

FUNDING INSTRUCTION FOR SAFETY, HEALTH, AND
SECURITY AVOIDS FISHING EMERGENCIES ACT

DECEMBER 12, 2019.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 4719]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 4719) to amend the Federal share of the
fishing safety standards grants, having considered the same, report
favorably thereon with an amendment and recommend that the bill
as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

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

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

(1) in subsection (i)(3), by striking “50” and inserting “75”; and

(2) in subsection (j)(3), by striking “50” and inserting “75”.

(b) RETROACTIVE EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the day after the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282).

SEC. 3. COST SHARE.

The cap on the Federal share of the cost of any activity carried out with a grant under subsections (i) and (j) of section 4502 of title 46, United States Code, as in effect prior to the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282), shall apply to any funds appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115–31) for the purpose of making such grants.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS AMENDMENTS.

Section 4502 of title 46, United States Code, is amended—

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

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

SEC. 5. AIDS TO NAVIGATION.

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

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

(2) by adding at the end the following:

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

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

“(2) properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever the Commandant is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierheads has been completed.”.

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

“§ 548. Prohibition against officers and employees being interested in contracts for materials, etc.

“No officer, enlisted member, or civilian member of the Coast Guard in any manner connected with the construction, operation, or maintenance of lighthouses, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for the construction, operation, or maintenance of lighthouses, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the construction, operation, or maintenance of lighthouses.

“§ 549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction

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

“(b) For the purposes of subsection (a), a cession by a State of jurisdiction over a place selected as the site of a lighthouse, or other structure or work referred to in subsection (a), shall be deemed sufficient if the cession contains a reservation that process issued under authority of such State may continue to be served within such place.

“(c) If no reservation of service described in subsection (b) is contained in a cession, all process may be served and executed within the place ceded, in the same manner as if no cession had been made.

“§ 550. Marking pierheads in certain lakes

“The Commandant of the Coast Guard shall properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever he is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierhead has been completed.”.

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

“548. Prohibition against officers and employees being interest in contracts for materials, etc.

“549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction.

“550. Marking pierheads in certain lakes.”.

SEC. 6. TRANSFERS RELATED TO EMPLOYEES OF THE LIGHTHOUSE SERVICE.

(a) Section 6 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 763) is repealed.

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

“§ 2532. Retirement of employees

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

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

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

“(3) is involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of active service in the Government, or after completing 20 years of such service and if such employee is at least 50 years of age.

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

“(c) RETIREMENT FOR DISABILITY.—

“(1) IN GENERAL.—A covered employee who has completed 15 years of active service in the Government and is found, after examination by a medical officer of the United States, to be disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct of such officer or employee, shall be retired.

“(2) RESTORATION TO ACTIVE DUTY.—Any individual retired under paragraph (1) may, upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

“(d) ANNUAL COMPENSATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), The annual compensation of a person retired under this section shall be a sum equal to one-fortieth of the average annual pay received for the last three years of service for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed thirty-fortieths of such average annual pay received.

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

“(3) NO ALLOWANCE OR SUBSISTENCE.—Retirement pay under this section shall not include any amount on account of subsistence or other allowance.

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

“(1) any person in the field service of the Lighthouse Service whose duties do not require substantially all their time; or

“(2) persons of the Coast Guard.

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

“(g) DEFINITION.—For the purposes of this section, the term ‘covered employee’ means an officer or employee engaged in the field service or on vessels of the Lighthouse Service, except a person continuously employed in district offices or shop.”.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 25 of title 14, United States Code, is amended by inserting after the item relating to section 2531 the following:

“2532. Retirement of employees.”.

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

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

“§ 2533. Surviving spouses

“The Secretary of the department in which the Coast Guard is operating shall pay \$100 per month to the surviving spouse of a current or former employee of the Lighthouse Service in accordance with section 2532 if such employee dies—

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

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

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

(1) Subchapter II of chapter 25 of title 14, United States Code, is amended by adding after section 2533 the following:

“§ 2534. Application for benefits”.

(2)(A) Section 3 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 773), is redesignated as section 2534(a) of title 14, United States Code, transferred to appear after the heading of section 2534 of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(a), as so redesignated, transferred, and amended is further amended by striking “this Act” and inserting “section 2533”.

(3)(A) Section 4 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 774), is redesignated as section 2534(b) of title 14, United States Code, transferred to appear after section 2534(a) of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

(B) Section 2534(b), as so redesignated, transferred, and amended is further amended by striking “the provisions of this Act” and inserting “section 2533”.

(4)(A) The proviso under the heading “Payment to Civil Service Retirement and Disability Fund” of title V of division C of Public Law 112–74 (33 U.S.C. 776) is redesignated as section 2534(c) of title 14, United States Code, transferred to appear after section 2534(b) of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

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

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

“2533. Surviving spouses.

“2534. Application for benefits.”.

SEC. 8. REPEALS.

(a) **IN GENERAL.**—The following provisions are repealed:

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

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

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

(4) The final paragraph in the account “For Life-Saving and Life-Boat Stations” under the heading Treasury Department in the first section of chapter 130 of the Act of May 3, 1875 (33 U.S.C. 730a).

