
H. Con. Res. 230: Mr. Burton of Indiana and Mr. English of Pennsylvania.

H. Con. Res. 237: Mr. Bishop of Georgia, Ms. Foxx, Mr. Frank of Massachusetts, Mr. Kind, Mr. Rogers of Alabama, Ms. Wasserman Schultz, Mr. McCaul of Texas, Mr. McCotter, Mr. Bilirakis, Mrs. Musgrove of Florida, and Mr. Sink.

H. Con. Res. 238: Mr. Leach, Ms. Schakowsky, Ms. Eddie Bernice Johnson of Texas, Mr. Payne, Mr. Meeks of New York, Ms. Lee, Mr. Manzullo, Mr. Crowley, Mr. Rush, Mr. Conyers, Mr. Honda, Mr. Engel, Mrs. Capuano, Mr. Berman, Mr. Issa, Mr. Smith of Minnesota, Mr. Smith of New Jersey, Mr. McCotter, Mr. Wolf, and Mr. Rohrabacher.

H. Res. 15: Mrs. Blackburn, Mr. Garrett of New Jersey, Ms. Moore of Wisconsin, Mr. Pearce, Mr. Bilirakis, Mr. Lynch, Mr. Chandler, Mr. Kennedy of Minnesota, Mr. Lewis of Georgia, and Mr. Cannon.

H. Res. 38: Mr. McCotter.

H. Res. 192: Mr. Gejdalva and Ms. Baldwin.

H. Res. 322: Mr. Dent.

H. Res. 325: Mr. Owens and Mr. Meeks of New York.

H. Res. 375: Mr. Markey.

H. Res. 388: Mr. Flake and Mr. Weller.

H. Res. 429: Mr. Ortiz, Mr. Meek, Mr. Reyes, Mr. Snyder, Mr. Skelton, Mr. Thomas, Mr. Osborne, Mr. Jones of North Carolina, Ms. Zoe Lofgren of California, Mr. Royce, Mr. Visclosky, Mr. Blumenauer, Mr. Rothman, Mr. Hershel, Mr. Weldon of Florida, Ms. Inslee, Mr. Costello, Mr. Lynch, Mr. Tierney, Mr. Saro, Mr. Otter, Mr. Paul, Mr. Marchant, Mr. Crowley, Mr. Beerkley, Ms. Watson, Mr. Waxman, Mr. Lewis of Georgia, Ms. Jackson-Lee of Texas, Mr. Cummings, Ms. Corrine Brown of Florida, Mr. Gerson, Mr. Hayden, Mr. Goodlatte, Ms. Herseth, Mr. Udall of New Mexico, Mr. Larson of Connecticut, Mr. Hooley, Ms. Esch, Mr. Wu, Mr. King of New York, Mr. Delay, Mr. Hunter, Mr. Blunt, Mr. Barton of Texas, Mr. Shadegg, Mr. Ferney, Ms. Woolsey, Ms. Schakowsky, and Mr. George Miller of California.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk’s desk as follows:

61. The SPEAKER presented a petition of New York State Bar Association, relative to a resolution opposing adoption of U.S. House Resolution 97 and Senate Resolution 92; to a resolution opposing the inclusion of the findings of that review and any recommendations to enhance mission capabilities of the Coast Guard.

H. R. 889

OFFERED BY: Ms. Loretta Sanchez of California

AMENDMENT NO. 3: Page 5, line 20, strike “45,500” and insert “50,000”.

H. R. 889

OFFERED BY: Mr. Fossella

AMENDMENT NO. 4: At the end of title IV add the following:

SEC. 3007. Voyage data recorders

(a) Authority to prescribe regulations.—Chapter 35 of title 46, United States Code, is amended by adding at the end the following:

“3507. Voyage data recorders

“(a) The Secretary shall prescribe regulations that require that a passenger vessel described in section 2101(22)(D) carrying more than 350 passengers be equipped with a voyage data recorder approved in accordance with the regulations.

“(b) Regulations prescribed under subsection (a) shall provide:

“(1) standards for voyage data recorders required under the regulations;

“(2) methods for approval of models of voyage data recorders under the regulations; and

“(3) procedures for annual performance testing of voyage data recorders required under the regulations.

“(c) To implement this section and regulations prescribed under this section there is authorized to be appropriated to the Secretary $1,500,000 each fiscal year for voyage data recorders.

“(d) Deadline for regulations.—The Secretary (as that term is defined in chapter 35 of title 46, United States Code) shall initiate the prescribing of regulations under section 3507(a) of title 46, United States Code, as amended by this section, by not later than 6 months after the date of the enactment of the Act.

(c) Clerical Amendment.—The table of sections at the beginning of chapter 35 of title 46, United States Code, is amended by adding at the end the following:

“3507. Voyage data recorders.”

H. R. 889

OFFERED BY: Mr. Fossella

AMENDMENT NO. 5: At the end of title IV add the following:

SEC. 3008. Ensuring reliable medical test for offering of vessel pilots.

(a) Submission of all physical examinations.—The head of the department in which the Coast Guard is operating shall require the submission of all physical examinations, to require that an individual to whom that section applies shall submit to the Coast Guard the results of all physical examinations in accordance with the regulations.

