

Calendar No. 302

114TH CONGRESS
1ST SESSION**S. 1611****[Report No. 114–168]**

To authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2015

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

NOVEMBER 30, 2015

Reported by Mr. THUNE, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To authorize appropriations for the Coast Guard for fiscal years 2016 and 2017, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.—~~This Act may be cited as the
 5 ~~“Coast Guard Authorization Act of 2015”.~~

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATIONS

Sec. 101. Authorizations.

Sec. 102. Conforming amendments.

TITLE II—COAST GUARD

Sec. 201. Vice Commandant.

Sec. 202. Vice admirals.

Sec. 203. Professional development.

Sec. 204. Senior enlisted member continuation boards.

Sec. 205. Coast Guard member pay.

Sec. 206. Recall.

Sec. 207. Exchange of medical goods and services.

Sec. 208. Coast Guard remission of indebtedness.

Sec. 209. Coast Guard communities.

Sec. 210. Major acquisition programs.

Sec. 211. Major acquisitions assessment.

Sec. 212. Polar Icebreakers.

Sec. 213. Participation of the Coast Guard Academy in Federal, State, or other educational research grants.

Sec. 214. Venue.

Sec. 215. National Coast Guard Museum.

Sec. 216. Investigations.

Sec. 217. Technical and clerical amendments to title 14, United States Code.

TITLE III—SHIPPING AND NAVIGATION

Sec. 301. Whistleblower protections.

Sec. 302. Maritime drug law enforcement.

Sec. 303. Carriage of liquid dangerous cargo.

Sec. 304. Maritime transportation of hazardous material.

Sec. 305. Recreational vessel operator education.

Sec. 306. Nondisclosure of certain information.

Sec. 307. Higher volume port area regulatory definition change.

Sec. 308. Recognition of port security assessments conducted by other entities.

Sec. 309. Model years for recreational vessels.

Sec. 310. Recreational vessel engine weights.

Sec. 311. Vessel replacement.

Sec. 312. Fishing vessel and fish tender vessel certification.

Sec. 313. Title 46, United States Code, technical corrections.

TITLE IV—FEDERAL MARITIME COMMISSION

Sec. 401. Authorization of appropriations.

Sec. 402. Duties of the chairman.

TITLE V—SPORTFISH RESTORATION AND RECREATIONAL BOATING SAFETY REAUTHORIZATION

Sec. 501. Short title.

Sec. 502. Authorization of appropriations.
 Sec. 503. Division of annual appropriations.
 Sec. 504. Extension of exception to limitation on transfers to fund.
 Sec. 505. Recreational boating safety allocations.
 Sec. 506. Recreational boating safety.
 Sec. 507. National Boating Safety Advisory Council.
 Sec. 508. Plan evaluation.
 Sec. 509. Report to Congress.

TITLE VI—CONVEYANCE OF COAST GUARD PROPERTY

Subtitle A—Conveyance of Coast Guard Property in Point Spencer, Alaska

Sec. 601. Findings.
 Sec. 602. Definitions.
 Sec. 603. Authority to convey land in Point Spencer.
 Sec. 604. Port Coordination Advisory Council for Point Spencer.
 Sec. 605. Waiver.

Subtitle B—Other Conveyance of Coast Guard Property

Sec. 611. Conveyance of Coast Guard property in Point Reyes Station, California.
 Sec. 612. Conveyance of Coast Guard property in Tok, Alaska.

TITLE VII—MISCELLANEOUS

Sec. 701. Interagency Coordinating Committee on Oil Pollution Research.
 Sec. 702. Accident and incident notification.
 Sec. 703. Technical corrections relating to bridges.
 Sec. 704. International port and facility inspection coordination.
 Sec. 705. Reports.
 Sec. 706. Safe vessel operation in the Great Lakes.
 Sec. 707. Coastwise endorsement.
 Sec. 708. International Ice Patrol.

1 **TITLE I—AUTHORIZATIONS**

2 **SEC. 101. AUTHORIZATIONS.**

3 (a) IN GENERAL.—Title 14, United States Code, is
 4 amended by adding at the end the following:

5 **“PART III—COAST GUARD AUTHORIZATIONS AND**

6 **REPORTS TO CONGRESS**

“Chap.	Sec.
“27. Authorizations	2701
“29. Reports	2901

7 **“CHAPTER 27—AUTHORIZATIONS**

“Sec.

~~“2702. Authorization of appropriations.~~

~~“2704. Authorized levels of military strength and training.~~

1 **~~“§ 2702. Authorization of appropriations~~**

2 ~~“Funds are authorized to be appropriated for each~~
 3 ~~of fiscal years 2016 and 2017 for necessary expenses of~~
 4 ~~the Coast Guard as follows:~~

5 ~~“(1) For the operation and maintenance of the~~
 6 ~~Coast Guard, not otherwise provided for—~~

7 ~~“(A) \$6,981,036,000 for fiscal year 2016;~~

8 ~~and~~

9 ~~“(B) \$6,981,036,000 for fiscal year 2017.~~

10 ~~“(2) For the acquisition, construction, renova-~~
 11 ~~tion, and improvement of aids to navigation, shore~~
 12 ~~facilities, vessels, and aircraft, including equipment~~
 13 ~~related thereto, and for maintenance, rehabilitation,~~
 14 ~~lease, and operation of facilities and equipment—~~

15 ~~“(A) \$1,546,448,000 for fiscal year 2016;~~

16 ~~and~~

17 ~~“(B) \$1,546,448,000 for fiscal year 2017.~~

18 ~~“(3) For the Coast Guard Reserve program, in-~~
 19 ~~cluding operations and maintenance of the program,~~
 20 ~~personnel and training costs, equipment, and serv-~~
 21 ~~ices—~~

22 ~~“(A) \$140,016,000 for fiscal year 2016;~~

23 ~~and~~

24 ~~“(B) \$140,016,000 for fiscal year 2017.~~

1 “(4) For the environmental compliance and res-
 2 toration functions of the Coast Guard under chapter
 3 19 of this title—

4 “(A) \$16,701,000 for fiscal year 2016; and

5 “(B) \$16,701,000 for fiscal year 2017.

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

16 “(A) \$19,890,000 for fiscal year 2016; and

17 “(B) \$19,890,000 for fiscal year 2017.

18 **“§ 2704. Authorized levels of military strength and**
 19 **training**

20 “(a) ACTIVE DUTY STRENGTH.—The Coast Guard is
 21 authorized an end-of-year strength for active duty per-
 22 sonnel of 43,000 for each of fiscal years 2016 and 2017.

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

1 dent loads for each of fiscal years 2016 and 2017 as fol-
2 lows:

3 “(1) For recruit and special training, 2,500
4 student years.

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

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

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

10 **“CHAPTER 29—REPORTS**

“Sec.”.

11 (b) REQUIREMENT FOR PRIOR AUTHORIZATION OF
12 APPROPRIATIONS.—Section 662 of title 14, United States
13 Code, is amended—

14 (1) by redesignating such section as section
15 2701;

16 (2) by transferring such section to appear be-
17 fore section 2702 of such title (as added by sub-
18 section (a) of this section); and

19 (3) by striking paragraphs (1) through (5) and
20 inserting the following:

21 “(1) For the operation and maintenance of the
22 Coast Guard, not otherwise provided for.

23 “(2) For the acquisition, construction, renova-
24 tion, and improvement of aids to navigation, shore

1 facilities, vessels, and aircraft, including equipment
 2 related thereto, and for maintenance, rehabilitation,
 3 lease, and operation of facilities and equipment.

4 “(3) For the Coast Guard Reserve program, in-
 5 cluding operations and maintenance of the program,
 6 personnel and training costs, equipment, and serv-
 7 ices.

8 “(4) For the environmental compliance and res-
 9 toration functions of the Coast Guard under chapter
 10 19 of this title.

11 “(5) For research, development, test, and eval-
 12 uation of technologies, materials, and human factors
 13 directly related to improving the performance of the
 14 Coast Guard.

15 “(6) For alteration or removal of bridges over
 16 navigable waters of the United States constituting
 17 obstructions to navigation, and for personnel and
 18 administrative costs associated with the Alteration of
 19 Bridges Program.”.

20 (e) AUTHORIZATION OF PERSONNEL END
 21 STRENGTHS.—Section 661 of title 14, United States
 22 Code, is amended—

23 (1) by redesignating such section as section
 24 2703; and

(2) by transferring such section to appear before section 2704 of such title (as added by subsection (a) of this section).

(d) REPORTS.—

(1) TRANSMISSION OF ANNUAL COAST GUARD AUTHORIZATION REQUEST.—Section 662a of title 14, United States Code, is amended—

(A) by redesignating such section as section 2901;

(B) by transferring such section to appear as the first section in chapter 29 of such title (as added by subsection (a) of this section); and

(C) in subsection (b)—

(i) in paragraph (1) by striking “described in section 661” and inserting “described in section 2703”; and

(ii) in paragraph (2) by striking “described in section 662” and inserting “described in section 2701”.

(2) CAPITAL INVESTMENT PLAN.—Section 663 of title 14, United States Code, is amended—

(A) by redesignating such section as section 2902; and

(B) by transferring such section to appear after section 2901 of such title (as so redesignated).

1 nated and transferred by paragraph (1) of this
2 subsection).

3 ~~(3)~~ MAJOR ACQUISITIONS.—Section 569a of
4 title 14, United States Code, is amended—

5 (A) by redesignating such section as sec-
6 tion 2903;

7 (B) by transferring such section to appear
8 after section 2902 of such title (as so redesign-
9 nated and transferred by paragraph (2) of this
10 subsection); and

11 (C) in subsection (c)(2) by striking “of this
12 subchapter”.

13 (e) ADDITIONAL SUBMISSIONS.—The Commandant
14 of the Coast Guard shall submit to the Committee on
15 Homeland Security of the House of Representatives—

16 (1) each plan required under section 2904 of
17 title 14, United States Code, as added by subsection
18 (a) of this section;

19 (2) each plan required under section 2903(e) of
20 title 14, United States Code, as added by section
21 206 of this Act;

22 ~~(3)~~ each plan required under section 2902 of
23 title 14, United States Code, as redesignated by sub-
24 section (d) of this section; and

1 (4) each mission need statement required under
2 section 569 of title 14, United States Code.

3 **SEC. 102. CONFORMING AMENDMENTS.**

4 (a) ANALYSIS FOR TITLE 14.—The analysis for title
5 14, United States Code, is amended by adding after the
6 item relating to part II the following:

**“III. Coast Guard Authorizations and Reports to Con-
gress 2701”.**

7 (b) ANALYSIS FOR CHAPTER 15.—The analysis for
8 chapter 15 of title 14, United States Code, is amended
9 by striking the item relating to section 569a.

10 (c) ANALYSIS FOR CHAPTER 17.—The analysis for
11 chapter 17 of title 14, United States Code, is amended
12 by striking the items relating to sections 661, 662, 662a,
13 and 663.

14 (d) ANALYSIS FOR CHAPTER 27.—The analysis for
15 chapter 27 of title 14, United States Code, as added by
16 section 101(a) of this Act, is amended by inserting—

17 (1) before the item relating to section 2702 the
18 following:

“2701. Requirement for prior authorization of appropriations.”;

19 and

20 (2) before the item relating to section 2704 the
21 following:

“2703. Authorization of personnel end strengths.”.

1 (e) ~~ANALYSIS FOR CHAPTER 29.~~—The analysis for
 2 chapter 29 of title 14, United States Code, as added by
 3 section 101(a) of this Act, is amended by adding after
 4 “Sec.” the following:

“2901. Transmission of annual Coast Guard authorization request.

“2902. Capital investment plan.

“2903. Major acquisitions.”.

5 (f) ~~MISSION NEED STATEMENT.~~—Section 569(b) of
 6 title 14, United States Code, is amended—

7 (1) in paragraph (2) by striking “in section
 8 569a(c)” and inserting “in section 2903”; and

9 (2) in paragraph (3) by striking “under section
 10 663(a)(1)” and inserting “under section
 11 2902(a)(1)”.

12 **TITLE II—COAST GUARD**

13 **SEC. 201. VICE COMMANDANT.**

14 (a) ~~IN GENERAL.~~—Chapter 3 of title 14, United
 15 States Code, is amended—

16 (1) in section 41, by striking “an admiral,” and
 17 inserting “admirals,”;

18 (2) in section 47, by striking “vice admiral” in
 19 the fourth sentence and inserting “admiral”; and

20 (3) in section 51—

21 (A) in subsection (a), by striking inserting
 22 “admiral or” before “vice admiral,”;

1 ~~(B)~~ in subsection ~~(b)~~, by inserting “admi-
 2 ral or” before “vice admiral,” both places it ap-
 3 pears; and

4 ~~(C)~~ in subsection ~~(c)~~, by inserting “admiral
 5 or” before “vice admiral,”.

6 ~~(b) TREATMENT OF INCUMBENT; TRANSITION.—~~

7 Notwithstanding any other provision of law, the officer
 8 who, on the date of the enactment of this Act, is serving
 9 as Vice Commandant of the Coast Guard—

10 ~~(1)~~ shall continue to serve as Vice Com-
 11 mandant;

12 ~~(2)~~ shall have the grade of admiral with pay
 13 and allowances of that grade; and

14 ~~(3)~~ shall not be required to be reappointed by
 15 reason of the enactment of this Act.

16 **SEC. 202. VICE ADMIRALS.**

17 Section 50 of title 14, United States Code, is amend-
 18 ed—

19 ~~(1)~~ in subsection ~~(a)~~—

20 ~~(A)~~ by striking paragraph ~~(1)~~ and insert-
 21 ing the following new paragraph ~~(1)~~:

22 ~~“(1) The President may—~~

23 ~~“(A) designate, within the Coast Guard, no~~
 24 ~~more than 5 positions of importance and responsi-~~
 25 ~~bility that shall be held by officers who, while so~~

1 serving, shall have the grade of vice admiral, with
 2 the pay and allowances of that grade, and shall per-
 3 form such duties as the Commandant may prescribe
 4 (and if the President designates 5 such positions, 1
 5 position shall be the Chief of Staff of the Coast
 6 Guard); and

7 “(B) designate within the Executive branch,
 8 other than within the Coast Guard, positions of im-
 9 portance and responsibility that shall be held by offi-
 10 cers who, while so serving, shall have the grade of
 11 vice admiral, with the pay and allowances of that
 12 grade.”; and

13 (B) in paragraph (2)(A), by striking
 14 “under paragraph (1)” and inserting “under
 15 paragraph (1)(A)”; and
 16 (2) in subsection (b)(2)—

17 (A) in subparagraph (B), by striking
 18 “and” at the end;

19 (B) by redesignating subparagraph (C) as
 20 subparagraph (D); and

21 (C) by inserting after subparagraph (B)
 22 the following:

23 “(C) at the discretion of the Secretary, while
 24 awaiting orders after being relieved from the posi-
 25 tion, beginning on the day the officer is relieved

1 from the position, but not for more than 60 days;
 2 and”.

3 **SEC. 203. PROFESSIONAL DEVELOPMENT.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
 5 gress that toxic leadership can have an adverse effect on
 6 subordinates and the service, and result in degraded mis-
 7 sion performance and the Coast Guard should develop
 8 policies consistent with those of the Department of De-
 9 fense to prevent, identify, and correct toxic leadership.

10 (b) REPORT ON LEADERSHIP DEVELOPMENT.—

11 (1) IN GENERAL.—Chapter 41 of title 14,
 12 United States Code, is amended by adding after sec-
 13 tion 428 the following:

14 **“§ 429. Multirater assessment of certain personnel**

15 **“(a) MULTIRATER ASSESSMENT OF CERTAIN PER-**
 16 **SONNEL.—**

17 **“(1) IN GENERAL.—**Commencing not later than
 18 one year after the date of the enactment of the
 19 Coast Guard Authorization Act of 2015, the Com-
 20 mandant of the Coast Guard shall develop and im-
 21 plement a plan to conduct every two years a
 22 multirater assessment for each of the following:

23 **“(A) Each flag officer of the Coast Guard.**

24 **“(B) Each member of the Senior Executive**
 25 **Staff of the Coast Guard.**

1 “(C) Each officer of the Coast Guard nom-
 2 inated for promotion to the grade of captain.

3 ~~“(2) POST-ASSESSMENT ELEMENTS.—Following~~
 4 an assessment of an individual pursuant to para-
 5 graph (1), the individual shall be provided appro-
 6 priate post-assessment counseling and leadership
 7 coaching.

8 ~~“(b) REPORT ON LEADERSHIP DEVELOPMENT.—Not~~
 9 later than 180 days after the date of the enactment of
 10 the Coast Guard Authorization Act of 2015, the Com-
 11 mandant shall submit to the Committee on Commerce,
 12 Science, and Transportation of the Senate and the Com-
 13 mittee on Transportation and Infrastructure of the House
 14 of Representatives a report on the feasibility of including
 15 a multirater assessment as part of the personnel develop-
 16 ment programs of the Coast Guard. The report shall in-
 17 clude the following:

18 ~~“(1) An assessment of the feasibility of—~~

19 ~~“(A) all officers (other than officers cov-~~
 20 ~~ered by subsection (a)) completing a multirater~~
 21 ~~assessment;~~

22 ~~“(B) all members (other than officers cov-~~
 23 ~~ered by subsection (a)) in command positions~~
 24 ~~completing a multirater assessment;~~

1 ~~“(C) all enlisted members in a supervisory~~
 2 ~~position completing a multirater assessment;~~
 3 ~~and~~

4 ~~“(D) members completing periodic~~
 5 ~~multirater assessments.~~

6 ~~“(2) Such recommendations as the Com-~~
 7 ~~mandant considers appropriate for the implementa-~~
 8 ~~tion or expansion of a multirater assessment in the~~
 9 ~~personnel development programs of the Coast~~
 10 ~~Guard.~~

11 ~~“(3) An overview of each of the current leader-~~
 12 ~~ship development courses of the Coast Guard, an as-~~
 13 ~~essment of the feasibility of the expansion of any~~
 14 ~~such course, and a description of the resources, if~~
 15 ~~any, required to expand such courses.~~

16 ~~“(4) An assessment on the state of leadership~~
 17 ~~training in the Coast Guard, and recommendations~~
 18 ~~on the implementation of a policy to combat toxic~~
 19 ~~leadership including—~~

20 ~~“(A) a description of methods that will be~~
 21 ~~used by the Coast Guard to identify, monitor,~~
 22 ~~and counsel individuals who may be identified~~
 23 ~~as toxic leaders;~~

24 ~~“(B) the implementation of toxic leader-~~
 25 ~~ship recognition training (in self and others);~~

1 “(C) the establishment of procedures for
2 the administrative separation of toxic leaders;
3 and

4 “(D) a description of the resources needed
5 to implement this section.

6 “(e) ~~MULTIRATER ASSESSMENT DEFINED.~~—In this
7 section, the term ‘multirater assessment’ means a review
8 that seeks opinion from members senior to the reviewee
9 and the peers and subordinates of the reviewee.”.

10 ~~(2) CLERICAL AMENDMENT.~~—The table of sec-
11 tions at the beginning of chapter 11 of such title is
12 amended by inserting after the item related to sec-
13 tion 428 the following new item:

“Sec. 429. Multirater assessment of certain personnel.”.

14 ~~(c) TRAINING COURSE ON WORKINGS OF CON-~~
15 ~~GRESS.~~—

16 ~~(1) IN GENERAL.~~—Chapter 3 of title 14, United
17 States Code, is amended by adding at the end the
18 following new section:

19 **“§ 60. Training course on workings of Congress**

20 “(a) ~~IN GENERAL.~~—Not later than 180 days after
21 the date of the enactment of the Coast Guard Authoriza-
22 tion Act of 2015, the Commandant, in consultation with
23 the civilian and permanent commissioned teaching staff of
24 the Department of Humanities at the Coast Guard Acad-
25 emy and such other individuals and organizations as the

1 Commandant considers appropriate, shall develop an an-
 2 nual training course for all Coast Guard flag officers
 3 newly appointed or assigned to billets in the National Cap-
 4 ital Region and all Coast Guard senior executive service
 5 personnel employed in the National Capital Region to edu-
 6 cate them on the workings of Congress.

7 “(b) COURSE SUBJECT MATTER.—The training
 8 course required by this section shall cover a variety of sub-
 9 jects related to Congress and the Federal legislative proc-
 10 ess, including—

11 “(1) the history and structure of Congress and
 12 the committee systems of the House of Representa-
 13 tives and the Senate, including the functions and re-
 14 sponsibilities of the Committee on Transportation
 15 and Infrastructure of the House of Representatives
 16 and the Committee on Commerce, Science, and
 17 Transportation of the Senate;

18 “(2) the documents used by Congress, including
 19 bills, resolutions, committee reports, and conference
 20 reports, and the purposes they serve;

21 “(3) the legislative processes of the House of
 22 Representatives and the Senate, including similar-
 23 ities and differences between the two processes;

24 “(4) the roles of Members of Congress and con-
 25 gressional staff in the legislative process;

1 “(5) the congressional budget process;

2 “(6) the congressional authorization-appropriation process;

3 “(7) the Senate advice and consent process for presidential nominees;

4 “(8) the Senate advice and consent process for treaty ratification;

5 “(9) the concept and underlying purposes of congressional oversight; and

6 “(10) best practices that promote effective and successful interactions with Congress.

7 “(c) LECTURERS AND PANELISTS.—

8 “(1) OUTSIDE EXPERTS.—The Commandant shall ensure that not less than 60 percent of the lecturers, panelists, and other individuals providing education and instruction as part of the training course required by this section are experts on Congress and the Federal legislative process who are not employed by the executive branch of the Federal Government, such as the Congressional Research Service.

9 “(2) AUTHORITY TO ACCEPT PRO BONO SERVICES.—In satisfying the requirement under paragraph (1), the Commandant shall seek, and is authorized to accept, educational and instructional

1 services of lecturers, panelists, and other individuals
 2 and organizations provided to the Coast Guard on a
 3 pro bono basis.

