

115TH CONGRESS  
1ST SESSION

# S. 1129

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

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IN THE SENATE OF THE UNITED STATES

MAY 16, 2017

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

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## A BILL

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

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

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

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

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

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

### TITLE I—AUTHORIZATIONS

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

## TITLE II—COAST GUARD

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

## TITLE III—MARINE SAFETY

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

## TITLE IV—MARITIME SECURITY

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

## TITLE V—MISCELLANEOUS

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

## TITLE VI—DEPARTMENT OF COMMERCE VESSELS

Sec. 601. Waivers for certain contracts.

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

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

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

10 **TITLE I—AUTHORIZATIONS**

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

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

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

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

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

20 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 6 **TITLE II—COAST GUARD**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14                   (1) by inserting “(a) IN GENERAL.—” before  
15                   “Any regular” and indenting appropriately;  
16                   (2) in subsection (a), as designated—

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

9 (d) REPORT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 **TITLE III—MARINE SAFETY**

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

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

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

“Sec.

“701. Administration.

“702. Chemical Transportation Advisory Committee.

“703. Commercial Fishing Safety Advisory Committee.

“704. Great Lakes Pilotage Advisory Committee.

“705. Lower Mississippi River Waterway Safety Advisory Committee.

“706. Merchant Marine Personnel Advisory Committee.

“707. Merchant Mariner Medical Advisory Committee.

“708. National Boating Safety Advisory Council.

“709. National Maritime Security Advisory Committee.

“710. National Offshore Safety Advisory Committee.

“711. Navigation Safety Advisory Council.

“712. Towing Safety Advisory Committee.

17 **“§ 701. Administration**

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

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

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

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

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

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

13               “(A) chapter 73 of title 5;

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

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

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

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

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

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

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

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

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

18 “(c) ORGANIZATION.—

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

22 “(2) MEMBERSHIP.—

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



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

6                   “(i) Chemical manufacturing.

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

9                   “(iii) Vessel design and construction.

10                  “(iv) Marine safety or security.

11                  “(v) Marine environmental protection.

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

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

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

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

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

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

11 “(B) APPOINTMENTS.—

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

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

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

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

1 “(5) TERM; VACANCY.—

2 “(A) TERM.—

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

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

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

19 “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

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

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

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

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

19           “(c) ORGANIZATION.—

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

23               “(2) MEMBERSHIP.—

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

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

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

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

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

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

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

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

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

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

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

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

9 “(D) EXCEPTION.—

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

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

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

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

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

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

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

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

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

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

22           “(B) APPOINTMENTS.—

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



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

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

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

12               “(5) TERM; VACANCY.—

13               “(A) TERM.—

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

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

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

5           “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

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

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

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

5 “(b) FUNCTION; RECOMMENDATIONS.—

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

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

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

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

19 “(c) ORGANIZATION.—

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

23 “(2) MEMBERSHIP.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(B) APPOINTMENTS.—

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

“(ii) LIMITATIONS.—The Secretary may not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

“(iii) REAPPOINTMENTS.—The Secretary may reappoint a member to the Committee more than once.

“(C) SERVICE.—Each member of the Committee shall serve at the pleasure of the Secretary.

“(5) TERM; VACANCY.—

“(A) TERM.—

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

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

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

13               “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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



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

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

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

14 “(8) OBSERVERS.—

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

21 “(B) REQUIREMENTS.—Each observer—

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

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

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

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

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

7 “(C) DESIGNATION; EXPERIENCE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19          “(c) ORGANIZATION.—

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

23               “(2) MEMBERSHIP.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 “(D) ADDITIONAL MEMBERS.—

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

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

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

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

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

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

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

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

“(B) APPOINTMENTS.—

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

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

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



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

4           “(5) TERM; VACANCY.—

5           “(A) TERM.—

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

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

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

22          “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(d) MEMBERSHIP.—

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

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

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

9           “(i) each of whom—

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

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

17           “(ii) among whom shall be—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 “(ii) among whom shall be—

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

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

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

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

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

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

16                  “(3) STATUS OF MEMBERS.—

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

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

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

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

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

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

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

20 “(B) APPOINTMENTS.—

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

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



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

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

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

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

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

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

1 “(5) TERM; VACANCY.—

2 “(A) TERM.—

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

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

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

19 “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(3) medical examiner education; and

16 “(4) medical research.