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

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

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

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

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

(10) Chapter 642 of the Act of August 10, 1939 (33 U.S.C. 763a–1).

(11) Chapter 788 of the Act of October 29, 1949 (33 U.S.C. 763–1).

(12) Chapter 524 of the Act of July 9, 1956 (33 U.S.C. 763–2).

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

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

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

(b) SAVINGS.—

(1) Notwithstanding any repeals made by this section, any individual beneficiary currently receiving payments under the authority of any provisions repealed in this section shall continue to receive such benefits.

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

PURPOSE OF LEGISLATION

The purpose of H.R. 4719, as amended, is to amend the Federal share of the fishing safety standards grants to support fishing safety training and research programs. The legislation would restore the Federal share of fishing training and research grants back to 75 percent and would also reauthorize the safety training and research programs for \$6,000,000 per year from 2019 through 2021. Finally, the bill, as amended, makes several non-controversial changes to certain provisions regarding authorities related to the former United States Lighthouse Service that the Coast Guard has found are no longer necessary, and transfers to title 14 the Lighthouse Service-related provisions the Service wants to retain.

BACKGROUND AND NEED FOR LEGISLATION

Commercial fishing is one of the United States' most dangerous occupations, with a fatality rate nearly 30 times higher than the national average. Workers in the industry can face a wide variety of hazards depending on the vessel and fishery. Research and training to address best practices for a specific fleet and/or region are critical to ensure U.S. fishermen are receiving the best possible information and training for vessel safety. There have been some recent successes in reducing fatal workplace injuries within the commercial fishing industry, but targeted safety research and training remains necessary and essential.

Section 604 of the Coast Guard Authorization Act of 2010 (P.L. 111–281) authorized two specific fishing vessel safety grant programs, each to be administered by the Coast Guard: the Fishing Safety Training Grants Program and the Fishing Safety Research Grant Program. Funding for each program was reauthorized by section 309 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (P.L. 113–281). Most recently, Congress reauthorized funding and transferred the administration of each program from the Coast Guard to the Secretary of Health and Human Services in amendments contained in section 506 of the Frank LoBiondo Coast Guard Authorization Act of 2018. Cumulatively, these two programs as authorized were intended to provide funding to municipalities, port authorities, other appropriate public entities, not-for-profit organizations, and other qualified persons to conduct commercial fishing vessel safety training for vessel operators and crewmembers. The programs also were authorized for the purchase of safety equipment and training aids for use in those commercial fishing vessel safety training programs. Funding also was intended to support individuals in academia, members of nonprofit organizations and businesses involved in commercial fishing and maritime matters, and other persons with expertise in commercial

fishing safety. Grant funding would be used to conduct research on methods for improving the safety of the commercial fishing industry, including vessel design, emergency and survival equipment, enhancement of vessel monitoring systems, communication devices, de-icing technology, and severe weather detection.

Each program's original statutory authority stipulated that grants were to be awarded on a competitive basis and allowed the Federal share to cover up to 75 percent of the cost of any training or research activity. In the LoBiondo Act, however, Congress reduced the Federal cost share to 50 percent of the activity cost, which has subsequently affected the ability of state and local groups to take advantage of this funding opportunity.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—

(1) The following hearing was used to develop or consider H.R. 4719, as amended:

On May 21, 2019, the Subcommittee on Coast Guard and Maritime Transportation held a hearing to examine the fiscal year 2020 budget requests for the Coast Guard, the Federal Maritime Commission (FMC), and the Maritime Administration titled, "Review of Fiscal Year 2020 Budget Request for the Coast Guard and Maritime Transportation Programs." Witnesses included Admiral Karl P. Schultz, Commandant of the United States Coast Guard, Master Chief Jason M. Vanderhaden, Master Chief Petty Officer of the United States Coast Guard, Rear Admiral Mark H. Buzby, Administrator of the Maritime Administration, and Michael A. Khouri, Chairman of the Federal Maritime Commission. Topics discussed included proper funding levels for the Coast Guard and the FMC, the status of Coast Guard acquisition programs, the impacts the lapse of Department of Homeland Security appropriations had on servicemembers and Coast Guard missions, quality of life for servicemembers beyond their missions, and maritime transportation issues relating to the Coast Guard and each agency.

(2) The following related hearings were held:

On March 6, 2019, the Subcommittee on Coast Guard and Maritime Transportation held a hearing titled, "U.S. Maritime and Shipbuilding Industries: Strategies to Improve Regulation, Economic Opportunities, and Competitiveness." Witnesses included Rear Admiral Mark H. Buzby, Administrator of the Maritime Administration, Rear Admiral John Nadeau, Assistant Commandant for Prevention Policy for the Coast Guard, Rear Admiral Michael Alfultis, President of the State University of New York Maritime College, Mr. John Crowley, President of the National Association of Waterfront Employers, Mr. Michael Roberts, Senior Vice President and General Counsel of Crowley Maritime, on behalf of the American Maritime Partnership, Mr. Augustin Tellez, Executive Vice President of the Seafarers International Union, on behalf of American Maritime Officers, Masters, Mates and Pilots and The Seafarers International Union, and Ms. Jennifer Carpenter, Executive Vice President and COO of the American Waterways Operators. Topics discussed included the state of the United States maritime industry, including domestic ports, the U.S.-flagged international trading fleet, U.S. shipbuilding, implementation of cargo pref-

erence, the importance of the Jones Act for the United States maritime industry, and the Merchant Marine Academy.