4 “(d) COMPLETION OF REQUIRED TRAINING.—

5 “(1) CURRENT FLAG OFFICERS AND EMPLOY-
 6 EES.—A Coast Guard flag officer appointed or as-
 7 signed to a billet in the National Capital Region on
 8 the date of the enactment of this section, and a
 9 Coast Guard senior executive service employee em-
 10 ployed in the National Capital Region on the date of
 11 the enactment of this section, shall complete a train-
 12 ing course that meets the requirements of this sec-
 13 tion within 60 days of the date on which the Com-
 14 mandant completes the development of the training
 15 course.

16 “(2) NEW FLAG OFFICERS AND EMPLOYEES.—
 17 A Coast Guard flag officer who is newly appointed
 18 or assigned to a billet in the National Capital Re-
 19 gion, and a Coast Guard senior executive service em-
 20 ployee who is newly employed in the National Cap-
 21 ital Region, shall complete a training course that
 22 meets the requirements of this section not later than
 23 60 days after reporting for duty.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
 25 tions at the beginning of chapter 4 of such title is

1 amended by adding at the end the following new
2 item:

“60. Training course on workings of Congress.”.

3 **SEC. 204. SENIOR ENLISTED MEMBER CONTINUATION**
4 **BOARDS.**

5 (a) IN GENERAL.—Section 357 of title 14, United
6 States Code, is amended—

7 (1) by striking subsections (a) through (h) and
8 subsection (j);

9 (2) in subsection (i), by striking “(i)”.

10 (b) CONFORMING AND CLERICAL AMENDMENTS.—

11 (1) HEADING AMENDMENT.—The heading of
12 such section is amended to read as follows:

13 **“§ 357. Retirement of enlisted members: increase in**
14 **retired pay”.**

15 (2) CLERICAL AMENDMENT.—The table of sec-
16 tions at the beginning of chapter 11 of such title is
17 amended by striking the item relating to section 357
18 and inserting the following new item:

“357. Retirement of enlisted members: increase in retired pay.”.

19 **SEC. 205. COAST GUARD MEMBER PAY.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Commandant of
22 the Coast Guard shall submit to the Committee on Com-
23 merce, Science, and Transportation of the Senate and the
24 Committee on Transportation and Infrastructure of the

1 House of Representatives a report on alternative methods
 2 for notifying members of the Coast Guard of their monthly
 3 earnings. The report shall include—

4 (1) an assessment of the feasibility of providing
 5 members a monthly notification of their earnings,
 6 categorized by pay and allowance type; and

7 (2) a description and assessment of mechanisms
 8 that may be used to provide members with notifica-
 9 tion of their earnings, categorized by pay and allow-
 10 ance type.

11 (b) ANNUAL AUDIT OF PAY AND ALLOWANCES OF
 12 MEMBERS UNDERGOING PERMANENT CHANGE OF STA-
 13 TION.—

14 (1) IN GENERAL.—Chapter 13 of title 14,
 15 United States Code, is amended by adding at the
 16 end the following new section:

17 **“§ 519. Annual audit of pay and allowances of mem-**
 18 **bers undergoing permanent change of**
 19 **station**

20 “The Commandant shall conduct each calendar year
 21 an audit of member pay and allowances for the members
 22 who transferred to new units during such calendar year.
 23 The audit for a calendar year shall be completed by the
 24 end of the calendar year.”.

1 ~~(2) CLERICAL AMENDMENT.—~~The table of sec-
 2 tions at the beginning of chapter 13 of such title is
 3 amended adding at the end the following new item:

“519. Annual audit of pay and allowances of members undergoing permanent
 change of station.”.

4 **SEC. 206. RECALL.**

5 ~~(a) IN GENERAL.—~~Chapter 11 of title 14, United
 6 States Code, is amended by inserting after section 421 the
 7 following new section:

8 **“§ 421. Involuntary recall to active duty**

9 “‘The Commandant may recall a retired member of
 10 the Coast Guard who is subject to section 802 of title 10
 11 and order that member to active duty, without the mem-
 12 ber’s consent, for the purpose of any of the following:

13 “(1) A preliminary hearing under section 832
 14 of title 10.

15 “(2) Trial by court-martial under chapter 47 of
 16 title 10.

17 “(3) Nonjudicial punishment under section 815
 18 of title 10.”.

19 ~~(b) CLERICAL AMENDMENT.—~~The table of sections
 20 at the beginning of chapter 11 of such title is amended
 21 by inserting after the item relating to section 421 the fol-
 22 lowing new item:

“421a. Involuntary recall to active duty.”.

1 **SEC. 207. EXCHANGE OF MEDICAL GOODS AND SERVICES.**

2 Notwithstanding section 1085 of title 10, United
 3 States Code, the Secretary of Homeland Security shall,
 4 in lieu of reimbursement, transfer, from amounts appro-
 5 priated for the operating expenses of the Coast Guard, an
 6 amount, determined by the Department of Defense Board
 7 of Actuaries established pursuant to section 183 of title
 8 10 United States Code, that represents the value of care
 9 that the Department of Defense or a military department,
 10 during the fiscal year in which funds are made available,
 11 provides to a member or former member of the Coast
 12 Guard (or a dependent of such member or former mem-
 13 ber).

14 **SEC. 208. COAST GUARD REMISSION OF INDEBTEDNESS.**

15 (a) **EXPANSION OF AUTHORITY TO REMIT INDEBT-**
 16 **EDNESS.**—Section 461 of title 14, United States Code, is
 17 amended to read as follows:

18 **“§ 461. Remission of indebtedness**

19 “The Secretary may have remitted or cancelled any
 20 part of a person’s indebtedness to the United States or
 21 any instrumentality of the United States if—

22 “(1) the indebtedness was incurred while the
 23 person served on active duty as a member of the
 24 Coast Guard; and

1 “(2) the Secretary determines that remitting or
2 cancelling the indebtedness is in the best interest of
3 the United States.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 14 of such title is amended
6 by striking the item relating to section 461 and inserting
7 the following new item:

 “461. Remission of indebtedness.”.

8 **SEC. 209. COAST GUARD COMMUNITIES.**

9 Section 409 of the Coast Guard Authorization Act
10 of 1998 (14 U.S.C. 639 note) is amended by striking “90
11 days” in the second sentence and inserting “30 days”.

12 **SEC. 210. MAJOR ACQUISITION PROGRAMS.**

13 Section 569a of title 14, United States Code, is
14 amended—

15 (1) by redesignating subsection (e) as sub-
16 section (f); and

17 (2) by inserting after subsection (d) the fol-
18 lowing new subsection (e):

19 “(e) QUARTERLY REPORTS ON RISKS OF PRO-
20 GRAMS.—

21 “(1) IN GENERAL.—Not later than 15 days
22 after the end of each fiscal year quarter, the Com-
23 mandant shall submit to the committees of Congress
24 specified in subsection (a) a report setting forth a

1 current assessment of the risks associated with all
2 current major acquisition programs.

3 “(2) ELEMENTS.—Each report under this sub-
4 section shall set forth, for each current major acqui-
5 sition program, the following:

6 “(A) The top five current risks to such
7 program.

8 “(B) Any failure of such program to dem-
9 onstrate a key performance parameter or
10 threshold during operational test and evaluation
11 conducted during the fiscal year quarter pre-
12 ceeding such report.

13 “(C) Whether there has been any decision
14 during such fiscal year quarter to order full
15 rate production before all key performance pa-
16 rameters or thresholds are met.

17 “(D) Whether there has been any breach
18 of major acquisition program cost (as defined
19 by the Major Systems Acquisition Manual) dur-
20 ing such fiscal year quarter.

21 “(E) Whether there has been any breach
22 of major acquisition program schedule (as so
23 defined) during such fiscal year quarter.”.

1 **SEC. 211. MAJOR ACQUISITIONS ASSESSMENT.**

2 Not later than 180 days after the date of the enact-
 3 ment of this Act, the Commandant of the Coast Guard
 4 shall submit to the Committee on Commerce, Science, and
 5 Transportation of the Senate and the Committee on
 6 Transportation and Infrastructure of the House of Rep-
 7 resentatives a report that assesses the effect of any new
 8 major acquisition on the stated Program of Record and
 9 the Capital Investment Plan of the Coast Guard. The re-
 10 port shall include life-cycle funding requirements, an as-
 11 sessment of impact on delivery dates of current acquisi-
 12 tions projects and programs, an assessment of impact on
 13 planned construction or improvement projects, and rec-
 14 ommendations on funding levels necessary to simulta-
 15 neously support any proposed and current acquisitions
 16 projects and programs.

17 **SEC. 212. POLAR ICEBREAKERS.**

18 (a) **CLASSIFICATION OF POLAR ICEBREAKERS.**—Sec-
 19 tion 573(e) of title 14, United States Code, is amended—

20 (1) in paragraph (3)(A), by inserting “or Polar
 21 Icebreaker” after “National Security Cutter”; and

22 (2) in paragraph (4), by inserting “or Polar
 23 Icebreaker” after “National Security Cutter”.

24 (b) **INCREMENTAL FUNDING AUTHORITY FOR POLAR**
 25 **CLASS ICEBREAKERS.**—In fiscal year 2016 and each fiscal
 26 year thereafter, the Commandant of the Coast Guard is

1 granted the authority to enter into a contract or contracts
 2 for the acquisition of Polar Icebreakers and associated
 3 equipment using incremental funding.

4 (c) “POLAR SEA” MATERIEL CONDITION ASSESS-
 5 MENT AND SERVICE LIFE EXTENSION DECISION.—Sec-
 6 tion 222 of the Coast Guard and Maritime Transportation
 7 Act of 2012 (Public Law 112–213; 126 Stat. 1560) is
 8 amended—

9 (1) by amending subsection (a) to read as fol-
 10 lows:

11 “(a) IN GENERAL.—Not later than 270 days after
 12 the date of the enactment of the Coast Guard Authoriza-
 13 tion Act of 2015, the Secretary of the department in which
 14 the Coast Guard is operating shall—

15 “(1) complete a materiel condition assessment
 16 with respect to the Polar Sea;

17 “(2) make a determination whether it is cost ef-
 18 fective to reactivate the Polar Sea when compared
 19 with other options to provide icebreaking services as
 20 part of a strategy to maintain polar icebreaking
 21 services; and

22 “(3) submit to the Committee on Transpor-
 23 tation and Infrastructure of the House of Represent-
 24 ative and the Committee on Commerce, Science, and
 25 Transportation of the Senate—

1 ~~“(A) the assessment required under para-~~
 2 ~~graph (1); and~~

3 ~~“(B) written notification of the determina-~~
 4 ~~tion required under paragraph (2).”;~~

5 ~~(2) in subsection (b) by striking “analysis” and~~
 6 ~~inserting “written notification”;~~

7 ~~(3) by striking subsection (c);~~

8 ~~(4) by redesignating subsections (d) through (h)~~
 9 ~~as subsections (e) through (g), respectively;~~

10 ~~(5) in subsection (e) (as redesignated by para-~~
 11 ~~graph (4) of this section)—~~

12 ~~(A) in paragraph (1)—~~

13 ~~(i) in subparagraph (A) by striking~~
 14 ~~“based on the analysis required”; and~~

15 ~~(ii) in subparagraph (C) by striking~~
 16 ~~“analysis” and inserting “written notifica-~~
 17 ~~tion”;~~

18 ~~(B) by amending paragraph (2) to read as~~
 19 ~~follows:~~

20 ~~“(2) DECOMMISSIONING.—If the Secretary~~
 21 ~~makes a determination under subsection (a) that it~~
 22 ~~is not cost effective to reactivate the Polar Sea,~~
 23 ~~then, not later than 180 days after written notifica-~~
 24 ~~tion of that determination is submitted under that~~

1 subsection, the Commandant of the Coast Guard
2 may decommission the Polar Sea.”; and

3 (C) by amending paragraph (3) to read as
4 follows:

5 “(3) RESULT OF NO DETERMINATION.—If the
6 Secretary does not make a determination under sub-
7 section (a) regarding whether it is cost effective to
8 reactivate the Polar Sea, then the Commandant of
9 the Coast Guard may decommission the Polar Sea.”;

10 (6) in subsection (d)(1) (as redesignated by
11 paragraph (4) of this section) by striking “analysis”
12 and inserting “written notification”; and

13 (7) in subsection (e) (as redesignated by para-
14 graph (4) of this section) by striking “in subsection
15 (d)” and inserting “in subsection (e)”.

16 **SEC. 213. PARTICIPATION OF THE COAST GUARD ACADEMY**
17 **IN FEDERAL, STATE, OR OTHER EDU-**
18 **CATIONAL RESEARCH GRANTS.**

19 Section 196 of title 14, United States Code, is
20 amended—

21 (1) by inserting “(a) IN GENERAL.—” before
22 “Notwithstanding”; and

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

24 “(b) AUTHORITY.—

1 “(1) CONTRACT OR COOPERATIVE AGREE-
 2 MENT.—Notwithstanding chapter 63 of title 31 and
 3 chapter 137 of title 10, the Commandant may enter
 4 into a contract or cooperative agreement with a non-
 5 profit organization, described under section
 6 501(c)(3) of the Internal Revenue Code of 1986 and
 7 exempt from taxation under section 501(a) of that
 8 Code, that the Coast Guard Academy Alumni Asso-
 9 ciation may establish for the purpose of supporting
 10 academic research and applying for and admin-
 11 istering Federal, State, or other educational research
 12 grants on behalf of the Coast Guard Academy. Not-
 13 withstanding any other provision of law or policy to
 14 the contrary, the Commandant may enter such con-
 15 tract or cooperative agreement on a sole source
 16 basis.

17 “(2) LEASE OR LICENSE.—The Commandant
 18 may enter into a lease or license with a nonprofit or-
 19 ganization, described under section 501(c)(3) of the
 20 Internal Revenue Code of 1986 and exempt from
 21 taxation under section 501(a) of that Code, that the
 22 Coast Guard Academy Alumni Association may es-
 23 tablish for the purpose of supporting academic re-
 24 search and applying for and administering Federal,

1 State, or other educational research grants on behalf
 2 of the Coast Guard Academy.

3 ~~“(e) USE OF COAST GUARD PERSONAL PROPERTY.—~~

4 The Commandant may allow a nonprofit organization, de-
 5 scribed under section 501(c)(3) of the Internal Revenue
 6 Code of 1986 and exempt from taxation under section
 7 501(a) of that Code, that the Coast Guard Academy
 8 Alumni Association may establish to use, at no cost, per-
 9 sonal property of the Coast Guard to assist the non-profit
 10 organization in supporting academic research and apply-
 11 ing for and administering Federal, State, or other edu-
 12 cational research grants on behalf of the Coast Guard
 13 Academy.

14 ~~“(d) ACCEPTANCE OF SUPPORT.—~~

15 ~~“(1) SUPPORT RECEIVED FROM A 501(c)(3) NON-~~
 16 ~~PROFIT ORGANIZATION.—~~Notwithstanding section
 17 93 of this title, the Commandant may accept funds,
 18 supplies, and services from a nonprofit organization,
 19 described under section 501(c)(3) of the Internal
 20 Revenue Code of 1986 and exempt from taxation
 21 under section 501(a) of that Code, that the Coast
 22 Guard Academy Alumni Association may establish
 23 for the support of academic research and applying
 24 for and administering Federal, State, or other edu-
 25 cational research grants on behalf of the Coast

1 Guard Academy. For purposes of this subsection;
 2 employees or personnel of such nonprofit organiza-
 3 tion shall not be employees of the United States.

4 “(2) LIMITATION.—The Commandant shall en-
 5 sure that contributions under this subsection do not
 6 reflect unfavorably on the ability of the Coast
 7 Guard, any of its employees, or any member of the
 8 armed forces to carry out any responsibility or duty
 9 in a fair and objective manner, or compromise the
 10 integrity or appearance of integrity of any program
 11 of the Coast Guard, or any individual involved in
 12 such a program.

13 “(e) RETENTION AND USE OF FUNDS.—Funds re-
 14 ceived under this section may be retained for use in sup-
 15 port of academic research and applying for and admin-
 16 istering Federal, State, or other educational research
 17 grants on behalf of the Coast Guard Academy and shall
 18 remain available until expended.

19 “(f) CONDITIONS.—The authority provided in this
 20 section with respect to a nonprofit organization, described
 21 under section 501(c)(3) of the Internal Revenue Code of
 22 1986 and exempt from taxation under section 501(a) of
 23 that Code, that the Coast Guard Academy Alumni Asso-
 24 ciation may establish is valid only so long as such non-
 25 profit organization continues to—

1 “(1) qualify as a nonprofit organization, de-
 2 scribed under section 501(c)(3) of the Internal Rev-
 3 enue Code of 1986 and exempt from taxation under
 4 section 501(a) of that Code, and operates in accord-
 5 ance with this section, the laws of the State of Con-
 6 necticut, and the constitution and bylaws of the non-
 7 profit organization; and

8 “(2) operate exclusively to support academic re-
 9 search and applying for and administering Federal,
 10 State, or other educational research grants on behalf
 11 of the Coast Guard Academy.”.

12 **SEC. 214. VENUE.**

13 Section 311(d) of the Magnuson-Stevens Fishery
 14 Conservation and Management Act (16 U.S.C. 1861(d))
 15 is amended by striking the second sentence and inserting
 16 “‘In the case of Hawaii or any possession of the United
 17 States in the Pacific Ocean, the appropriate court is the
 18 United States District Court for the District of Hawaii,
 19 except that in the case of Guam and Wake Island, the
 20 appropriate court is the United States District Court for
 21 the District of Guam, and in the case of the Northern
 22 Mariana Islands, the appropriate court is the United
 23 States District Court for the District of the Northern
 24 Mariana Islands.’”.

1 **SEC. 215. NATIONAL COAST GUARD MUSEUM.**

2 Section 98 of title 14, United States Code, is amend-
3 ed—

4 (1) by striking subsection (b); and

5 (2) by redesignating subsections (c) and (d) as
6 subsections (b) and (c), respectively.

7 **SEC. 216. INVESTIGATIONS.**

8 (a) ~~IN GENERAL.~~—Chapter 11 of title 14, United
9 States Code, as amended by section 203(b), is further
10 amended by adding after section 429 the following:

11 **“§ 430. Investigations of Flag Officers and Senior Ex-
12 ecutive Service**

13 “The Commandant shall consult with the Inspector
14 General of the Department of Defense anytime a report
15 of allegations of misconduct are made against senior offi-
16 cials. Investigations into allegations of senior official mis-
17 conduct shall be consistent with Department of Defense
18 policies.”.

19 (b) ~~CLERICAL AMENDMENT.~~—The table of sections
20 at the beginning of chapter 11 of such title, as amended
21 by section 203(b), is further amended by inserting after
22 the item related to section 429 the following new item:

“Sec. 430. Investigations of Flag Officers and Senior Executive Service.”.

23 **SEC. 217. TECHNICAL AND CLERICAL AMENDMENTS TO
24 TITLE 14, UNITED STATES CODE.**

25 Title 14, United States Code, is amended—

1 (1) in the table of chapters at the beginning of
2 part I, by striking “**Coast Guard**” in the item re-
3 lating to chapter 19;

4 (2) in section 46(a), by striking “subsection”
5 and inserting “section”;

6 (3) in section 47, by striking the section head-
7 ing and inserting the following new section heading:

8 “§ 47. **Vice Commandant; appointment**”;

9 (4) in the table of sections at the beginning of
10 chapter 9, by striking “Safety” in the item relating
11 to section 199 and inserting “safety”;

12 (5) in section 427(b)(2), by striking “this chap-
13 ter” and inserting “chapter 61 of title 10”;

14 (6) in the table of sections at the beginning of
15 chapter 15, by striking “Sec.” that follows the head-
16 ing for subchapter H;

17 (7) in section 581(5)(B), by striking
18 “\$300,000,000,” and inserting “\$300,000,000,”;

19 (8) in section 637(c)(3), by inserting “it is” be-
20 fore “any” in the matter preceding subparagraph
21 (A);

22 (9) in section 641(d)(3), by striking “Guard,
23 installation” and inserting “Guard installation”;

24 (10) in section 691(e)(3), by striking “state”
25 and inserting “State”;

(11) in the table of sections at the beginning of chapter 21—

(A) by striking “reserve” in the item relating to section 709 and inserting “Reserve”; and

(B) by striking “from active” in the item relating to section 740 and inserting “from an active”;

(12) in section 742(e), by striking “subsection (a)and” and inserting “subsections (a) and”;

(13) in section 821(b)(1), by striking “26” and inserting “171”; and

(14) in section 823a(b)(1), by striking “26” and inserting “171”.

TITLE III—SHIPPING AND NAVIGATION

SEC. 301. WHISTLEBLOWER PROTECTIONS.

Subparagraph (A) of section 2114(a)(1) of title 46, United States Code, is amended to read as follows:

“(A) the seaman in good faith has reported or is about to report to the Coast Guard, another appropriate Federal department or agency, the vessel owner, the vessel operator, or the seaman’s employer that the seaman believes that a violation of a maritime safety or maritime environmental protection

1 law or regulation prescribed under that law or regu-
 2 lation has occurred;”.

3 **SEC. 302. MARITIME DRUG LAW ENFORCEMENT.**

4 (a) IN GENERAL.—Chapter 705 of title 46, United
 5 States Code, is amended by adding at the end the fol-
 6 lowing:

7 **“§ 70509. Destruction of evidence during maritime**
 8 **counter-drug operations**

9 “(a) IN GENERAL.—Whoever, while on board a vessel
 10 used to commit, or to facilitate the commission of, an of-
 11 fense under section 70503 of this title, knowingly or inten-
 12 tionally destroys (including jettisoning any item or scut-
 13 tling, burning, or hastily cleaning a vessel), or attempts
 14 or conspires to destroy, property that is subject to for-
 15 feiture under section 511(a) of the Comprehensive Drug
 16 Abuse Prevention and Control Act of 1970 (21 U.S.C.
 17 881(a)) shall be fined in accordance with section 3571 of
 18 title 18, imprisoned not more than 15 years, or both.