17 “(c) ORGANIZATION.—

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

21 “(2) MEMBERSHIP.—

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

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

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

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

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

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

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

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

23                   “(B) APPOINTMENTS.—

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

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

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

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

15 “(5) TERM; VACANCY.—

16 “(A) TERM.—

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

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

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

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

8           “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

20           “(b) ORGANIZATION.—

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

24           “(2) MEMBERSHIP.—



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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(B) APPOINTMENTS.—

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

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

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

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

15 “(5) TERM; VACANCY.—

16 “(A) TERM.—

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

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

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

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

8 “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

13 “(d) FEDERAL ADVISORY COMMITTEE ACT; TERMINATION.—

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

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

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

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

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

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

4 “(c) ORGANIZATION.—

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

8 “(2) MEMBERSHIP.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(B) APPOINTMENTS.—

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

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

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

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

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

23 “(5) TERM; VACANCY.—

24 “(A) TERM.—



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

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

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

17          “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

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

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

13       “(c) ORGANIZATION.—

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

17               “(2) MEMBERSHIP.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19               “(B) APPOINTMENTS.—

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

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

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

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

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

9           “(5) TERM; VACANCY.—

10          “(A) TERM.—

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

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

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

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

3           “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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



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

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

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

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

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

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

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

22 “(c) ORGANIZATION.—

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

1 “(2) MEMBERSHIP.—

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

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

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

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

14 “(ii) Professional mariners.

15 “(iii) Recreational boaters.

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

18 “(v) The Maritime Law Association.

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

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

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

7           “(B) APPOINTMENTS.—

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

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

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

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

22          “(5) TERM; VACANCY.—

23          “(A) TERM.—

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

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

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

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

14          “(6) CHAIRMAN; VICE CHAIRMAN.—

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

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

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

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

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

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

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

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

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

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

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

7       “(c) ORGANIZATION.—

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

11              “(2) MEMBERSHIP.—

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

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

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

19                           “(ii) towing safety.

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

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

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

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

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

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

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

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

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

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

1           ping of oil or hazardous materials by  
2           barge.

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

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

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

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

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

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



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

3 “(B) APPOINTMENTS.—

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

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

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

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

18 “(5) TERM; VACANCY.—

19 “(A) TERM.—

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

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

vision of law or policy, the Commandant (or the Commandant's designee) may extend the term of a member of the Committee to December 31 of the fifth full year after the effective date of the appointment.

“(iii) VACANCY.—In the case of an appointment to fill a vacancy on the Committee, the Secretary shall appoint an individual for a full term.

“(6) CHAIRMAN; VICE CHAIRMAN.—

“(A) IN GENERAL.—The Commandant (or the Commandant's designee) shall designate 1 member of the Committee as the Chairman and another member of the Committee as the Vice Chairman, both of whom shall serve in such capacity at the pleasure of the Commandant (or the Commandant's designee) and for a term to be fixed by the Commandant (or the Commandant's designee).

“(B) RECOMMENDATIONS.—The Commandant (or the Commandant's designee) may solicit, from the Committee, recommendations with regard to the members whom the Commandant (or the Commandant's designee) shall

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

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

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

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

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

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

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

23 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

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

“7. Coast Guard advisory committees ..... 701”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(a) ESTABLISHMENT OF COMMITTEES.—

4 “(1) The Secretary may—

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

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

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

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

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

23 “(C) shall meet at the call of—

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

4 “(ii) a majority of the Committee.”;  
5 (C) in subsection (b)—

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

9 (ii) in paragraph (3)—

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

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

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

20 (iv) in paragraph (5)—

21 (I) by striking subparagraph (A);

22 and

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



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

4 (E) by striking subsection (d);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (A) Chemical Transportation Advisory  
11 Committee.