(b) Increase in penalties for falsification of physical examination report.—In
SECTION 6. Security and Safety Review of Liquidified Natural Gas Facilities. (a) Security and Safety Review.—The Commandant of the Coast Guard shall conduct a comprehensive security and safety review of the proposed construction, expansion, or operation of a waterfront facility for the transfer of liquefied natural gas from ships to land or from land to ships, including proposed shipping routes to or from the facility. (b) Preparations of Report. —Upon completion of a review under subsection (a), the Commandant of the Coast Guard shall prepare a report setting forth the results of the review, along with any recommendations for measures that the Commandant believes are necessary to ensure the public safety and security of the proposed facility and the transportation of liquefied natural gas from ships to land or from land to ships, including proposed shipping routes to or from the facility, or to mitigate any potential adverse consequences. (c) Results of Review. —The Commandant of the Coast Guard shall transmit a copy of the report prepared under subsection (c), and shall also provide the information in such report, to the extent consistent with the protection of public safety and security, to affected State and local officials and the public. (d) Reports to Congress. —(1) Summary of Actions Taken.—Not later than 6 months after a report is provided under subsection (d), the Commandant shall transmit a report to Congress summarizing any actions the facility owner or any appropriate Federal or State agency has taken in response to the Commandant’s recommendations contained in such report. If no action has been taken, or if the implementation of the recommendations contained in such report, the Commandant shall report on the reasons why no action has been taken, and shall include views on the failure to take the recommended actions. (2) Implementation Status Report. —The Commandant shall transmit an additional implementation status report to Congress every 6 months after the recommendations contained in the Commandant’s report prepared under subsection (c) have been implemented, or the Commandant concludes that they are no longer necessary and provides an explanation of the reasons for this determination. (e) Requirement for Approval of Construction or Expansion of Urban Liquefied Natural Gas Facilities. —(1) Requirement.—No person may construct or expand any urban waterfront facility for the transfer of liquefied natural gas from ships to land or from land to ships unless the Commandant of the Coast Guard has approved such construction or expansion. The Commandant shall not approve any such construction or expansion if, as a result of the review conducted pursuant to subsection (a), the Commandant determines that the proposed construction or expansion of an existing facility, would pose a substantial risk to public safety and security in light of the potential loss of life and damage to property that could result. (2) Civil Penalty.—Any person who violates paragraph (1) shall be liable for a civil penalty of not more than $1,000,000 for each day of such violation. (3) Savings Clause.—Except as provided in paragraph (1), approval under this subsection shall not be required under any law to obtain a license, approval, or other authorization for the construction, expansion, or operation of an offshore or waterfront facility for the transfer of liquefied natural gas from ships to land or from land to ships. H.R. 889 Offered by: Mr. Markley AMENDMENT No. 6: In subtitle A of title IV, add at the end the following new section: SEC. 7. SECURITY AND SAFETY REVIEW OF LIQUEFIED NATURAL GAS FACILITIES. (a) SECURITY AND SAFETY REVIEW.—The Commandant of the Coast Guard shall conduct a comprehensive security and safety review of the proposed construction, expansion, or operation of a waterfront facility for the transfer of liquefied natural gas from ships to land or from land to ships, including proposed shipping routes to or from the facility. (b) PREPARATION OF REPORT.—Upon completion of a review under subsection (a), the Commandant of the Coast Guard shall prepare a report setting forth the results of the review, along with any recommendations for measures that the Commandant believes are necessary to ensure the public safety and security of the proposed facility and the transportation of liquefied natural gas from ships to land or from land to ships, including proposed shipping routes to or from the facility, or to mitigate any potential adverse consequences. (c) RESULTS OF REVIEW.—The Commandant of the Coast Guard shall transmit a copy of the report prepared under subsection (c), and shall also provide the information in such report, to the extent consistent with the protection of public safety and security, to affected State and local officials and the public. (d) REPORTS TO CONGRESS.—(1) SUMMARY OF ACTIONS TAKEN.—Not later than 6 months after a report is provided under subsection (d), the Commandant shall transmit a report to Congress summarizing any actions the facility owner or any appropriate Federal or State agency has taken in response to the Commandant’s recommendations contained in such report. If no action has been taken, or if the implementation of the recommendations contained in such report, the Commandant shall report on the reasons why no action has been taken, and shall include views on the failure to take the recommended actions. (2) IMPLEMENTATION STATUS REPORT.—The Commandant shall transmit an additional implementation status report to Congress every 6 months after the recommendations contained in the Commandant’s report prepared under subsection (c) have been implemented, or the Commandant concludes that they are no longer necessary and provides an explanation of the reasons for this determination. (e) REQUIREMENT FOR APPROVAL OF CONSTRUCTION OR EXPANSION OF URBAN LIQUEFIED NATURAL GAS FACILITIES.—(1) REQUIREMENT.—No person may construct or expand any urban waterfront facility for the transfer of liquefied natural gas from ships to land or from land to ships unless the Commandant of the Coast Guard has approved such construction or expansion. The Commandant shall not approve any such construction or expansion if, as a result of the review conducted pursuant to subsection (a), the Commandant determines that the proposed construction or expansion of an existing facility, would pose a substantial risk to public safety and security in light of the potential loss of life and damage to property that could result. (2) CIVIL PENALTY.—Any person who violates paragraph (1) shall be liable for a civil penalty of not more than $1,000,000 for each day of such violation. (3) SAVINGS CLAUSE.—Except as provided in paragraph (1), approval under this subsection shall not be required under any law to obtain a license, approval, or other authorization for the construction, expansion, or operation of an offshore or waterfront facility for the transfer of liquefied natural gas from ships to land or from land to ships. H.R. 889 Offered by: Mr. Inslee AMENDMENT No. 7: At the end of title IV add the following: SEC. 8. REIMBURSEMENT OF ADDITIONAL COSTS OF ELEVATED THREAT LEVEL SECURITY AND SAFETY RECOMMENDATIONS. (a) REQUIREMENT.—The Secretary of Homeland Security shall reimburse port authorities, facility operators, and State and local agencies, that are required under Federal law to provide security services or funds to implement Area Maritime Transportation Security Plans and facility security plans required by section 5(b) of the Coast Guard and Maritime Transportation Act of 2006, for 50 percent of eligible costs incurred by such persons in implementing protective measures and countermeasures in response to a national or regional risk assessment providing a threat to homeland security that is issued under the United States Coast Guard Maritime Security (MARSEC) system or any successor to such system, and that is above the baseline threat level under that system. (b) ELIGIBLE COSTS.—For purposes of subsection (a), eligible costs consist of any of the following: (1) Salary, benefits, overtime compensation, retirement contributions, and other costs of additional Coast Guard-mandated security personnel. (2) The cost of acquisition, operation, and maintenance of security equipment or facilities to be used for security monitoring and recording, security gates and fencing, marine barriers for designated security zones, security-related lighting systems, remote surveillance, concealed video systems, security and surveillance vessels, and other security and surveillance equipment that contributes to the overall security of passengers, cargo, or crewmembers. (3) The cost of screening equipment, including equipment that detects weapons of mass destruction and conventional explosives, and of testing and evaluating such equipment, to certify secure systems of transportation. (c) SUBJECT TO APPROPRIATIONS.—The requirement to provide reimbursement under this section is subject to the availability of appropriations. H.R. 889 Offered by: Mr. Markley AMENDMENT No. 8: Add at the end the following new title: TITLE—REQUIREMENTS FOR AREA MARITIME TRANSPORTATION SECURITY PLANS. SEC. 1. REQUIREMENTS FOR AREA MARITIME TRANSPORTATION SECURITY PLANS. Section 70103(b)(2) of title 46, United States Code, is amended by redesignating subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively, and by inserting after subparagraph (B) the following: “(C) include a list of each facility located in the area covered by the plan that could deter a transportation security incident in the substitution of chemicals or processes currently used in the facility with alternative chemicals or processes that would not significantly impair the ability of the facility to conduct its business;” and “(D) for areas that include or are near a large population, or that are of special economic, environmental, or national security importance and that might be damaged by a transportation security incident, include a list of special efforts, measures, or procedures required of any new facility proposed to be located within or near the area that will deter a transportation security incident involving the facility;”. H.R. 889 Offered by: Mr. Markley AMENDMENT No. 9: Add at the end the following new title: TITLE—REQUIREMENTS FOR MARITIME TRANSPORTATION SECURITY PLANS AND ASSESSMENTS SEC. 1. REQUIREMENTS FOR AREA MARITIME TRANSPORTATION SECURITY PLANS AND ASSESSMENTS. Section 70103(b)(2) of title 46, United States Code, is amended by redesigning subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively, and by inserting after subparagraph (B) the following: “(C) include a list of each facility located in the area covered by the plan that could deter a transportation security incident in the substitution of chemicals or processes currently used in the facility with alternative chemicals or processes that would not significantly impair the ability of the facility to conduct its business;” and “(D) for areas that include or are near a large population, or that are of special economic, environmental, or national security importance and that might be damaged by a transportation security incident, include a list of special efforts, measures, or procedures required of any new facility proposed to be located within or near the area that will deter a transportation security incident involving the facility;”. H.R. 889 Offered by: Mr. Souder AMENDMENT No. 10: At the end of title IV add the following new section: SEC. 9. ACQUISITION OF MARITIME REFUELING SUPPORT VESSEL FOR UNITED STATES DRUG INTERDERENCE EF FORTS IN THE EASTERN PACIFIC OCEAN. There are authorized to be appropriated $25,000,000 for fiscal year 2006 and $25,000,000 for fiscal year 2007.
for fiscal year 2007 for the Bureau for International Narcotics and Law Enforcement Affairs (INL) of the Department of State to purchase or lease a maritime refueling support vessel that is capable of refueling public vessels (as that term is defined in section 3010(3) of title 46, United States Code), and all allied warships and vessels employed in support of United States drug interdiction duties in the Eastern Pacific maritime transit zone.