19 “(b) PRIMA FACIE EVIDENCE OF VIOLATION.—Prac-
 20 tices commonly recognized as smuggling tactics may pro-
 21 vide prima facie evidence of intent to use a vessel to com-
 22 mit, or to facilitate the commission of, an offense under
 23 section 70503 of this title, even in the absence of con-
 24 trolled substances aboard the vessel. The following indicia,
 25 among others, may be considered, in the totality of the

1 circumstances, to be prima facie evidence that a vessel is
2 intended to be used to commit, or to facilitate the commis-
3 sion of, such an offense:

4 “(1) The construction or adaptation of the ves-
5 sel in a manner that facilitates smuggling, includ-
6 ing—

7 “(A) the configuration of the vessel to ride
8 low in the water or present a low hull profile to
9 avoid being detected visually or by radar;

10 “(B) the presence of any compartment or
11 equipment that is built or fitted out for smug-
12 gling, not including items such as a safe or
13 lock-box reasonably used for the storage of per-
14 sonal valuables;

15 “(C) the presence of an auxiliary tank not
16 installed in accordance with applicable law or
17 installed in such a manner as to enhance the
18 vessel’s smuggling capability;

19 “(D) the presence of engines that are ex-
20 cessively overpowered in relation to the design
21 and size of the vessel;

22 “(E) the presence of materials used to re-
23 duce or alter the heat or radar signature of the
24 vessel and avoid detection;

1 “(F) the presence of a camouflaging paint
2 scheme, or of materials used to camouflage the
3 vessel, to avoid detection; or

4 “(G) the display of false vessel registration
5 numbers, false indicia of vessel nationality, false
6 vessel name, or false vessel homeport.

7 “(2) The presence or absence of equipment,
8 personnel, or cargo inconsistent with the type or de-
9 clared purpose of the vessel.

10 “(3) The presence of excessive fuel, lube oil,
11 food, water, or spare parts, inconsistent with legiti-
12 mate vessel operation, inconsistent with the con-
13 struction or equipment of the vessel, or inconsistent
14 with the character of the vessel’s stated purpose.

15 “(4) The operation of the vessel without lights
16 during times lights are required to be displayed
17 under applicable law or regulation and in a manner
18 of navigation consistent with smuggling tactics used
19 to avoid detection by law enforcement authorities.

20 “(5) The failure of the vessel to stop or respond
21 or heave to when hailed by government authority, es-
22 pecially where the vessel conducts evasive maneu-
23 vering when hailed.

24 “(6) The declaration to government authority of
25 false information about the vessel, crew, or voyage

1 or the failure to identify the vessel by name or coun-
 2 try of registration when requested to do so by gov-
 3 ernment authority.

4 “(7) The presence of controlled substance res-
 5 idue on the vessel, on an item aboard the vessel, or
 6 on an individual aboard the vessel, of a quantity or
 7 other nature that reasonably indicates manufac-
 8 turing or distribution activity.

9 “(8) The use of petroleum products or other
 10 substances on the vessel to foil the detection of con-
 11 trolled substance residue.

12 “(9) The presence of a controlled substance in
 13 the water in the vicinity of the vessel, where given
 14 the currents, weather conditions, and course and
 15 speed of the vessel, the quantity or other nature is
 16 such that it reasonably indicates that the controlled
 17 substance was transported in the subject vessel.

18 “(c) EXTENSION BEYOND TERRITORIAL JURISDIC-
 19 TION.—Subsection (a) applies even though the act is com-
 20 mitted outside the territorial jurisdiction of the United
 21 States.

22 **“§ 70510. Maritime bulk cash smuggling**

23 “(a) CRIMINAL OFFENSE.—Whoever, while aboard a
 24 vessel used to commit, or to facilitate the commission of,
 25 an offense under section 70503 of this title, or whoever,

1 while aboard a vessel outfitted for smuggling, knowingly
 2 conceals, attempts to conceal, or conspires to conceal more
 3 than \$100,000 in currency or other monetary instruments
 4 on the person of such individual or in any conveyance, ar-
 5 ticle of luggage, merchandise, or other container, or com-
 6 partment of or aboard such vessel shall be fined in accord-
 7 ance with section 3571 of title 18, imprisoned not more
 8 than 15 years, or both.

9 “(b) PRIMA FACIE EVIDENCE OF VIOLATION.—PRACTICES commonly recognized as smuggling tactics may provide prima facie evidence of intent to use a vessel to commit, or to facilitate the commission of, an offense under section 70503 of this title or prima facie evidence of a vessel outfitted for smuggling, even in the absence of controlled substances aboard the vessel. The following indicia, among others, may be considered, in the totality of the circumstances, to be prima facie evidence that a vessel is intended to be used to commit, or to facilitate the commission of, such an offense or is outfitted for smuggling:

20 “(1) The construction or adaptation of the vessel in a manner that facilitates smuggling, including—

23 “(A) the configuration of the vessel to ride low in the water or present a low hull profile to avoid being detected visually or by radar;

1 “(B) the presence of any compartment or
2 equipment that is built or fitted out for smug-
3 gling; not including items such as a safe or
4 lock-box reasonably used for the storage of per-
5 sonal valuables;

6 “(C) the presence of an auxiliary tank not
7 installed in accordance with applicable law or
8 installed in such a manner as to enhance the
9 vessel’s smuggling capability;

10 “(D) the presence of engines that are ex-
11 cessively overpowered in relation to the design
12 and size of the vessel;

13 “(E) the presence of materials used to re-
14 duce or alter the heat or radar signature of the
15 vessel and avoid detection;

16 “(F) the presence of a camouflaging paint
17 scheme; or of materials used to camouflage the
18 vessel; to avoid detection; or

19 “(G) the display of false vessel registration
20 numbers, false indicia of vessel nationality, false
21 vessel name; or false vessel homeport.

22 “(2) The presence or absence of equipment;
23 personnel; or cargo inconsistent with the type or de-
24 clared purpose of the vessel.

1 ~~“(3) The presence of excessive fuel, lube oil,~~
 2 ~~food, water, or spare parts, inconsistent with legiti-~~
 3 ~~mate vessel operation, inconsistent with the con-~~
 4 ~~struction or equipment of the vessel, or inconsistent~~
 5 ~~with the character of the vessel’s stated purpose.~~

6 ~~“(4) The operation of the vessel without lights~~
 7 ~~during times lights are required to be displayed~~
 8 ~~under applicable law or regulation and in a manner~~
 9 ~~of navigation consistent with smuggling tactics used~~
 10 ~~to avoid detection by law enforcement authorities.~~

11 ~~“(5) The failure of the vessel to stop or respond~~
 12 ~~or heave to when hailed by government authority, es-~~
 13 ~~pecially where the vessel conducts evasive maneu-~~
 14 ~~vering when hailed.~~

15 ~~“(6) The declaration to government authority of~~
 16 ~~false information about the vessel, crew, or voyage~~
 17 ~~or the failure to identify the vessel by name or coun-~~
 18 ~~try of registration when requested to do so by gov-~~
 19 ~~ernment authority.~~

20 ~~“(e) FORFEITURE.—~~

21 ~~“(1) CRIMINAL FORFEITURE.—The court in im-~~
 22 ~~posing sentence for any violation of subsection (a),~~
 23 ~~or any attempt or conspiracy to commit such viola-~~
 24 ~~tion, shall order the defendant to forfeit all property,~~
 25 ~~real or personal, involved in the offence and any~~

1 property traceable thereto. Forfeitures under this
 2 paragraph shall be governed by the procedures es-
 3 tablished in section 413 of the Controlled Sub-
 4 stances Act (21 U.S.C. 853).

5 “(2) CIVIL FORFEITURE.—Any property, real
 6 or personal, involved in a violation of subsection (a),
 7 or the attempt or a conspiracy to commit such viola-
 8 tion, and any property, real or personal, traceable to
 9 such violation or conspiracy, may be seized and for-
 10 feited to the United States. Forfeitures under this
 11 paragraph shall be governed by the procedures gov-
 12 erning civil forfeitures in money laundering cases
 13 pursuant to section 981(a)(1)(A) of title 18, United
 14 States Code.

15 “(d) EXTENSION BEYOND TERRITORIAL JURISDIC-
 16 TION.—Subsection (a) applies even though the act is com-
 17 mitted outside the territorial jurisdiction of the United
 18 States.”.

19 (b) CLERICAL AMENDMENT.—The analysis for chap-
 20 ter 705 of title 46, United States Code, is amended by
 21 adding at the end the following:

“70509: Destruction of evidence during maritime counter-drug operations;
 “70510: Maritime bulk cash smuggling.”.

22 **SEC. 303. CARRIAGE OF LIQUID DANGEROUS CARGO.**

23 Section 3702(c) of title 46, United States Code, is
 24 amended to read as follows:

1 “(c)(1) Except as provided in paragraph (2), this
 2 chapter does not apply to a fishing or fish tender vessel
 3 of not more than 500 gross tons as measured under sec-
 4 tion 14502 of this title, or an alternate tonnage measured
 5 under section 14302 of this title as prescribed by the Sec-
 6 retary under section 14104 of this title when engaged only
 7 in the fishing industry.

8 “(2) A vessel described in paragraph (1) is subject
 9 to regulation by the Secretary under this chapter if the
 10 vessel is carrying flammable or combustible liquid cargoes
 11 in bulk.”.

12 **SEC. 304. MARITIME TRANSPORTATION OF HAZARDOUS MA-**
 13 **TERIAL.**

14 (a) IN GENERAL.—Chapter 51 of title 49, United
 15 States Code, is amended by adding at the end the fol-
 16 lowing:

17 **“§ 5129. Maritime transportation of hazardous mate-**
 18 **rial**

19 “For the purposes of enforcing this chapter, the Sec-
 20 retary and the Secretary of the department in which the
 21 Coast Guard is operating shall establish policies and prac-
 22 tices to ensure that the authorities set forth in this chapter
 23 are enforced in the same manner and to the same extent,
 24 and the civil and criminal penalties are assessed or rec-
 25 ommended in the same manner and to the same extent.”.

1 (b) CLERICAL AMENDMENT.—The analysis for such
 2 chapter is amended by adding at the end the following
 3 new item:

“5129. Maritime Transportation of Hazardous Material.”.

4 **SEC. 305. RECREATIONAL VESSEL OPERATOR EDUCATION.**

5 (a) IN GENERAL.—Chapter 131 of title 46, United
 6 States Code, is amended by adding at the end the fol-
 7 lowing:

8 **“§ 13111. Recreational vessel operator education**

9 “(a) AUTHORITY TO DEVELOP MODEL CUR-
 10 RICULUM.—The Secretary may develop and propose a
 11 model for a national recreational vessel training cur-
 12 riculum and education standards for operators of rec-
 13 reational vessels equipped with propulsion machinery of
 14 any kind.

15 “(b) PURPOSE.—The purpose of the model cur-
 16 riculum developed under subsection (a) is to promote uni-
 17 formity of boating safety awareness and education and im-
 18 prove reciprocity of recreational vessel operator certifi-
 19 cates and licenses among the States.”.

20 (b) CLERICAL AMENDMENT.—The analysis for such
 21 chapter is amended by adding at the end the following
 22 new item:

“13111. Recreational vessel operator education.”.

1 **SEC. 306. NONDISCLOSURE OF CERTAIN INFORMATION.**

2 (a) **INAPPLICABILITY OF DISCLOSURE REQUIRE-**
 3 **MENT.—**

4 (1) **IN GENERAL.**—The requirement to make in-
 5 formation available under section 552 of title 5,
 6 United States Code, shall not apply to—

7 (A) a question from any examination for a
 8 merchant seamen license, certificate, or docu-
 9 ment that the Secretary of the department in
 10 which the Coast Guard is operating is author-
 11 ized to issue pursuant to title 46, United States
 12 Code;

13 (B) the answer to such question, including
 14 any correct or incorrect answer that may be
 15 presented with such question; and

16 (C) any quality or characteristic of such
 17 question, including—

18 (i) the manner in which such question
 19 has been, is, or may be selected for an ex-
 20 amination;

21 (ii) the frequency of such selection;
 22 and

23 (iii) the frequency that an examinee
 24 correctly or incorrectly answered such
 25 question.

1 (2) STATUTORY CONSTRUCTION.—This section
 2 constitutes a specific exemption within the meaning
 3 of section 552(b)(3) of title 5, United States Code.

4 (b) AUTHORITY TO RELEASE CERTAIN EXAM QUES-
 5 TIONS.—Notwithstanding subsection (a), the Secretary of
 6 the department in which the Coast Guard is operating is
 7 authorized, for the purpose of exam preparation by the
 8 general public, to release an exam question and answer
 9 that the Secretary has retired, is not presently on or part
 10 of an exam, or that the Secretary determines is appro-
 11 priate for release.

12 (c) EXAMINATIONS FOR MERCHANT SEAMAN LI-
 13 CENSES, CERTIFICATES, AND DOCUMENTS.—

14 (1) IN GENERAL.—Chapter 71 of title 46,
 15 United States Code, is amended by adding at the
 16 end the following:

17 **“§ 7116. Examinations for merchant seaman licenses,**
 18 **certificates, and documents**

19 “(a) REQUIREMENT FOR SAMPLE EXAMS.—The Sec-
 20 retary shall develop a sample merchant mariner exam and
 21 outline of merchant mariner exam topics on an annual
 22 basis.

23 “(b) PUBLIC AVAILABILITY.—Each sample exam and
 24 outline of topics developed under subsection (a) shall be
 25 readily available to the public.”

1 (2) CLERICAL AMENDMENT.—The analysis for
 2 such chapter is amended by adding at the end the
 3 following new item:

“7116. Examinations for merchant seaman licenses, certificates, and documents.”.

4 (d) DISCLOSURE TO CONGRESS.—Nothing in this
 5 section may be construed to authorize the withholding of
 6 information from an appropriate inspector general or the
 7 Committee on Commerce, Science, and Transportation of
 8 the Senate and the Committee on Transportation and In-
 9 frastructure of the House of Representatives.

10 **SEC. 307. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.**
 11

12 (a) IN GENERAL.—Subsection (a) of section 710 of
 13 the Coast Guard Authorization Act of 2010 (Public Law
 14 111–281; 124 Stat. 2986) is amended to read as follows:

15 “(a) HIGHER VOLUME PORTS.—

16 “(1) IN GENERAL.—Notwithstanding any other
 17 provision of law, the requirements of subparts D, F,
 18 and G of part 155 of title 33, Code of Federal Regu-
 19 lations, that apply to the higher volume port area for
 20 the Strait of Juan de Fuca at Port Angeles, Wash-
 21 ington (including any water area within 50 nautical
 22 miles seaward), to and including Puget Sound, shall
 23 be deemed to apply, in the same manner, and to the
 24 same extent, to the Strait of Juan de Fuca at Cape

1 Flattery, Washington (including any water area
2 within 50 nautical miles seaward), to and including
3 Puget Sound.

4 “(2) EFFECTIVE DATE.—This subsection shall
5 take effect on the date of the enactment of the Coast
6 Guard Authorization Act of 2015.”.

7 (b) CONFORMING AMENDMENT.—Subsection (b) of
8 such section is amended by striking “the modification of
9 the higher volume port area definition required by sub-
10 section (a).” and inserting “higher volume port require-
11 ments made applicable under subsection (a).”.

12 **SEC. 308. RECOGNITION OF PORT SECURITY ASSESSMENTS**
13 **CONDUCTED BY OTHER ENTITIES.**

14 Section 70108 of title 46, United States Code, is
15 amended by adding at the end the following:

16 “(f) RECOGNITION OF ASSESSMENT CONDUCTED BY
17 OTHER ENTITIES.—

18 “(1) CERTIFICATION AND TREATMENT OF AS-
19 SESSMENTS.—For the purposes of this section and
20 section 70109, the Secretary may treat an assess-
21 ment that a foreign government (including, for the
22 purposes of this subsection, an entity of or operating
23 under the auspices of the European Union) or inter-
24 national organization has conducted as an assess-
25 ment that the Secretary has conducted for the pur-

poses of subsection (a), provided that the Secretary certifies that the foreign government or international organization has—

“(A) conducted the assessment in accordance with subsection (b); and

“(B) provided the Secretary with sufficient information pertaining to its assessment (including, but not limited to, information on the outcome of the assessment).

“(2) AUTHORIZATION TO ENTER INTO AN AGREEMENT.—For the purposes of this section and section 70109, the Secretary, in consultation with the Secretary of State, may enter into an agreement with a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization, under which parties to the agreement—

“(A) conduct an assessment, required under subsection (a);

“(B) share information pertaining to such assessment (including, but not limited to, information on the outcome of the assessment); or

“(C) both.

1 “(3) LIMITATIONS.—Nothing in this subsection
2 shall be construed to—

3 “(A) require the Secretary to recognize an
4 assessment that a foreign government or an
5 international organization has conducted; or

6 “(B) limit the discretion or ability of the
7 Secretary to conduct an assessment under this
8 section.”.

9 **SEC. 309. MODEL YEARS FOR RECREATIONAL VESSELS.**

10 (a) IN GENERAL.—Section 4302 of title 46, United
11 States Code is amended by adding at the end the fol-
12 lowing:

13 “(c)(1) If in prescribing regulations under this sec-
14 tion the Secretary establishes a model year for recreational
15 vessels and associated equipment, such model year shall,
16 except as provided in paragraph (2)—

17 “(A) begin on June 1 of a year and end on July
18 31 of the following year; and

19 “(B) be designated by the year in which it ends.

20 “(2) Upon the request of a recreational vessel manu-
21 facturer to which this chapter applies, the Secretary may
22 alter a model year for a model of recreational vessel of
23 the manufacturer and associated equipment, by no more
24 than 6 months from the model year described in para-
25 graph (1).”.

1 (b) APPLICATION.—The amendment made by sub-
 2 section shall only apply with respect to recreational vessels
 3 and associated equipment constructed or manufactured,
 4 respectively, on or after June 1, 2015.

5 (c) GUIDANCE.—Not later than 90 days after the
 6 date of the enactment of this Act, the Secretary of the
 7 department in which the Coast Guard is operating shall
 8 publish guidance to implement subsection (c)(2) of section
 9 4302 of title 46, United States Code, as added by sub-
 10 section (a).

11 **SEC. 310. RECREATIONAL VESSEL ENGINE WEIGHTS.**

12 Not later than 180 days after the date of the enact-
 13 ment of this Act, the Secretary of the department in which
 14 the Coast Guard is operating shall issue regulations
 15 amending table 4 to subpart H of part 183 of title 33,
 16 Code of Federal Regulations (related to Weights (Pounds)
 17 of Outboard Motor and Related Equipment for Various
 18 Boat Horsepower Ratings) as appropriate to reflect
 19 “Standard 30-Outboard Engine and Related Equipment
 20 Weights” published by the American Boat and Yacht
 21 Council, as in effect on the date of the enactment of this
 22 Act.

23 **SEC. 311. VESSEL REPLACEMENT.**

24 (a) LOANS AND GUARANTEES.—Chapter 537 of title
 25 46, United States Code, is amended—

1 (1) in section 53701—

2 (A) by redesignating paragraphs (8)
3 through (14) as paragraphs (9) through (15),
4 respectively; and

5 (B) by inserting after paragraph (7) the
6 following:

7 “(8) HISTORICAL USES.—The term ‘historical
8 uses’ includes—

9 “(A) refurbishing, repairing, rebuilding, or
10 replacing equipment on a fishing vessel, without
11 materially increasing harvesting capacity;

12 “(B) purchasing a used fishing vessel;

13 “(C) purchasing, constructing, expanding,
14 or reconditioning a fishery facility;

15 “(D) refinancing existing debt;

16 “(E) reducing fishing capacity; and

17 “(F) making upgrades to a fishing vessel,
18 including upgrades in technology, gear, or
19 equipment, that improve—

20 “(i) collection and reporting of fish-
21 ery-dependent data;

22 “(ii) bycatch reduction or avoidance;

23 “(iii) gear selectivity;

24 “(iv) adverse impacts caused by fish-
25 ing gear; or

1 “(v) safety.”; and

2 (2) in section 53702(b), by adding at the end
3 the following:

4 “(3) MINIMUM OBLIGATIONS AVAILABLE FOR
5 HISTORIC USES.—Of the direct loan obligations
6 issued by the Secretary under this chapter, the Sec-
7 retary shall make a minimum of \$59,000,000 avail-
8 able each fiscal year for historic uses.

9 “(4) USE OF OBLIGATIONS IN LIMITED ACCESS
10 FISHERIES.—In addition to the other eligible pur-
11 poses and uses of direct loan obligations provided for
12 in this chapter, the Secretary is authorized to issue
13 direct loan obligations for the purpose of—

14 “(A) financing the construction or recon-
15 struction of a fishing vessel in a fishery man-
16 aged under a limited access system; or

17 “(B) financing the purchase of harvesting
18 rights in a fishery that is federally managed
19 under a limited access system.”.

20 (b) LIMITATION ON APPLICATION TO CERTAIN FISH-
21 ING VESSELS OF PROHIBITION UNDER VESSEL CON-
22 STRUCTION PROGRAM.—Section 302(b)(2) of the Fish-
23 eries Financing Act (title III of Public Law 104–297; 46
24 U.S.C. 53706 note) is amended—

25 (1) in the second sentence—

1 (A) by striking “or in” and inserting “,
2 in”; and

3 (B) by inserting before the period the fol-
4 lowing: “, in fisheries that are under the juris-
5 diction of the North Pacific Fishery Manage-
6 ment Council and managed under a fishery
7 management plan issued under the Magnuson-
8 Stevens Fishery Conservation and Management
9 Act (16 U.S.C. 1801 et seq.); or in the Pacific
10 whiting fishery that is under the jurisdiction of
11 the Pacific Fishery Management Council and
12 managed under a fishery management plan
13 issued under that Act”; and

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

15 “Any fishing vessel operated in fisheries under
16 the jurisdiction of the North Pacific Fishery Man-
17 agement Council and managed under a fishery man-
18 agement plan issued under the Magnuson-Stevens
19 Fishery Conservation and Management Act (16
20 U.S.C. 1801 et seq.); or in the Pacific whiting fish-
21 ery under the jurisdiction of the Pacific Fishery
22 Management Council and managed under a fishery
23 management plan issued under that Act, and that is
24 replaced by a vessel that is constructed or rebuilt
25 with a loan or loan guarantee provided by the Fed-

1 eral Government may not be used to harvest fish in
 2 any fishery under the jurisdiction of any Regional
 3 Fishery Management Council, other than a fishery
 4 under the jurisdiction of the North Pacific Fishery
 5 Management Council or the Pacific Fishery Manage-
 6 ment Council.”.