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

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

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

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

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

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

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

10 (I) National Offshore Safety Advisory  
11 Committee.

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

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

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

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

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

5 (1) in subsection (a)—

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

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

13 (2) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

12 (1) in section 12102—

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

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

23 (2) in section 12301—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7           (e) DEFINITIONS.—In this section:

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

12               (A) the switch is not properly connected;

13               or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 “(d) AUXILIARY CRAFT.—

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

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

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

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

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

4 **SEC. 315. INLAND WATERWAY AND RIVER TENDER ACQUISI-**  
5 **TION PLAN.**

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

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

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



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

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

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

12 (1) Levels of equipment and assets.

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

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

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

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

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

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

## 5 **TITLE IV—MARITIME SECURITY**

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

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

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

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

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

18 (a) DEFINITIONS.—In this section:

19 (1) CANINE CURRENCY DETECTION TEAM.—

20 The term “canine currency detection team” means a  
 21 canine and a canine handler that are trained to de-  
 22 tect currency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (4) an explanation of—

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

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

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

ceiving the information it needs to carry out its responsibilities;

(6) an assessment of the assets and infrastructure necessary to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy dated May 2013 based on factors such as—

(A) response time;

(B) coverage area;

(C) endurance on scene;

(D) presence; and

(E) deterrence; and

(7) an analysis of National Security Cutters, Offshore Patrol Cutters, and Fast Response Cutters capabilities based on the factors described in subparagraphs (A) through (E) of paragraph (6), both stationed from various Alaska ports and in other locations.

## **TITLE V—MISCELLANEOUS**

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

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

### **SEC. 502. ACQUISITION WORKFORCE EXPEDITED HIRING AUTHORITY.**

(a) EXPEDITED HIRING AUTHORITY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

“563b. Acquisition workforce reemployment authority.”.

15 **SEC. 503. DRAWBRIDGES.**

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

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

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

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

1 bors, and for other purposes”, approved August 18, 1894  
 2 (33 U.S.C. 499), is amended by adding at the end the  
 3 following—

4 “(d) TEMPORARY CHANGES TO DRAWBRIDGE OPER-  
 5 ATING SCHEDULES.—Notwithstanding section 553 of title  
 6 5, United States Code, whenever a temporary change to  
 7 the operating schedule of a drawbridge, lasting 180 days  
 8 or less, is approved—

9 “(1) the Secretary of the department in which  
 10 the Coast Guard is operating shall—

11 “(A) issue a deviation approval letter to  
 12 the bridge owner;

13 “(B) publish a notice of the temporary de-  
 14 viation from the regulations in the Federal Reg-  
 15 ister; and

16 “(C) announce the temporary change in—

17 “(i) the Local Notice to Mariners;

18 “(ii) broadcast notices to mariners  
 19 through the Coast Guard radio station or  
 20 Navy radio station, or both; or

21 “(iii) such other local media as the  
 22 Secretary considers appropriate; and

23 “(2) the bridge owner, except a railroad bridge  
 24 owner, shall notify—

1           “(A) the public by publishing notice of the  
2           temporary change in a newspaper of general  
3           circulation published in the place where the  
4           bridge is located;

5           “(B) the department, agency, or office of  
6           transportation with jurisdiction over the road-  
7           way that abuts the approaches to the bridge;  
8           and

9           “(C) the law enforcement organization  
10          with jurisdiction over the roadway that abuts  
11          the approaches to the bridge.

12          “(e) DRAWBRIDGE MOVEMENTS.—The Secretary of  
13          the department in which the Coast Guard is operating—

14               “(1) shall require a drawbridge operator to  
15          record each movement of the drawbridge in a log;

16               “(2) may inspect the log to ensure drawbridge  
17          movement is in accordance with the posted operating  
18          schedule; and

19               “(3) may determine if the operating schedule  
20          should be adjusted for efficiency.”.

21      **SEC. 504. INCENTIVE CONTRACT; COAST GUARD YARD AND**  
22                                      **INDUSTRIAL ESTABLISHMENTS.**

23          (a) IN GENERAL.—Whenever the parties to a project  
24          order for industrial work to be performed by the Coast  
25          Guard Yard or a designated Coast Guard industrial estab-

1 lishment agree that delivery or technical performance of  
2 the wage-grade industrial employees may, during the term  
3 of such project order, improve, the parties to such project  
4 order may, notwithstanding any other provision of law, in-  
5 cluding any provision of law that provides for the time  
6 or purpose of appropriated funds, enter into an incentive  
7 project order or a cost-plus-incentive-fee project order by  
8 which an agreed upon amount of the adjustment to be  
9 made pursuant to section 648(a) of title 14, United States  
10 Code, may, notwithstanding that provision of law or any  
11 other provision of law, be distributed as an incentive to  
12 the wage-grade industrial employees who completed the  
13 project order.

14 (b) CONDITION.—Before entering into an incentive  
15 project order or a cost-plus-incentive-fee project order, the  
16 commanding officer of the Coast Guard Yard or the com-  
17 manding officer of the Coast Guard industrial establish-  
18 ment, as the case may be, shall complete a determination  
19 and finding for such incentive project order or cost-plus-  
20 incentive-fee project order that justifies the use of such  
21 project order as in the best interest of the Federal Govern-  
22 ment.

23 (c) TREATMENT OF INCENTIVE AWARD.—Notwith-  
24 standing any other provision of law, in the event that the  
25 industrial workforce of the Coast Guard Yard or a Coast

1 Guard industrial establishment satisfies the performance  
 2 target set out in an incentive project order or a cost-plus-  
 3 incentive-fee project order—

4 (1) the adjustment to be made pursuant to sec-  
 5 tion 648(a) of title 14, United States Code, shall,  
 6 notwithstanding that provision of law, be reduced by  
 7 the agreed amount and distributed as an incentive to  
 8 such wage-grade industrial employees; and

9 (2) the remainder of the adjustment shall be  
 10 credited to the appropriation current at that time.

11 **SEC. 505. COAST GUARD HEALTH-CARE PROFESSIONALS;**  
 12 **LICENSURE PORTABILITY.**

13 (a) IN GENERAL.—Section 1094(d)(1) of title 10,  
 14 United States Code, shall apply in the same manner and  
 15 to the same degree as such section applies to a health-  
 16 care professional described in subsection (d)(2) of that  
 17 section to a health-care professional described in sub-  
 18 section (b) of this section.

19 (b) HEALTH-CARE PROFESSIONAL.—A health-care  
 20 professional described in this subsection is a member of  
 21 the Coast Guard, civilian employee of the Coast Guard,  
 22 member of the Public Health Service assigned to the Coast  
 23 Guard, personal services contractor under section 1091 of  
 24 title 10, United States Code, or other health-care profes-  
 25 sional credentialed and privileged at a Federal health care

1 institution or location specially designated by the Sec-  
 2 retary of the department in which the Coast Guard is op-  
 3 erating for this purpose who—

4           (1) has a current license to practice medicine,  
 5           osteopathic medicine, dentistry, or another health  
 6           profession; and

7           (2) is performing authorized duties for the  
 8           Coast Guard.

9 **SEC. 506. LAND EXCHANGE; AYAKULIK ISLAND, ALASKA.**

10       (a) LAND EXCHANGE; AYAKULIK ISLAND, ALAS-  
 11 KA.—If the owner of Ayakulik Island, Alaska, offers to  
 12 exchange the Island for the Tract—

13           (1) within 30 days after receiving such offer,  
 14           the Secretary shall provide notice of the offer to the  
 15           Commandant;

16           (2) within 30 days after receiving the notice  
 17           under paragraph (1), the Commandant shall develop  
 18           and transmit to the Secretary proposed operational  
 19           restrictions on commercial activity conducted on the  
 20           Tract, including the right of the Commandant to—

21                   (A) order the immediate termination, for a  
 22                   period of up to 72 hours, of any activity occur-  
 23                   ring on or from the Tract that violates or  
 24                   threatens to violate 1 or more of such restric-  
 25                   tions; or

1 (B) commence a civil action for appro-  
2 priate relief, including a permanent or tem-  
3 porary injunction enjoining the activity that vio-  
4 lates or threatens to violate such restrictions;

5 (3) within 30 days after receiving the proposed  
6 operational restrictions from the Commandant, the  
7 Secretary shall transmit such restrictions to the  
8 owner of Ayakulik Island; and

9 (4) within 30 days after transmitting the pro-  
10 posed operational restrictions to the owner of  
11 Ayakulik Island, and if the owner agrees to such re-  
12 strictions, the Secretary shall convey all right, title,  
13 and interest of the United States in and to the  
14 Tract to the owner, subject to an easement granted  
15 to the Commandant to enforce such restrictions, in  
16 exchange for all right, title, and interest of such  
17 owner in and to Ayakulik Island.

18 (b) BOUNDARY REVISIONS.—The Secretary may  
19 make technical and conforming revisions to the boundaries  
20 of the Tract before the date of the exchange.

21 (c) PUBLIC LAND ORDER.—Effective on the date of  
22 an exchange under subsection (a), Public Land Order  
23 5550 shall have no force or effect with respect to sub-  
24 merged lands that are part of the Tract.

1 (d) FAILURE TO TIMELY RESPOND TO NOTICE.—If  
2 the Commandant does not transmit proposed operational  
3 restrictions to the Secretary within 30 days after receiving  
4 the notice under subsection (a)(1), the Secretary shall, by  
5 not later than 60 days after transmitting such notice, con-  
6 vey all right, title, and interest of the United States in  
7 and to the Tract to the owner of Ayakulik Island in ex-  
8 change for all right, title, and interest of such owner in  
9 and to Ayakulik Island.

10 (e) CERCLA NOT AFFECTED.—This section and an  
11 exchange under this section shall not be construed to limit  
12 the application of or otherwise affect section 120(h) of the  
13 Comprehensive Environmental Response, Compensation,  
14 and Liability Act of 1980 (42 U.S.C. 9620(h)).

15 (f) DEFINITIONS.—In this section:

16 (1) COMMANDANT.—The term “Commandant”  
17 means the Secretary of the department in which the  
18 Coast Guard is operating, acting through the Com-  
19 mandant of the Coast Guard.

20 (2) SECRETARY.—The term “Secretary” means  
21 the Secretary of the Interior.

22 (3) TRACT.—The term “Tract” means the land  
23 (including submerged land) depicted as “PRO-  
24 POSED PROPERTY EXCHANGE AREA” on the



1 survey titled “PROPOSED PROPERTY EX-  
2 CHANGE PARCEL” and dated March 22, 2017.

3 **SEC. 507. ABANDONED SEAFARERS FUND AMENDMENTS.**

4 Section 11113 of title 46, United States Code, is  
5 amended—

6 (1) in subsection (a)(2), by striking “may be  
7 appropriated to the Secretary” in the matter before  
8 subparagraph (A) and inserting “shall be available  
9 to the Secretary without further appropriation, and  
10 shall remain available until expended,”; and

11 (2) in subsection (c)—

12 (A) in paragraph (1), by inserting “plus a  
13 surcharge of 25 percent of such total amount,”  
14 after “seafarer,” in the matter preceding sub-  
15 paragraph (A); and

16 (B) by striking paragraph (4).

17 **SEC. 508. ASSISTANCE FOR SMALL SHIPYARDS.**

18 (a) IN GENERAL.—Section 54101 of title 46, United  
19 States Code, is amended—

20 (1) in the heading, by striking “**and mari-**  
21 **time communities**”;

22 (2) in subsection (a)(2), by striking “in commu-  
23 nities” and all that follows through the period and  
24 inserting “relating to shipbuilding, ship repair, and  
25 associated industries.”;

1           (3) by amending subsection (b)(1) to read as  
2 follows:

3           “(1) consider projects that foster—

4                 “(A) efficiency, competitive operations, and  
5 quality ship construction, repair, and reconfig-  
6 uration; and

7                 “(B) employee skills and enhancing pro-  
8 ductivity related to shipbuilding, ship repair,  
9 and associated industries; and”;

10          (4) in subsection (c)(1), by striking subpara-  
11 graphs (A), (B), and (C) and inserting the following:

12                 “(A) to make capital and related improve-  
13 ments in small shipyards; and

14                 “(B) to provide training for workers in  
15 shipbuilding, ship repair, and associated indus-  
16 tries.”;

17          (5) in subsection (d), by striking “unless” and  
18 all that follows and inserting a period;

19          (6) in subsection (e)—

20                 (A) by striking paragraph (2); and

21                 (B) by redesignating paragraph (3) as  
22 paragraph (2); and

23          (7) in subsection (i), by striking “for each of  
24 fiscal years 2015 through 2017” and all that follows

1       and inserting “to carry out this section \$5,000,000  
2       for each of fiscal years 2018 and 2019.”.

3       (b) TECHNICAL AMENDMENT.—Section 54101(f)(2)  
4 is amended by striking “shall include” and all that follows  
5 and inserting: “shall include a comprehensive description  
6 of—

7               “(1) the need for the project;

8               “(2) the methodology for implementing the  
9       project; and

10              “(3) any existing programs or arrangements  
11       that can be used to supplement or leverage assist-  
12       ance under the program.”.

13       (c) SAVINGS CLAUSE.—Nothing in this section, or  
14 the amendments made by this section, shall affect an  
15 agreement to provide assistance under section 54101 of  
16 title 46, United States Code, that was executed before Oc-  
17 tober 1, 2017. Such an agreement shall continue to be  
18 subject to the requirements to which such agreement was  
19 subject under section 54101 of that title as in effect on  
20 the day before October 1, 2017.

21 **SEC. 509. SMALL SHIPYARD CONTRACTS.**

22       (a) IN GENERAL.—Chapter 17 of title 14, United  
23 States Code, is amended by inserting after section 667 the  
24 following:

1 **“§ 667a. Construction of Coast Guard vessels and as-**  
 2 **signment of vessel projects**

3 “The assignment of Coast Guard vessel conversion,  
 4 alteration, and repair projects shall be based on economic  
 5 and military considerations and may not be restricted by  
 6 a requirement that certain parts of Coast Guard shipwork  
 7 be assigned to a particular type of shipyard or geo-  
 8 graphical area or by a similar requirement.”.

9 (b) TABLE OF CONTENTS.—The table of contents of  
 10 chapter 17 of title 14, United States Code, is amended  
 11 by inserting after the item relating to section 667 the fol-  
 12 lowing:

“667a. Construction of Coast Guard vessels and assignment of vessel projects.”.

13 **SEC. 510. WESTERN CHALLENGER; CERTIFICATE OF DOCU-**  
 14 **MENTATION.**

15 Section 604(b) of the Howard Coble Coast Guard and  
 16 Maritime Transportation Act of 2014 (Public Law 113–  
 17 281; 128 Stat. 3062) is amended by inserting “and a fish-  
 18 eries endorsement” after “endorsement”.

19 **TITLE VI—DEPARTMENT OF**  
 20 **COMMERCE VESSELS**

21 **SEC. 601. WAIVERS FOR CERTAIN CONTRACTS.**

22 Section 3134 of title 40, United States Code, is  
 23 amended—

24 (1) by inserting “Secretary of Homeland Secu-  
 25 rity,” after “Air Force,” each place it appears; and

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

2           “(c) COMMERCE.—The Secretary of Commerce may  
3 waive this subchapter with respect to contracts for the  
4 construction, alteration, or repair of vessels, regardless of  
5 the terms of the contracts as to payment or title, when  
6 the contract is made under the Act entitled ‘An Act to  
7 define the functions and duties of the Coast and Geodetic  
8 Survey, and for other purposes’, approved August 6, 1947  
9 (33 U.S.C. 883a et seq.).”.

○