H. R. 880
OFFERED BY: Mr. YOUNG OF ALASKA
AMENDMENT No. 11: At the end of title I add the following:

SEC. 103. AUTHORIZATION OF FUNDING RELATED TO HURRICANE KATRINA.

There is hereby appropriated for fiscal year 2005 for the operation and maintenance of the Coast Guard, in addition to the amounts authorized for that fiscal year by section 101(1) of the Coast Guard and Maritime Transportation Act of 2004 (118 Stat. 1010), $50,000,000 for emergency hurricane expenses, emergency repairs, and deployment of personnel, to support costs of evacuation, and for other costs resulting from immediate relief efforts related to Hurricane Katrina.

At the end of title II add the following:

SEC. 210. ICEBREAKER OPERATION AND MAINTENANCE PLAN.

The Secretary of the department in which the Coast Guard is operating shall—

(A) have on hand 90 days after the date of the enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for operation and maintenance of Coast Guard icebreakers in the waters of Antarctica after fiscal year 2004; and

(B) ensure that any proceeds from the transfer of funds to the Coast Guard by any other Federal agency; and

(C) subject to the availability of appropriations, implement the plan in fiscal years after fiscal year 2006.

SEC. 211. OPERATION AS A SERVICE IN THE NAVY.

Section 3 of title 14, United States Code, is amended by striking “Upon the declaration of war or when” and inserting “When”.

SEC. 212. RECOMMENDATION, RECOGNITION, AND THANKS.

The Congress—

(A) recommends...spread湾 and beyond the call of duty; and (B) thanks them for their continued dedication and service.

SEC. 213. HOMEOWNERS ASSISTANCE FOR COAST GUARD PROPERTY AFFECTED BY HURRICANE KATRINA.

(a) IN GENERAL.—Notwithstanding any other provisio of law, the Secretary of the Treasury, or the Coast Guard is operating may reimburse a person who is eligible under subsection (b) for reimbursement under this section, for losses of qualified property owned by such person that result from damage caused by Hurricane Katrina.

(b) ELIGIBLE PERSONS.—A person is eligible for reimbursement under this section if the person is a civilian employee of the Federal Government or member of the uniformed services who—

(1) was assigned to, or employed at or in connection with, a Coast Guard facility located in the State of Louisiana, Mississippi, or Alabama on or before August 28, 2005;

(2) incurred damage to such qualified property under subsection (e); and

(3) as a result of the effects of Hurricane Katrina, incurred damage to such qualified property such that—

(A) the qualified property is unsalable (as determined by the Secretary); and

(B) the proceeds, if any, of insurance for such damage are less than an amount equal to the greater of—

(i) the fair market value of the qualified property on August 28, 2005 (as determined by the Secretary); or

(ii) the outstanding mortgage, if any, on the qualified property on that date.

(c) REIMBURSEMENT AMOUNT.—The amount of the reimbursement that an eligible person may be paid under this section with respect to a qualified property shall be determined as follows:

(1) In the case of qualified property that is a dwelling or condominium unit, the amount shall be—

(A) the amount equal to the greater of—

(i) 85 percent of the fair market value of the dwelling or condominium unit on August 28, 2005 (as determined by the Secretary); or

(ii) the outstanding mortgage, if any, on the dwelling or condominium unit on that date; minus

(B) the proceeds, if any, of insurance referred to in subsection (b)(3)(B).

(2) In the case of qualified property that is a manufactured home, the amount shall be—

(A) if the person also owns the real property underlying such home, the amount determined under paragraph (1); or

(B) if the owner leases such underlying property—

(i) the amount determined under paragraph (1); plus

(ii) the amount of rent payable under the lease of such property beginning on August 28, 2005, and ending on the date of the reimbursement under this section.

(d) TRANSFER AND DISPOSAL OF PROPERTY.—

(1) IN GENERAL.—An owner receiving reimbursement under this section shall transfer to the Secretary of the Treasury the interest of the owner in the qualified property for which the owner receives such reimbursement.

The Secretary shall hold, manage, and dispose of such qualified property in the same manner that the Secretary of Defense holds, manages, and disposes of real property under section 1013 of the Defense of Civics and Metropolitan Development Act of 1966 (42 U.S.C. 3374).

(2) TREATMENT OF PROCEEDS.—Any amount received by the Secretary as proceeds of management or disposal of property by the Secretary under this subsection shall be deposited in the general fund of the Treasury as offsetting receipts of the department in which the Coast Guard is operating and ascribed to Coast Guard activities.
(2) Coast Guard vessels and aircraft stationed in the Commonwealth of Puerto Rico.

(3) Coast Guard vessels and aircraft stationed in the State of Louisiana along the Lowest Point Bar between the Port of New Orleans and the Red River.

(4) Coast Guard vessels and aircraft stationed in Coast Guard Sector Delaware Bay.

(5) Structure at Boat Station Cape May in the State of New Jersey.

In section 412 insert “of 1990” after “Oil Pollution Act.”

SEC. 413. DETERMINATION OF THE SECRETARY.

Section 7010(c) of title 46, United States Code, is amended—

(1) in paragraph (3) by inserting before the period “—before an administrative law judge,”; and

(2) by adding at the end the following:

“(5) The Secretary shall not consider a felony conviction that occurred more than 7 years prior to the date of the Secretary’s determination.”

SEC. 414. REPORT ON TECHNOLOGIES.

Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that includes an assessment of—

(1) the availability and effectiveness of technologies that evaluate and identify in-bound maritime threats before they reach United States ports, including technologies already tested or in testing at joint operating centers; and

(2) the costs associated with implementing such technology at all United States ports.

SEC. 415. MOVEMENT OF ANCHORS.

Section 12106 of title 46, United States Code, is amended by adding at the end the following:

“(c) Only a vessel for which a certificate of documentation with a registry endorsement is issued may be employed in the setting or movement of the anchors or other mooring equipment of a mobile offshore drilling unit that is located above or on the Outer Continental Shelf of the United States (as that term is defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1311(a))).

SEC. 416. INTERNATIONAL TONNAGE MEASUREMENT OF VESSELS ENGAGED IN THE TRANSPORTATION OF OIL.

(a) GENERAL INSPECTION EXEMPTION.—Section 3302(c)(2) of title 46, United States Code, is amended to read as follows:

“(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(b) MERCHANT MARINERS’ DOCUMENTS.—Notwithstanding section 7010(c) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a license or certificate of registry issued for an individual under chapter 71 of that title, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or

(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(c) MANNER OF EXTENSION.—Any extensions granted under this section may be granted to individual seamen or a specifically identified group of seamen.

(d) EXPIRATION OF AUTHORITY.—The authorities provided under this section expire on December 31, 2006.

SEC. 421. TEMPORARY AUTHORIZATION TO EXTEND THE DURATION OF CERTIFICATES OF REGISTRY.