7 **SEC. 312. FISHING VESSEL AND FISH TENDER VESSEL CER-**
 8 **TIFICATION.**

9 Section 4503(c) of title 46, United States Code, is
 10 amended—

11 (1) by designating the existing matter as para-
 12 graph (1); and

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

14 “(2) This section does not apply to a fishing or fish
 15 tender vessel to which section 4502(b) of this title applies;
 16 if—

17 “(A) the vessel is at least 50 feet overall in
 18 length, and not more than 190 feet overall in length;

19 “(B) the vessel is built after January 1, 2016;

20 “(C) the vessel is designed by a registered pro-
 21 fessional engineer, and the design incorporates
 22 standards equivalent to those prescribed by a classi-
 23 fication society designated under section 3316 of
 24 this title or another qualified organization approved
 25 by the Secretary;

1 “(D) construction of such vessel is overseen and
 2 certified as being in accordance with its design by a
 3 marine surveyor of an organization accepted by the
 4 Secretary; and

5 “(E) the vessel—

6 “(i) completes a stability test performed by
 7 a qualified individual;

8 “(ii) has written stability and loading in-
 9 structions from a qualified individual that are
 10 provided to the owner or operator; and

11 “(iii) has an assigned loading mark.

12 “(3) The person who owns a vessel meeting the re-
 13 quirements of paragraph (2) shall—

14 “(A) not modify or substantially change such
 15 vessel unless such modification or change is reviewed
 16 and approved by a registered professional engineer
 17 prior to beginning any modification or change;

18 “(B) complete a condition survey at least bien-
 19 nially to the satisfaction of a marine surveyor of an
 20 organization accepted by the Secretary;

21 “(C) complete an out-of-water survey at least
 22 once every five years to the satisfaction of a certified
 23 marine surveyor of an organization accepted by the
 24 Secretary;

1 “(D) update the requirements specified in para-
 2 graph (2)(E) once every five years or at the time of
 3 a modification or substantial change to such vessel;
 4 and

5 “(E) for the life of the vessel, maintain records
 6 to demonstrate compliance with this subsection, and
 7 make such records readily available for inspection by
 8 an official authorized to enforce this chapter.”.

9 **SEC. 313. TITLE 46, UNITED STATES CODE, TECHNICAL COR-**
 10 **RECTIONS.**

11 Title 46, United States Code, is amended—

12 (1) in section 103, by striking “(33 U.S.C.
 13 151).” and inserting “(33 U.S.C. 151(b)).”;

14 (2) in section 2118—

15 (A) in subsection (a), in the matter pre-
 16 ceding paragraph (1), by striking “title,” and
 17 inserting “subtitle,”; and

18 (B) in subsection (b), by striking “title”
 19 and inserting “subtitle”;

20 (3) in the analysis for chapter 35—

21 (A) by adding a period at the end of the
 22 item relating to section 3507; and

23 (B) by adding a period at the end of the
 24 item relating to section 3508;

- 1 (4) in section 3715(a)(2), by striking “and” at
- 2 the end;
- 3 (5) in section 4506, by striking “(a)”;
- 4 (6) in section 8103(b)(1)(A)(iii), by striking
- 5 “Academy.” and inserting “Academy; and”;
- 6 (7) in the analysis for chapter 701—
- 7 (A) by adding a period at the end of the
- 8 item relating to section 70107A;
- 9 (B) in the item relating to section 70112,
- 10 by striking “security advisory committee.” and
- 11 inserting “Security Advisory Committee.”; and
- 12 (C) in the item relating to section 70122,
- 13 by striking “watch program.” and inserting
- 14 “Watch Program.”;
- 15 (8) in section 70105(e)—
- 16 (A) in paragraph (1)(B)(xv)—
- 17 (i) by striking “18, popularly” and in-
- 18 serting “18 (popularly”; and
- 19 (ii) by striking “Act” and inserting
- 20 “Act”); and
- 21 (B) in paragraph (2), by striking “(D)
- 22 paragraph” and inserting “(D) of paragraph”;
- 23 (9) in section 70107—

1 (A) in paragraph (b)(2), by striking
 2 “5121(j)(8)),” and inserting “5196(j)(8)),”;
 3 and

4 (B) in paragraph (m)(3)(C)(iii), by strik-
 5 ing “that is” and inserting “that the appli-
 6 cant”;

7 (10) in section 70122, in the section header, by
 8 striking “watch program” and inserting “Watch
 9 Program”; and

10 (11) in the analysis for chapter 705, by adding
 11 a period at the end of the item relating to section
 12 70508.

13 **TITLE IV—FEDERAL MARITIME** 14 **COMMISSION**

15 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) IN GENERAL.—Chapter 3 of title 46, United
 17 States Code, is amended by adding at the end the fol-
 18 lowing:

19 **“§ 308. Authorization of appropriations**

20 “There is authorized to be appropriated to the Fed-
 21 eral Maritime Commission \$24,700,000 for each of fiscal
 22 years 2016 and 2017 for the activities of the Commission
 23 authorized under this chapter and subtitle IV.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
 2 ter 3 of title 46, United States Code, is amended by add-
 3 ing at the end the following:

“308. Authorization of appropriations.”.

4 **SEC. 402. DUTIES OF THE CHAIRMAN.**

5 Section 301(c)(3)(A) of title 46, United States Code,
 6 is amended—

7 (1) in clause (ii) by striking “units, but only
 8 after consultation with the other Commissioners;”
 9 and inserting “units (with such appointments sub-
 10 ject to the approval of the Commission);”;

11 (2) in clause (iv) by striking “and” at the end;

12 (3) in clause (v) by striking the period at the
 13 end and inserting “; and”; and

14 (4) by adding at the end the following:

15 “(vi) prepare and submit to the Presi-
 16 dent and Congress requests for appropria-
 17 tions for the Commission (with such re-
 18 quests subject to the approval of the Com-
 19 mission).”.

1 **TITLE V—SPORTFISH RESTORA-**
 2 **TION AND RECREATIONAL**
 3 **BOATING SAFETY REAUTHOR-**
 4 **IZATION**

5 **SEC. 501. SHORT TITLE.**

6 This title may be cited as the “Sport Fish Restora-
 7 tion and Recreational Boating Safety Act”.

8 **SEC. 502. AUTHORIZATION OF APPROPRIATIONS.**

9 Section 3 of the Dingell-Johnson Sport Fish Restora-
 10 tion Act (16 U.S.C. 777b) is amended by striking “57 per-
 11 cent” and inserting “57.42 percent”.

12 **SEC. 503. DIVISION OF ANNUAL APPROPRIATIONS.**

13 (a) IN GENERAL.—Section 4 of the Dingell-Johnson
 14 Sport Fish Restoration Act (16 U.S.C. 777e) is amend-
 15 ed—

16 (1) in subsection (a)—

17 (A) in the matter preceding paragraph (1),
 18 by striking “2014 and for the period beginning
 19 on October 1, 2014, and ending on May 31,
 20 2015,” and inserting “2023,”

21 (B) in paragraph (1), by striking “18.5
 22 percent” and inserting “18.54 percent”;

23 (C) in paragraph (2), by striking “18.5
 24 percent” and inserting “18.04 percent”; and

1 ~~(D)~~ in paragraph ~~(3)~~, by adding at the end
 2 “Not more than 25 percent of such amount
 3 may be used for capital improvement and infra-
 4 structure projects to support facilities that meet
 5 State requirements for minimizing the introduc-
 6 tion of pollutants into the waterways.”;

7 ~~(2)~~ by amending the heading in subsection ~~(b)~~
 8 to read as follows: “~~SET-ASIDES.—~~”;

9 ~~(3)~~ in subsection ~~(b)~~(1)—

10 ~~(A)~~ in subparagraph ~~(A)~~, by striking
 11 “2014, and for the period beginning on October
 12 1, 2014, and ending on May 31, 2015,” and in-
 13 serting “2023,”;

14 ~~(B)~~ in subparagraph ~~(B)~~, by striking
 15 clauses ~~(i)~~, ~~(ii)~~, and ~~(iii)~~, and inserting the fol-
 16 lowing:

17 “(i) for each of the fiscal years 2016
 18 through 2023, 1.8468 percent of total an-
 19 nual collections under this Act for such fis-
 20 cal year; and

21 “(ii) notwithstanding clause ~~(i)~~, an
 22 amount that is less than or equal to
 23 \$12,299,000.”; and

24 ~~(C)~~ by adding at the end the following:

25 “(C) ~~SET-ASIDE FOR BOATING SAFETY.—~~

1 “(i) IN GENERAL.—From the annual
 2 appropriation made in accordance with sec-
 3 tion 3, for each fiscal year through 2023,
 4 the Secretary shall transfer to the Sec-
 5 retary of the department in which the
 6 Coast Guard is operating—

7 “(I)(aa) 0.3435 percent of total
 8 annual collections under this Act to
 9 pay the costs of investigations, per-
 10 sonnel, and activities related to ad-
 11 ministering those programs under sec-
 12 tion 4(a)(2) (16 U.S.C. 777e(a)(2));
 13 and

14 “(bb) notwithstanding item (aa),
 15 an amount that is less than or equal
 16 to \$2,300,000; and

17 “(II) \$1,500,000 shall be made
 18 available for the National Recreational
 19 Boating Survey, that shall be avail-
 20 able until expended and may be
 21 awarded as a contract or grant by the
 22 Secretary.

23 “(ii) LIMITATION.—The amounts
 24 specified in clause (i) for a fiscal year may
 25 not be included in the amount of the an-

1 nual appropriation distributed under sub-
 2 section (a) of this section for the fiscal
 3 year.”;

4 (4) in subsection (b)(2)—

5 (A) in subparagraph (A), by striking
 6 “under paragraph (1) shall remain available for
 7 obligation for use under that paragraph” and
 8 inserting “under paragraph (1)(B) shall remain
 9 available for obligation for use under paragraph
 10 (1)(A)”;

11 (B) in subparagraph (B)—

12 (i) by striking “under paragraph (1)”
 13 and inserting “under paragraph (1)(B)”;
 14 and

15 (ii) by striking “subsection (c)” and
 16 inserting “subsection (e)”;

17 (5) in subsection (e), by striking “57 percent”
 18 and inserting “57.42 percent”;

19 (6) in subsection (d), by striking “So much of
 20 any sum not allocated” and inserting “Except as
 21 otherwise provided in this section, so much of any
 22 sum not allocated”;

23 (7) in subsection (e)—

24 (A) in paragraph (1), by striking “those
 25 subsections” and inserting “those paragraphs”;

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

3 “(2) MAXIMUM AMOUNT.—For fiscal year
4 2016, the Secretary of the Interior may use not
5 more than \$1,200,000 in accordance with paragraph
6 (1). For each fiscal year thereafter, the maximum
7 amount that the Secretary of the Interior may use
8 in accordance with paragraph (1) shall be deter-
9 mined under paragraph (3).”;

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

11 “(3) ANNUAL ADJUSTED MAXIMUM AMOUNT.—
12 The maximum amount referred to in paragraph (2)
13 for fiscal year 2016 and each fiscal year thereafter
14 shall be the sum of—

15 “(A) the available maximum amount for
16 the preceding fiscal year; and

17 “(B) the amount determined by multi-
18 plying—

19 “(i) the available maximum amount
20 for the preceding fiscal year; and

21 “(ii) the change, relative to the pre-
22 ceding fiscal year, in the Consumer Price
23 Index for All Urban Consumers published
24 by the Department of Labor.”.

1 (b) CONFORMING AMENDMENT.—Section 9 of the
 2 Dingell-Johnson Sport Fish Restoration Act (16 U.S.C.
 3 777h) is amended—

4 (1) in subsection (a), by striking “section 4(b)”
 5 and inserting “section 4(b)(1)(B)”; and

6 (2) in subsection (b)(1), by striking “section
 7 4(b)” and inserting “section 4(b)(1)(B)”.

8 **SEC. 504. EXTENSION OF EXCEPTION TO LIMITATION ON**
 9 **TRANSFERS TO FUND.**

10 Section 9504(d)(2) of the Internal Revenue Code of
 11 1986 is amended by striking “June 1, 2015,” and insert-
 12 ing “October 1, 2023,”.

13 **SEC. 505. RECREATIONAL BOATING SAFETY ALLOCATIONS.**

14 Section 13104 of title 46, United States Code, is
 15 amended by striking subsection (e).

16 **SEC. 506. RECREATIONAL BOATING SAFETY.**

17 Section 13107 of title 46, United States Code, is
 18 amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1), by striking “(1) Sub-
 21 ject to paragraph (2) and subsection (e),” and
 22 inserting “Subject to subsection (e),”; and

23 (B) by striking paragraph (2); and

1 (2) in subsection (c)(1), by striking “title,” and
 2 all that follows through the end and inserting
 3 “title—

4 “(A) including the funding of the National
 5 Boating Safety Advisory Council established
 6 under section 13110 of this title and the au-
 7 thorized activities of the Council, including
 8 travel for the council; and

9 “(B) of the funds referred to in paragraph
 10 (1), not less than \$2,500,000 shall be available
 11 to the Secretary only to ensure compliance with
 12 chapter 43 of this title.”.

13 **SEC. 507. NATIONAL BOATING SAFETY ADVISORY COUNCIL.**

14 Section 13110(e) of title 46, United States Code, is
 15 amended by striking “2020” and inserting “2023”.

16 **SEC. 508. PLAN EVALUATION.**

17 Section 303(b)(7) of the Coastal Wetlands Planning,
 18 Protection and Restoration Act (16 U.S.C. 3952(b)(7)) is
 19 amended by inserting “and improvements made to the
 20 quality of fish and wildlife habitat conditions” after “en-
 21 hancing coastal wetlands”.

22 **SEC. 509. REPORT TO CONGRESS.**

23 The Director of the United States Fish and Wildlife
 24 Service shall annually evaluate and report on the adminis-
 25 trative services of such Service for the trust fund to the

1 States and the sportfishing community, including the fol-
2 lowing categories of information:

3 (1) The percent of grant actions completed
4 within 45 days of receipt, average number of days
5 to process new grants, and average number of days
6 to process grant amendments.

7 (2) Which wildlife and sport fish restoration
8 policies are currently being updated, the start time
9 for each update, and the anticipated completion
10 time.

11 (3) The number of Federal assistance work-
12 shops held with States and such Service in efforts to
13 communicate fiscal policies and procedures with the
14 State agencies.

15 (4) The response time to States based on initial
16 notification or assistance requests initiated by a
17 State.

18 (5) The number of States with unresolved rec-
19 onciliation of land records and number of corrective
20 action plans with open actions.

21 (6) The number of employees of such Service
22 with grants management training and outstanding
23 training requirements and the percent of State fish
24 and wildlife staff to have received training from

Wildlife and Sport Fish Restoration Fund Program
of such Service.

(7) The number of full-time equivalents contrib-
uting to grant processing and related grant manage-
ment in each region.

(8) The number of in-field state project reviews
and site visits by the Wildlife and Sport Fish Res-
toration Fund Program.

(9) The number of audits per year originating
from such Service and response time to related ac-
tions and correspondence.

TITLE VI—CONVEYANCE OF COAST GUARD PROPERTY

Subtitle A—Conveyance of Coast Guard Property in Point Spen- cer, Alaska

SEC. 601. FINDINGS.

Congress finds as follows:

(1) Major shipping traffic is increasing through
the Bering Strait, the Bering and Chukchi Seas, and
the Arctic Ocean and will continue to increase
whether or not development of the outer Continental
Shelf of the United States is undertaken in the fu-
ture and will increase further if such outer Conti-
nental Shelf development is undertaken.

1 (2) There is a compelling national, State, Alas-
2 ka Native, and private sector need for permanent in-
3 frastructure development and for a presenece in the
4 Arctic region of Alaska by appropriate agencies of
5 the Federal Government, particularly in proximity to
6 the Bering Strait, to support and facilitate search
7 and rescue, shipping safety, economic development,
8 oil spill prevention and response, protection of Alas-
9 ka Native archaeological and cultural resources, port
10 of refuge, Arctic research, and maritime law enforce-
11 ment on the Bering Sea, the Chukchi Sea, and the
12 Arctic Ocean.

13 (3) The United States owns a parcel of land,
14 known as Point Spencer, located between the Bering
15 Strait and Port Clarence and adjacent to some of
16 the best potential deepwater port sites on the coast
17 of Alaska in the Arctic.

18 (4) Prudent and effective use of Point Spencer
19 may be best achieved through marshaling the en-
20 ergy, resources, and leadership of the public and pri-
21 vate sectors.

22 (5) It is in the national interest to develop in-
23 frastructure at Point Spencer that would aid the
24 Coast Guard in performing its statutory duties and
25 functions in the Arctic on a more permanent basis

1 and to allow for public and private sector develop-
 2 ment of facilities and other infrastructure to support
 3 purposes that are of benefit to the United States.

4 **SEC. 602. DEFINITIONS.**

5 In this subtitle:

6 (1) **ARCTIC.**—The term “Arctic” has the mean-
 7 ing given that term in section 112 of the Arctic Re-
 8 search and Policy Act of 1984 (15 U.S.C. 4111).

9 (2) **BSNC.**—The term “BSNC” means the
 10 Bering Straits Native Corporation authorized under
 11 section 7 of the Alaska Native Claims Settlement
 12 Act (43 U.S.C. 1606).

13 (3) **COUNCIL.**—The term “Council” means the
 14 Port Coordination Advisory Council established
 15 under section 604(a).

16 (4) **PLAN.**—The term “Plan” means the Port
 17 Management Coordination Plan developed under sec-
 18 tion 604(e).

19 (5) **POINT SPENCER.**—The term “Point Spen-
 20 cer” means the land known as “Point Spencer” lo-
 21 cated between the Bering Strait and Port Clarence
 22 and withdrawn by Public Land Order 2650 (pub-
 23 lished in the Federal Register on April 12, 1962),
 24 and located in Townships 2, 3, and 4 South, Range
 25 40 West, Kateel River Meridian, Alaska.

1 (6) SECRETARY.—Except as otherwise specifi-
 2 cally provided, the term “Secretary” means the Sec-
 3 retary of the department in which the Coast Guard
 4 is operating.

5 (7) STATE.—The term “State” means the State
 6 of Alaska.

7 (8) TRACT.—The term “Tract” means Tract 1,
 8 Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, as
 9 appropriate.

10 (9) TRACTS 1, 2, 3, 4, 5, AND 6.—The terms
 11 “Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and
 12 Tract 6” each mean the land generally depicted as
 13 Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or
 14 Tract 6, respectively, and generally depicted as such
 15 Tract on the map entitled the “Point Spencer Land
 16 Retention and Conveyance Map”, dated January
 17 2015, and on file with the Department of Homeland
 18 Security and the Department of the Interior.

19 **SEC. 603. AUTHORITY TO CONVEY LAND IN POINT SPEN-**
 20 **CER.**

21 (a) AUTHORITY TO CONVEY TRACTS 1, 3, AND 4.—
 22 The Secretary of the Interior shall convey, subject to valid
 23 existing rights, all right, title, and interest of the United
 24 States in and to the surface and subsurface estates of
 25 Tract 1, Tract 3, and Tract 4 in accordance with sub-

1 section (d) if the Secretary notifies the Secretary of the
 2 Interior that the Coast Guard no longer needs to retain
 3 jurisdiction over any portion of Tract 1, Tract 3, or Tract
 4 4 and the requirements of subsection (f) are met for each
 5 such Tract to be conveyed.

6 (b) ~~AUTHORITY TO CONVEY TRACTS 2 AND 5.~~—The
 7 Secretary of the Interior shall convey, subject to valid ex-
 8 isting rights, all right, title, and interest of the United
 9 States in and to the surface and subsurface estates of
 10 Tract 2 and Tract 5 in accordance with subsection (d)
 11 if the requirements of subsection (f) are met for each such
 12 Tract to be conveyed.

13 (c) ~~AUTHORITY TO TRANSFER TRACT 6.~~—The Sec-
 14 retary of the Interior shall convey, subject to valid existing
 15 rights, all right, title, and interest of the United States
 16 in and to the surface and subsurface estates of Tract 6
 17 in accordance with subsection (e) if the requirements of
 18 subsection (f) are met.

19 (d) ~~ORDER OF OFFER TO CONVEY TRACT 1, 2, 3,~~
 20 ~~4, OR 5.~~—

21 (1) ~~DETERMINATION AND OFFER.~~—

22 (A) ~~TRACT 1, 3, OR 4.~~—If the Secretary
 23 makes the determination under subsection (a)
 24 and the requirements of subsection (f) are met
 25 for Tract 1, 3, or 4, or a portion of such Tract,

the Secretary of the Interior shall offer such Tract or portion of such Tract for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(B) TRACT 2 OR 5.—If the requirements of subsection (f) are met for Tract 2 or Tract 5, the Secretary of the Interior shall offer such Tract for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—If BSNC chooses to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall consider such Tract as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey such Tract to BSNC.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of a Tract under paragraph (1), the Secretary of the Interior shall offer such Tract for conveyance to the State under the Act of July 7, 1958 (commonly

1 known as the “Alaska Statehood Act”) (48
 2 U.S.C. note prec. 21; Public Law 85–508).

3 ~~(3) OFFER TO STATE.—~~

4 ~~(A) ACCEPTANCE BY STATE.—~~If the State
 5 chooses to accept an offer of conveyance of a
 6 Tract under paragraph ~~(2)(B)~~, the Secretary of
 7 the Interior shall consider such Tract as within
 8 the State’s entitlement under the Act of July 7,
 9 1958 (commonly known as the “Alaska State-
 10 hood Act”) (48 U.S.C. note prec. 21; Public
 11 Law 85–508) and shall convey such Tract to
 12 the State.

13 ~~(B) DECLINE BY STATE.—~~If the State de-
 14 clines to accept an offer of conveyance of a
 15 Tract offered under paragraph ~~(2)(B)~~, such
 16 Tract shall be disposed of pursuant to applica-
 17 ble public land laws.

18 ~~(c) ORDER OF OFFER TO CONVEY TRACT 6.—~~

19 ~~(1) OFFER.—~~If the requirements under sub-
 20 section ~~(f)~~ are met for Tract 6, the Secretary of the
 21 Interior shall offer such Tract for conveyance to the
 22 State.

23 ~~(2) OFFER TO STATE.—~~

24 ~~(A) ACCEPTANCE BY STATE.—~~If the State
 25 chooses to accept an offer of conveyance of

1 Tract 6 under paragraph (1), the Secretary of
 2 the Interior shall consider Tract 6 as within the
 3 State's entitlement under the Act of July 7,
 4 1958 (commonly known as the "Alaska State-
 5 hood Act") (48 U.S.C. note prec. 21; Public
 6 Law 85-508) and shall convey Tract 6 to the
 7 State.

8 (B) ~~DECLINE BY STATE.~~—If the State de-
 9 clines to accept an offer of conveyance of Tract
 10 6 under paragraph (1), the Secretary of the In-
 11 terior shall offer Tract 6 for conveyance to
 12 BSNC under the Alaska Native Claims Settle-
 13 ment Act (43 U.S.C. 1601 et seq.).

14 (3) ~~OFFER TO BSNC.~~—

15 (A) ~~ACCEPTANCE BY BSNC.~~—

16 (i) ~~IN GENERAL.~~—Subject to clause
 17 (ii), if BSNC chooses to accept an offer of
 18 conveyance of Tract 6 under paragraph
 19 (2)(B), the Secretary of the Interior shall
 20 consider Tract 6 as within BSNC's entitle-
 21 ment under section 14(h)(8) of the Alaska
 22 Native Claims Settlement Act (43 U.S.C.
 23 1613(h)(8)) and shall convey Tract 6 to
 24 BSNC.

1 (ii) LEASE BY THE STATE.—The con-
 2 veyance of Tract 6 to BSNC shall be sub-
 3 ject to BSNC negotiating a lease of Tract
 4 6 to the State at no cost to the State, if
 5 the State requests such a lease.

6 (B) DECLINE BY BSNC.—If BSNC declines
 7 to accept an offer of conveyance of Tract 6
 8 under paragraph (2)(B), the Secretary of the
 9 Interior shall dispose of Tract 6 pursuant to
 10 the applicable public land laws.

11 (f) TERMS OF CONVEYANCE.—

12 (1) ENVIRONMENTAL COMPLIANCE.—

13 (A) TRACT 1, 2, 3, 4, 5, OR 6.—

14 (i) IN GENERAL.—The Secretary of
 15 the Interior shall not convey Tract 1,
 16 Tract 2, Tract 3, Tract 4, Tract 5, or
 17 Tract 6 under this section until—

18 (I) the Secretary certifies that
 19 the applicable requirements under sec-
 20 tion 120(h) of the Comprehensive En-
 21 vironmental Response, Compensation,
 22 and Liability Act of 1980 (42 U.S.C.
 23 9620(h)) and other applicable envi-
 24 ronmental laws have been satisfied for
 25 land in such Tract; or

1 (H) the Board of Directors of
 2 BSNC adopts and submits to the Sec-
 3 retary of the Interior a resolution
 4 stating that BSNC is willing to accept
 5 Tract 1, Tract 2, Tract 3, Tract 4,
 6 Tract 5, or Tract 6, as appropriate,
 7 “as is” at the time of such convey-
 8 ance, based on known contamination.

9 (ii) AS IS.—In this subparagraph, the
 10 term “as is” means the physical condition
 11 of Tract 1, Tract 2, Tract 3, Tract 4,
 12 Tract 5, or Tract 6, as appropriate, at the
 13 time of the conveyance of such Tract, in-
 14 cluding with respect to any known con-
 15 tamination by hazardous materials or sub-
 16 stances.

17 (B) LAND TO BE CONVEYED TO THE
 18 STATE OR BSNC.—

19 (i) ENVIRONMENTAL COMPLIANCE.—
 20 To the extent cleanup and remediation of
 21 hazardous substances on land in a Tract to
 22 be conveyed to the State or to BSNC are
 23 required by existing law, all environmental
 24 compliance activities pursuant to section
 25 120(h) of the Comprehensive Environ-

1 mental Response, Compensation, and Li-
2 ability Act of 1980 (42 U.S.C. 9620(h))
3 and other applicable environmental laws
4 shall be satisfied.

5 (ii) MONITORING OF KNOWN CON-
6 TAMINATION.—Notwithstanding section
7 120(h) of the Comprehensive Environ-
8 mental Response, Compensation, and Li-
9 ability Act of 1980 and other applicable
10 environmental laws, any known contamina-
11 tion in a Tract to be conveyed that does
12 not pose an immediate or long-term health
13 or environmental risk may be routinely
14 monitored and managed by the State or
15 BSNC, as applicable, through institutional
16 controls in accordance with the laws of the
17 State.

18 (iii) LATER FOUND CONTAMINA-
19 TION.—If preexisting contamination from
20 hazardous materials and substances are
21 found to be present in a Tract after the
22 date the Tract is conveyed to the State or
23 BSNC, responsibility for cleanup and re-
24 mediation of such contamination shall con-
25 tinue to be governed by section 120(h)(3)

of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)), applicable provisions of chapter 19 of title 14, United States Code, and applicable laws of the State.

(C) LAND TO BE RETAINED BY THE COAST GUARD.—With respect to land in Tract 1, Tract 3, or Tract 4 to be retained by the Coast Guard, nothing in this section may be construed to limit the obligation of the Coast Guard to comply with applicable environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(2) AIRSTRIP USE.—

(A) USE BY COAST GUARD.—All conveyances under this section shall be subject to—

(i) an easement granting unlimited use of all existing and future landing pads, airstrips, runways, and taxiways that are located on such Tract conveyed, at no cost to the Coast Guard; and

(ii) the right to access such landing pads, airstrips, runways, and taxiways, at no cost to the Coast Guard.

~~(B)~~ USE BY STATE.—

(i) IN GENERAL.—For any Tract conveyed to BSNC under this section, BSNC shall provide to the State, if requested and pursuant to negotiated terms with the State, for no compensation—

(I) an easement over all existing and future airstrips, runways, and taxiways located on such Tract; and

(II) a right of access to and from such airstrips, runways, and taxiways.

(ii) RIGHT OF ACCESS.—If the State requests a right of access for a road from the airstrip to the southern tip of Point Spencer, the location of such right of access shall be determined by the State, in consultation with the Secretary and BSNC, so that such access is compatible with other existing or planned infrastructure development at Point Spencer.

~~(3)~~ RELATIONSHIP TO PUBLIC LAND ORDER

2650.—

1 (A) TRACTS NOT CONVEYED.—Any Tract
 2 that is not conveyed under this section shall re-
 3 main withdrawn pursuant to Public Land Order
 4 2650 (published in the Federal Register on
 5 April 12, 1962).

6 (B) TRACTS CONVEYED.—For any Tract
 7 conveyed under this section, Public Land Order
 8 2650 shall automatically terminate upon
 9 issuance of a conveyance document for such
 10 Tract.

11 (4) ARCHEOLOGICAL AND CULTURAL RE-
 12 SOURCES.—Conveyance of any Tract under this sec-
 13 tion shall not affect criminal jurisdiction and respon-
 14 sibilities regarding the potential theft or vandalism
 15 of archeological or cultural resources located in or
 16 on such tracts.

17 (5) PERSONAL PROPERTY.—

18 (A) CASH SALES AUTHORIZED.—The Sec-
 19 retary of Homeland Security is authorized to
 20 make cash sales of personal property that is lo-
 21 cated on Tract 4 to BSNC or to the State.

22 (B) VALUE.—The total value of the per-
 23 sonal property referred to in subparagraph (A)
 24 shall be deemed to be \$5,580,000.

1 (C) PROCEEDS.—Pursuant to section 559
 2 of the Department of Homeland Security Ap-
 3 propriations Act, 2010 (Public Law 111–83;
 4 123 Stat. 2180), the proceeds from the sale of
 5 Coast Guard property referred to in subpara-
 6 graph (A)—

7 (i) shall be deposited as offsetting col-
 8 lections into the Coast Guard Environ-
 9 mental Compliance and Restoration Ac-
 10 count;

11 (ii) shall be available without further
 12 appropriation for environmental compli-
 13 ance and restoration activities associated
 14 with any tract conveyed or to be conveyed
 15 under this Act; and

16 (iii) shall remain available until ex-
 17 pended.

18 (D) UNEXPENDED BALANCES.—If unex-
 19 pended balances remain in the Coast Guard
 20 Environmental Compliance and Restoration Ac-
 21 count after the completion of the activities de-
 22 scribed in subparagraph (C)(ii), such balances
 23 may be expended for any other environmental
 24 compliance and restoration activities of the
 25 Coast Guard.

1 (g) MAPS AND LEGAL DESCRIPTIONS.—

2 (1) PREPARATION OF MAPS AND LEGAL DE-
 3 SCRIPTION.—As soon as practicable after the date of
 4 the enactment of this Act, the Secretary of the Inte-
 5 rior shall prepare maps and legal descriptions of
 6 Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and
 7 Tract 6. In doing so, the Secretary of the Interior
 8 may use metes and bounds legal descriptions based
 9 upon the official survey plats of Point Spencer ac-
 10 cepted on December 6, 1978.

11 (2) LEGAL EFFECT.—The maps and legal de-
 12 scriptions shall have the same force and effect as if
 13 the maps and legal descriptions were included in this
 14 Act, except that the Secretary of the Interior may
 15 correct any clerical and typographical errors in the
 16 maps and legal descriptions.

17 (3) AVAILABILITY.—Copies of the maps and
 18 legal descriptions shall be available for public inspec-
 19 tion in the appropriate offices of—

20 (A) the Bureau of Land Management; and

21 (B) the United States Coast Guard.

22 (4) SURVEY.—Not later than 5 years after the
 23 date of the enactment of this Act, the Secretary of
 24 the Interior shall survey Tracts conveyed and patent

1 the Tracts in accordance with the official plats of
2 survey.

3 ~~(h) PUBLIC ACCESS EASEMENTS.—No public access~~
4 easements may be reserved to the United States under
5 section 17(b) of the Alaska Native Claims Settlement Act
6 ~~(43 U.S.C. 1616(b))~~ with respect to the land conveyed
7 under this Act.

8 **SEC. 604. PORT COORDINATION ADVISORY COUNCIL FOR**
9 **POINT SPENCER.**

10 ~~(a) ESTABLISHMENT.—There is established the Port~~
11 ~~Coordination Advisory Council for the Port of Point Spen-~~
12 ~~cer.~~

13 ~~(b) MEMBERSHIP.—The Council shall consist of a~~
14 ~~representative appointed by each of the following:~~

15 ~~(1) The State.~~

16 ~~(2) BSNC.~~

17 ~~(c) DUTIES.—The duties of the Council are as fol-~~
18 ~~lows:~~

19 ~~(1) To develop a Port Management Coordina-~~
20 ~~tion Plan to help coordinate infrastructure develop-~~
21 ~~ment and operations at the Port of Point Spencer;~~
22 ~~that includes plans for—~~

23 ~~(A) construction;~~

24 ~~(B) funding eligibility;~~

1 (C) land use planning and development;
2 and

3 (D) public interest use and access, emer-
4 gency preparedness, law enforcement, protection
5 of Alaska Native archaeological and cultural re-
6 sources, and other matters that are necessary
7 for public and private entities to function in
8 proximity together in a remote location.

9 (2) Update the Plan annually for the first 5
10 years after the date of the enactment of this Act and
11 biennially thereafter.

12 (3) Facilitate coordination among stakeholders
13 at Point Spencer, including the Coast Guard, on the
14 development and use of the land and coastline as
15 such development relates to activities at the Port of
16 Point Spencer.

17 (4) Assess the need, benefits, efficacy, and de-
18 sirability of establishing in the future a port author-
19 ity at Point Spencer under State law and act upon
20 that assessment, as appropriate, including taking
21 steps for the potential formation of such a port au-
22 thority.

23 (d) PLAN.—The Plan shall be developed and imple-
24 mented by the Council in such a manner so as to facilitate
25 and support, and not interfere with nor impede, the statu-

1 tory missions, duties, and operations of the Coast Guard
2 in the Arctic.

3 (c) COSTS.—Operations and management costs for
4 airstrips, runways, and taxiways at Point Spencer shall
5 be determined pursuant to provisions of the Plan, as nego-
6 tiated by the Council.

7 **SEC. 605. WAIVER.**

8 Section 229 of the Howard Coble Coast Guard and
9 Maritime Transportation Act of 2014 (Public Law 113–
10 281, 128 Stat. 3040) shall not be construed to prohibit
11 any transfer or conveyance of lands under to this Act or
12 any actions that involve the dismantling or disposal of in-
13 frastructure that supported the former LORAN system
14 that are associated with the transfer or conveyance of
15 lands under this subtitle.

16 **Subtitle B—Other Conveyance of**
17 **Coast Guard Property**

18 **SEC. 611. CONVEYANCE OF COAST GUARD PROPERTY IN**

19 **POINT REYES STATION, CALIFORNIA.**

20 (a) CONVEYANCE.—

21 (1) IN GENERAL.—The Commandant of the
22 Coast Guard may convey to the County of Marin all
23 right, title, and interest of the United States in and
24 to the covered property—

1 (A) for fair market value, provided for in
2 paragraph (2);

3 (B) subject to the conditions required by
4 this section; and

5 (C) subject to any other term or condition
6 that the Commandant considers appropriate to
7 protect the interests of the United States.

8 (2) FAIR MARKET VALUE.—The fair market
9 value of the covered property shall be—

10 (A) determined by a real estate appraiser,
11 who has been selected by the County and is li-
12 censed to practice in California; and

13 (B) approved by the Commandant, who
14 shall base such approval on considerations of
15 equity and fairness, including the use required
16 under this section of the covered property.

17 (3) PROCEEDS.—The Commandant shall de-
18 posit the proceeds from a conveyance under para-
19 graph (1) in the Coast Guard Housing Fund estab-
20 lished by section 687 of title 14, United States Code.

21 (b) CONDITION OF CONVEYANCE.—As a condition of
22 any conveyance of covered property under this section, the
23 Commandant shall require that all right, title, and interest
24 in and to the covered property revert to the United States
25 if the covered property or any part thereof ceases to be

1 used for affordable housing, as defined by the County and
 2 the Commandant at conveyance, or to provide a public
 3 benefit approved by the County.

4 (c) RULES OF CONSTRUCTION.—Nothing in this sec-
 5 tion may be construed to affect or limit the application
 6 of or obligation to comply with any environmental law, in-
 7 cluding section 120(h) of the Comprehensive Environ-
 8 mental Response, Compensation, and liability Act of 1980
 9 (42 U.S.C. 9620(h)).

10 (d) DEFINITIONS.—In this section:

11 (1) COMMANDANT.—The term “Commandant”
 12 means the Commandant of the Coast Guard.

13 (2) COUNTY.—The term “County” means the
 14 County of Marin, California.

15 (3) COVERED PROPERTY.—The term “covered
 16 property” means the 32 acres of Federal land (in-
 17 cluding all buildings, structures, utilities, and mis-
 18 cellaneous facilities on the land) that are located in
 19 Point Reyes Station in the County of Marin, Cali-
 20 fornia, and that are under the administrative control
 21 of the Coast Guard and identified by the Coast
 22 Guard as “CAMSPAC Housing”.

23 (e) EXPIRATION.—The authority to convey the cov-
 24 ered property under this section shall expire on the date

1 that is four years after the date of the enactment of this
2 Act.

3 **SEC. 612. CONVEYANCE OF COAST GUARD PROPERTY IN**
4 **TOK, ALASKA.**

5 (a) **CONVEYANCE AUTHORIZED.**—The Commandant
6 of the Coast Guard may convey all right, title, and interest
7 of the United States in and to the covered property, upon
8 payment to the United States of the fair market value of
9 the covered property.

10 (b) **RIGHT OF FIRST REFUSAL.**—The Tanana Chiefs'
11 Conference shall have the right of first refusal with respect
12 to purchase of the covered property under this section.

13 (c) **SURVEY.**—The exact acreage and legal descrip-
14 tion of the covered property shall be determined by a sur-
15 vey satisfactory to the Commandant.

16 (d) **FAIR MARKET VALUE.**—The fair market value
17 of the covered property shall be—

18 (1) determined by appraisal; and

19 (2) subject to the approval of the Commandant.

20 (e) **COSTS OF CONVEYANCE.**—The responsibility for
21 all reasonable and necessary costs, including real estate
22 transaction and environmental documentation costs, asso-
23 ciated with a conveyance under this section shall be deter-
24 mined by the Commandant and the purchaser.

1 (f) ~~ADDITIONAL TERMS AND CONDITIONS.~~—The
 2 Commandant may require such additional terms and con-
 3 ditions in connection with a conveyance under this section
 4 as the Commandant considers appropriate and reasonable
 5 to protect the interests of the United States.

6 (g) ~~DEPOSIT OF PROCEEDS.~~—Any proceeds received
 7 by the United States from a conveyance under this section
 8 shall be deposited in the Coast Guard Housing Fund es-
 9 tablished under section 687 of title 14, United States
 10 Code.

11 (h) ~~COVERED PROPERTY DEFINED.~~—

12 (1) ~~IN GENERAL.~~—In this section, the term
 13 “covered property” means the approximately 3.25
 14 acres of real property (including all improvements
 15 located on the property) that are—

16 (A) located in Tok, Alaska;

17 (B) under the administrative control of the
 18 Coast Guard; and

19 (C) described in paragraph (2).

20 (2) ~~DESCRIPTION.~~—The property described in
 21 this paragraph is the following:

22 (A) Lots 11, 12, and 13, block “G”, Sec-
 23 ond Addition to Hartsell Subdivision, Section
 24 20, Township 18 North, Range 13 East, Cop-
 25 per River Meridian, Alaska as appears by Plat

No. 72-39 filed in the Office of the Recorder for the Fairbanks Recording District of Alaska, bearing seal dated 25 September 1972, all containing approximately 1.25 Acres and commonly known as 2-PLEX - Jackie Circle, Units A and B.

(B) Beginning at a point being the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 24, Township 18 North, Range 12 East, Copper River Meridian, Alaska; thence running westerly along the south line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 260 feet; thence northerly parallel to the east line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 335 feet; thence easterly parallel to the south line 260 feet; then south 335 feet along the east boundary of Section 24 to the point of beginning; all containing approximately 2.0 acres and commonly known as 4-PLEX - West "C" and Willow, Units A, B, C, and D.

TITLE VII—MISCELLANEOUS

SEC. 701. INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.

(a) IN GENERAL.—Section 7001(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)) is amended—

(1) in paragraph (3)—

(A) by striking “Minerals Management Service” and inserting “Bureau of Safety and Environmental Enforcement, the Bureau of Ocean Energy Management,”; and

(B) by inserting “the United States Arctic Research Commission,” after “National Aeronautics and Space Administration,”; and

(2) by adding at the end the following:

~~“(5) VICE CHAIRPERSON.—~~A representative of the National Oceanic and Atmospheric Administration, a representative of the Bureau of Safety and Environmental Enforcement, and a representative of the Environmental Protection Agency shall serve, on a rotating basis, as vice chairperson of the Committee.”.

(b) TECHNICAL AMENDMENTS.—Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking “Department of Transportation” and inserting “department in which the Coast Guard is operating”; and

(2) in subsection (c)(8)(A), by striking “(1989)” and inserting “(2010)”.

1 **SEC. 702. ACCIDENT AND INCIDENT NOTIFICATION.**

2 Section 9 of the Pipeline Safety, Regulatory Cer-
 3 tainty, and Job Creation Act of 2011 (49 U.S.C. 60117
 4 note; Public Law 112–90) is amended by striking sub-
 5 section (c); and that subsection shall be deemed not to
 6 have been enacted.

7 **SEC. 703. TECHNICAL CORRECTIONS RELATING TO**
 8 **BRIDGES.**

9 (a) ACT OF MARCH 3, 1899.—The Act of March 3,
 10 1899 (commonly known as the “Rivers and Harbors Ap-
 11 propriation Act of 1899”), is amended—

12 (1) in section 9 (33 U.S.C. 401), by striking
 13 “Secretary of Transportation” each place it appears
 14 and inserting “Secretary of the department in which
 15 the Coast Guard is operating”;

16 (2) in section 12 (33 U.S.C. 406)—

17 (A) by striking the section designation and
 18 all that follows through the first sentence and
 19 inserting the following:

20 **“SEC. 12. PENALTY FOR WRONGFUL CONSTRUCTION; RE-**
 21 **MOVAL OF STRUCTURES.**

22 **“(a) PENALTY FOR WRONGFUL CONSTRUCTION.—**
 23 Each individual or entity that violates an applicable provi-
 24 sion of section 9, 10, or 11, or any rule or regulation pro-
 25 mulgated by the Secretary of the department in which the

1 Coast Guard is operating pursuant to section 9 or the Sec-
 2 retary of the Army pursuant to section 11, shall be—

3 “(1) guilty of a misdemeanor; and

4 “(2) on conviction, punished by, at the discre-
 5 tion of the applicable court—

6 “(A) a fine of not less than \$500 nor more
 7 than \$2,500;

8 “(B) imprisonment (in the case of an indi-
 9 vidual) for not more than 1 year; or

10 “(C) both the punishments described in
 11 subparagraphs (A) and (B).”; and

12 (B) in the second sentence—

13 (i) by striking “And further, the re-
 14 moval” and inserting the following:

15 “(b) REMOVAL OF STRUCTURES.—The removal”;
 16 and

17 (ii) by striking “the provisions of”
 18 and all that follows through “exercising”
 19 and inserting “a provision described in
 20 subsection (a) may be enforced by the in-
 21 junction of any district court exercising”;
 22 and

23 (3) in subsections (a) and (c) of section 18 (33
 24 U.S.C. 502), by striking “Secretary of Transpor-
 25 tation” each place it appears and inserting “Sec-

1 retary of the department in which the Coast Guard
2 is operating”.

