall be reduced*
22 *by one-sixth of 1 percent for each full month the offi-*
23 *cer or employee is under 55 years of age at the date*
24 *of retirement.*

1 “(3) *NO ALLOWANCE OR SUBSISTENCE.*—*Retire-*
2 *ment pay under this section shall not include any*
3 *amount on account of subsistence or other allowance.*

4 “(e) *EXCEPTION.*—*The retirement and pay provision*
5 *in this section shall not apply to—*

6 “(1) *any person in the field service of the Light-*
7 *house Service whose duties do not require substan-*
8 *tially all their time; or*

9 “(2) *persons of the Coast Guard.*

10 “(f) *WAIVER.*—*Any person entitled to retirement pay*
11 *under this section may decline to accept all or any part*
12 *of such retirement pay by a waiver signed and filed with*
13 *the Secretary of the Treasury. Such waiver may be revoked*
14 *in writing at any time, but no payment of the retirement*
15 *pay waived shall be made covering the period during which*
16 *such waiver was in effect.*

17 “(g) *DEFINITION.*—*For the purposes of this section, the*
18 *term ‘covered employee’ means an officer or employee en-*
19 *gaged in the field service or on vessels of the Lighthouse*
20 *Service, except a person continuously employed in district*
21 *offices or shop.”.*

22 “(c) *CONFORMING AMENDMENT.*—*The table of sections*
23 *for chapter 25 of title 14, United States Code, is amended*
24 *by inserting after the item relating to section 2531 the fol-*
25 *lowing:*

 “2532. *Retirement of employees.”.*

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

3 (a) *BENEFIT TO SURVIVING SPOUSES.*—Subchapter II
4 of chapter 25 of title 14, United States Code, is amended
5 by adding after section 2532 the following:

6 **“§2533. Surviving spouses**

7 “The Secretary of the department in which the Coast
8 Guard is operating shall pay \$100 per month to the sur-
9 viving spouse of a current or former employee of the Light-
10 house Service in accordance with section 2532 if such em-
11 ployee dies—

12 “(1) at a time when such employee was receiving
13 or was entitled to receive retirement pay under this
14 subchapter; or

15 “(2) from non-service-connected causes after fif-
16 teen or more years of employment in such service.”.

17 (b) *TRANSFERS RELATED TO SURVIVING SPOUSES OF*
18 *LIGHTHOUSE SERVICE EMPLOYEES.*—

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

22 **“§2534. Application for benefits”.**

23 (2)(A) Section 3 of chapter 761 of the Act of Au-
24 gust 19, 1950 (33 U.S.C. 773), is redesignated as sec-
25 tion 2534(a) of title 14, United States Code, trans-
26 ferred to appear after the heading of section 2534 of

1 *that title, and amended so that the enumerator, sec-*
2 *tion heading, typeface, and typestyle conform to those*
3 *appearing in other sections in title 14, United States*
4 *Code.*

5 *(B) Section 2534(a), as so redesignated, trans-*
6 *ferred, and amended is further amended by striking*
7 *“this Act” and inserting “section 2533”.*

8 *(3)(A) Section 4 of chapter 761 of the Act of Au-*
9 *gust 19, 1950 (33 U.S.C. 774), is redesignated as sec-*
10 *tion 2534(b) of title 14, United States Code, trans-*
11 *ferred to appear after section 2534(a) of that title,*
12 *and amended so that the enumerator, section heading,*
13 *typeface, and typestyle conform to those appearing in*
14 *other sections in title 14, United States Code.*

15 *(B) Section 2534(b), as so redesignated, trans-*
16 *ferred, and amended is further amended by striking*
17 *“the provisions of this Act” and inserting “section*
18 *2533”.*

19 *(4)(A) The proviso under the heading “Payment*
20 *to Civil Service Retirement and Disability Fund” of*
21 *title V of division C of Public Law 112–74 (33 U.S.C.*
22 *776) is redesignated as section 2534(c) of title 14,*
23 *United States Code, transferred to appear after sec-*
24 *tion 2534(b) of that title, and amended so that the*
25 *enumerator, section heading, typeface, and typestyle*

1 conform to those appearing in other sections in title
2 14, United States Code.

3 (B) Section 2534(c), as so redesignated, trans-
4 ferred, and amended is further amended by striking
5 “the Act of May 29, 1944, and the Act of August 19,
6 1950 (33 U.S.C. 771-775),” and inserting “section
7 2533”.

8 (c) CONFORMING AMENDMENT.—The table of sections
9 for chapter 25 of title 14, United States Code, is further
10 amended by inserting after the item relating to section 2532
11 the following:

“2533. Surviving spouses.

“2534. Application for benefits.”.

12 **SEC. 8. REPEALS.**

13 (a) IN GENERAL.—The following provisions are re-
14 pealed:

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

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

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

21 (4) The final paragraph in the account “For
22 Life-Saving and Life-Boat Stations” under the head-
23 ing Treasury Department in the first section of chap-
24 ter 130 of the Act of May 3, 1875 (33 U.S.C. 730a).

1 (5) *Section 11 of chapter 301 of the Act of June*
2 *17, 1910 (33 U.S.C. 743).*

3 (6) *Section 3 of chapter 371 of the Act of May*
4 *22, 1926 (33 U.S.C. 747a).*

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

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

9 (9) *Section 4 of chapter 371 of the Act of May*
10 *22, 1926 (33 U.S.C. 754a).*

11 (10) *Chapter 642 of the Act of August 10, 1939*
12 *(33 U.S.C. 763a-1).*

13 (11) *Chapter 788 of the Act of October 29, 1949*
14 *(33 U.S.C. 763-1).*

15 (12) *Chapter 524 of the Act of July 9, 1956 (33*
16 *U.S.C. 763-2).*

17 (13) *The last two provisos under the heading*
18 *Lighthouse Service, under the heading Department of*
19 *Commerce, in the first section of chapter 161 of the*
20 *Act of March 4, 1921 (41 Stat. 1417, formerly 33*
21 *U.S.C. 764).*

22 (14) *Section 3 of chapter 215 of the Act of May*
23 *13, 1938 (33 U.S.C. 770).*

1 (15) *The first section and section 2 of chapter*
2 *761 of the Act of August 19, 1950 (33 U.S.C. 771 and*
3 *772).*

4 **(b) SAVINGS.—**

5 (1) *Notwithstanding any repeals made by this*
6 *section, any individual beneficiary currently receiv-*
7 *ing payments under the authority of any provisions*
8 *repealed in this section shall continue to receive such*
9 *benefits.*

10 (2) *Notwithstanding the repeals made under*
11 *paragraphs (10) and (11) of subsection (a), any pay*
12 *increases made under chapter 788 of the Act of Octo-*
13 *ber 29, 1949, and chapter 524 of the Act of July 9,*
14 *1956, as in effect prior to their repeal shall remain*
15 *in effect.*

Union Calendar No. 271

116TH CONGRESS
1ST Session

H. R. 4719

[Report No. 116-340]

A BILL

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

DECEMBER 12, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed