

113TH CONGRESS  
2D SESSION

# H. R. 4005

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2014

Mr. HUNTER (for himself, Mr. SHUSTER, and Mr. RAHALL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

### TITLE I—AUTHORIZATION

Sec. 101. Authorization of appropriations.

Sec. 102. Authorized levels of military strength and training.

## TITLE II—COAST GUARD

- Sec. 201. Commissioned officers.
- Sec. 202. Prevention and response workforces.
- Sec. 203. Centers of expertise.
- Sec. 204. Agreements.
- Sec. 205. Coast Guard housing.
- Sec. 206. Determinations.
- Sec. 207. Annual Board of Visitors.
- Sec. 208. Repeal of limitation on medals of honor.
- Sec. 209. Mission need statement.
- Sec. 210. Transmission of annual Coast Guard authorization request.
- Sec. 211. Inventory of real property.
- Sec. 212. Active duty for emergency augmentation of regular forces.
- Sec. 213. Acquisition workforce expedited hiring authority.
- Sec. 214. Icebreakers.
- Sec. 215. Multiyear procurement authority for Offshore Patrol Cutters.
- Sec. 216. Maintaining Medium Endurance Cutter mission capability.
- Sec. 217. Coast Guard administrative savings.
- Sec. 218. Technical corrections to title 14.

## TITLE III—SHIPPING AND NAVIGATION

- Sec. 301. Treatment of fishing permits.
- Sec. 302. International ice patrol reform.
- Sec. 303. Repeal.
- Sec. 304. Donation of historical property.
- Sec. 305. Small shipyards.
- Sec. 306. Drug testing reporting.
- Sec. 307. Recourse for noncitizens.
- Sec. 308. Penalty wages.
- Sec. 309. Crediting time in the sea services.
- Sec. 310. Treatment of abandoned seafarers.
- Sec. 311. Clarification of high-risk waters.
- Sec. 312. Uninspected passenger vessels in the Virgin Islands.
- Sec. 313. Offshore supply vessel third-party inspection.
- Sec. 314. Survival craft.
- Sec. 315. Technical correction to title 46.

## TITLE IV—FEDERAL MARITIME COMMISSION

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

## TITLE V—COMMERCIAL VESSEL DISCHARGE REFORM

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

## TITLE VI—MISCELLANEOUS

- Sec. 601. Distant water tuna fleet.
- Sec. 602. Vessel determination.
- Sec. 603. Lease authority.
- Sec. 604. National maritime strategy.
- Sec. 605. IMO Polar Code negotiations.
- Sec. 606. Valley View Ferry.

Sec. 607. Competition by United States flag vessels.

Sec. 608. Survey.

# 1           **TITLE I—AUTHORIZATION**

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

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

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

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

9                           and

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

11                   (2) For the acquisition, construction, rebuild-  
12 ing, and improvement of aids to navigation, shore  
13 and offshore facilities, vessels, and aircraft, includ-  
14 ing equipment related thereto—

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

16                           and

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

18                   to remain available until expended.

19                   (3) For the Coast Guard Reserve program, in-  
20 cluding personnel and training costs, equipment, and  
21 services—

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

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

1           (4) For environmental compliance and restora-  
2           tion of Coast Guard vessels, aircraft, and facilities  
3           (other than parts and equipment associated with op-  
4           eration and maintenance)—

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

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

7           to remain available until expended.

8           (5) To the Commandant of the Coast Guard for  
9           research, development, test, and evaluation of tech-  
10          nologies, materials, and human factors directly re-  
11          lated to improving the performance of the Coast  
12          Guard's mission with respect to search and rescue,  
13          aids to navigation, marine safety, marine environ-  
14          mental protection, enforcement of laws and treaties,  
15          ice operations, oceanographic research, and defense  
16          readiness—

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

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

19 **SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH**  
20 **AND TRAINING.**

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

24          (b) **MILITARY TRAINING STUDENT LOADS.**—The  
25 Coast Guard is authorized average military training stu-

1 dent loads for each of fiscal years 2015 and 2016 as fol-  
2 lows:

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

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

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

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

## 9 **TITLE II—COAST GUARD**

### 10 **SEC. 201. COMMISSIONED OFFICERS.**

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

### 13 **SEC. 202. PREVENTION AND RESPONSE WORKFORCES.**

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

16 (1) in subsection (b)—

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

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

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

22 “(4) waterways operations manager shall have  
23 knowledge, skill, and practical experience with re-  
24 spect to marine transportation system management;  
25 or

1           “(5) port and facility safety and security spe-  
2           cialist shall have knowledge, skill, and practical ex-  
3           perience with respect to the safety, security, and en-  
4           vironmental protection responsibilities associated  
5           with maritime ports and facilities.”;

6           (2) in subsection (c) by striking “or marine  
7           safety engineer” and inserting “marine safety engi-  
8           neer, waterways operations manager, or port and fa-  
9           cility safety and security specialist”; and

10          (3) in subsection (f)(2) by striking “investigator  
11          or marine safety engineer.” and inserting “investi-  
12          gator, marine safety engineer, waterways operations  
13          manager, or port and facility safety and security  
14          specialist.”.

15 **SEC. 203. CENTERS OF EXPERTISE.**

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

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

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

21                          “(A) education;

22                          “(B) training; and

23                          “(C) activities authorized under section  
24                          93(a)(4); and

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

4 **SEC. 204. AGREEMENTS.**

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

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

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

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

15 **“§ 102. Agreements**

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

18           “(1) enter into cooperative agreements, con-  
19           tracts, and other agreements with Federal entities  
20           and other public or private entities, including aca-  
21           demic entities; and

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

1       “(b) DEPOSIT AND USE OF FEES.—Fees collected  
2 under this section shall be deposited in the general fund  
3 of the Treasury as offsetting receipts. The fees may be  
4 used, to the extent provided in advance in an appropria-  
5 tion law, only to carry out activities under section  
6 93(a)(4).”.

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

“102. Agreements.”.

10 **SEC. 205. COAST GUARD HOUSING.**

11       (a) COMMANDANT; GENERAL POWERS.—Section  
12 93(a)(13) of title 14, United States Code, is amended by  
13 striking “the Treasury” and inserting “the fund estab-  
14 lished under section 687”.

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

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

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

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



1 **SEC. 206. DETERMINATIONS.**

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

5 **“§ 103. Determinations**

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

11 (b) CLERICAL AMENDMENT.—The analysis for chap-  
12 ter 5 of title 14, United States Code, as amended by this  
13 Act, is further amended by adding at the end the fol-  
14 lowing:

“103. Determinations.”.

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

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

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

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

22 “(b) MEMBERSHIP.—

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

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

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

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

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

12           “(E) 6 individuals designated by the Presi-  
13 dent.

14           “(2) LENGTH OF SERVICE.—

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

21           “(B) INDIVIDUALS DESIGNATED BY THE  
22 PRESIDENT.—Each individual designated by the  
23 President under subparagraph (E) of para-  
24 graph (1) shall serve as a member of the Board  
25 for 3 years, except that any such member whose

1 term of office has expired shall continue to  
2 serve until a successor is appointed.

3 “(3) DEATH OR RESIGNATION OF A MEMBER.—

4 If a member of the Board dies or resigns, a suc-  
5 cessor shall be designated for any unexpired portion  
6 of the term of the member by the official who des-  
7 ignated the member.

8 “(c) ACADEMY VISITS.—

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

12 “(2) ADDITIONAL VISITS.—With the approval  
13 of the Secretary, the Board or individual members  
14 of the Board may make other visits to the Academy  
15 in connection with the duties of the Board or to con-  
16 sult with the Superintendent of the Academy.

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

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

20 “(2) the curriculum;

21 “(3) instruction;

22 “(4) physical equipment;

23 “(5) fiscal affairs; and

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

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

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

12       “(g) REIMBURSEMENT.—Each member of the Board  
13 and each adviser consulted by the Board under subsection  
14 (f) shall be reimbursed, to the extent permitted by law,  
15 by the Coast Guard for actual expenses incurred while en-  
16 gaged in duties as a member or adviser.”.

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

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

21 **SEC. 209. MISSION NEED STATEMENT.**

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

1 **“§ 569. Mission need statement**

2       “(a) IN GENERAL.—On the date on which the Presi-  
3 dent submits to Congress a budget for fiscal year 2016  
4 under section 1105 of title 31, on the date on which the  
5 President submits to Congress a budget for fiscal year  
6 2019 under such section, and every 4 years thereafter, the  
7 Commandant shall submit to the Committee on Transpor-  
8 tation and Infrastructure of the House of Representatives  
9 and the Committee on Commerce, Science, and Transpor-  
10 tation of the Senate an integrated major acquisition mis-  
11 sion need statement.

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

14               “(1) INTEGRATED MAJOR ACQUISITION MISSION  
15 NEED STATEMENT.—The term ‘integrated major ac-  
16 quisition mission need statement’ means a document  
17 that—

18                       “(A) identifies current and projected gaps  
19 in Coast Guard mission capabilities using mis-  
20 sion hour targets;

21                       “(B) explains how each major acquisition  
22 program addresses gaps identified under sub-  
23 paragraph (A) if funded at the levels provided  
24 for such program in the most recently sub-  
25 mitted capital investment plan; and

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

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

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

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

          “569. Mission need statement.”.

14       **SEC. 210. TRANSMISSION OF ANNUAL COAST GUARD AU-**  
15                               **THORIZATION REQUEST.**

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

19       **“§ 662a. Transmission of annual Coast Guard author-**  
20                               **ization request**

21          “(a) IN GENERAL.—Not later than 30 days after the  
22       date on which the President submits to Congress a budget  
23       for a fiscal year pursuant to section 1105 of title 31, the  
24       Secretary shall submit to the Committee on Transpor-  
25       tation and Infrastructure of the House of Representatives

1 and the Committee on Commerce, Science, and Transpor-  
 2 tation of the Senate a Coast Guard authorization request  
 3 with respect to such fiscal year.

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

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

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

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

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

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

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

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

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

24 “(a) IN GENERAL.—Not later than September 30,  
 25 2014, the Commandant shall establish an inventory of all

1 real property, including submerged lands, under the con-  
2 trol of the Coast Guard, which shall include—

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

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

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

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

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

13 “(B) subject to divestiture; and

14 “(5) other information the Commandant con-  
15 siders appropriate.

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

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

20 “(2) update information on each unit of real  
21 property included in such inventory not later than  
22 30 days after any change relating to such property.

23 “(c) RECOMMENDATIONS TO CONGRESS.—Not later  
24 than March 30, 2015, and every 5 years thereafter, the  
25 Commandant shall submit to the Committee on Transpor-



1 tation and Infrastructure of the House of Representatives  
2 and the Committee on Commerce, Science, and Transpor-  
3 tation of the Senate a report that includes—

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

7 “(2) recommendations for divestiture with re-  
8 spect to any units of such property, including an es-  
9 timate of—

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

12 “(B) the costs or savings associated with  
13 divestiture; and

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

16 “(A) an estimate of the costs or savings  
17 associated with each recommended consolida-  
18 tion; and

19 “(B) a discussion of the impact that such  
20 consolidation would have on Coast Guard mis-  
21 sion effectiveness.”.

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

“679. Inventory of real property.”.

1 **SEC. 212. ACTIVE DUTY FOR EMERGENCY AUGMENTATION**  
2 **OF REGULAR FORCES.**

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

6 **SEC. 213. ACQUISITION WORKFORCE EXPEDITED HIRING**  
7 **AUTHORITY.**

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

11 **SEC. 214. ICEBREAKERS.**

12 (a) **COAST GUARD POLAR ICEBREAKERS.**—Section  
13 222 of the Coast Guard and Maritime Transportation Act  
14 of 2012 (Public Law 112–213; 126 Stat. 1560) is amend-  
15 ed—

16 (1) in subsection (d)(2)—

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

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

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

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

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

8                   “(B) the Secretary may make such deter-  
9 mination, not later than 90 days after the date  
10 of enactment of this paragraph, and take ac-  
11 tions in accordance with this subsection as  
12 though such determination was made in the  
13 analysis previously submitted.”;

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

16           (4) by inserting after subsection (d) the fol-  
17 lowing:

18           “(e) STRATEGIES.—

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

1           “(A) a strategy to meet the Coast Guard’s  
2           Arctic ice operations needs through September  
3           30, 2050; and

4           “(B) unless the Secretary makes a deter-  
5           mination under this section that it is cost-effec-  
6           tive to reactivate the Polar Sea, a bridging  
7           strategy for maintaining the Coast Guard’s  
8           polar icebreaking services until at least Sep-  
9           tember 30, 2024.

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

15          (b) LIMITATION.—

16                 (1) IN GENERAL.—During fiscal years 2015  
17                 through 2024, the Secretary of the department in  
18                 which the Coast Guard is operating may not expend  
19                 amounts appropriated to the Coast Guard for de-  
20                 sign, long-lead-time materials, production, and post-  
21                 delivery activities related to a Polar-Class Icebreaker  
22                 if such amounts would be expended on a capability  
23                 of the Icebreaker that is based on an operational re-  
24                 quirement of another Federal department or agency.

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

9   **SEC. 215. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
10                                   **OFFSHORE PATROL CUTTERS.**

11           In fiscal year 2015 and each fiscal year thereafter,  
12           the Secretary of the department in which the Coast Guard  
13           is operating may enter into, in accordance with section  
14           2306b of title 10, United States Code, multiyear contracts  
15           for the procurement of Offshore Patrol Cutters and associ-  
16           ated equipment.

17   **SEC. 216. MAINTAINING MEDIUM ENDURANCE CUTTER MIS-**  
18                                   **SION CAPABILITY.**

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

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

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

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

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

18           (3) an identification of the number of Offshore  
19 Patrol Cutters capable of sea state 5 operations  
20 that, if 8 National Security Cutters are commis-  
21 sioned, are necessary to return the sea state 5 oper-  
22 ating capability of the Coast Guard to the level of  
23 capability that existed prior to the decommissioning  
24 of the first High Endurance Cutter in fiscal year  
25 2011;

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

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

8                   (A) 25; less

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

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

12           (a) **ELIMINATION OF OUTDATED AND DUPLICATIVE**  
13 **REPORTS.—**

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

16                           (A) by striking “(a) **IN GENERAL.—**The  
17           Commandant” and inserting “The Com-  
18           mandant”; and

19                           (B) by striking subsection (b).

20                   (2) **OPERATIONS AND EXPENDITURES.—**Section  
21           651 of title 14, United States Code, and the item re-  
22           lating to such section in the analysis for chapter 17  
23           of such title, are repealed.

24                   (3) **DRUG INTERDICTION.—**Section 103 of the  
25           Coast Guard Authorization Act of 1996 (14 U.S.C.

1 89 note), and the item relating to that section in the  
2 table of contents in section 2 of that Act, are re-  
3 pealed.

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

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

19 (b) CONSOLIDATION AND REFORM OF REPORTING  
20 REQUIREMENTS.—

21 (1) MARINE SAFETY.—

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



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

4                   “(i) the number of civilian and mili-  
5                   tary Coast Guard personnel assigned to  
6                   marine safety positions; and

7                   “(ii) an identification of marine safety  
8                   positions that are understaffed to meet the  
9                   workload required to accomplish each ac-  
10                  tivity included in the strategy and plans  
11                  under subsection (a); and”.

12           (B) CONFORMING AMENDMENT.—Section  
13           57 of title 14, United States Code, as amended  
14           by this Act, is further amended—

15                   (i) by striking subsection (e); and

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

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

22                   “(2) REPORT.—Not later than the date on  
23                   which the President submits to Congress a budget  
24                   under section 1105 of title 31 each year, the Sec-  
25                   retary shall submit to the Committee on Transpor-

1       tation and Infrastructure of the House of Represent-  
2       atives and the Committee on Commerce, Science,  
3       and Transportation of the Senate a report describ-  
4       ing each project carried out under paragraph (1), in  
5       the most recently concluded fiscal year, for which  
6       the amount expended under such paragraph for such  
7       project was more than \$1,000,000. If no such  
8       project was carried out during a fiscal year, no re-  
9       port under this paragraph shall be required with re-  
10      spect to that fiscal year.”.

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

14      **“SEC. 346. MODERNIZATION OF NATIONAL DISTRESS AND**  
15                             **RESPONSE SYSTEM.**

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

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

3           “(1) describe what improvements are being  
4 made to the distress response system in the areas  
5 specified in subsection (a), including information on  
6 which areas will receive digital selective calling and  
7 direction finding capability;

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

11          “(3) identify locations in the areas specified in  
12 subsection (a) where communication gaps will con-  
13 tinue to present a risk to mariners after completion  
14 of the Rescue 21 project;

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

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

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

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

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

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

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

## 9 **TITLE III—SHIPPING AND** 10 **NAVIGATION**

### 11 **SEC. 301. TREATMENT OF FISHING PERMITS.**

12 (a) IN GENERAL.—Subchapter I of chapter 313 of  
13 title 46, United States Code, is amended by adding at the  
14 end the following:

#### 15 **“§ 31310. Treatment of fishing permits**

16 “(a) LIMITATION ON MARITIME LIENS.—This chap-  
17 ter—

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

20 “(2) does not authorize any civil action to en-  
21 force a maritime lien on a fishing permit.

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

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

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

4           “(c) **AUTHORITY OF SECRETARY OF COMMERCE NOT**  
5 **AFFECTED.**—Nothing in this section shall be construed as  
6 imposing any limitation upon the authority of the Sec-  
7 retary of Commerce—

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

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

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

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

“31310. Treatment of fishing permits.”.

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

21          (a) **IN GENERAL.**—Section 80301 of title 46, United  
22 States Code, is amended by adding at the end the fol-  
23 lowing:

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

4       “(d) LIMITATION.—

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

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

14           “(B) the amount of the proportionate  
15 share of the expense generated by vessels docu-  
16 mented under the laws of the United States.

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

22           “(3) NOTIFICATION.—The President shall no-  
23 tify the Committee on Transportation and Infra-  
24 structure of the House of Representatives and the  
25 Committee on Commerce, Science, and Transpor-

1 tation of the Senate of a determination made under  
2 paragraph (2) within 15 days after such determina-  
3 tion.”.

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

8 **SEC. 303. REPEAL.**

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

11 (1) by repealing section 55501;

12 (2) by redesignating section 55502 as section  
13 55501; and

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

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

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

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

20 “(e) DONATION FOR HISTORICAL PURPOSES.—

21 “(1) IN GENERAL.—The Secretary may convey  
22 the right, title, and interest of the United States  
23 Government in any property administered by the  
24 Maritime Administration, except real estate or ves-  
25 sels, if—

1           “(A) the Secretary determines that such  
2 property is not needed by the Maritime Admin-  
3 istration; and

4           “(B) the recipient—

5                 “(i) is a nonprofit organization, a  
6 State, or a political subdivision of a State;

7                 “(ii) agrees to hold the Government  
8 harmless for any claims arising from expo-  
9 sure to hazardous materials, including as-  
10 bestos, polychlorinated biphenyls, or lead  
11 paint, after conveyance of the property;

12                 “(iii) provides a description and expla-  
13 nation of the intended use of the property  
14 to the Secretary for approval;

15                 “(iv) has provided to the Secretary  
16 proof, as determined by the Secretary, of  
17 resources sufficient to accomplish the in-  
18 tended use provided under clause (iii) and  
19 to maintain the property;

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

23                         “(I) return the property to the  
24 Secretary, at the recipient’s expense



1 and in the same condition as received  
2 except for ordinary wear and tear; or

3 “(II) subject to the approval of  
4 the Secretary, retain, sell, or other-  
5 wise dispose of the property in a man-  
6 ner consistent with applicable law;  
7 and

8 “(vi) agree to any additional terms  
9 the Secretary considers appropriate.

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

17 **SEC. 305. SMALL SHIPYARDS.**

18 Section 54101(i) of title 46, United States Code, is  
19 amended by striking “2009 through 2013” and inserting  
20 “2015 and 2016”.

21 **SEC. 306. DRUG TESTING REPORTING.**

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

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

4 (2) in subsection (c), by—

5 (A) inserting “or an applicant for employ-  
6 ment by a Federal agency” after “an em-  
7 ployee”; and

8 (B) striking “the employee.” and inserting  
9 “the employee or the applicant.”.

10 **SEC. 307. RECOURSE FOR NONCITIZENS.**

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

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

15 (2) by adding at the end the following new sub-  
16 section:

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

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

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

6           “(3) the seaman or the seaman’s personal rep-  
7           resentative has or had a right to seek compensation  
8           for the injury, illness, or death in, or under the laws  
9           of—

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

12                   “(B) the nation in which the seaman main-  
13                   tained citizenship or residency at the time the  
14                   claim arose.”.

15 **SEC. 308. PENALTY WAGES.**

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

19                   (1) in paragraph (2)—

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

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

25                   (2) in paragraph (3)—

1 (A) by striking “class action”; and

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

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

7 (1) in paragraph (2)—

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

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

13 (2) in paragraph (3)—

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

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

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

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

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

24 “(1) has at least 3 months of qualifying service  
25 on vessels of the uniformed services (as that term is

1 defined in section 101(a) of title 10) of appropriate  
2 tonnage or horsepower within the 7-year period im-  
3 mediately preceding the date of application; and

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

6 (b) SEA SERVICE LETTERS.—

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

10 **“§ 428. Sea service letters**

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

14 “(1) accumulated sea service on a vessel of the  
15 armed forces (as such term is defined in section  
16 101(a) of title 10); and

17 “(2) requests such letter.

18 “(b) DEADLINE.—Not later than 30 days after re-  
19 ceiving a request for a sea service letter from a member  
20 or former member of the Coast Guard under subsection  
21 (a), the Secretary shall provide such letter to such member  
22 or former member if such member or former member sat-  
23 isfies the requirement under subsection (a)(1).”.

24 (2) CLERICAL AMENDMENT.—The analysis for  
25 chapter 11 of title 14, United States Code, as

1 amended by this Act, is further amended by insert-  
 2 ing after the item relating to section 427 the fol-  
 3 lowing:

“428. Sea service letters.”.

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

6 (1) MAXIMIZING CREDITABILITY.—The Sec-  
 7 retary of the department in which the Coast Guard  
 8 is operating, in implementing United States mer-  
 9 chant mariner license, certification, and document  
 10 laws and the International Convention on Standards  
 11 of Training, Certification and Watchkeeping for Sea-  
 12 farers, 1978, shall maximize the extent to which  
 13 United States Armed Forces service, training, and  
 14 qualifications are creditable toward meeting the re-  
 15 quirements of such laws and such Convention.

16 (2) REPORT.—Not later than 90 days after the  
 17 date of enactment of this Act, the Secretary shall re-  
 18 port to Congress on the steps taken to implement  
 19 this subsection.

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

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

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

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

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

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

4           “(2) CREDITING OF AMOUNTS TO FUND.—

5           “(A) IN GENERAL.—There shall be cred-  
6 ited to the Fund the following:

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

10           “(ii) Amounts reimbursed or recov-  
11 ered under subsection (d).

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

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

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

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

6           “(b) AUTHORIZATION OF APPROPRIATIONS FROM  
7 FUND.—Amounts in the Fund may be appropriated to the  
8 Secretary for use to—

9           “(1) pay necessary support of—

10           “(A) a seafarer that—

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

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

18           “(B) a seafarer that the Secretary deter-  
19           mines was abandoned in the United States and  
20           has not applied for asylum under section 208 or  
21           235 of the Immigration and Nationality Act (8  
22           U.S.C. 1158, 1225); and

23           “(2) reimburse a vessel owner or operator that  
24           has provided necessary support of a seafarer who  
25           has been paroled into the United States to facilitate



1 an investigation, reporting, documentation, or adju-  
2 dication of any matter that is related to the adminis-  
3 tration or enforcement of this Act by the Coast  
4 Guard, for the costs of such necessary support.

5 “(c) LIMITATION.—Nothing in this section shall be  
6 construed—

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

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

12 “(d) REIMBURSEMENT; RECOVERY.—

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

17 “(A) the vessel owner or operator—

18 “(i) during the course of an investiga-  
19 tion, reporting, documentation, or adju-  
20 dication of any matter under this Act that  
21 the Coast Guard referred to a United  
22 States attorney or the Attorney General,  
23 fails to provide necessary support of a sea-  
24 farer who was paroled into the United  
25 States to facilitate the investigation, re-

1                   porting, documentation, or adjudication;  
2                   and

3                   “(ii) subsequently is—

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

6                                 “(II) required to reimburse the  
7                                 Fund pursuant to a court order or ne-  
8                                 gotiated settlement related to such  
9                                 matter; or

10                               “(B) the vessel owner or operator aban-  
11                               dons a seafarer in the United States, as deter-  
12                               mined by the Secretary based on substantial  
13                               evidence.

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

17                               “(A) proceed in rem against the vessel on  
18                               which the affected seafarer served in the Fed-  
19                               eral district court for the district in which the  
20                               vessel is found; and

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

24                   “(3) REMEDY.—A vessel may obtain clearance  
25                   from the Secretary after it is withheld or revoked

1 under paragraph (2)(B) if the vessel owner or oper-  
2 ator—

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

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

9 “(e) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

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

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

15                 (1) in paragraph (1)—

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

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

23                 (2) by striking paragraphs (2) and (3) and in-  
24          serting the following:

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

3           “(A) so designated by the Commandant of  
4 the Coast Guard in the maritime security direc-  
5 tive issued by the Commandant and in effect on  
6 the date on which an applicable voyage begins;  
7 and

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

14 **SEC. 312. UNINSPECTED PASSENGER VESSELS IN THE VIR-**  
15 **GIN ISLANDS.**

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

18           (1) by redesignating subsection (b) as sub-  
19 section (c); and

20           (2) by inserting after subsection (a) the fol-  
21 lowing:

22           “(b) In applying this title with respect to an  
23 uninspected vessel of less than 24 meters overall in length  
24 that carries passengers to or from a port in the United  
25 States Virgin Islands, the Secretary shall substitute ‘12

1 passengers’ for ‘6 passengers’ each place it appears in sec-  
2 tion 2101(42) if the Secretary determines that the vessel  
3 complies with—

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

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

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

18 **SEC. 313. OFFSHORE SUPPLY VESSEL THIRD-PARTY IN-**  
19 **SPECTION.**

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

23 “(f)(1) Upon request of an owner or operator of an  
24 offshore supply vessel, the Secretary shall delegate the au-  
25 thorities set forth in paragraph (1) of subsection (b) with

1 respect to such vessel to a classification society to which  
2 a delegation is authorized under that paragraph. A delega-  
3 tion by the Secretary under this subsection shall be used  
4 for any vessel inspection and examination function carried  
5 out by the Secretary, including the issuance of certificates  
6 of inspection and all other related documents.

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

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

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

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

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

5 **SEC. 314. SURVIVAL CRAFT.**

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

8 **“§ 3104. Survival craft**

9           “(a) The Secretary shall require that a passenger ves-  
10 sel be equipped with survival craft that ensures that no  
11 part of an individual is immersed in water, if—

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

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

16           “(b) The Secretary may revise part 117 or part 180  
17 of title 46, Code of Federal Regulations, as in effect before  
18 January 1, 2016, if such revision provides a higher stand-  
19 ard of safety than is provided by the regulations in effect  
20 on or before the date of enactment of the Coast Guard  
21 and Maritime Transportation Act of 2014.

22           “(c) The Secretary may, in lieu of the requirements  
23 set out in part 117 or part 180 of title 46, Code of Federal  
24 Regulations, as in effect on the date of the enactment of  
25 the Coast Guard and Maritime Transportation Act of



1 2014, allow a passenger vessel to be equipped with a life  
2 saving appliance or arrangement of an innovative or novel  
3 design that—

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

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

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

11 (b) REVIEW; REVISION OF REGULATIONS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 **TITLE IV—FEDERAL MARITIME**  
13 **COMMISSION**

14 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to the Federal  
16 Maritime Commission \$24,700,000 for each of fiscal years  
17 2015 and 2016.

18 **SEC. 402. TERMS OF COMMISSIONERS.**

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

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

23 “(2) TERMS.—The term of each Commissioner  
24 is 5 years. When the term of a Commissioner ends,  
25 the Commissioner may continue to serve until a suc-

1 cessor is appointed and qualified, but for a period  
2 not to exceed one year. Except as provided in para-  
3 graph (3), no individual may serve more than 2  
4 terms.”; and

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

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

16 “(4) CONFLICTS OF INTEREST.—

17 “(A) LIMITATION ON RELATIONSHIPS  
18 WITH REGULATED ENTITIES.—A Commissioner  
19 may not have a pecuniary interest in, hold an  
20 official relation to, or own stocks or bonds of  
21 any entity the Commission regulates under  
22 chapter 401 of this title.

23 “(B) LIMITATION ON OTHER ACTIVI-  
24 TIES.—A Commissioner may not engage in an-  
25 other business, vocation, or employment.”.

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

## 6 **TITLE V—COMMERCIAL VESSEL** 7 **DISCHARGE REFORM**

### 8 **SEC. 501. SHORT TITLE.**

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

### 11 **SEC. 502. DISCHARGES INCIDENTAL TO THE NORMAL OP-** 12 **ERATION OF CERTAIN VESSELS.**

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

## 17 **TITLE VI—MISCELLANEOUS**

### 18 **SEC. 601. DISTANT WATER TUNA FLEET.**

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

22 (1) in subsection (b)—

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

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

5                   (B) in paragraph (2), by striking “An  
6           equivalent credential” and inserting “A creden-  
7           tial”; and

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

10 **SEC. 602. VESSEL DETERMINATION.**

11           The vessel assigned United States official number  
12 1205366 is deemed a new vessel effective on the date of  
13 delivery of the vessel after January 1, 2012, from a pri-  
14 vately owned United States shipyard, if no encumbrances  
15 are on record with the Coast Guard at the time of the  
16 issuance of the new certificate of documentation for the  
17 vessel.

18 **SEC. 603. LEASE AUTHORITY.**

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

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

1 (1) lease payments are—

2 (A) received exclusively in the form of  
3 cash;

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

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

9 (2) the lease does not provide authority to or  
10 commit the Coast Guard to use or support any im-  
11 provements to such submerged lands or tidelands, or  
12 obtain goods or services from the lessee.