LEGISLATIVE HISTORY AND CONSIDERATION

On October 17, 2019, Representatives Jared Golden (D–ME) and Don Young (R–AK–At Large), introduced the Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies (FISH SAFE) Act. H.R. 4719 was referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 4719 was referred to the Subcommittee on Coast Guard and Maritime Transportation.

The Chair discharged the Subcommittee on Coast Guard and Maritime Transportation from further consideration of H.R. 4719 on October 29, 2019.

The Committee met in open session to consider H.R. 4719 on October 29, 2019 and ordered the measure to be reported to the House with a favorable recommendation, as amended, by voice vote with a quorum present.

The following amendment was offered:

An Amendment in the Nature of a Substitute offered by Mr. DeFazio, consisting of the following:

At the end of the enacting clause insert the following new sections:

- “Sec. 1. Short Title.”;
- “Sec. 2. Amendment of Federal Share of Fishing Safety Standards Grants.”;
- “Sec. 3. Reimbursement.”;
- “Sec. 4. Authorization of Appropriations Amendments.”;
- “Sec. 5. Aids to Navigation.”;
- “Sec. 6. Transfers Related to Employees of The Lighthouse Service.”;
- “Sec. 7. Transfers Related to Surviving Spouses of Lighthouse Service Employees.”;
- “Sec. 8. Repeals.”; was AGREED TO by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

There were no recorded votes during consideration of H.R. 4719.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 4719, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 7, 2019.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4719, the FISH SAFE Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Aaron Krupkin.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 4719, FISH SAFE Act			
As ordered reported by the House Committee on Transportation and Infrastructure on October 29, 2019			
By Fiscal Year, Millions of Dollars	2020	2020-2024	2020-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	1	12	12
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 4719 would reauthorize the Fishing Safety Training Grants Program and the Fishing Safety Research Grant Program for fiscal years 2020 and 2021. Those grant programs, which are administered by the National Institute for Occupational Safety and Health in consultation with the Coast Guard, award grants to entities that provide training or conduct research on commercial fishing safety. The bill also would increase the maximum federal cost share for activities funded under those grants from 50 percent to 75 percent.

H.R. 4719 would authorize the appropriation of \$6 million for 2020 and 2021. Based on historical rates of spending for similar activities, and assuming appropriation of the specified amounts, CBO estimates that implementing H.R. 4719 would cost \$12 million over the 2020–2024 period. The Congress appropriated \$3 million for each grant program in 2017, the last year in which appropriations were provided for the programs.

The costs of the legislation (detailed in Table 1) would fall within budget functions 400 (transportation) and 550 (health).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATIONS UNDER H.R. 4719

	By fiscal year, millions of dollars—					
	2020	2021	2022	2023	2024	2020–2024
Authorization	6	6	0	0	0	12
Estimated Outlays	1	4	5	2	0	12

The CBO staff contact for this estimate is Aaron Krupkin. The estimate was reviewed to H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to provide fishing vessel safety and research grants to fishermen and associated parties.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 4719, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

FEDERAL MANDATES STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 4719, as amended, does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section provides that this bill may be cited as the “Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act” or the FISH SAFE Act”.

Sec. 2. Amendment of Federal share of the fishing safety standards grants

This section amends section 4502 of title 46 to raise the Federal cost share for fishing vessel safety grants from 50 percent to 75 percent and establishes a retroactive effective date of one day after date of enactment of the LoBiondo Act (December 5, 2018).

Sec. 3. Cost share

This section establishes that the Federal cost share cap as in effect prior to the LoBiondo Act (December 5, 2018) shall apply to any funds appropriated for fishing grants in Consolidated Appropriations Act, 2017 (Public Law 115–31).

Sec. 4. Authorization of appropriations amendments

This section amends section 4502 of title 46 to reauthorize existing funding levels for both grant programs through 2021.

Sec. 5. Aids to navigation

This section authorizes the Commandant to acquire sites for and appropriately mark pierhead beacons. The section also prohibits members of the Coast Guard from being involved with the installation of lighthouses. The section also prohibits the construction of aids to navigation until a cession of land has been made to the United States government and preserves authorities for ongoing activities on such property.

Sec. 6. Transfers related to employees of the Lighthouse Service

This section repeals Section 6 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 763), and amends Subchapter II of chapter 25 of title 14 to transfer retirement authorities for the Coast Guard to Title 14.

Sec. 7. Transfers related to surviving spouses of Lighthouse Service employees

This section amends Subchapter II of chapter 25 of title 14 to transfer surviving spouses compensation and benefits authorities for the Coast Guard to Title 14.

Sec. 8. Repeals

This section repeals the transferred sections and guarantees that any individual beneficiary currently receiving payments or pay increases under the authority of any provisions repealed in this section shall continue to receive such benefits.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

TITLE 46, UNITED STATES CODE

* * * * *

SUBTITLE II—VESSELS AND SEAMEN

* * * * *

PART B—INSPECTION AND REGULATION OF VESSELS

* * * * *

CHAPTER 45—UNINSPECTED COMMERCIAL FISHING INDUSTRY VESSELS

* * * * *

§ 4502. Safety standards

(a) The Secretary shall prescribe regulations which require that each vessel to which this chapter applies shall be equipped with—

- (1) readily accessible fire extinguishers capable of promptly and effectively extinguishing a flammable or combustible liquid fuel fire;
- (2) at least one readily accessible life preserver or other life-saving device for each individual on board;
- (3) an efficient flame arrestor, backfire trap, or other similar device on the carburetors of each inboard engine which uses gasoline as fuel;
- (4) the means to properly and efficiently ventilate enclosed spaces, including engine and fuel tank compartments, so as to remove explosive or flammable gases;
- (5) visual distress signals;
- (6) other equipment required to minimize the risk of injury to the crew during vessel operations, if the Secretary determines that a risk of serious injury exists that can be eliminated or mitigated by that equipment; and
- (7) a placard as required by regulations prescribed under section 10603(b) of this title.

(b)(1) In addition to the requirements of subsection (a) of this section, the Secretary shall prescribe regulations requiring the instal-

lation, maintenance, and use of the equipment in paragraph (2) of this subsection for vessels to which this chapter applies that—

- (A) operate beyond 3 nautical miles from the baseline from which the territorial sea of the United States is measured or beyond 3 nautical miles from the coastline of the Great Lakes;
- (B) operate with more than 16 individuals on board; or
- (C) in the case of a fish tender vessel, engage in the Aleutian trade.

(2) The equipment to be required is as follows:

- (A) alerting and locating equipment, including emergency position indicating radio beacons;
- (B) subject to paragraph (3), a survival craft that ensures that no part of an individual is immersed in water sufficient to accommodate all individuals on board;
- (C) at least one readily accessible immersion suit for each individual on board that vessel when operating on the waters described in section 3102 of this title;
- (D) marine radio communications equipment sufficient to effectively communicate with land-based search and rescue facilities;
- (E) navigation equipment, including compasses, nautical charts, and publications;
- (F) first aid equipment and medical supplies sufficient for the size and area of operation of the vessel; and
- (G) ground tackle sufficient for the vessel.

(3) Except for a nonapplicable vessel, an auxiliary craft shall satisfy the equipment requirement under paragraph (2)(B) if such craft is—

- (A) necessary for normal fishing operations;
- (B) readily accessible during an emergency; and
- (C) capable, in accordance with the Coast Guard capacity rating, when applicable, of safely holding all individuals on board the vessel to which the craft functions as an auxiliary.

(c)(1) In addition to the requirements described in subsections (a) and (b) of this section, the Secretary may prescribe regulations establishing the standards in paragraph (2) of this subsection for vessels to which this chapter applies that—

- (A)(i) were built after December 31, 1988, or undergo a major conversion completed after that date; and
- (ii) operate with more than 16 individuals on board; or
- (B) in the case of a fish tender vessel, engage in the Aleutian trade.

(2) The standards shall be minimum safety standards, including standards relating to—

- (A) navigation equipment, including radars and fathometers;
- (B) lifesaving equipment, immersion suits, signaling devices, bilge pumps, bilge alarms, life rails, and grab rails;
- (C) fire protection and firefighting equipment, including fire alarms and portable and semiportable fire extinguishing equipment;
- (D) use and installation of insulation material;
- (E) storage methods for flammable or combustible material; and
- (F) fuel, ventilation, and electrical systems.

(d)(1) The Secretary shall prescribe regulations for the operating stability of a vessel to which this chapter applies—

(A) that was built after December 31, 1989; or

(B) the physical characteristics of which are substantially altered after December 31, 1989, in a manner that affects the vessel's operating stability.

(2) The Secretary may accept, as evidence of compliance with this subsection, a certification of compliance issued by the person providing insurance for the vessel or by another qualified person approved by the Secretary.

(e) In prescribing regulations under this chapter, the Secretary—

(1) shall consider the specialized nature and economics of the operations and the character, design, and construction of the vessel; and

(2) may not require the alteration of a vessel or associated equipment that was constructed or manufactured before the effective date of the regulation.

(f) To ensure compliance with the requirements of this chapter, the Secretary—

(1) shall require the individual in charge of a vessel described in subsection (b) to keep a record of equipment maintenance, and required instruction and drills;

(2) shall examine at dockside a vessel described in subsection (b) at least once every 5 years, but may require an exam at dockside every 2 years for certain vessels described in subsection (b) if requested by the owner or operator; and

(3) shall issue a certificate of compliance to a vessel meeting the requirements of this chapter and satisfying the requirements in paragraph (2).

(g)(1) The individual in charge of a vessel described in subsection (b) must pass a training program approved by the Secretary that meets the requirements in paragraph (2) of this subsection and hold a valid certificate issued under that program.