(a) LICENSES AND CERTIFICATES OF REGISTRY.—Notwithstanding section 7106 and 7107 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a license or certificate of registry issued under chapter 71 of that title, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or

(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(b) MERCHANT MARINERS’ DOCUMENTS.—Notwithstanding section 7010(c) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a merchant mariner’s document issued for an individual under chapter 71 of that title for up to one year, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or

(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(c) MANNER OF EXTENSION.—Any extensions granted under this section may be granted to individual seamen or a specifically identified group of seamen.

(d) EXPIRATION OF AUTHORITY.—The authorities provided under this section expire on December 31, 2006.

SEC. 422. TEMPORARY CENTER FOR PROCESSING OF FOR LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS’ DOCUMENTS.

(a) IN GENERAL.—Not later than October 15, 2005, the Commandant of the Coast Guard shall establish a temporary facility in Baton Rouge, Louisiana, that is sufficient to process applications for new licenses, certificate of registries, and merchant mariners’ documents under chapter 71 of title 46, United States Code. This requirement expires on December 31, 2006.

(b) TERMINATION OF REQUIREMENT.—The Commandant is not required to maintain such facility after December 31, 2006.

SEC. 423. DETERMINATION OF NAVIGATIONAL IMPACT.

In any case in which a person requests the Secretary of the Army to take action under the authority of section 10 of the Act of March 3, 1899, popularly known as the Harbors and Arteries Act of 1899 (chapter 425; 33 U.S.C. 403), the Commandant of the Coast Guard shall provide to the Secretary of the Army in writing whether the proposed structure or activity would create an obstruction to navigation.

SEC. 424. PORT RICHMOND.

The Secretary of the department in which the Coast Guard is operating acting through the Commandant of the Coast Guard may not approve the security plan under section 7010(b)(c) of title 46, United States Code, for a liquefied natural gas import facility at Port Richmond in Philadelphia, Pennsylvania, until the Secretary conducts a vulnerability assessment under section 7010(b) of such title.

At the end of the bill add the following:

TITLES V—LIGHTHOUSES

SEC. 501. TRANSFER.

(a) JURISDICTIONAL TRANSFERS.—Administrative jurisdiction over the following National Forest System lands in the State of Alaska upon which are located any of the Coast Guard facilities described in subsection (b), and over improvements situated on such lands, is hereby transferred, without requirement for consideration, from the Secretary of Agriculture to the Secretary of the department in which the Coast Guard is operating.

(b) FACILITIES DESCRIBED.—The facilities described in subsection (a) are the following:

(1) GUARD ISLAND LIGHT STATION.—That area described in the Guard Island Light Station Reserve dated January 4, 1901, comprising approximately 8.0 acres of National Forest uplands.

(2) ELDRIDGE ROCK LIGHT STATION.—That area described in the December 30, 1975, listing on the National Register of Historic Places, comprising approximately 2.4 acres.

(3) MARY ISLAND LIGHT STATION.—That area described as the remaining National Forest System uplands within the Mary Island Lighthouse Reserve dated January 4, 1901, as amended by Public Land Order 6964, dated April 5, 1993, comprising approximately 1.07 acres.

(4) CAPR HINCHINBOOK LIGHT STATION.—That area described in Public Law 85-106, in 1957, comprising approximately 57.4 acres.

(c) MAPS.—

(1) REQUIREMENT TO PREPARE.—The Commandant of the Coast Guard, in consultation with the Secretary of Agriculture, shall prepare and maintain maps of the lands transferred in subsection (b) of this section. Such maps shall be on file and available for public inspection in the Coast Guard District 17 office in Juneau, Alaska.

(2) CORRECTIONS AND MODIFICATIONS.—In preparing such maps, the Commandant of the Coast Guard, with the approval of the Secretary of Agriculture, may make corrections and minor modifications to the lands described or depicted to facilitate Federal land management. Such maps, as so corrected or modified, shall have the same effect as if enacted in this section.

(3) EFFECT OF TRANSFER.—The lands transferred to the Secretary of the department in which the Coast Guard is operating under subsection (b)(1) shall be administered by the Commandant of the Coast Guard;
(2) shall be deemed transferred from and no longer part of the National Forest System; and

(3) shall be considered not suitable for return to the forest domain for disposition under the general public land laws.

(e) TRANSFER OF LAND.—

(1) REQUIREMENT.—Subject to paragraph (2), the Administrator of General Services, upon request by the Secretary of Agriculture, shall transfer to the Secretary of Agriculture, without consideration, any land identified in subsection (b), together with the improvements thereon, for administration under the laws pertaining to the National Forest System.

(A) the Secretary of the Interior cannot identify and select an eligible entity in accordance with section 308(b)(2) of the National Historic Preservation Act (16 U.S.C. 470w(b)(2)) within 3 years after the date the Secretary of the department in which the Coast Guard is operating determines that the land is excess property, as that term is defined in section 102(3) of title 40, United States Code; or

(B) the land reverts to the United States pursuant to section 308(c)(3) of the National Historic Preservation Act (16 U.S.C. 470w-7(c)(3)).

(2) RESERVATIONS FOR AIDS TO NAVIGATION.—Any land transferred under this subsection by the Administrator of General Services shall be subject to any rights that may be reserved by the Commandant of the Coast Guard, the Secretary of the interior, and the Secretary of Agriculture, consistent with existing laws.

(f) NOTIFICATION; DISPOSAL OF LANDS BY THE ADMINISTRATOR.—The Administrator of General Services shall promptly notify the Secretary of Agriculture upon the occurrence of any of the events described in subparagraphs (A) and (B) of subsection (e)(1), if the Secretary determines that a request for a transfer as provided for in subsection (e)(1) has been received more than 90 days after receiving such notification from the Administrator, the Administrator may dispose of the property in accordance with section 309 of the National Historic Preservation Act (16 U.S.C. 470w-8) or other applicable surplus real property disposal authority.

(g) PRIORITY.—In selecting an eligible entity to receive a transfer under section (b) of the National Historic Preservation Act (16 U.S.C. 470w-7(b)), land referred to in subsection (b), the Secretary of the Interior shall identify and select an eligible entity, as defined in section 308(b)(1) of that Act (16 U.S.C. 470w-7(b)), that is the local government of the community in which the land is located.

SEC. 502. MISTY FIORES NATIONAL MONUMENT AND WILDERNESS.

(a) REQUIREMENT TO TRANSFER.—Notwithstanding section 308(b) of the National Historic Preservation Act (16 U.S.C. 470w-7(b)), if the Secretary of the department in which the Coast Guard is operating determines that the Tree Point Light Station is no longer needed for the purposes of the Coast Guard, the Secretary shall transfer to the Committee on Natural Resources and Public Lands in the Congress all administrative jurisdiction over the Tree Point Light Station, without consideration.

(b) TRANSFER.—A transfer under this subsection shall be effectuated by a letter from the Secretary of the department in which the Coast Guard is operating to the Committee on Natural Resources and Public Lands in the Congress describing the property as provided in subsection (g), without any further requirements for administrative or environmental analyses or examination. Such property shall not be considered a conveyance to an eligible entity pursuant to section 308(b) of the National Historic Preservation Act (16 U.S.C. 470w-7(b)).

(c) RESERVATION FOR AIDS TO NAVIGATION.—As part of any transfer pursuant to this subsection, the Commandant of the Coast Guard may reserve rights to operate and maintain Federal aids to navigation at the site.

(d) EASEMENTS AND SPECIAL USE AUTHORIZATION.—Subject to any requirements, including other provisions of law, including the Wilderness Act (16 U.S.C. 1311), and section 703 of the Alaska National Lands Conservation Act (94 Stat. 1828), with respect to the property transferred under this subsection, the Secretary of Agriculture (I) may identify an eligible entity to be granted a special use authorization and, in doing so, the Secretary of Agriculture may consult with the Secretary of the Interior concerning the application of policies for the management of the land, (2) may grant an easement or other special use authorization to an eligible entity, for no consideration, to approximately 31 acres as described in the map entitled “Tree Point Light Station,” dated September 24, 2004, and (3) shall be considered not suitable for return to the forest domain for disposition under the general public land laws.

(e) ACTIONS FOLLOWING TERMINATION OR REVOCATION.—In the event that no eligible entity is identified within 3 years after administrative jurisdiction is transferred to the Secretary of Agriculture pursuant to this subsection, or the easement or special use authorization granted pursuant to subsection (d) is terminated or revoked, the Secretary of Agriculture may take such actions as are authorized by subsection (b)(3) of the National Historic Preservation Act (16 U.S.C. 470h-2(b)).

(f) REVOCATION OF WITHDRAWALS AND RESERVATIONS.—Effective on the date of transfer of lands as provided in this subsection, the following public land withdrawals or reservations for light station and lighthouse purposes on lands in Alaska are revoked as to the lands transferred under this subsection (b):

(1) The unnumbered Executive order dated January 4, 1901, as it affects the Tree Point Light Station.

(2) Executive Order 4110 dated April 1, 1926, as it affects the Tree Point Light Station.

(2) Executive Order 4110 dated April 1, 1926, as it affects the Tree Point Light Station.

(g) REMEDIATION RESPONSIBILITIES NOT AFFECTED.—Nothing in this section shall affect any responsibilities of the Commandant of the Coast Guard for the remediation of hazardous substances and petroleum contamination at the Tree Point Light Station consistent with existing law and regulations. The Commandant and the Secretary shall execute an agreement to provide for the remediation of the land and structures at the Tree Point Light Station.

SEC. 503. CAPE ST. ELIAS LIGHT STATION.

For purposes of section 416(a)(2) of Public Law 105-335, the Cape St. Elias Light Station shall comprise approximately 10 acres in fee, along with additional access easements issued without consideration by the Secretary of the Interior or described in the map entitled “Cape St. Elias Light Station,” dated September 14, 2004. The Secretary of the department in which the Coast Guard is operating considers the map on file and available for public inspection.

SEC. 504. INCLUSION OF LIGHTHOUSE IN ST. MARKS NATIONAL WILDLIFE REFUGE.

(a) REVOCATION OF EXECUTIVE ORDER DATED NOVEMBER 12, 1888.—Any reservation of public land described in subsection (b) for light house purposes by the Executive Order dated November 12, 1888, as amended by Public Land Order 5655, dated January 9, 1979, is revoked.

(b) DESCRIPTION OF LAND.—The public land referred to in subsection (a) consists of approximately 8.0 acres located external boundaries of St. Marks National Wildlife Refuge in Wakulla County, Florida, that is east of the Talahasseee Meridian, Florida, in the 5 South, Range 1 East, Section 1 (fractional) and containing all that remaining portion of the surveyed fractional section, more particularly described as follows: beginning at a point which marks the center of the light structure, thence North 8 degrees North 94.28 feet, thence a distance of 500 feet in west, the axial centerline of which runs from the point of beginning due South (magnetic) a distance of 840 feet, more or less, to the shoreline of Apalachee Bay, comprising 8.0 acres, more or less, as shown on plat dated January 2, 1962, by Office of L. H. Engineers, 7th and 8th District, Mobile, Alabama.

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Subject to subsection (f), administrative jurisdiction over the Cape St. Elias Light Station described in subsection (b), and over all improvements, structures, and fixtures located thereon, is transferred from the department in which the Coast Guard is operating to the Secretary of the Interior, without reimbursement.

(d) RESPONSIBILITY FOR ENVIRONMENTAL RESPONSE ACTIONS.—The Coast Guard shall have sole responsibility in the Federal Government to fund and conduct any response action required under any applicable Federal or State law or implementing regulation to address—

(1) a release or threatened release on public land referred to in subsection (b) of any hazardous substance, pollutant, contaminant, petroleum, or petroleum product or derivative that is located on such land on the date of the enactment of this Act; or

(2) any other release or threatened release on public land referred to in subsection (b) of any hazardous substance, pollutant, contaminant, petroleum, or petroleum product or derivative that is located on such land on the date of the enactment of this Act.

(e) INCLUSION IN REFUGE.—

(1) INCLUSION.—The public land described in subsection (b) shall be part of St. Marks National Wildlife Refuge.

(2) ADMINISTRATION.—Subject to this subsection, the Secretary of the Interior shall administer the public land described in subsection (b) through the Director of the United States Fish and Wildlife Service; and

(B) in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668d et seq.) and such other laws as apply to Federal real property under the sole jurisdiction of the United States Fish and Wildlife Service.

(f) MAINTENANCE OF NAVIGATION FUNCTION.—The transfer under subsection (c), and the administrative jurisdiction over the public land described in subsection (b), shall be subject to such conditions and restrictions as the Secretary of the department in which the Coast Guard is operating considers necessary to ensure that—

(1) the Federal aids to navigation located at St. Marks National Wildlife Refuge continue to be operated and maintained by the Coast Guard for as long as they are needed for navigational purposes; or

(2) the Coast Guard may remove, replace, or sell any Federal real property located at the St. Marks National Wildlife Refuge as may be necessary for navigational purposes;
SEC. 601. SHORT TITLE.

This title may be cited as the "Delaware River Protection Act of 2005".

SEC. 602. REQUIREMENT TO NOTIFY COAST GUARD OF RELEASE OF OBJECTS INTO THE NAVIGABLE WATERS OF THE UNITED STATES.

The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:

"SEC. 15. REQUIREMENT TO NOTIFY COAST GUARD OF RELEASE OF OBJECTS INTO THE NAVIGABLE WATERS OF THE UNITED STATES.

(1) Requirement.—As soon as a person has knowledge of a release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (chapter 425; 33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army of such release.

(2) Restriction on use of notification.—Any notification provided by an individual in accordance with subsection (a) shall not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.

SEC. 603. LIMITS ON LIABILITY.

(a) Adjustment of Liability Limits.—

(1) Tank vessels.—Section 100(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by striking subparagraph (A) and inserting the following:

"(A) Baysep— to a single-hull vessel, including a single-hull vessel fitted with double sides only or a double bottom only—"

(i) $1,550 per gross ton for an incident that occurs in 2005;

(ii) $1,900 per gross ton for an incident that occurs in 2006; or

(iii) $2,250 per gross ton for an incident that occurs in 2007 or in any year thereafter; or

(B) with respect to a double-hull vessel (other than any vessel referred to in subparagraph (A))—

(i) $1,350 per gross ton for an incident that occurs in 2005;

(ii) $1,500 per gross ton for an incident that occurs in 2006; or

(iii) $1,700 per gross ton for any incident that occurs in 2007 or in any year thereafter; or

(C) by subparagraph (C), as redesignated by subparagraph (A) of this paragraph—

(i) in clause (i) by striking "$10,000,000" and inserting "$14,000,000"; and

(ii) in clause (ii) by striking "$2,000,000" and inserting "$2,500,000".

(2) Limitation on Application.—In the case of an incident occurring before the date of the enactment of this Act, section 100(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) shall apply as if in effect immediately before the effective date of this subsection.