13 **SEC. 604. NATIONAL MARITIME STRATEGY.**

14 (a) IN GENERAL.—Not later than 60 days after the  
15 date of enactment of this Act, the Secretary of Transpor-  
16 tation, in consultation with the Secretary of the depart-  
17 ment in which the Coast Guard is operating, shall submit  
18 to the Committee on Transportation and Infrastructure  
19 of the House of Representatives and the Committee on  
20 Commerce, Science, and Transportation of the Senate a  
21 national maritime strategy.

22 (b) CONTENTS.—The strategy required under sub-  
23 section (a) shall—

24 (1) identify—

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

4 (B) the impact of reduced cargo flow due  
5 to reductions in the number of members of the  
6 United States Armed Forces stationed or de-  
7 ployed outside of the United States; and

8 (2) include recommendations to—

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

12 (B) increase the use of United States flag  
13 vessels to carry cargo imported to and exported  
14 from the United States;

15 (C) assure compliance by Federal agencies  
16 with chapter 553 of title 46, United States  
17 Code;

18 (D) increase the use of third-party inspec-  
19 tion and certification authorities to inspect and  
20 certify vessels;

21 (E) increase the use of short sea transpor-  
22 tation routes designated under section 55601(c)  
23 of title 46, United States Code, to enhance  
24 intermodal freight movements; and



1 (F) enhance United States shipbuilding ca-  
2 pability.

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

4 Not later than 30 days after the date of the enact-  
5 ment of this Act, and thereafter with the submission of  
6 the budget proposal submitted for each of fiscal years  
7 2016, 2017, and 2018 under section 1105 of title 31,  
8 United States Code, the Secretary of the department in  
9 which the Coast Guard is operating shall submit to the  
10 Committee on Transportation and Infrastructure of the  
11 House of Representatives and the Committee on Com-  
12 merce, Science, and Transportation of the Senate, a report  
13 on—

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

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

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

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

8                   (B) the safety of maritime transportation;  
9                   and

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

13 **SEC. 606. VALLEY VIEW FERRY.**

14           (a) EXEMPTION.—Section 8902 of title 46, United  
15 States Code, shall not apply to the vessel John Craig  
16 (United States official number D1110613) when such ves-  
17 sel is operating on the portion of the Kentucky River, Ken-  
18 tucky, located at approximately mile point 158, in Pool  
19 Number 9, between Lock and Dam Number 9 and Lock  
20 and Dam Number 10.

21           (b) APPLICATION.—Subsection (a) shall apply on and  
22 after the date on which the Secretary determines that a  
23 licensing requirement has been established under Ken-  
24 tucky State law that applies to an operator of the vessel  
25 John Craig.

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

2 (a) IN GENERAL.—The Commandant of the Coast  
3 Guard shall enter into an arrangement with the National  
4 Academy of Sciences to conduct an assessment of authori-  
5 ties under subtitle II of title 46, United States Code, that  
6 have been delegated to the Coast Guard that impact the  
7 ability of vessels documented under the laws of the United  
8 States to effectively compete in the carriage of merchan-  
9 dise and passengers in the international trade.

10 (b) REVIEW OF DIFFERENCES WITH IMO STAND-  
11 ARDS.—The assessment under subsection (a) shall include  
12 a review of differences between United States laws, poli-  
13 cies, regulations, and guidance governing the inspection  
14 of vessels documented under the laws of the United States  
15 and standards set by the International Maritime Organi-  
16 zation governing the inspection of vessels.

17 (c) DEADLINE.—Not later than 180 days after the  
18 date on which the Commandant enters into an arrange-  
19 ment with the National Academy of Sciences under sub-  
20 section (a), the Commandant shall submit the assessment  
21 required under such subsection to the Committee on  
22 Transportation and Infrastructure of the House of Rep-  
23 resentatives and the Committee on Commerce, Science,  
24 and Transportation of the Senate.

1 **SEC. 608. SURVEY.**

2 Not later than 30 days after the date of enactment  
3 of this Act, the Commandant of the Coast Guard shall  
4 submit to the Committee on Transportation and Infra-  
5 structure of the House of Representatives and the Com-  
6 mittee on Commerce, Science, and Transportation of the  
7 Senate a survey of the parcel of real property under the  
8 administrative control of the Coast Guard, consisting of  
9 approximately 1.95 acres (measured at the mean low-  
10 water mark) located at the entrance to Gig Harbor, Wash-  
11 ington, and commonly known as the Gig Harbor Sand Spit  
12 Area.

○