(2) The training program shall—

(A) be based on professional knowledge and skill obtained through sea service and hands-on training, including training in seamanship, stability, collision prevention, navigation, fire fighting and prevention, damage control, personal survival, emergency medical care, emergency drills, and weather;

(B) require an individual to demonstrate ability to communicate in an emergency situation and understand information found in navigation publications;

(C) recognize and give credit for recent past experience in fishing vessel operation; and

(D) provide for issuance of a certificate to an individual that has successfully completed the program.

(3) The Secretary shall prescribe regulations implementing this subsection. The regulations shall require that individuals who are issued a certificate under paragraph (2)(D) must complete refresher training at least once every 5 years as a condition of maintaining the validity of the certificate.

(4) The Secretary shall establish an electronic database listing the names of individuals who have participated in and received a certificate confirming successful completion of a training program approved by the Secretary under this section.

(h) A vessel to which this chapter applies shall be constructed in a manner that provides a level of safety equivalent to the minimum safety standards the Secretary may establish for recreational vessels under section 4302, if—

- (1) subsection (b) of this section applies to the vessel;
- (2) the vessel is less than 50 feet overall in length; and
- (3) the vessel is built after January 1, 2010.

(i)(1) The Secretary of Health and Human Services shall establish a Fishing Safety Training Grants Program to provide funding to municipalities, port authorities, other appropriate public entities, not-for-profit organizations, and other qualified persons that provide commercial fishing safety training—

(A) to conduct fishing vessel safety training for vessel operators and crewmembers that—

- (i) in the case of vessel operators, meets the requirements of subsection (g); and
 - (ii) in the case of crewmembers, meets the requirements of subsection (g)(2)(A), such requirements of subsection (g)(2)(B) as are appropriate for crewmembers, and the requirements of subsections (g)(2)(D), (g)(3), and (g)(4); and
- (B) for purchase of safety equipment and training aids for use in those fishing vessel safety training programs.

(2) The Secretary of Health and Human Services, in consultation with and based on criteria established by the Commandant of the Coast Guard shall award grants under this subsection on a competitive basis.

(3) The Federal share of the cost of any activity carried out with a grant under this subsection shall not exceed ~~50~~ 75 percent.

(4) There is authorized to be appropriated \$3,000,000 for each of fiscal years 2018 through ~~2019~~ 2021 for grants under this subsection.

(j)(1) The Secretary of Health and Human Services shall establish a Fishing Safety Research Grant Program to provide funding to individuals in academia, members of non-profit organizations and businesses involved in fishing and maritime matters, and other persons with expertise in fishing safety, to conduct research on methods of improving the safety of the commercial fishing industry, including vessel design, emergency and survival equipment, enhancement of vessel monitoring systems, communications devices, de-icing technology, and severe weather detection.

(2) The Secretary of Health and Human Services, in consultation with and based on criteria established by the Commandant of the Coast Guard, shall award grants under this subsection on a competitive basis.

(3) The Federal share of the cost of any activity carried out with a grant under this subsection shall not exceed ~~50~~ 75 percent.

(4) There is authorized to be appropriated \$3,000,000 for each of fiscal years 2018 through ~~2019~~ 2021 for activities under this subsection.

(k) For the purposes of this section, the term “auxiliary craft” means a vessel that is carried onboard a fishing vessel and is normally used to support fishing operations.

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TITLE 14, UNITED STATES CODE

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**SUBTITLE I—ESTABLISHMENT, POWERS,
DUTIES, AND ADMINISTRATION**

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CHAPTER 5—FUNCTIONS AND POWERS

* * * * *

Sec.

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SUBCHAPTER III—AIDS TO NAVIGATION

* * * * *

548. *Prohibition against officers and employees being interested in contracts for materials, etc.*

549. *Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction.*

550. *Marking pierheads in certain lakes.*

* * * * *

SUBCHAPTER III—AIDS TO NAVIGATION

§ 541. Aids to navigation authorized

[In] (a) *In order to aid navigation and to prevent disasters, collisions, and wrecks of vessels and aircraft, the Coast Guard may establish, maintain, and operate:*

(1) *aids to maritime navigation required to serve the needs of the armed forces or of the commerce of the United States;*

(2) *aids to air navigation required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or the Secretary of any department within the Department of Defense and as required by any of those officials; and*

(3) *electronic aids to navigation systems (a) required to serve the needs of the armed forces of the United States peculiar to warfare and primarily of military concern as determined by the Secretary of Defense or any department within the Department of Defense; or (b) required to serve the needs of the maritime commerce of the United States; or (c) required to serve the needs of the air commerce of the United States as requested by the Administrator of the Federal Aviation Administration.*

These aids to navigation other than electronic aids to navigation systems shall be established and operated only within the United States, the waters above the Continental Shelf, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and beyond the territorial jurisdiction of the United States at places where naval or military bases of the United States are or may be located. The Coast Guard may establish, maintain, and operate aids to maritime navigation under paragraph (1) of this section by contract with any person, public body, or instrumentality.

- (b) *In the case of pierhead beacons, the Commandant may—*
 - (1) *acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for pierhead beacons; and*
 - (2) *properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever the Commandant is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierheads has been completed.*

* * * * *

§ 548. Prohibition against officers and employees being interested in contracts for materials, etc.