(b) Adjustment to Reflect Consumer Price Index.—Section 100(d)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(d)(4)) is amended to read as follows:

"(4) Adjustment to reflect consumer price index.—Regulations issued no later than 3 years after the date of the enactment of the Delaware River Protection Act of 2005 and no less than every 3 years thereafter, as determined by the Secretary, shall adjust the liability specified in subsection (a) to reflect significant increases in the Consumer Price Index."

SEC. 604. REQUIREMENT TO UPDATE PHILADELPHIA AREA CONTINGENCY PLAN.

The Philadelphia Area Committee established under section 111(c)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1321(c)(6)) shall, by not later than 12 months after the date of the enactment of this Act and not less than annually thereafter, review and revise the Philadelphia Area Contingency Plan to include available data and biological information on environmentally sensitive areas of the Delaware River and Delaware Bay that has been collected by Federal and State surveys.

SEC. 605. SUBMERGED OIL REMOVAL.

(a) Amendment.—The Oil Pollution Act of 1990 is amended—

(1) in section 7001(c)(4)(B) (33 U.S.C. 7001(c)(4)(B)) by striking "RIVERA," and inserting "RIVERA and the TV VESSEL"; and

(2) by adding at the end the following:

"SEC. 7002. SUBMERGED OIL PROGRAM.

(a) Program.—

"(1) Establishment.—The Undersecretary of Commerce for Oceans and Atmosphere, in conjunction with the Commandant of the Coast Guard, shall establish a program to detect, monitor, and evaluate the environmental effects of submerged oil. Such program shall include the following elements:

(A) The development of methods to remove, disperse or otherwise diminish the persistence of submerged oil.

(B) The development of improved models and capacities for predicting the environmental fate, transport, and effects of submerged oil.

(C) The development of techniques to detect and monitor submerged oil.

(2) Report.—The Secretary of Commerce shall, no later than 3 years after the date of the enactment of the Delaware River Protection Act of 2005 and no less than every 3 years thereafter, submit a report on the activities carried out under this subsection and activities proposed to be carried out under this subsection.

(b) Funding.—There is authorized to be appropriated to the Secretary of Commerce $1,000,000 for each of fiscal years 2006 through 2010 to carry out the demonstration project.

(c) Demonstration Project.—

"(1) Removal of submerged oil.—The Commandant of the Coast Guard, in conjunction with the Undersecretary of Commerce for Oceans and Atmosphere, shall conduct a demonstration project for the purpose of developing and demonstrating technologies and management practices to remove submerged oil from the Delaware River and other navigable waters.

(2) Funding.—The Secretary is authorized to appropriate to the Commandant of the Coast Guard $2,000,000 for each of fiscal years 2006 through 2010 to carry out this subsection.

(3) Clerical Amendment.—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 7001 the following:

"Sec. 7002. Submerged oil program."

SEC. 606. DELAWARE RIVER AND BAY OIL SPILL ADVISORY COMMITTEE.

(a) Establishment.—There is established the Delaware River and Bay Oil Spill Advisory Committee (in this section referred to as the "Committee").

(b) Functions.—

(1) In General.—The Committee shall, by not later than 1 year after the date the Commandant of the Coast Guard (in this section referred to as the "Commandant") completes an assessment of the members of the Committee, make recommendations to the Commandant, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate on methods to improve the prevention of and response to future oil spills in the Delaware River and Delaware Bay.

(2) Meetings.—The Committee—

(A) shall hold its first meeting not later than 60 days after the appointment of the members of the Committee; and

(B) shall meet thereafter at the call of the Chairman.

(c) Membership.—The Committee shall consist of 15 members who have particular expertise, knowledge, and experience regarding transportation, equipment, and techniques that are used to ship cargo and to navigate vessels in the Delaware River and Delaware Bay, as follows:

(1) Three members who are employed by port authorities that oversee operations on the Delaware River or have been selected to represent these entities, of whom—

(A) one member must be an employee or representative of the Port of Wilmington;

(B) one member must be an employee or representative of the South Jersey Port Corporation; and

(C) one member must be an employee or representative of the Philadelphia Regional Port Authority.

(2) Two members who represent organizations that operate tugs or barges that utilize the port facilities on the Delaware River and Delaware Bay.

(3) Two members who represent shipping companies that transport cargo by vessel from ports on the Delaware River and Delaware Bay.

(4) Two members who represent operators of oil refineries on the Delaware River and Delaware Bay.

(5) Two members who represent environmental and conservation interests.

(6) Two members who represent State-licensed pilots who work on the Delaware River and Delaware Bay.

(7) One member who represents labor organizations that load and unload cargo at ports on the Delaware River and Delaware Bay.

(8) One member who represents the general public.

(d) Appointment of Members.—The Commandant shall appoint the members of the Committee, after soliciting nominations by notice published in the Federal Register.

(e) Chairman and Vice Chairman.—The Committee shall elect, by majority vote at its first meeting, one of the members of the Committee as the Chairman and one of the members as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence of the Chairman, or in the event of vacancy in the Office of the Chairman.

(f) Pay and Expenses.—

(1) Compensation on Pay.—Members of the Committee who are not officers or employees of the United States shall serve without pay.
Members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee.

(2) The Coast Guard has worked together to bring clean water, food, and resources to victims and survivors.

(4) Members of the Coast Guard have volunteered their unique resources to assess the situation and deliver aid when and where other relief efforts could not.

(5) Members of the Coast Guard have demonstrated their resolve and character by providing aid to Hurricane Katrina victims and survivors.

(6) Members and employees of the Coast Guard have worked together to bring clean water, food, and resources to victims and survivors in need.

(c) COMMUNICATION, RECOGNITION, AND THANKS.—The Congress—

(1) commends the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard;

(2) recognizes that the actions of these individuals went above and beyond the call of duty; and

(3) thanks them for their continued dedication and service.

SEC. 212. HOMEOWNERS ASSISTANCE FOR COAST GUARD PERSONNEL AFFECTED BY HURRICANE KATRINA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the department in which the Coast Guard is operating may reimburse a person who is eligible under subsection (b) for reimbursement under this section for losses of qualified property owned by such person that result from damage caused by Hurricane Katrina.

(b) ELIGIBLE PERSONS.—A person is eligible for reimbursement under this section if the person is a civilian employee of the Federal Government or member of the uniformed services who—

(1) was assigned to, or employed at or in connection with, a Coast Guard facility located in the State of Louisiana, Mississippi, or Alabama on or before August 28, 2005; and

(2) incurred costs of immediate relief efforts related to Hurricane Katrina.

At the end of title II add the following:

SEC. 210. ICEBREAKER OPERATION AND MAINTENANCE PLAN.

The Secretary of the department in which the Coast Guard is operating shall—

(1) by not later than 90 days after the date of the enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for operation and maintenance of Coast Guard icebreakers in the waters of Antarctica after fiscal year 2006 that does not rely on the transfer of funds to the Coast Guard by any other Federal agency; and

(2) subject to the availability of appropriations, implement the plan in fiscal years after fiscal year 2006.

SEC. 211. COMMENDATION, RECOGNITION, AND THANKS FOR COAST GUARD PERSONNEL.

(a) FINDINGS.—The Congress finds the following:

(1) On August 29, 2005, Hurricane Katrina struck the Gulf of Mexico coastal region of Louisiana, Mississippi, and Alabama, causing the worst natural disaster in United States history.