3 (b) ACT OF MARCH 23, 1906.—The Act of March
4 23, 1906 (commonly known as the “Bridge Act of 1906”),
5 is amended—

6 (1) in the first section (33 U.S.C. 491), by
7 striking “Secretary of Transportation” and inserting
8 “Secretary of the department in which the Coast
9 Guard is operating”;

10 (2) in section 4 (33 U.S.C. 494), by striking
11 “Secretary of Homeland Security” each place it ap-
12 pears and inserting “Secretary of the department in
13 which the Coast Guard is operating”; and

14 (3) in section 5 (33 U.S.C. 495), by striking
15 “Secretary of Transportation” each place it appears
16 and inserting “Secretary of the department in which
17 the Coast Guard is operating”.

18 (c) ACT OF AUGUST 18, 1894.—Section 5 of the Act
19 of August 18, 1894 (33 U.S.C. 499), is amended by strik-
20 ing “Secretary of Transportation” each place it appears
21 and inserting “Secretary of the department in which the
22 Coast Guard is operating”.

23 (d) ACT OF JUNE 21, 1940.—The Act of June 21,
24 1940 (commonly known as the “Truman-Hobbs Act”), is
25 amended—

1 (1) in section 1 (33 U.S.C. 511), by striking
 2 “Secretary of Transportation” and inserting “Sec-
 3 retary of the department in which the Coast Guard
 4 is operating”;

5 (2) in section 3 (33 U.S.C. 513)—

6 (A) in the section heading, by striking
 7 “**HEARING**” and inserting “**MEETING**”;

8 (B) in the first sentence—

9 (i) by striking “hearing” and inserting
 10 “meeting”; and

11 (ii) by striking “evidence” and insert-
 12 ing “supporting data”; and

13 (C) in the second sentence, by striking
 14 “hearing” and inserting “a meeting”;

15 (3) in section 4 (33 U.S.C. 514), by striking
 16 “Secretary of Transportation” and inserting “Sec-
 17 retary of the department in which the Coast Guard
 18 is operating”;

19 (4) in section 7 (33 U.S.C. 517), by striking
 20 “Secretary of Transportation” each place it appears
 21 and inserting “Secretary of the department in which
 22 the Coast Guard is operating”; and

23 (5) in section 13 (33 U.S.C. 523), in the pro-
 24 viso, by striking “Secretary of Transportation” and

1 inserting “Secretary of the department in which the
2 Coast Guard is operating”.

3 (c) ACT OF JULY 16, 1952.—Section 3 of the Act
4 of July 16, 1952 (33 U.S.C. 524), is amended by striking
5 “hearings” and inserting “meetings”.

6 (f) GENERAL BRIDGE ACT OF 1946.—The General
7 Bridge Act 1946 is amended—

8 (1) in section 502(b) (33 U.S.C. 525(b)), by
9 striking “Secretary of Transportation” and inserting
10 “Secretary of the department in which the Coast
11 Guard is operating”; and

12 (2) in section 510 (33 U.S.C. 533), by striking
13 “Secretary of Transportation” each place it appears
14 and inserting “Secretary of the department in which
15 the Coast Guard is operating”.

16 (g) INTERNATIONAL BRIDGE ACT OF 1972.—The
17 International Bridge Act of 1972 is amended—

18 (1) in section 5 (33 U.S.C. 535e), by striking
19 “Secretary of Transportation” and inserting “Sec-
20 retary of the department in which the Coast Guard
21 is operating”;

22 (2) in section 8 (33 U.S.C. 535e)—

23 (A) by striking “Secretary of Transpor-
24 tation” each place it appears and inserting “the

department in which the Coast Guard is operating”; and

(B) in subsection (b), in the second sentence, by striking “, and the provisions of section 6 of this Act shall not apply”; and

(3) by striking section 11 (33 U.S.C. 535h).

SEC. 704. INTERNATIONAL PORT AND FACILITY INSPECTION COORDINATION.

Section 825(a) of the Coast Guard Authorization Act of 2010 (6 U.S.C. 945 note; Public Law 111–281) is amended in the matter preceding paragraph (1)—

(1) by striking “the department in which the Coast Guard is operating” and inserting “Homeland Security”; and

(2) by striking “they are integrated and conducted by the Coast Guard” and inserting “the assessments are coordinated between the Coast Guard and Customs and Border Protection”.

SEC. 705. REPORTS.

(a) DISTANT WATER TUNA FLEET.—Section 421(d) of the Coast Guard and Maritime Transportation Act of 2006 (Public Law 109–241; 46 U.S.C. 8103 note) is amended by striking “On March 1, 2007, and annually thereafter” and inserting “Not later than July 1 of each year,”.

(b) ~~ELIMINATION OF REPORTS.—~~

(1) ~~ANNUAL UPDATES ON LIMITS TO LIABILITY.—~~Section 603(e)(3) of the Coast Guard and Maritime Transportation Act of 2006 (33 U.S.C. 2704 note) is amended by striking “on an annual basis.” and inserting “not later than January 30 of the year following each year in which an oil discharge from a vessel or nonvessel source that results or is likely to result in removal costs and damages (as those terms are defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) that exceed liability limits established under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704).”.

(2) ~~INTERNATIONAL BRIDGE ACT OF 1972.—~~The International Bridge Act of 1972 is amended by striking section 11 (33 U.S.C. 535h).

SEC. 706. SAFE VESSEL OPERATION IN THE GREAT LAKES.

The Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281) is amended—

(1) in section 610, by—

(A) striking the section enumerator and heading and inserting the following:

1 **“SEC. 610. SAFE VESSEL OPERATION IN THE GREAT**
 2 **LAKES.”;**

3 (B) striking “existing boundaries and any
 4 future expanded boundaries of the Thunder
 5 Bay National Marine Sanctuary and Under-
 6 water Preserve” and inserting “boundaries of
 7 any National Marine Sanctuary that preserves
 8 shipwrecks or maritime heritage in the Great
 9 Lakes”; and

10 (C) by inserting before the period at the
 11 end the following: “; unless the designation doc-
 12 uments for such Sanctuary do not allow taking
 13 up or discharging ballast water in such Sane-
 14 tuary”; and

15 (2) in the table of contents in section 2, by
 16 striking the item relating to section 610 and insert-
 17 ing the following:

“Sec. 610. Safe vessel operation in the Great Lakes.”.

18 **SEC. 707. COASTWISE ENDORSEMENT.**

19 Notwithstanding section 12132 of title 46, United
 20 States Code, the Secretary of the department in which the
 21 Coast Guard is operating may issue a certificate of docu-
 22 mentation with a coastwise endorsement for the F/V
 23 RONDYS (O.N. 291085).

1 **SEC. 708. INTERNATIONAL ICE PATROL.**

2 (a) **REQUIREMENT FOR REPORT.**—Not later than
 3 180 days after the date of the enactment of this Act, the
 4 Commandant of the Coast Guard shall submit to the Com-
 5 mittee on Commerce, Science, and Transportation of the
 6 Senate and the Committee on Transportation and Infra-
 7 structure of the House of Representatives a report that
 8 describes the current operations to perform the Inter-
 9 national Ice Patrol mission and on alternatives for ear-
 10 rying out that mission, including satellite surveillance
 11 technology.

12 (b) **ALTERNATIVES.**—The report required by sub-
 13 section (a) shall include whether an alternative—

14 (1) provides timely data on ice conditions with
 15 the highest possible resolution and accuracy;

16 (2) is able to operate in all weather conditions
 17 or any time of day; and

18 (3) is more cost effective than the cost of cur-
 19 rent operations.

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

21 (a) **SHORT TITLE.**—*This Act may be cited as the*
 22 *“Coast Guard Authorization Act of 2015”.*

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

Sec. 1. Short title; table of contents.

*TITLE I—AUTHORIZATIONS**Sec. 101. Authorizations.**Sec. 102. Conforming amendments.**TITLE II—COAST GUARD**Sec. 201. Vice Commandant.**Sec. 202. Vice admirals.**Sec. 203. Professional development.**Sec. 204. Senior enlisted member continuation boards.**Sec. 205. Coast Guard member pay.**Sec. 206. Recall.**Sec. 207. Exchange of medical goods and services.**Sec. 208. Coast Guard remission of indebtedness.**Sec. 209. Coast Guard communities.**Sec. 210. Major acquisition programs.**Sec. 211. Major acquisitions assessment.**Sec. 212. Polar Icebreakers.**Sec. 213. Participation of the Coast Guard Academy in Federal, State, or other educational research grants.**Sec. 214. Venue.**Sec. 215. National Coast Guard Museum.**Sec. 216. Investigations.**Sec. 217. Clarification of eligibility of members of the Coast Guard for combat-related special compensation.**Sec. 218. Maternity leave policies for the Coast Guard.**Sec. 219. Technical and clerical amendments to title 14, United States Code.**TITLE III—SHIPPING AND NAVIGATION**Sec. 301. Whistleblower protections.**Sec. 302. Maritime drug law enforcement.**Sec. 303. Carriage of liquid dangerous cargo.**Sec. 304. Maritime transportation of hazardous material.**Sec. 305. Recreational vessel operator education.**Sec. 306. Nondisclosure of certain information.**Sec. 307. Higher volume port area regulatory definition change.**Sec. 308. Recognition of port security assessments conducted by other entities.**Sec. 309. Model years for recreational vessels.**Sec. 310. Recreational vessel engine weights.**Sec. 311. Vessel replacement.**Sec. 312. Fishing vessel and fish tender vessel certification.**Sec. 313. Title 46, United States Code, technical corrections.**TITLE IV—FEDERAL MARITIME COMMISSION**Sec. 401. Authorization of appropriations.**Sec. 402. Duties of the chairman.**TITLE V—SPORTFISH RESTORATION AND RECREATIONAL BOATING
SAFETY REAUTHORIZATION**Sec. 501. Short title.**Sec. 502. Authorization of appropriations.**Sec. 503. Division of annual appropriations.**Sec. 504. Extension of exception to limitation on transfers to fund.*

- Sec. 505. Recreational boating safety allocations.*
- Sec. 506. Recreational boating safety.*
- Sec. 507. National Boating Safety Advisory Council.*
- Sec. 508. Plan evaluation.*
- Sec. 509. Report to Congress.*

TITLE VI—CONVEYANCE OF COAST GUARD PROPERTY

Subtitle A—Conveyance of Coast Guard Property in Point Spencer, Alaska

- Sec. 601. Findings.*
- Sec. 602. Definitions.*
- Sec. 603. Authority to convey land in Point Spencer.*
- Sec. 604. Port Coordination Advisory Council for Point Spencer.*
- Sec. 605. Waiver.*

Subtitle B—Other Conveyance of Coast Guard Property

- Sec. 611. Conveyance of Coast Guard property in Point Reyes Station, California.*
- Sec. 612. Conveyance of Coast Guard property in Tok, Alaska.*

TITLE VII—MISCELLANEOUS

- Sec. 701. Interagency Coordinating Committee on Oil Pollution Research.*
- Sec. 702. Accident and incident notification.*
- Sec. 703. Technical corrections relating to bridges.*
- Sec. 704. International port and facility inspection coordination.*
- Sec. 705. Reports.*
- Sec. 706. Safe vessel operation in the Great Lakes.*
- Sec. 707. Coastwise endorsement.*
- Sec. 708. International Ice Patrol.*
- Sec. 709. Pribilof Islands.*
- Sec. 710. No charge for parking facilities.*
- Sec. 711. Assessment of oil spill response and cleanup activities in the Great Lakes.*
- Sec. 712. Report on status of technology detecting passengers who have fallen overboard.*

TITLE VIII—VESSEL INCIDENTAL DISCHARGE ACT

- Sec. 801. Short title.*
- Sec. 802. Findings; purpose.*
- Sec. 803. Definitions.*
- Sec. 804. Regulation and enforcement.*
- Sec. 805. Uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel.*
- Sec. 806. Treatment technology certification.*
- Sec. 807. Exemptions.*
- Sec. 808. Alternative compliance program.*
- Sec. 809. Judicial review.*
- Sec. 810. Effect on State authority.*
- Sec. 811. Application with other statutes.*

1 **TITLE I—AUTHORIZATIONS**

2 **SEC. 101. AUTHORIZATIONS.**

3 (a) *IN GENERAL.*—Title 14, United States Code, is
4 amended by adding at the end the following:

5 **“PART III—COAST GUARD AUTHORIZATIONS AND**
6 **REPORTS TO CONGRESS**

<i>“Chap.</i>	<i>Sec.</i>
“27. Authorizations	2701
“29. Reports	2901

7 **“CHAPTER 27—AUTHORIZATIONS**

“Sec.
“2702. Authorization of appropriations.
“2704. Authorized levels of military strength and training.

8 **“§ 2702. Authorization of appropriations**

9 *“Funds are authorized to be appropriated for each of*
10 *fiscal years 2016 and 2017 for necessary expenses of the*
11 *Coast Guard as follows:*

12 *“(1) For the operation and maintenance of the*
13 *Coast Guard, not otherwise provided for—*

14 *“(A) \$6,981,036,000 for fiscal year 2016;*

15 *and*

16 *“(B) \$6,981,036,000 for fiscal year 2017.*

17 *“(2) For the acquisition, construction, renova-*
18 *tion, and improvement of aids to navigation, shore*
19 *facilities, vessels, and aircraft, including equipment*
20 *related thereto, and for maintenance, rehabilitation,*
21 *lease, and operation of facilities and equipment—*

1 “(A) \$1,546,448,000 for fiscal year 2016;

2 *and*

3 “(B) \$1,546,448,000 for fiscal year 2017.

4 “(3) *For the Coast Guard Reserve program, in-*
5 *cluding operations and maintenance of the program,*
6 *personnel and training costs, equipment, and serv-*
7 *ices—*

8 “(A) \$140,016,000 for fiscal year 2016; *and*

9 “(B) \$140,016,000 for fiscal year 2017.

10 “(4) *For the environmental compliance and res-*
11 *toration functions of the Coast Guard under chapter*
12 *19 of this title—*

13 “(A) \$16,701,000 for fiscal year 2016; *and*

14 “(B) \$16,701,000 for fiscal year 2017.

15 “(5) *To the Commandant of the Coast Guard for*
16 *research, development, test, and evaluation of tech-*
17 *nologies, materials, and human factors directly re-*
18 *lated to improving the performance of the Coast*
19 *Guard’s mission with respect to search and rescue,*
20 *aids to navigation, marine safety, marine environ-*
21 *mental protection, enforcement of laws and treaties,*
22 *ice operations, oceanographic research, and defense*
23 *readiness, and for maintenance, rehabilitation, lease,*
24 *and operation of facilities and equipment—*

25 “(A) \$19,890,000 for fiscal year 2016; *and*

1 “(B) \$19,890,000 for fiscal year 2017.

2 **“§ 2704. Authorized levels of military strength and**
 3 **training**

4 “(a) *ACTIVE DUTY STRENGTH.*—The Coast Guard is
 5 authorized an end-of-year strength for active duty personnel
 6 of 43,000 for each of fiscal years 2016 and 2017.

7 “(b) *MILITARY TRAINING STUDENT LOADS.*—The
 8 Coast Guard is authorized average military training stu-
 9 dent loads for each of fiscal years 2016 and 2017 as follows:

10 “(1) For recruit and special training, 2,500 stu-
 11 dent years.

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

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

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

16 **“CHAPTER 29—REPORTS**

“Sec.”.

17 (b) *REQUIREMENT FOR PRIOR AUTHORIZATION OF AP-*
 18 *PROPRIATIONS.*—Section 662 of title 14, United States
 19 Code, is amended—

20 (1) by redesignating such section as section 2701;

21 (2) by transferring such section to appear before
 22 section 2702 of such title (as added by subsection (a)
 23 of this section); and

1 (3) *by striking paragraphs (1) through (5) and*
2 *inserting the following:*

3 “(1) *For the operation and maintenance of the*
4 *Coast Guard, not otherwise provided for.*

5 “(2) *For the acquisition, construction, renova-*
6 *tion, and improvement of aids to navigation, shore*
7 *facilities, vessels, and aircraft, including equipment*
8 *related thereto, and for maintenance, rehabilitation,*
9 *lease, and operation of facilities and equipment.*

10 “(3) *For the Coast Guard Reserve program, in-*
11 *cluding operations and maintenance of the program,*
12 *personnel and training costs, equipment, and services.*

13 “(4) *For the environmental compliance and res-*
14 *toration functions of the Coast Guard under chapter*
15 *19 of this title.*

16 “(5) *For research, development, test, and evalua-*
17 *tion of technologies, materials, and human factors di-*
18 *rectly related to improving the performance of the*
19 *Coast Guard.*

20 “(6) *For alteration or removal of bridges over*
21 *navigable waters of the United States constituting ob-*
22 *structions to navigation, and for personnel and ad-*
23 *ministrative costs associated with the Alteration of*
24 *Bridges Program.”.*

1 (c) *AUTHORIZATION OF PERSONNEL END*
 2 *STRENGTHS.—Section 661 of title 14, United States Code,*
 3 *is amended—*

4 (1) *by redesignating such section as section 2703;*
 5 *and*

6 (2) *by transferring such section to appear before*
 7 *section 2704 of such title (as added by subsection (a)*
 8 *of this section).*

9 (d) *REPORTS.—*

10 (1) *TRANSMISSION OF ANNUAL COAST GUARD AU-*
 11 *THORIZATION REQUEST.—Section 662a of title 14,*
 12 *United States Code, is amended—*

13 (A) *by redesignating such section as section*
 14 *2901;*

15 (B) *by transferring such section to appear*
 16 *as the first section in chapter 29 of such title (as*
 17 *added by subsection (a) of this section); and*

18 (C) *in subsection (b)—*

19 (i) *in paragraph (1) by striking “de-*
 20 *scribed in section 661” and inserting “de-*
 21 *scribed in section 2703”; and*

22 (ii) *in paragraph (2) by striking “de-*
 23 *scribed in section 662” and inserting “de-*
 24 *scribed in section 2701”.*

1 (2) *CAPITAL INVESTMENT PLAN*.—Section 663 of
2 *title 14, United States Code, is amended—*

3 (A) *by redesignating such section as section*
4 *2902; and*

5 (B) *by transferring such section to appear*
6 *after section 2901 of such title (as so redesign-*
7 *ated and transferred by paragraph (1) of this*
8 *subsection).*

9 (3) *MAJOR ACQUISITIONS*.—Section 569a of *title*
10 *14, United States Code, is amended—*

11 (A) *by redesignating such section as section*
12 *2903;*

13 (B) *by transferring such section to appear*
14 *after section 2902 of such title (as so redesign-*
15 *ated and transferred by paragraph (2) of this*
16 *subsection); and*

17 (C) *in subsection (c)(2) by striking “of this*
18 *subchapter”.*

19 (e) *ICEBREAKING ASSETS*.—

20 (1) *FINDING*.—Congress finds that icebreaking
21 *assets are critical to the United States Arctic and*
22 *Antarctic capabilities and readiness, and the execu-*
23 *tion of national priorities, including national secu-*
24 *rity, shipping, maritime domain awareness, search*
25 *and rescue, and environmental response.*

1 (2) *AUTHORIZATION OF APPROPRIATIONS.*—Of
 2 *the amounts authorized to be appropriated pursuant*
 3 *to section 2702(2) of title 14, United States Code, as*
 4 *added by subsection (a), there is authorized to be ap-*
 5 *propriated to the Coast Guard \$4,000,000 for fiscal*
 6 *year 2016 and \$10,000,000 for fiscal year 2017, for*
 7 *preacquisition activities for a new polar icebreaker,*
 8 *including initial specification development and feasi-*
 9 *bility studies.*

10 (f) *ADDITIONAL SUBMISSIONS.*—*The Commandant of*
 11 *the Coast Guard shall submit to the Committee on Home-*
 12 *land Security of the House of Representatives—*

13 (1) *each plan required under section 2904 of title*
 14 *14, United States Code, as added by subsection (a) of*
 15 *this section;*

16 (2) *each plan required under section 2903(e) of*
 17 *title 14, United States Code, as added by section 206*
 18 *of this Act;*

19 (3) *each plan required under section 2902 of title*
 20 *14, United States Code, as redesignated by subsection*
 21 *(d) of this section; and*

22 (4) *each mission need statement required under*
 23 *section 569 of title 14, United States Code.*

1 **SEC. 102. CONFORMING AMENDMENTS.**

2 (a) *ANALYSIS FOR TITLE 14.*—*The analysis for title*
 3 *14, United States Code, is amended by adding after the*
 4 *item relating to part II the following:*

**“III. Coast Guard Authorizations and Reports to Con-
 gress 2701”.**

5 (b) *ANALYSIS FOR CHAPTER 15.*—*The analysis for*
 6 *chapter 15 of title 14, United States Code, is amended by*
 7 *striking the item relating to section 569a.*

8 (c) *ANALYSIS FOR CHAPTER 17.*—*The analysis for*
 9 *chapter 17 of title 14, United States Code, is amended by*
 10 *striking the items relating to sections 661, 662, 662a, and*
 11 *663.*

12 (d) *ANALYSIS FOR CHAPTER 27.*—*The analysis for*
 13 *chapter 27 of title 14, United States Code, as added by sec-*
 14 *tion 101(a) of this Act, is amended by inserting—*

15 (1) *before the item relating to section 2702 the*
 16 *following:*

“2701. Requirement for prior authorization of appropriations.”;

17 *and*

18 (2) *before the item relating to section 2704 the*
 19 *following:*

“2703. Authorization of personnel end strengths.”.

20 (e) *ANALYSIS FOR CHAPTER 29.*—*The analysis for*
 21 *chapter 29 of title 14, United States Code, as added by sec-*
 22 *tion 101(a) of this Act, is amended by adding after “Sec.”*
 23 *the following:*

“2901. *Transmission of annual Coast Guard authorization request.*

“2902. *Capital investment plan.*

“2903. *Major acquisitions.*”.

1 (f) *MISSION NEED STATEMENT.*—Section 569(b) of
2 *title 14, United States Code, is amended—*

3 (1) *in paragraph (2) by striking “in section*
4 *569a(e)” and inserting “in section 2903”; and*

5 (2) *in paragraph (3) by striking “under section*
6 *663(a)(1)” and inserting “under section 2902(a)(1)”.*

7 ***TITLE II—COAST GUARD***

8 ***SEC. 201. VICE COMMANDANT.***

9 (a) *IN GENERAL.*—Chapter 3 of title 14, United States
10 *Code, is amended—*

11 (1) *in section 41, by striking “an admiral,” and*
12 *inserting “admirals;”;*

13 (2) *in section 47, by striking “vice admiral” in*
14 *the fourth sentence and inserting “admiral”; and*

15 (3) *in section 51—*

16 (A) *in subsection (a), by inserting “admiral*
17 *or” before “vice admiral,”;*

18 (B) *in subsection (b), by inserting “admiral*
19 *or” before “vice admiral,” each place it appears;*

20 *and*

21 (C) *in subsection (c), by inserting “admiral*
22 *or” before “vice admiral,”.*

23 (b) *TREATMENT OF INCUMBENT; TRANSITION.*—Not-
24 *withstanding any other provision of law, the officer who,*

1 *on the date of the enactment of this Act, is serving as Vice*
 2 *Commandant of the Coast Guard—*

3 *(1) shall continue to serve as Vice Commandant;*

4 *(2) shall have the grade of admiral with pay and*
 5 *allowances of that grade; and*

6 *(3) shall not be required to be reappointed by*
 7 *reason of the enactment of this Act.*

8 **SEC. 202. VICE ADMIRALS.**

9 *Section 50 of title 14, United States Code, is amend-*
 10 *ed—*

11 *(1) in subsection (a)—*

12 *(A) by striking paragraph (1) and inserting*
 13 *the following new paragraph (1):*

14 *“(1) The President may—*

15 *“(A) designate, within the Coast Guard, no more*
 16 *than 5 positions of importance and responsibility*
 17 *that shall be held by officers who, while so serving,*
 18 *shall have the grade of vice admiral, with the pay*
 19 *and allowances of that grade, and shall perform such*
 20 *duties as the Commandant may prescribe (and if the*
 21 *President designates 5 such positions, 1 position shall*
 22 *be the Chief of Staff of the Coast Guard); and*

23 *“(B) designate within the Executive branch,*
 24 *other than within the Coast Guard, positions of im-*
 25 *portance and responsibility that shall be held by offi-*

1 *cers who, while so serving, shall have the grade of vice*
 2 *admiral, with the pay and allowances of that grade.”;*
 3 *and*

4 *(B) in paragraph (3)(A), by striking*
 5 *“under paragraph (1)” and inserting “under*
 6 *paragraph (1)(A)”;* *and*
 7 *(2) in subsection (b)(2)—*

8 *(A) in subparagraph (B), by striking “and”*
 9 *at the end;*

10 *(B) by redesignating subparagraph (C) as*
 11 *subparagraph (D); and*

12 *(C) by inserting after subparagraph (B) the*
 13 *following:*

14 *“(C) at the discretion of the Secretary, while*
 15 *awaiting orders after being relieved from the position,*
 16 *beginning on the day the officer is relieved from the*
 17 *position, but not for more than 60 days; and”.*

18 **SEC. 203. PROFESSIONAL DEVELOPMENT.**

19 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 20 *that toxic leadership can have an adverse effect on subordi-*
 21 *nates and the service, and result in degraded mission per-*
 22 *formance and the Coast Guard should develop policies con-*
 23 *sistent with those of the Department of Defense to prevent,*
 24 *identify, and correct toxic leadership.*

25 *(b) REPORT ON LEADERSHIP DEVELOPMENT.—*

1 (1) *IN GENERAL.*—Chapter 11 of title 14, United
 2 *States Code*, is amended by adding after section 428
 3 *the following:*

4 **“§ 429. Multirater assessment of certain personnel**

5 “(a) *MULTIRATER ASSESSMENT OF CERTAIN PER-*
 6 *SONNEL.*—

7 “(1) *IN GENERAL.*—Commencing not later than
 8 *one year after the date of the enactment of the Coast*
 9 *Guard Authorization Act of 2015, the Commandant of*
 10 *the Coast Guard shall develop and implement a plan*
 11 *to conduct every two years a multirater assessment*
 12 *for each of the following:*

13 “(A) *Each flag officer of the Coast Guard.*

14 “(B) *Each member of the Senior Executive*
 15 *Staff of the Coast Guard.*

16 “(C) *Each officer of the Coast Guard nomi-*
 17 *nated for promotion to the grade of captain.*

18 “(2) *POST-ASSESSMENT ELEMENTS.*—*Following*
 19 *an assessment of an individual pursuant to para-*
 20 *graph (1), the individual shall be provided appro-*
 21 *priate post-assessment counseling and leadership*
 22 *coaching.*

23 “(b) *REPORT ON LEADERSHIP DEVELOPMENT.*—*Not*
 24 *later than 180 days after the date of the enactment of the*
 25 *Coast Guard Authorization Act of 2015, the Commandant*

1 *shall submit to the Committee on Commerce, Science, and*
 2 *Transportation of the Senate and the Committee on Trans-*
 3 *portation and Infrastructure of the House of Representa-*
 4 *tives a report on the feasibility of including a multirater*
 5 *assessment as part of the personnel development programs*
 6 *of the Coast Guard. The report shall include the following:*

7 “(1) *An assessment of the feasibility of—*

8 “(A) *all officers (other than officers covered*
 9 *by subsection (a)) completing a multirater as-*
 10 *essment;*

11 “(B) *all members (other than officers cov-*
 12 *ered by subsection (a)) in command positions*
 13 *completing a multirater assessment;*

14 “(C) *all enlisted members in a supervisory*
 15 *position completing a multirater assessment; and*

16 “(D) *members completing periodic*
 17 *multirater assessments.*

18 “(2) *Such recommendations as the Commandant*
 19 *considers appropriate for the implementation or ex-*
 20 *pansion of a multirater assessment in the personnel*
 21 *development programs of the Coast Guard.*

22 “(3) *An overview of each of the current leader-*
 23 *ship development courses of the Coast Guard, an as-*
 24 *essment of the feasibility of the expansion of any*

1 *such course, and a description of the resources, if any,*
 2 *required to expand such courses.*

3 “(4) *An assessment on the state of leadership*
 4 *training in the Coast Guard, and recommendations*
 5 *on the implementation of a policy to combat toxic*
 6 *leadership including—*

7 “(A) *a description of methods that will be*
 8 *used by the Coast Guard to identify, monitor,*
 9 *and counsel individuals who may be identified*
 10 *as toxic leaders;*

11 “(B) *the implementation of toxic leadership*
 12 *recognition training (in self and others);*

13 “(C) *the establishment of procedures for the*
 14 *administrative separation of toxic leaders; and*

15 “(D) *a description of the resources needed to*
 16 *implement this section.*

17 “(c) *MULTIRATER ASSESSMENT DEFINED.—In this*
 18 *section, the term ‘multirater assessment’ means a review*
 19 *that seeks opinion from members senior to the reviewee and*
 20 *the peers and subordinates of the reviewee.”.*

21 (2) *CLERICAL AMENDMENT.—The table of sec-*
 22 *tions at the beginning of chapter 11 of such title is*
 23 *amended by inserting after the item related to section*
 24 *428 the following new item:*

“Sec. 429. *Multirater assessment of certain personnel.”.*

25 (c) *TRAINING COURSE ON WORKINGS OF CONGRESS.—*

1 (1) *IN GENERAL.*—Chapter 3 of title 14, United
 2 *States Code*, is amended by adding at the end the fol-
 3 *lowing new section:*

4 **“§ 60. Training course on workings of Congress**

5 “(a) *IN GENERAL.*—Not later than 180 days after the
 6 *date of the enactment of the Coast Guard Authorization Act*
 7 *of 2015, the Commandant, in consultation with the civilian*
 8 *and permanent commissioned teaching staff of the Depart-*
 9 *ment of Humanities at the Coast Guard Academy and such*
 10 *other individuals and organizations as the Commandant*
 11 *considers appropriate, shall develop an annual training*
 12 *course for all Coast Guard flag officers newly appointed or*
 13 *assigned to billets in the National Capital Region and all*
 14 *Coast Guard senior executive service personnel employed in*
 15 *the National Capital Region to educate them on the work-*
 16 *ings of Congress.*

17 “(b) *COURSE SUBJECT MATTER.*—The training course
 18 *required by this section shall cover a variety of subjects re-*
 19 *lated to Congress and the Federal legislative process, includ-*
 20 *ing—*

21 “(1) *the history and structure of Congress and*
 22 *the committee systems of the House of Representatives*
 23 *and the Senate, including the functions and respon-*
 24 *sibilities of the Committee on Transportation and In-*
 25 *frastructure of the House of Representatives and the*

1 *Committee on Commerce, Science, and Transpor-*
 2 *tation of the Senate;*

3 “(2) *the documents used by Congress, including*
 4 *bills, resolutions, committee reports, and conference*
 5 *reports, and the purposes they serve;*

6 “(3) *the legislative processes of the House of Rep-*
 7 *resentatives and the Senate, including similarities*
 8 *and differences between the two processes;*

9 “(4) *the roles of Members of Congress and con-*
 10 *gressional staff in the legislative process;*

11 “(5) *the congressional budget process;*

12 “(6) *the congressional authorization-appropriation*
 13 *process;*

14 “(7) *the Senate advice and consent process for*
 15 *presidential nominees;*

16 “(8) *the Senate advice and consent process for*
 17 *treaty ratification;*

18 “(9) *the concept and underlying purposes of con-*
 19 *gressional oversight; and*

20 “(10) *best practices that promote effective and*
 21 *successful interactions with Congress.*

22 “(c) *LECTURERS AND PANELISTS.—*

23 “(1) *OUTSIDE EXPERTS.—The Commandant*
 24 *shall ensure that not less than 60 percent of the lec-*
 25 *turers, panelists, and other individuals providing*

1 *education and instruction as part of the training*
 2 *course required by this section are experts on Congress*
 3 *and the Federal legislative process who are not em-*
 4 *ployed by the executive branch of the Federal Govern-*
 5 *ment, such as the Congressional Research Service.*

6 “(2) *AUTHORITY TO ACCEPT PRO BONO SERV-*
 7 *ICES.—In satisfying the requirement under para-*
 8 *graph (1), the Commandant shall seek, and is author-*
 9 *ized to accept, educational and instructional services*
 10 *of lecturers, panelists, and other individuals and or-*
 11 *ganizations provided to the Coast Guard on a pro*
 12 *bono basis.*

13 “(d) *COMPLETION OF REQUIRED TRAINING.—*

14 “(1) *CURRENT FLAG OFFICERS AND EMPLOY-*
 15 *EES.—A Coast Guard flag officer appointed or as-*
 16 *signed to a billet in the National Capital Region on*
 17 *the date of the enactment of this section, and a Coast*
 18 *Guard senior executive service employee employed in*
 19 *the National Capital Region on the date of the enact-*
 20 *ment of this section, shall complete a training course*
 21 *that meets the requirements of this section within 60*
 22 *days of the date on which the Commandant completes*
 23 *the development of the training course.*

24 “(2) *NEW FLAG OFFICERS AND EMPLOYEES.—A*
 25 *Coast Guard flag officer who is newly appointed or*

1 *assigned to a billet in the National Capital Region,*
 2 *and a Coast Guard senior executive service employee*
 3 *who is newly employed in the National Capital Re-*
 4 *gion, shall complete a training course that meets the*
 5 *requirements of this section not later than 60 days*
 6 *after reporting for duty.”.*

7 (2) *CLERICAL AMENDMENT.—The table of sec-*
 8 *tions at the beginning of chapter 4 of such title is*
 9 *amended by adding at the end the following new item:*

“60. Training course on workings of Congress.”.

10 **SEC. 204. SENIOR ENLISTED MEMBER CONTINUATION**
 11 **BOARDS.**

12 (a) *IN GENERAL.—Section 357 of title 14, United*
 13 *States Code, is amended—*

14 (1) *by striking subsections (a) through (h) and*
 15 *subsection (j);*

16 (2) *in subsection (i), by striking “(i)”.*

17 (b) *CONFORMING AND CLERICAL AMENDMENTS.—*

18 (1) *HEADING AMENDMENT.—The heading of such*
 19 *section is amended to read as follows:*

20 **“§357. Retirement of enlisted members: increase in re-**
 21 **tired pay”.**

22 (2) *CLERICAL AMENDMENT.—The table of sec-*
 23 *tions at the beginning of chapter 11 of such title is*

1 *amended by striking the item relating to section 357*
 2 *and inserting the following new item:*

“357. Retirement of enlisted members: increase in retired pay.”.

3 **SEC. 205. COAST GUARD MEMBER PAY.**

4 *(a) IN GENERAL.—Not later than 180 days after the*
 5 *date of the enactment of this Act, the Commandant of the*
 6 *Coast Guard shall submit to the Committee on Commerce,*
 7 *Science, and Transportation of the Senate and the Com-*
 8 *mittee on Transportation and Infrastructure of the House*
 9 *of Representatives a report on alternative methods for noti-*
 10 *fying members of the Coast Guard of their monthly earn-*
 11 *ings. The report shall include—*

12 *(1) an assessment of the feasibility of providing*
 13 *members a monthly notification of their earnings,*
 14 *categorized by pay and allowance type; and*

15 *(2) a description and assessment of mechanisms*
 16 *that may be used to provide members with notifica-*
 17 *tion of their earnings, categorized by pay and allow-*
 18 *ance type.*

19 *(b) ANNUAL AUDIT OF PAY AND ALLOWANCES OF*
 20 *MEMBERS UNDERGOING PERMANENT CHANGE OF STA-*
 21 *TION.—*

22 *(1) IN GENERAL.—Chapter 13 of title 14, United*
 23 *States Code, is amended by adding at the end the fol-*
 24 *lowing new section:*

1 **“§519. Annual audit of pay and allowances of mem-**
 2 **bers undergoing permanent change of sta-**
 3 **tion**

4 *“The Commandant shall conduct each calendar year*
 5 *an audit of member pay and allowances for the members*
 6 *who transferred to new units during such calendar year.*
 7 *The audit for a calendar year shall be completed by the*
 8 *end of the calendar year.”.*

9 (2) CLERICAL AMENDMENT.—*The table of sec-*
 10 *tions at the beginning of chapter 13 of such title is*
 11 *amended adding at the end the following new item:*

“519. Annual audit of pay and allowances of members undergoing permanent
change of station.”.

12 **SEC. 206. RECALL.**

13 (a) IN GENERAL.—*Chapter 11 of title 14, United*
 14 *States Code, is amended by inserting after section 421 the*
 15 *following new section:*

16 **“§421a. Involuntary recall to active duty**

17 *“The Commandant may recall a retired member of the*
 18 *Coast Guard who is subject to section 802 of title 10 and*
 19 *order that member to active duty, without the member’s*
 20 *consent, for the purpose of any of the following:*

21 *“(1) A preliminary hearing under section 832 of*
 22 *title 10.*

23 *“(2) Trial by court-martial under chapter 47 of*
 24 *title 10.*

1 “(3) *Nonjudicial punishment under section 815*
 2 *of title 10.*”.

3 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 4 *the beginning of chapter 11 of such title is amended by in-*
 5 *serting after the item relating to section 421 the following*
 6 *new item:*

 “421a. *Involuntary recall to active duty.*”.

7 **SEC. 207. EXCHANGE OF MEDICAL GOODS AND SERVICES.**

8 *Notwithstanding section 1085 of title 10, United States*
 9 *Code, the Secretary of Homeland Security shall, in lieu of*
 10 *reimbursement, transfer, from amounts appropriated for*
 11 *the operating expenses of the Coast Guard, an amount, de-*
 12 *termined by the Department of Defense Board of Actuaries*
 13 *established pursuant to section 183 of title 10 United States*
 14 *Code, that represents the value of care that the Department*
 15 *of Defense or a military department, during the fiscal year*
 16 *in which funds are made available, provides to a member*
 17 *or former member of the Coast Guard (or a dependent of*
 18 *such member or former member).*

19 **SEC. 208. COAST GUARD REMISSION OF INDEBTEDNESS.**

20 (a) *EXPANSION OF AUTHORITY TO REMIT INDEBTED-*
 21 *NESS.*—*Section 461 of title 14, United States Code, is*
 22 *amended to read as follows:*

1 **“§ 461. Remission of indebtedness**

2 *“The Secretary may have remitted or cancelled any*
 3 *part of a person’s indebtedness to the United States or any*
 4 *instrumentality of the United States if—*

5 *“(1) the indebtedness was incurred while the per-*
 6 *son served on active duty as a member of the Coast*
 7 *Guard; and*

8 *“(2) the Secretary determines that remitting or*
 9 *cancelling the indebtedness is in the best interest of*
 10 *the United States.”.*

11 **(b) CLERICAL AMENDMENT.**—*The table of sections at*
 12 *the beginning of chapter 14 of such title is amended by*
 13 *striking the item relating to section 461 and inserting the*
 14 *following new item:*

“461. Remission of indebtedness.”.

15 **SEC. 209. COAST GUARD COMMUNITIES.**

16 *Section 409 of the Coast Guard Authorization Act of*
 17 *1998 (14 U.S.C. 639 note) is amended by striking “90*
 18 *days” in the second sentence and inserting “30 days”.*

19 **SEC. 210. MAJOR ACQUISITION PROGRAMS.**

20 *Section 2903 of title 14, United States Code, as redes-*
 21 *ignated by section 101 of this Act, is amended—*

22 *(1) by redesignating subsection (e) as subsection*
 23 *(f); and*

24 *(2) by inserting after subsection (d) the following*
 25 *new subsection (e):*

1 “(e) *QUARTERLY REPORTS ON RISKS OF PRO-*
2 *GRAMS.*—

3 “(1) *IN GENERAL.*—*Not later than 15 days after*
4 *the end of each fiscal year quarter, the Commandant*
5 *shall submit to the committees of Congress specified in*
6 *subsection (a) a report setting forth a current assess-*
7 *ment of the risks associated with all current major ac-*
8 *quisition programs.*

9 “(2) *ELEMENTS.*—*Each report under this sub-*
10 *section shall set forth, for each current major acquisi-*
11 *tion program, the following:*

12 “(A) *The top five current risks to such pro-*
13 *gram.*

14 “(B) *Any failure of such program to dem-*
15 *onstrate a key performance parameter or thresh-*
16 *old during operational test and evaluation con-*
17 *ducted during the fiscal year quarter preceding*
18 *such report.*

19 “(C) *Whether there has been any decision*
20 *during such fiscal year quarter to order full rate*
21 *production before all key performance param-*
22 *eters or thresholds are met.*

23 “(D) *Whether there has been any breach of*
24 *major acquisition program cost (as defined by*

1 *the Major Systems Acquisition Manual) during*
 2 *such fiscal year quarter.*

3 “(E) Whether there has been any breach of
 4 major acquisition program schedule (as so de-
 5 fined) during such fiscal year quarter.”.

6 **SEC. 211. MAJOR ACQUISITIONS ASSESSMENT.**

7 *Not later than 180 days after the date of the enactment*
 8 *of this Act, the Commandant of the Coast Guard shall sub-*
 9 *mit to the Committee on Commerce, Science, and Transpor-*
 10 *tation of the Senate and the Committee on Transportation*
 11 *and Infrastructure of the House of Representatives a report*
 12 *that assesses the effect of any new major acquisition on the*
 13 *stated Program of Record and the Capital Investment Plan*
 14 *of the Coast Guard. The report shall include life-cycle fund-*
 15 *ing requirements, an assessment of impact on delivery dates*
 16 *of current acquisitions projects and programs, an assess-*
 17 *ment of impact on planned construction or improvement*
 18 *projects, and recommendations on funding levels necessary*
 19 *to simultaneously support any proposed and current acqui-*
 20 *sitions projects and programs.*

21 **SEC. 212. POLAR ICEBREAKERS.**

22 (a) *CLASSIFICATION OF POLAR ICEBREAKERS.*—Sec-
 23 *tion 573(c) of title 14, United States Code, is amended—*

24 (1) *in paragraph (3)(A), by inserting “or Polar*
 25 *Icebreaker” after “National Security Cutter”; and*

1 (2) in paragraph (4), by inserting “or Polar Ice-
2 breaker” after “National Security Cutter”.

