

113TH CONGRESS
2D SESSION

S. 2076

To amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2014

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

A BILL

To amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, 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.**

4 This Act may be cited as the “U.S. Merchant Marine
5 Academy Board of Visitors Enhancement Act”.

6 **SEC. 2. UNITED STATES MERCHANT MARINE ACADEMY**
7 **BOARD OF VISITORS.**

8 Section 51312 of title 46, United States Code, is
9 amended to read as follows:

1 **“§ 51312. Board of Visitors**

2 “(a) IN GENERAL.—A Board of Visitors to the
3 United States Merchant Marine Academy (referred to in
4 this section as the ‘Board’ and the ‘Academy’, respec-
5 tively) shall be established to provide independent advice
6 and recommendations on matters relating to the United
7 States Merchant Marine Academy.

8 “(b) APPOINTMENT AND MEMBERSHIP.—

9 “(1) IN GENERAL.—Not later than 60 days
10 after the date of the enactment of the U.S. Mer-
11 chant Marine Academy Board of Visitors Enhance-
12 ment Act, the Board shall be composed of—

13 “(A) 2 Senators appointed by the chair-
14 man, in consultation with the ranking member,
15 of the Committee on Commerce, Science, and
16 Transportation of the Senate;

17 “(B) 3 members of the House of Rep-
18 resentatives appointed by the chairman, in con-
19 sultation with the ranking member, of the Com-
20 mittee on Armed Services of the House of Rep-
21 resentatives;

22 “(C) 1 Senator appointed by the Vice
23 President, who shall be a member of the Com-
24 mittee on Appropriations of the Senate;

25 “(D) 2 members of the House of Rep-
26 resentatives appointed by the Speaker of the

1 House of Representatives, in consultation with
2 the Minority Leader, at least 1 of whom shall
3 be a member of the Committee on Appropria-
4 tions of the House of Representatives;

5 “(E) the Commander of the United States
6 Transportation Command;

7 “(F) the Commander of the Military Sea-
8 lift Command;

9 “(G) the Assistant Commandant for Pre-
10 vention Policy of the United States Coast
11 Guard;

12 “(H) 4 individuals appointed by the Presi-
13 dent; and

14 “(I) as ex officio members—

15 “(i) the chairman of the Committee
16 on Commerce, Science, and Transportation
17 of the Senate;

18 “(ii) the chairman of the Committee
19 on Armed Services of the House of Rep-
20 resentatives;

21 “(iii) the chairman of the Advisory
22 Board to the Academy established under
23 section 51313; and

24 “(iv) the member of the House of
25 Representatives in whose congressional dis-

1 trict the Academy is located, as a non-vot-
2 ing member, unless such member of the
3 House of Representatives is appointed as a
4 voting member of the Board under sub-
5 paragraph (B) or (D).

6 “(2) PRESIDENTIAL APPOINTEES.—Of the indi-
7 viduals appointed by the President under paragraph
8 (1)(H)—

9 “(A) at least 2 shall be graduates of the
10 Academy;

11 “(B) at least 1 shall be a senior corporate
12 officer from a United States maritime shipping
13 company that participates in the Maritime Se-
14 curity Program, or in any Maritime Adminis-
15 tration program providing incentives for compa-
16 nies to register their vessels in the United
17 States, and this appointment shall rotate bien-
18 nially among such companies; and

19 “(C) 1 or more may be a Senate-confirmed
20 Presidential appointee, a member of the Senior
21 Executive Service, or an officer of flag-rank
22 who from the United States Coast Guard, the
23 National Oceanic and Atmospheric Administra-
24 tion, or any of the military services that com-
25 mission graduates of the Academy, exclusive of

1 the Board members described in subparagraph
2 (E), (F), or (G) of paragraph (1).

3 “(3) TERM OF SERVICE.—Each member of the
4 Board shall serve for a term of 2 years commencing
5 at the beginning of each Congress, except that any
6 member whose term on the Board has expired shall
7 continue to serve until a successor is designated.

8 “(4) VACANCIES.—If a member of the Board is
9 no longer able to serve on the Board or resigns, the
10 Designated Federal Officer selected under subsection
11 (g)(2) shall immediately notify the official who ap-
12 pointed such member. Not later than 60 days after
13 that notification, such official shall designate a re-
14 placement to serve the remainder of such member’s
15 term.

16 “(5) CURRENT MEMBERS.—Each member of
17 the Board serving as a member of the Board on the
18 date of the enactment of the U.S. Merchant Marine
19 Academy Board of Visitors Enhancement Act shall
20 continue to serve on the Board for the remainder of
21 such member’s term.

22 “(6) DESIGNATION AND RESPONSIBILITY OF
23 SUBSTITUTE BOARD MEMBERS.—

24 “(A) AUTHORITY TO DESIGNATE.—A
25 member of the Board described in subpara-

graph (E), (F), or (G) of paragraph (1) or subparagraph (B) or (C) of paragraph (2) may, if unable to attend or participate in an activity described in subsection (d), (e), or (f), designate another individual to serve as a substitute member of the Board, on a temporary basis, to attend or participate in such activity.

“(B) REQUIREMENTS.—A substitute member of the Board designated under subparagraph (A) shall be—

“(i) an individual who has been appointed by the President and confirmed by the Senate;

“(ii) a member of the Senior Executive Service; or

“(iii) an officer of flag-rank who is employed by—

“(I) the United States Coast Guard;

“(II) the United States Transportation Command; or

“(III) the Military Sealift Command.