(2) The response to such hurricane by members and employees of the Coast Guard has been immediate, invaluable, and courageous.

(3) Members and employees of the Coast Guard—

(A) have shown great leadership in helping to coordinate relief efforts with respect to Hurricane Katrina;

(B) have used their expertise and specialized skills to provide immediate assistance to victims and survivors of the hurricane; and

(C) have set up remote assistance operations in the affected areas in order to best provide service to Gulf of Mexico coastal region;

(4) Members of the Coast Guard have volunteered their unique resources to assess the situation and deliver aid when and where other relief efforts could not.

(5) Members of the Coast Guard have demonstrated their resolve and character by providing aid to Hurricane Katrina victims and survivors.

(6) Members and employees of the Coast Guard have worked together to bring clean water, food, and resources to victims and survivors in need.

(b) COMMUNICATION, RECOGNITION, AND THANKS.—The Congress—

(1) commends the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard;

(2) recognizes that the actions of these individuals went above and beyond the call of duty; and

(3) thanks them for their continued dedication and service.

SEC. 212. HOMEOWNERS ASSISTANCE FOR COASTGUARD PERSONNEL AFFECTED BY HURRICANE KATRINA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the department in which the Coast Guard is operating may reimburse a person who is eligible under subsection (b) for reimbursement under this section for losses of qualified property owned by such person that result from damage caused by Hurricane Katrina.

(b) ELIGIBLE PERSONS.—A person is eligible for reimbursement under this section if the person is a civilian employee of the Federal Government or member of the uniformed services who—

(1) was assigned to, or employed at or in connection with, a Coast Guard facility located in the State of Louisiana, Mississippi, or Alabama on or before August 28, 2005; and

(2) incurred costs of immediate relief efforts related to Hurricane Katrina.

At the end of title II add the following:

SEC. 210. ICEBREAKER OPERATION AND MAINTENANCE PLAN.

The Secretary of the department in which the Coast Guard is operating shall—

(1) by not later than 90 days after the date of the enactment of this Act, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for operation and maintenance of Coast Guard icebreakers in the waters of Antarctica after fiscal year 2006 that does not rely on the transfer of funds to the Coast Guard by any other Federal agency; and

(2) subject to the availability of appropriations, implement the plan in fiscal years after fiscal year 2006.
(1) Coast Guard aircraft, including helicopters, stationed at Air Station Detroit in the State of Michigan.
(2) Coast Guard vessels and aircraft stationed in the Commonwealth of Puerto Rico.
(3) Coast Guard vessels and aircraft stationed in the State of Louisiana along the Lower Mississippi River between the Port of New Orleans and River mouth.
(4) Coast Guard vessels and aircraft stationed in Coast Guard Sector Delaware Bay.
(5) Physical infrastructure at Boat Station Cape May, New Jersey.

In section 412 insert “of 1990” after “Oil Pollution Act”.

At the end of title IV add the following:

SEC. 410. REPORT ON TECHNOLOGIES.

Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a report to the Committee on Transportation and Infrastructure of the Senate that includes an assessment of:

(1) the availability and effectiveness of technologies that evaluate and identify inbound vessels and their cargo for potential threats to ports, including technologies already tested at joint operating centers; and
(2) ports, including technologies already tested bound vessels and their cargo for potential threats to ports.

SEC. 411. TEND THE DURATION OF INVESTIGATIONS, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS’ DOCUMENTS.

(a) LICENSES AND CERTIFICATES OF REGISTRY.—Notwithstanding sections 7106 and 7110 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a license or certificate of registry issued for an individual under chapter 71 of that title for up to one year, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or
(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(b) MERCHANT MARINERS’ DOCUMENTS.—Notwithstanding section 3712(c) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a merchant mariner’s document issued for an individual under chapter 73 of that title for up to one year, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or
(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(c) MANNERS OF EXTENSION.—Any extensions granted under this section may be granted to individual seamen or a specifically identified group of seamen.

(d) EXPIRATION OF AUTHORITY.—The authority provided under this section expire on December 31, 2006.

SEC. 412. TEMPORARY AUTHORIZATION TO EXTEND THE DURATION OF LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS’ DOCUMENTS.

(a) REQUIREMENT.—The Coast Guard may temporarily extend the duration of licenses, certificates of registry, and merchant mariner’s documents under this title for an individual under chapter 71 or 73 of title 46, United States Code, for a liquefied natural gas import facility at Port Richmond in Philadelphia, Pennsylvania, if the Secretary of the Army of such release.

(b) LIMITATIONS.—The Secretary of the Army of such release shall provide the Coast Guard with such information as the Commandant of the Coast Guard requires to determine whether the proposed structure or activity would create an obstruction to navigation.

SEC. 413. PORT RICHMOND.

Notwithstanding section 70102(b) of such title, the Commandant of the Coast Guard may authorize release of objects into the navigable waters of the United States for such facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (chapter 425; 33 U.S.C. 403), such person shall notify the Secretary of the Senate and the Secretary of the Army of such release.

SEC. 414. MOVE THE DURATION OF LICENSES.

The Commandant of the Coast Guard may temporarily extend the duration of licenses, certificates of registry, and merchant mariner’s documents under this title for an individual under chapter 71 or 73 of title 46, United States Code, for a liquefied natural gas import facility at Port Richmond in Philadelphia, Pennsylvania, if the Secretary of the Army of such release.

SEC. 415. EXTEND THE DURATION OF LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS’ DOCUMENTS.

(a) REQUIREMENT.—In order to authorize release of objects into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (chapter 425; 33 U.S.C. 403), such person shall notify the Secretary of the Army of such release.

(b) LIMITATIONS.—The Secretary of the Army of such release shall provide the Commandant with such information as the Commandant requires to determine whether the proposed structure or activity would create an obstruction to navigation.

SEC. 416. TEMPORARY AUTHORIZATION TO EXTEND THE DURATION OF LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINERS’ DOCUMENTS.

(a) LICENSES AND CERTIFICATES OF REGISTRY.—Notwithstanding sections 7106 and 7110 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a license or certificate of registry issued for an individual under chapter 71 of that title for up to one year, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or
(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(b) MERCHANT MARINERS’ DOCUMENTS.—Notwithstanding section 3712(c) of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may temporarily extend the duration of a merchant mariner’s document issued for an individual under chapter 73 of that title for up to one year, if—

(1) the records of the individual are located at the Coast Guard facility in New Orleans that was damaged by Hurricane Katrina; or
(2) the individual is a resident of Alabama, Mississippi, or Louisiana.

(c) MANNERS OF EXTENSION.—Any extensions granted under this section may be granted to individual seamen or a specifically identified group of seamen.

(d) EXPIRATION OF AUTHORITY.—The authority provided under this section expire on December 31, 2006.

SEC. 417. HOMESTEAD.

Subject to the availability of appropriations, the Commandant of the Coast Guard shall homeport the Coast Guard cutter HEALY in Anchorage, Alaska.
“(iii) $1,700 per gross ton for any incident that occurs in 2007 or in any year thereafter; or”;

and

(C) in subparagraph (C), as redesignated by subparagraph (B), insert in paragraph (ii): (i) in clause (i) by striking “$10,000,000” and inserting “$31,000,000”; and

(ii) in clause (ii) by striking “$2,000,000” and inserting “$3,000,000”.