No officer, enlisted member, or civilian member of the Coast Guard in any manner connected with the construction, operation, or maintenance of lighthouses, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for the construction, operation, or maintenance of lighthouses, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the construction, operation, or maintenance of lighthouses.

§ 549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction

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

(b) *For the purposes of subsection (a), a cession by a State of jurisdiction over a place selected as the site of a lighthouse, or other structure or work referred to in subsection (a), shall be deemed sufficient if the cession contains a reservation that process issued under authority of such State may continue to be served within such place.*

(c) *If no reservation of service described in subsection (b) is contained in a cession, all process may be served and executed within the place ceded, in the same manner as if no cession had been made.*

§ 550. Marking pierheads in certain lakes

The Commandant of the Coast Guard shall properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever he is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierhead has been completed.

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SUBTITLE II—PERSONNEL

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CHAPTER 25—PERSONNEL; GENERAL PROVISIONS

Sec.

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SUBCHAPTER II—LIGHTHOUSE SERVICE

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2532. Retirement of employees.
 2533. Surviving spouses.
 2534. Application for benefits.

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SUBCHAPTER II—LIGHTHOUSE SERVICE

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§ 2532. Retirement of employees

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

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

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

(3) is involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of active service in the Government, or after completing 20 years of such service and if such employee is at least 50 years of age.

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

(c) *RETIREMENT FOR DISABILITY.*—

(1) *IN GENERAL.*—A covered employee who has completed 15 years of active service in the Government and is found, after examination by a medical officer of the United States, to be disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct of such officer or employee, shall be retired.

(2) *RESTORATION TO ACTIVE DUTY.*—Any individual retired under paragraph (1) may, upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

(d) *ANNUAL COMPENSATION.*—

(1) *IN GENERAL.*—Except as provided in paragraph (2), The annual compensation of a person retired under this section shall be a sum equal to one-fortieth of the average annual pay received for the last three years of service for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed thirty-fortieths of such average annual pay received.

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

(3) *NO ALLOWANCE OR SUBSISTENCE.*—Retirement pay under this section shall not include any amount on account of subsistence or other allowance.

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

- (1) any person in the field service of the Lighthouse Service whose duties do not require substantially all their time; or
- (2) persons of the Coast Guard.

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

(g) *DEFINITION.*—For the purposes of this section, the term “covered employee” means an officer or employee engaged in the field service or on vessels of the Lighthouse Service, except a person continuously employed in district offices or shop.

§ 2533. Surviving spouses

The Secretary of the department in which the Coast Guard is operating shall pay \$100 per month to the surviving spouse of a current or former employee of the Lighthouse Service in accordance with section 2532 if such employee dies—

- (1) at a time when such employee was receiving or was entitled to receive retirement pay under this subchapter; or
- (2) from non-service-connected causes after fifteen or more years of employment in such service.

§ 2534. Application for benefits

(a) Application for the benefits of section 2533 shall be made in such manner and form as the Civil Service Commission shall prescribe.

(b) The Civil Service Commission shall perform, or cause to be performed, such acts, and shall make such rules and regulations, as may be necessary or proper to carry out section 2533.

(c) *PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND.*—For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by section 2533 may hereafter be paid out of the Civil Service Retirement and Disability Fund.

* * * * *

ACT OF JUNE 20, 1918

AN ACT To authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

* * * * *

[SEC. 2. That Hereafter the appropriation, “General expenses, Lighthouse Service,” shall be available, under regulations prescribed by the Secretary of Commerce, for the payment of traveling

and subsistence expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses.】

* * * * *

【SEC. 6. That hereafter all officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices or shops, who (1) shall have reached the age of fifty-five years, after having been thirty years in the active service of government, (2) shall have reached the age of sixty-two years, after having been twenty-five years in the active service of the Government, or (3) are involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing twenty-five years in the active service of the Government, or after completing twenty years of such service and after reaching the age of fifty years, may at their option be retired from further performance of duty; and all such officers and employees who shall have reached the age of seventy years shall be compulsorily retired from further performance of duty: Provided, That the annual compensation of persons so retired shall be a sum equal to one-fortieth of the average annual pay received for the last three years of service for each year of active service in the Lighthouse Service or in a department or branch of the Government having a retirement system, not to exceed in any case thirty-fortieths of such average annual pay received: Provided further, That the retirement pay computed under the preceding proviso for any such officer or employee retiring under clause (3) shall be reduced by one-sixth of 1 per centum for each full month the officer or employee is under fifty-five years of age at the date of retirement: Provided further, That such retirement pay shall not include any amount on account of subsistence or other allowance. Any person entitled to retirement pay under this section may decline to accept all or any part of such retirement pay by a waiver signed and filed with the Secretary of the Treasury. Such waiver may be revoked in writing at any time, but no payment of the retirement pay waived shall be made covering the period during which such waiver was in effect.】

ACT OF AUGUST 19, 1950

AN ACT To provide benefits for the widows of certain persons who were retired or are eligible for retirement under section 6 of the Act entitled "An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes", approved June 20, 1918, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 【That where—】

【(1) any former employee of the Lighthouse Service has died or shall hereafter die at a time when that employee was receiving or was entitled to receive retirement pay under section 6 of the Act entitled "An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes", approved June 20, 1918, as amended and supplemented (33 U.S.C., secs. 763-765), and

【(2) the surviving spouse of the former employee was married to the former employee prior to the retirement of the

former employee from the Lighthouse Service and has not re-married—
the surviving spouse, so long as the surviving spouse does not re-marry, shall be paid \$100 per month by the Secretary of the Treasury.]