1 “(C) PARTICIPATION.—A substitute mem-
 2 ber of the Board designated under subpara-
 3 graph (A)—

4 “(i) shall be permitted to fully partici-
 5 pate in the proceedings and activities of
 6 the Board;

7 “(ii) shall report back to the member
 8 on the Board’s activities not later than 15
 9 days following the substitute member’s
 10 participation in such activities; and

11 “(iii) shall be permitted to participate
 12 in the preparation of reports described in
 13 paragraph (j) related to any proceedings or
 14 activities of the Board in which such sub-
 15 stitute member participates.

16 “(c) CHAIRPERSON.—

17 “(1) IN GENERAL.—On a biennial basis, the
 18 Board shall select from among its members, a mem-
 19 ber of the House of Representatives or a Senator to
 20 serve as the Chairperson.

21 “(2) ROTATION.—A member of the House of
 22 Representatives and a member of the Senate shall
 23 alternately serve as the Chair of the Board on a bi-
 24 ennial basis.

1 “(3) TERM.—An individual may not serve as
2 Chairperson for more than 1 consecutive term.

3 “(d) MEETINGS.—

4 “(1) IN GENERAL.—The Board shall meet sev-
5 eral times each year as provided for in the Charter
6 described in paragraph (2)(B), including at least 1
7 meeting held at the Academy.

8 “(2) SELECTION AND CONSIDERATION.—Not
9 later than 60 days after the date of the enactment
10 of the U.S. Merchant Marine Academy Board of
11 Visitors Enhancement Act, the Designated Federal
12 Officer selected under subsection (g)(2) shall orga-
13 nize a meeting of the Board for the purposes of—

14 “(A) selecting a Chairperson; and

15 “(B) considering an official Charter for the
16 Board, which shall provide for the meeting of
17 the Board several times each year.

18 “(e) VISITING THE ACADEMY.—

19 “(1) ANNUAL VISIT.—The Board shall visit the
20 Academy annually on a date selected by the Board,
21 in consultation with the Secretary of Transportation
22 and the Superintendent of the Academy.

23 “(2) OTHER VISITS.—In cooperation with the
24 Superintendent, the Board or its members may

1 make other visits to the Academy in connection with
2 the duties of the Board.

3 “(3) ACCESS.—While visiting the Academy
4 under this subsection, members of the Board shall
5 have reasonable access to the grounds, facilities,
6 midshipmen, faculty, staff, and other personnel of
7 the Academy for the purpose of carrying out the du-
8 ties of the Board.

9 “(f) RESPONSIBILITY.—The Board shall inquire into
10 the state of morale and discipline, the curriculum, instruc-
11 tion, physical equipment, fiscal affairs, academic methods,
12 and other matters relating to the Academy that the Board
13 decides to consider.

14 “(g) DEPARTMENT OF TRANSPORTATION SUP-
15 PORT.—The Secretary of Transportation shall—

16 “(1) provide support as deemed necessary by
17 the Board for the performance of the Board’s func-
18 tions;

19 “(2) not later than 30 days after the date of
20 the enactment of the U.S. Merchant Marine Acad-
21 emy Board of Visitors Enhancement Act, select a
22 Designated Federal Officer to support the perform-
23 ance of the Board’s functions; and

24 “(3) in cooperation with the Maritime Adminis-
25 trator and the Superintendent of the Academy, ad-

1 vise the Board of any institutional issues, consistent
2 with applicable laws concerning the disclosure of in-
3 formation.

4 “(h) STAFF.—Staff members may be designated to
5 serve without reimbursement as staff for the Board by—

6 “(1) the Chairperson of the Board;

7 “(2) the chairman of the Committee on Com-
8 merce, Science, and Transportation of the Senate;
9 and

10 “(3) the chairman of the Committee on Armed
11 Services of the House of Representatives.

12 “(i) TRAVEL EXPENSES.—While serving away from
13 home or regular place of business, a member of the Board
14 or a staff member designated under subsection (h) shall
15 be allowed travel expenses, including per diem in lieu of
16 subsistence, as authorized under section 5703 of title 5,
17 United States Code.

18 “(j) REPORTS.—

19 “(1) ANNUAL REPORT.—Not later than 60 days
20 after each annual visit required under subsection
21 (e)(1), the Board shall submit to the President a
22 written report of its actions, views, and rec-
23 ommendations pertaining to the Academy.

1 “(2) OTHER REPORTS.—If the members of the
2 Board visit the Academy under subsection (e)(2),
3 the Board may—

4 “(A) prepare a report on such visit; and

5 “(B) if approved by a majority of the
6 members of the Board, submit such report to
7 the President not later than 60 days after the
8 date of the approval.

9 “(3) ADVISORS.—The Board may call in advis-
10 ers—

11 “(A) for consultation regarding the execu-
12 tion of the Board’s responsibility under sub-
13 section (f); or

14 “(B) to assist in the preparation of a re-
15 port described in paragraph (1) or (2).

16 “(4) SUBMISSION.—A report submitted to the
17 President under paragraph (1) or (2) shall be con-
18 currently submitted to—

19 “(A) the Secretary of Transportation;

20 “(B) the Committee on Commerce,
21 Science, and Transportation of the Senate; and

22 “(C) the Committee on Armed Services of
23 the House of Representatives.”.

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