(2) LIMITATION ON APPLICATION.—In the case of an incident occurring before the date of the enactment of this Act, section 1004(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) shall apply as in effect immediately before the effective date of this subsection.

(3) FUNDING.—(A) There is established the Delaware River and Bay Oil Spill Advisory Committee (in this section referred to as the “Committee”).

(B) FUNCTIONS.—(1) IN GENERAL.—The Committee shall, no later than 3 years after the date of the enactment of this Act, submit to the Committee on Transportation and Infrastructure, the Committee on Commerce, Science, and Transportation of the Senate on methods to improve the prevention of and responses to oil spills in the Delaware River and Delaware Bay.

(2) MEETINGS.—The Committee—

(A) shall hold its first meeting not later than 60 days after the completion of the appointment of the members of the Committee; and

(B) shall meet thereafter at the call of the Chairman.

(c) MEMBERSHIP.—(1) The Committee shall consist of 15 members who have particular expertise, knowledge, and experience regarding the transportation, equipment, and techniques that are used to ship cargo and to navigate vessels in the Delaware River and Delaware Bay, as follows:

(2) the Program implementing regulations required under Section 8701 of this title do not apply to individuals transported on international voyages who are not part of the crew complement required under Section 8101 of this title, and do not perform watchstanding functions. However, such individuals must possess a transportation security stater issued under Section 7016 of this title, when required.”.

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT No. 14: Add at the end of title IV the following:

SEC. 44. QUOTA SHARE ALLOCATION.

(a) IN GENERAL.—The Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands implemented under section 811 of title VIII of division B of Public Law 108–295 is amended to read as follows:

(1) Paragraph (1) of this subsection and Section 8701 of this title shall not apply to the Council or any member of the Council, in any year, to an individual transported on international voyages who is not a member of the crew of a vessel registered under Section 8101 of this title, who is not a part of the crew complement required under Section 8101 of this title, and who do not perform watchstanding functions. However, such individual must possess a transportation security stater issued under Section 7016 of this title, when required.”.

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT No. 14: Add at the end of title IV the following:

SEC. 44. QUOTA SHARE ALLOCATION.

(a) IN GENERAL.—The Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands implemented under section 811 of title VIII of division B of Public Law 108–295 is amended to read as follows:

(1)(A) in the heading by striking “LOWER COLUMBIA RIVER” and inserting “BERING SEA”;

(B) by striking “$967,400” and inserting “$1,500,000”;

(2) in the table of contents in section 1(b) by striking the item relating to section 44 and inserting the following:

“Sec. 44. Quota share allocation.”

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT No. 14: Add at the end of title IV the following:

SEC. 44. QUOTA SHARE ALLOCATION.

(a) IN GENERAL.—The Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands implemented under section 811 of title VIII of division B of Public Law 108–295 is amended to read as follows:

(1) Paragraph (1) of this subsection and Section 8701 of this title shall not apply to an individual transported on international voyages who is not a member of the crew of a vessel registered under Section 8101 of this title, who is not a part of the crew complement of a vessel required under Section 8101 of this title, and who do not perform watchstanding functions. However, such individual must possess a transportation security stater issued under Section 7016 of this title, when required.”.

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(1) Paragraph (1) of this subsection and Section 8701 of this title shall not apply to an individual transported on international voyages who is not a member of the crew of a vessel registered under Section 8101 of this title, who is not a part of the crew complement of a vessel required under Section 8101 of this title, and who do not perform watchstanding functions. However, such individual must possess a transportation security stater issued under Section 7016 of this title, when required.”.

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(1) Paragraph (1) of this subsection and Section 8701 of this title shall not apply to an individual transported on international voyages who is not a member of the crew of a vessel registered under Section 8101 of this title, who is not a part of the crew complement of a vessel required under Section 8101 of this title, and who do not perform watchstanding functions. However, such individual must possess a transportation security stater issued under Section 7016 of this title, when required.”.

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AMENDMENT No. 14: Add at the end of title IV the following:

SEC. 44. QUOTA SHARE ALLOCATION.

(a) IN GENERAL.—The Voluntary Three-Pie Cooperative Program for crab fisheries of the Bering Sea and Aleutian Islands implemented under section 811 of title VIII of division B of Public Law 108–295 is amended to read as follows:

(1) Paragraph (1) of this subsection and Section 8701 of this title shall not apply to an individual transported on international voyages who is not a member of the crew of a vessel registered under Section 8101 of this title, who is not a part of the crew complement of a vessel required under Section 8101 of this title, and who do not perform watchstanding functions. However, such individual must possess a transportation security stater issued under Section 7016 of this title, when required.”.

OFFERED BY: MR. YOUNG OF ALASKA

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percent higher than the total allowable catch for that fishery during calendar year 2005.

H.R. 889
OFFERED BY: MR. YOUNG OF ALASKA
AMENDMENT No. 15: Add at the end of title IV the following:
SEC. 111. ELIGIBILITY TO PARTICIPATE IN WESTERN ALASKA COMMUNITY DEVELOPMENT QUOTA PROGRAM.

(a) TREATMENT OF SECRETARY APPROVAL.—
(1) IN GENERAL.—Approval by the Secretary of Commerce of a community development plan, or an amendment thereof, shall not be considered a major Federal action for purposes of section 102(2) of the Public Law 91–190 (42 U.S.C. 4332(2)).

(2) DEFINITION.—(A) In this subsection, the term ‘‘community development plan’’ means a plan, prepared by a community development quota group for the western Alaska community development quota program under section 305(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i)) that describes how the group intends to—
(i) harvest its share of fishery resources allocated to the program; and
(ii) use the harvest opportunity, and any revenue derived from such use, to assist communities that are members of the group with projects to advance economic development.

(b) In this subsection, no plan that allocates fishery resources to the western Alaska community development quota program under section 305(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i)) is a ‘‘community development plan’’.

H.R. 889
OFFERED BY: MR. INSLEE
AMENDMENT No. 16: At the end of title IV add the following:
SEC. 112. REIMBURSEMENT OF ADDITIONAL COSTS OF ELEVATED THREAT LEVELS.

(a) REQUIREMENT.—The Secretary of Homeland Security, acting through the Commandant of the Coast Guard, shall reimburse port authorities, facility operators, and State and local agencies, that are required under Federal law to provide security services or funds to implement Area Maritime Transportation Security Plans and facility security plans under chapter 701 of title 46, United States Code, for 50 percent of eligible costs incurred by such persons in implementing protective measures and countermeasures in response to any public advisory or alert regarding a threat to homeland security that is issued under the United States Coast Guard Maritime Security (MARSEC) system or any successor to such system, and that is above the baseline threat level under that system.

(b) ELIGIBLE COSTS.—For purposes of subsection (a), eligible costs consist of any of the following:
(1) Salary, benefits, overtime compensation, retirement contributions, and other costs of additional Coast Guard-mandated security personnel.
(2) The cost of acquisition, operation, and maintenance of security equipment or facilities to be used for security monitoring and recording, security gates and fencing, marine barriers for designated security zones, security-related lighting systems, remote surveillance, concealed video systems, security vessels, and other security-related infrastructure or equipment that contributes to the overall security of passengers, cargo, or crewmembers.
(3) The cost of screening equipment, including equipment that detects weapons of mass destruction and conventional explosives, and of testing and evaluating such equipment, to certify secure systems of transportation.

(c) SUBJECT TO APPROPRIATIONS.—The requirement to provide reimbursement under this section is subject to the availability of appropriations.