[SEC. 2. Where—

[(1) any employee (other than an employee whose position was classified in one of the grades of the professional and scientific service of the Classification Act of 1923, as amended, or a comparable grade of the Classification Act of 1949, or who performed duties of a position comparable to a position so classified after the enactment of law requiring the classification of such positions) of the Lighthouse Service has died or shall hereafter die from non-service-connected causes after fifteen or more years of employment in such service, and

[(2) the surviving spouse of the employee has not since re-married,
the surviving spouse, so long as the surviving spouse does not re-marry, shall be paid \$100 per month by the Secretary of the Treasury.

[SEC. 3. Application for the benefits of this Act shall be made in such manner and form as the Civil Service Commission shall prescribe.

[SEC. 4. The Civil Service Commission shall perform, or cause to be performed, such acts, and shall make such rules and regulations, as may be necessary or proper to carry out the provisions of this Act.]

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PUBLIC LAW 112-74

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**DIVISION C—FINANCIAL SERVICES AND
GENERAL GOVERNMENT APPROPRIATIONS ACT, 2012**

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TITLE V—INDEPENDENT AGENCIES

* * * * *

**[PAYMENT TO CIVIL SERVICE RETIREMENT AND
DISABILITY FUND]**

[For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C.

771-775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.】

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REVISED STATUTES OF THE UNITED STATES

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TITLE LV—LIGHTS AND BUOYS

* * * * *

【SEC. 4661. No light-house, beacon, public piers, or landmark, shall be built or erected on any site until cession of jurisdiction over the same has been made to the United States.

【SEC. 4662. A cession by a State of jurisdiction over a place selected as the site of a light-house, or other structure or work, shall be deemed sufficient within the preceding section, notwithstanding it contains a reservation that process issued under authority of such State may continue to be served within such place. And notwithstanding any such cession of jurisdiction contains no such reservation, all process may be served and executed within the place ceded, in the same manner as if no cession had been made. 】,

* * * * *

【SEC. 4680. No member of the Light-House Board, inspector, light-keeper, or other person in any manner connected with the light-house service, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for the light-house service, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the light-house service.】

* * * * *

ACT OF MAY 3, 1875

AN ACT Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

* * * * *

TREASURY DEPARTMENT

* * * * *

FOR LIFE-SAVING AND LIFE-BOAT STATIONS.

* * * * *

【And the Secretary of the Treasury is hereby authorized, whenever he shall deem it advisable, to acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for life-saving or life-boat stations, houses of refuge and sites for pier-head beacons the establishment of which has been, or shall hereafter be, authorized by Congress.】

* * * * *

ACT OF JUNE 17, 1910

AN ACT To authorize additional aids to navigation in the Light-House Establishment, and to provide for a Bureau of Light-Houses in the Department of Commerce.

* * * * *

【SEC. 11. That the commissioner of light-houses, subject to the approval of the Secretary of Commerce and Labor, as soon as practicable, shall rearrange the ocean, gulf, and lake coasts and the rivers of the United States, Porto Rico, and the naval station in Cuba into not exceeding nineteen light-house districts, and a light-house inspector shall be assigned in charge of each district. The light-house inspectors shall each receive a salary of two thousand four hundred dollars per annum, except the inspector of the third district, whose salary shall be three thousand six hundred dollars per annum. The President may, for a period not exceeding three years from the taking effect of this section, assign army and navy officers to act in lieu of the appointment of civilian light-house inspectors, but such army and Navy officers shall not receive any salary or compensation in addition to the salary or compensation they are entitled to as such army or navy officers: Provided, That in the districts which include the Mississippi River and its tributaries the President may designate army engineers to perform the duties of and act as inspectors. The President may detail officers of the Engineer Corps of the United States Army for consultation or to superintend the construction or repair of any aid to navigation authorized by Congress.】

* * * * *

ACT OF MAY 22, 1926

AN ACT To authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and to increase the efficiency of the Lighthouse Service, and for other purposes.

* * * * *

【SEC. 3. (a) That hereafter officers and employees of the Light-house Service entitled to the benefits of the Public Health Service shall also be entitled to such benefits, without charge, at other than hospitals or stations of the Public Health Service, under regulations promulgated by the Secretary of the Treasury and the Secretary of Commerce.

【(b) The Public Health Service is authorized, in the discretion of the Secretary of the Treasury, to provide medical, surgical, and hospital services and supplies for the officers and crews of vessels of the Lighthouse Service, including when practicable the detail of medical officers on such vessels.

【SEC. 4. Hereafter officers and crews of vessels of the Lighthouse Service and light keepers and depot keepers of the Lighthouse Service shall be permitted to purchase commissary and quartermaster supplies from the Briny, Navy, or Marine Corps at the price

charged officers and enlisted members of the Army, Navy, or Marine Corps.】

* * * * *

ACT OF FEBRUARY 25, 1929

AN ACT To improve the efficiency of the Lighthouse Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 【That hereafter the appropriation, "General expenses, Lighthouse Service," shall be available, under rules prescribed by the Secretary of Commerce, for paying the actual and necessary traveling expenses of lighthouse keepers at isolated stations incurred in obtaining medical attention.】

* * * * *

ACT OF AUGUST 10, 1939

AN ACT Relating to the retirement of employees to whom the provisions of section 6 of the Act approved June 20, 1918 (40 Stat. 608; U.S.C., 1934 edition, title 33, sec. 763), as amended, apply.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 【That any officer or employee of the Lighthouse Service who, on June 30, 1939, meets the requirements (except those relating to age and period of service) of section 6 of the Act approved June 20, 1918 (40 Stat. 608; U. S. C., title 33, sec. 763), as amended or supplemented, and who shall (1) reach the age of sixty-four years prior to July 1, 1940, or (2) be the occupant of an office or position abolished prior to July 1, 1940, may in the discretion of the head of his executive department be retired with annual compensation as provided in said section 6: Provided, however, That no such officer or employee shall be retired hereunder unless he shall have been in the service of the Government not less than thirty years at the time of retirement. Any officer or employee to whom this Act applies who is not retired hereunder prior to reaching the age of sixty-five years shall, upon reaching such age, become eligible for retirement in accordance with the provisions of said section 6 of the Act of June 20, 1918, and may not be retired under the provisions of this Act. Nothing contained in this Act shall be construed to affect the application of said section 6 to any officer or employee of the Lighthouse Service to whom this Act does not apply. 】

ACT OF OCTOBER 29, 1949

AN ACT To increase the retired pay of certain members of the former Lighthouse Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 【That the annual rate of retired pay received by any person who was retired on or before June 29, 1949, under section 6 of the Act of June 20, 1918, as amended and supplemented (33 U.S.C., 1946 edition, 763-765)

shall be increased by \$360 on the first day of the calendar month following enactment of this Act.】

ACT OF JULY 9, 1956

AN ACT To increase the retired pay of certain members of the former Lighthouse Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 【That the annual rate of retired pay of each person retired under section 6 of the Act of June 20, 1918, as amended and supplemented, shall be increased, effective on the first day of the first calendar month following the date of enactment of this Act, in accordance with the following schedule:】

	Retired pay not in excess of \$1,500 shall be increased by—	Retired pay in excess of \$1,500 shall be increased by—
【If retired pay commences between—		
June 20, 2018, and June 30, 1955	12 per centum	8 per centum
July 1, 1955, and December 31, 1955	10 per centum	7 per centum
January 1, 1956, and June 30, 1956	8 per centum	6 per centum
July 1, 1956, and December 31, 1956	6 per centum	4 per centum
January 1, 1957, and June 30, 1957	4 per centum	2 per centum
July 1, 1957, and December 31, 1957	2 per centum	1 per centum

【Such annual increase in retired pay shall not exceed the sun1 necessary to increase such retired pay to \$4,104. The monthly installment of each retired payment so Increased shall be fixed at the nearest dollar.】

ACT OF MARCH 4, 1921

AN ACT To Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes.

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DEPARTMENT OF COMMERCE

* * * * *

LIGHTHOUSE SERVICE.

* * * * *

The provision of section 6 of the Act entitled “An Act to authorize aids to navagation and for other works in the Lighthouse Service, and for other purposes,” approved June 20, 1918, relative to compulsory retirement shall not apply to an employee of the Lighthouse Service if within sixty days after the passage of this Act or not less than thirty days before the arrival of such employee at the age of seventy, the Secretary of Commerce shall certify as a matter of public record that by reason of his efficiency and willingness to remain in the Lighthouse Service of the United Statues the continuance of such employee therein would be advantageous to the public service. In that event such employee may be retained for a

term not exceeding two years, and at the end of two years such employee may, by similar certification, be continued for an additional term not exceeding two years[*: Provided, however, That at the end of ten years after this Act becomes effective no employee shall be continued in the Lighthouse Service beyond the age of compulsory retirement defined in the Act of June 20, 1918, referred to in this paragraph: Provided further, That nothing herein shall exclude or prevent any employee of the Lighthouse Service who shall have reached the age of compulsory retirement within thirty days before or after the date of the passage of this Act from enjoying the privileges thereof*].

* * * * *

ACT OF MAY 13, 1938

AN ACT To improve the efficiency of the Lighthouse Service, and for other purposes.

* * * * *

[SEC. 3. Money accruing from commutation of rations and provisions for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons on board of such tenders or vessels, after payment on proper vouchers to the officer in charge of the mess of such vessel or party, as provided by law. may be expended and accounted for pursuant to regulations prescribed by the Secretary of Commerce, notwithstanding the provisions of the of June 26, 1934 (48 Stat. 1233).]