3 (b) *INCREMENTAL FUNDING AUTHORITY FOR POLAR*
4 *CLASS ICEBREAKERS.*—*In fiscal year 2016 and each fiscal*
5 *year thereafter, the Commandant of the Coast Guard is*
6 *granted the authority to enter into a contract or contracts*
7 *for the acquisition of Polar Icebreakers and associated*
8 *equipment using incremental funding.*

9 (c) *“POLAR SEA” MATERIEL CONDITION ASSESSMENT*
10 *AND SERVICE LIFE EXTENSION DECISION.*—*Section 222 of*
11 *the Coast Guard and Maritime Transportation Act of 2012*
12 *(Public Law 112–213; 126 Stat. 1560) is amended—*

13 (1) *by amending subsection (a) to read as fol-*
14 *lows:*

15 “(a) *IN GENERAL.*—*Not later than 1 year after the*
16 *date of the enactment of the Coast Guard Authorization Act*
17 *of 2015, the Secretary of the department in which the Coast*
18 *Guard is operating shall—*

19 “(1) *complete a materiel condition assessment*
20 *with respect to the Polar Sea;*

21 “(2) *make a determination whether it is cost ef-*
22 *fective to reactivate the Polar Sea when compared*
23 *with other options to provide icebreaking services as*
24 *part of a strategy to maintain polar icebreaking serv-*
25 *ices; and*

1 “(3) submit to the Committee on Transportation
2 and Infrastructure of the House of Representative and
3 the Committee on Commerce, Science, and Transpor-
4 tation of the Senate—

5 “(A) the assessment required under para-
6 graph (1); and

7 “(B) written notification of the determina-
8 tion required under paragraph (2).”;

9 (2) in subsection (b) by striking “analysis” and
10 inserting “written notification”;

11 (3) by striking subsection (c);

12 (4) by redesignating subsections (d) through (h)
13 as subsections (c) through (g), respectively;

14 (5) in subsection (c) (as redesignated by para-
15 graph (4) of this section)—

16 (A) in paragraph (1)—

17 (i) in subparagraph (A) by striking
18 “based on the analysis required”; and

19 (ii) in subparagraph (C) by striking
20 “analysis” and inserting “written notifica-
21 tion”; and

22 (B) by amending paragraph (2) to read as
23 follows:

24 “(2) DECOMMISSIONING.—If the Secretary makes
25 a determination under subsection (a) that it is not

1 *cost effective to reactivate the Polar Sea, then, not*
 2 *later than 180 days after written notification of that*
 3 *determination is submitted under that subsection, the*
 4 *Commandant of the Coast Guard may decommission*
 5 *the Polar Sea.”; and*

6 *(6) in subsection (e) (as redesignated by para-*
 7 *graph (4) of this section) by striking “in subsection*
 8 *(d)” and inserting “in subsection (c)”.*

9 **SEC. 213. PARTICIPATION OF THE COAST GUARD ACADEMY**
 10 **IN FEDERAL, STATE, OR OTHER EDU-**
 11 **CATIONAL RESEARCH GRANTS.**

12 *Section 196 of title 14, United States Code, is amend-*
 13 *ed—*

14 *(1) by inserting “(a) IN GENERAL.—” before*
 15 *“Notwithstanding”; and*

16 *(2) by adding at the end the following:*

17 *“(b) AUTHORITY.—*

18 *“(1) CONTRACT OR COOPERATIVE AGREEMENT.—*
 19 *Notwithstanding chapter 63 of title 31 and chapter*
 20 *137 of title 10, the Commandant may enter into a*
 21 *contract or cooperative agreement with a nonprofit*
 22 *organization, described under section 501(c)(3) of the*
 23 *Internal Revenue Code of 1986 and exempt from tax-*
 24 *ation under section 501(a) of that Code, that the*
 25 *Coast Guard Academy Alumni Association may es-*

1 *tablish for the purpose of supporting academic re-*
 2 *search and applying for and administering Federal,*
 3 *State, or other educational research grants on behalf*
 4 *of the Coast Guard Academy. Notwithstanding any*
 5 *other provision of law or policy to the contrary, the*
 6 *Commandant may enter such contract or cooperative*
 7 *agreement on a sole source basis.*

8 *“(2) LEASE OR LICENSE.—The Commandant*
 9 *may enter into a lease or license with a nonprofit or-*
 10 *ganization, described under section 501(c)(3) of the*
 11 *Internal Revenue Code of 1986 and exempt from tax-*
 12 *ation under section 501(a) of that Code, that the*
 13 *Coast Guard Academy Alumni Association may es-*
 14 *tablish for the purpose of supporting academic re-*
 15 *search and applying for and administering Federal,*
 16 *State, or other educational research grants on behalf*
 17 *of the Coast Guard Academy.*

18 *“(c) USE OF COAST GUARD PERSONAL PROPERTY.—*
 19 *The Commandant may allow a nonprofit organization, de-*
 20 *scribed under section 501(c)(3) of the Internal Revenue*
 21 *Code of 1986 and exempt from taxation under section*
 22 *501(a) of that Code, that the Coast Guard Academy Alumni*
 23 *Association may establish to use, at no cost, personal prop-*
 24 *erty of the Coast Guard to assist the non-profit organization*
 25 *in supporting academic research and applying for and ad-*

1 *ministering Federal, State, or other educational research*
 2 *grants on behalf of the Coast Guard Academy.*

3 “(d) *ACCEPTANCE OF SUPPORT.*—

4 “(1) *SUPPORT RECEIVED FROM A 501(c)(3) NON-*
 5 *PROFIT ORGANIZATION.*—*Notwithstanding section 93*
 6 *of this title, the Commandant may accept funds, sup-*
 7 *plies, and services from a nonprofit organization, de-*
 8 *scribed under section 501(c)(3) of the Internal Rev-*
 9 *enue Code of 1986 and exempt from taxation under*
 10 *section 501(a) of that Code, that the Coast Guard*
 11 *Academy Alumni Association may establish for the*
 12 *support of academic research and applying for and*
 13 *administering Federal, State, or other educational re-*
 14 *search grants on behalf of the Coast Guard Academy.*
 15 *For purposes of this subsection, employees or per-*
 16 *sonnel of such nonprofit organization shall not be em-*
 17 *ployees of the United States.*

18 “(2) *LIMITATION.*—*The Commandant shall en-*
 19 *sure that contributions under this subsection do not*
 20 *reflect unfavorably on the ability of the Coast Guard,*
 21 *any of its employees, or any member of the armed*
 22 *forces to carry out any responsibility or duty in a*
 23 *fair and objective manner, or compromise the integ-*
 24 *egrity or appearance of integrity of any program of the*

1 *Coast Guard, or any individual involved in such a*
 2 *program.*

3 “(e) *RETENTION AND USE OF FUNDS.—Funds received*
 4 *under this section may be retained for use in support of*
 5 *academic research and applying for and administering*
 6 *Federal, State, or other educational research grants on be-*
 7 *half of the Coast Guard Academy and shall remain avail-*
 8 *able until expended.*

9 “(f) *CONDITIONS.—The authority provided in this sec-*
 10 *tion with respect to a nonprofit organization, described*
 11 *under section 501(c)(3) of the Internal Revenue Code of*
 12 *1986 and exempt from taxation under section 501(a) of that*
 13 *Code, that the Coast Guard Academy Alumni Association*
 14 *may establish is valid only so long as such nonprofit orga-*
 15 *nization continues to—*

16 “(1) *qualify as a nonprofit organization, de-*
 17 *scribed under section 501(c)(3) of the Internal Rev-*
 18 *enue Code of 1986 and exempt from taxation under*
 19 *section 501(a) of that Code, and operates in accord-*
 20 *ance with this section, the laws of the State of Con-*
 21 *necticut, and the constitution and bylaws of the non-*
 22 *profit organization; and*

23 “(2) *operate exclusively to support academic re-*
 24 *search and applying for and administering Federal,*

1 *State, or other educational research grants on behalf*
 2 *of the Coast Guard Academy.”.*

3 **SEC. 214. VENUE.**

4 *Section 311(d) of the Magnuson-Stevens Fishery Con-*
 5 *servation and Management Act (16 U.S.C. 1861(d)) is*
 6 *amended by striking the second sentence and inserting “In*
 7 *the case of Hawaii or any possession of the United States*
 8 *in the Pacific Ocean, the appropriate court is the United*
 9 *States District Court for the District of Hawaii, except that*
 10 *in the case of Guam and Wake Island, the appropriate court*
 11 *is the United States District Court for the District of Guam,*
 12 *and in the case of the Northern Mariana Islands, the appro-*
 13 *priate court is the United States District Court for the Dis-*
 14 *trict of the Northern Mariana Islands.”.*

15 **SEC. 215. NATIONAL COAST GUARD MUSEUM.**

16 *Section 98 of title 14, United States Code, is amend-*
 17 *ed—*

18 *(1) by striking subsection (b); and*

19 *(2) by redesignating subsections (c) and (d) as*
 20 *subsections (b) and (c), respectively.*

21 **SEC. 216. INVESTIGATIONS.**

22 *(a) IN GENERAL.—Chapter 11 of title 14, United*
 23 *States Code, as amended by section 203(b), is further*
 24 *amended by adding after section 429 the following:*

1 **“§ 430. Investigations of Flag Officers and Senior Ex-**
 2 **ecutive Service**

3 *“An investigation into an allegation of misconduct by*
 4 *a senior official shall be conducted in a manner consistent*
 5 *with the policies of the Department of Defense for such an*
 6 *investigation. The Inspector General of the Department of*
 7 *Homeland Security shall consult with the Inspector General*
 8 *of the Department of Defense any time a report of an allega-*
 9 *tion of misconduct is made against a senior official.”.*

10 (b) *CLERICAL AMENDMENT.—The table of sections at*
 11 *the beginning of chapter 11 of such title, as amended by*
 12 *section 203(b), is further amended by inserting after the*
 13 *item related to section 429 the following new item:*

“Sec. 430. Investigations of Flag Officers and Senior Executive Service.”.

14 **SEC. 217. CLARIFICATION OF ELIGIBILITY OF MEMBERS OF**
 15 **THE COAST GUARD FOR COMBAT-RELATED**
 16 **SPECIAL COMPENSATION.**

17 (a) *GUIDANCE ON CONSIDERATION OF ELIGIBILITY.—*
 18 *Not later than 90 days after the date of the enactment of*
 19 *this Act, the Secretary of Homeland Security shall issue*
 20 *guidance and procedures for the boards and personnel of*
 21 *the Coast Guard necessary to ensure that, in determining*
 22 *whether the disability of a member of the Coast Guard is*
 23 *a combat-related disability for purposes of the eligibility of*
 24 *such member for combat-related special compensation under*
 25 *section 1413a of title 10, United States Code, such boards*

1 *and personnel shall consider the criteria prescribed by the*
 2 *Secretary of Defense pursuant to subsection (e)(2) of such*
 3 *section in the same manner as boards and personnel of the*
 4 *military departments consider such criteria in determining*
 5 *whether the disability of a member of the Armed Forces is*
 6 *a combat-related disability for purposes of the eligibility of*
 7 *such member for combat-related special compensation under*
 8 *such section, including a disability incurred—*

9 *(1) in the performance of combat-related eligible*
 10 *duties (as described under criteria prescribed by the*
 11 *Secretary of Defense) while permanently or tempo-*
 12 *rarily assigned to a combatant command or other*
 13 *unit of the Department of Defense or while executing*
 14 *a mission or training in support of the Department;*
 15 *or*

16 *(2) in the case of a member of the Coast Guard*
 17 *when it was not operating as a service in the Navy—*

18 *(A) during activities described in subsection*
 19 *(e) of such section (as described under criteria*
 20 *prescribed by the Secretary of Defense), except*
 21 *that hazardous service otherwise referred to in*
 22 *paragraph (2)(B) of that subsection shall include*
 23 *aviation duty, diving duty, rescue swimmer or*
 24 *similar duty, and hazardous service onboard a*
 25 *small vessel, such as duty as a surfman;*

1 (B) in the performance of duties for which
 2 special or incentive pay was paid pursuant to
 3 section 301, 301a, 304, 307, 334, or 351 of title
 4 37, United States Code;

5 (C) in the performance of a homeland secu-
 6 rity mission (as that term is defined in section
 7 888(a)(2) of the Homeland Security Act of 2002
 8 (6 U.S.C. 468(a)(2));

9 (D) in the performance of a search and res-
 10 cue mission; or

11 (E) while engaged in a training exercise for
 12 the performance of a mission or duty covered by
 13 this paragraph.

14 (b) *APPLICABILITY OF GUIDANCE.*—The guidance
 15 issued pursuant to subsection (a) shall apply to disabilities
 16 described in that subsection that are incurred on or after
 17 the effective date provided in section 636(a)(2) of the Bob
 18 Stump National Defense Authorization Act for Fiscal Year
 19 2003 (Public Law 107–314; 116 Stat. 2574; 10 U.S.C.
 20 1413a note).

21 (c) *REAPPLICATION FOR COMPENSATION.*—Any mem-
 22 ber of the Coast Guard who was denied combat-related spe-
 23 cial compensation under section 1413a of title 10, United
 24 States Code, during the period beginning on the effective
 25 date specified in subsection (b) and ending on the date of

1 *the issuance of the guidance required by subsection (a) may*
 2 *reapply for combat-related special compensation under such*
 3 *section on the basis of such guidance in accordance with*
 4 *such procedures as the Secretary of Homeland Security*
 5 *shall specify.*

6 **SEC. 218. MATERNITY LEAVE POLICIES FOR THE COAST**
 7 **GUARD.**

8 *Not later than 1 year after the date the Secretary of*
 9 *Defense or the Secretary of the Navy promulgates a new*
 10 *rule, policy, or memorandum with respect to maternity*
 11 *leave pursuant to section 704 of title 10, United States*
 12 *Code, the Secretary of the Department in which the Coast*
 13 *Guard is operating shall promulgate a similar rule, policy,*
 14 *or memorandum, as appropriate, consistent with whichever*
 15 *maternity leave policy is greater in terms of both duration*
 16 *and compensation.*

17 **SEC. 219. TECHNICAL AND CLERICAL AMENDMENTS TO**
 18 **TITLE 14, UNITED STATES CODE.**

19 *Title 14, United States Code, is amended—*

20 *(1) in the table of chapters at the beginning of*
 21 *part I, by striking “**Coast Guard**” in the item re-*
 22 *lating to chapter 19;*

23 *(2) in section 46(a), by striking “subsection”*
 24 *and inserting “section”;*

1 (3) in section 47, by striking the section heading
2 and inserting the following new section heading:

3 **“§47. Vice Commandant; appointment”;**

4 (4) in the table of sections at the beginning of
5 chapter 9, by striking “Safety” in the item relating
6 to section 199 and inserting “safety”;

7 (5) in section 427(b)(2), by striking “this chap-
8 ter” and inserting “chapter 61 of title 10”;

9 (6) in the table of sections at the beginning of
10 chapter 15, by striking “Sec.” that follows the head-
11 ing for subchapter II;

12 (7) in section 581(5)(B), by striking
13 “\$300,000,0000,” and inserting “\$300,000,000,”;

14 (8) in section 637(c)(3), by inserting “it is” be-
15 fore “any” in the matter preceding subparagraph (A);

16 (9) in section 641(d)(3), by striking “Guard, in-
17 stallation” and inserting “Guard installation”;

18 (10) in section 691(c)(3), by striking “state” and
19 inserting “State”;

20 (11) in the table of sections at the beginning of
21 chapter 21—

22 (A) by striking “reserve” in the item relat-
23 ing to section 709 and inserting “Reserve”; and

1 (B) by striking “from active” in the item
 2 relating to section 740 and inserting “from an
 3 active”;

4 (12) in section 742(c), by striking “subsection
 5 (a)and” and inserting “subsections (a) and”;

6 (13) in section 821(b)(1), by striking “26” and
 7 inserting “171”; and

8 (14) in section 823a(b)(1), by striking “26” and
 9 inserting “171”.

10 **TITLE III—SHIPPING AND** 11 **NAVIGATION**

12 **SEC. 301. WHISTLEBLOWER PROTECTIONS.**

13 Subparagraph (A) of section 2114(a)(1) of title 46,
 14 United States Code, is amended to read as follows:

15 “(A) the seaman in good faith has reported or is
 16 about to report to the Coast Guard, another appro-
 17 priate Federal department or agency, the vessel
 18 owner, the vessel operator, or the seaman’s employer
 19 that the seaman believes that a violation of a mari-
 20 time safety or maritime environmental protection law
 21 or regulation prescribed under that law or regulation
 22 has occurred;”.

23 **SEC. 302. MARITIME DRUG LAW ENFORCEMENT.**

24 (a) *IN GENERAL.*—Chapter 705 of title 46, United
 25 States Code, is amended by adding at the end the following:

1 **“§ 70509. Destruction of evidence during maritime**
2 **counter-drug operations**

3 “(a) *IN GENERAL.*—Whoever, while on board a vessel
4 used to commit, or to facilitate the commission of, an offense
5 under section 70503 of this title, knowingly or intentionally
6 destroys (including jettisoning any item or scuttling, burn-
7 ing, or hastily cleaning a vessel), or attempts or conspires
8 to destroy, property that is subject to forfeiture under sec-
9 tion 511(a) of the Comprehensive Drug Abuse Prevention
10 and Control Act of 1970 (21 U.S.C. 881(a)) shall be fined
11 in accordance with section 3571 of title 18, imprisoned not
12 more than 15 years, or both.

13 “(b) *PRIMA FACIE EVIDENCE OF VIOLATION.*—*Prac-*
14 *tices commonly recognized as smuggling tactics may pro-*
15 *vide prima facie evidence of intent to use a vessel to commit,*
16 *or to facilitate the commission of, an offense under section*
17 *70503 of this title, even in the absence of controlled sub-*
18 *stances aboard the vessel. The following indicia, among oth-*
19 *ers, may be considered, in the totality of the circumstances,*
20 *to be prima facie evidence that a vessel is intended to be*
21 *used to commit, or to facilitate the commission of, such an*
22 *offense:*

23 “(1) *The construction or adaptation of the vessel*
24 *in a manner that facilitates smuggling, including—*

1 “(A) the configuration of the vessel to ride
2 low in the water or present a low hull profile to
3 avoid being detected visually or by radar;

4 “(B) the presence of any compartment or
5 equipment that is built or fitted out for smug-
6 gling, not including items such as a safe or lock-
7 box reasonably used for the storage of personal
8 valuables;

9 “(C) the presence of an auxiliary tank not
10 installed in accordance with applicable law or
11 installed in such a manner as to enhance the ves-
12 sel’s smuggling capability;

13 “(D) the presence of engines that are exces-
14 sively overpowered in relation to the design and
15 size of the vessel;

16 “(E) the presence of materials used to re-
17 duce or alter the heat or radar signature of the
18 vessel and avoid detection;

19 “(F) the presence of a camouflaging paint
20 scheme, or of materials used to camouflage the
21 vessel, to avoid detection; or

22 “(G) the display of false vessel registration
23 numbers, false indicia of vessel nationality, false
24 vessel name, or false vessel homeport.

1 “(2) *The presence or absence of equipment, per-*
2 *sonnel, or cargo inconsistent with the type or declared*
3 *purpose of the vessel.*

4 “(3) *The presence of excessive fuel, lube oil, food,*
5 *water, or spare parts, inconsistent with legitimate*
6 *vessel operation, inconsistent with the construction or*
7 *equipment of the vessel, or inconsistent with the char-*
8 *acter of the vessel’s stated purpose.*

9 “(4) *The operation of the vessel without lights*
10 *during times lights are required to be displayed under*
11 *applicable law or regulation and in a manner of*
12 *navigation consistent with smuggling tactics used to*
13 *avoid detection by law enforcement authorities.*

14 “(5) *The failure of the vessel to stop or respond*
15 *or heave to when hailed by government authority, es-*
16 *pecially where the vessel conducts evasive maneu-*
17 *vering when hailed.*

18 “(6) *The declaration to government authority of*
19 *false information about the vessel, crew, or voyage or*
20 *the failure to identify the vessel by name or country*
21 *of registration when requested to do so by government*
22 *authority.*

23 “(7) *The presence of controlled substance residue*
24 *on the vessel, on an item aboard the vessel, or on an*
25 *individual aboard the vessel, of a quantity or other*

1 *nature that reasonably indicates manufacturing or*
 2 *distribution activity.*

3 “(8) *The use of petroleum products or other sub-*
 4 *stances on the vessel to foil the detection of controlled*
 5 *substance residue.*

6 “(9) *The presence of a controlled substance in the*
 7 *water in the vicinity of the vessel, where given the*
 8 *currents, weather conditions, and course and speed of*
 9 *the vessel, the quantity or other nature is such that*
 10 *it reasonably indicates that the controlled substance*
 11 *was transported in the subject vessel.*

12 “(c) *EXTENSION BEYOND TERRITORIAL JURISDIC-*
 13 *TION.—Subsection (a) applies even though the act is com-*
 14 *mited outside the territorial jurisdiction of the United*
 15 *States.*

16 **“§ 70510. Maritime bulk cash smuggling**

17 “(a) *CRIMINAL OFFENSE.—Whoever, while aboard a*
 18 *vessel used to commit, or to facilitate the commission of,*
 19 *an offense under section 70503 of this title, or whoever,*
 20 *while aboard a vessel outfitted for smuggling, knowingly*
 21 *conceals, attempts to conceal, or conspires to conceal more*
 22 *than \$100,000 in currency or other monetary instruments*
 23 *on the person of such individual or in any conveyance, arti-*
 24 *cle of luggage, merchandise, or other container, or compart-*
 25 *ment of or aboard such vessel shall be fined in accordance*

1 *with section 3571 of title 18, imprisoned not more than 15*
 2 *years, or both.*

3 “(b) *PRIMA FACIE EVIDENCE OF VIOLATION.*—*Prac-*
 4 *tices commonly recognized as smuggling tactics may pro-*
 5 *vide prima facie evidence of intent to use a vessel to commit,*
 6 *or to facilitate the commission of, an offense under section*
 7 *70503 of this title or prima facie evidence of a vessel out-*
 8 *fitted for smuggling, even in the absence of controlled sub-*
 9 *stances aboard the vessel. The following indicia, among oth-*
 10 *ers, may be considered, in the totality of the circumstances,*
 11 *to be prima facie evidence that a vessel is intended to be*
 12 *used to commit, or to facilitate the commission of, such an*
 13 *offense or is outfitted for smuggling:*

14 “(1) *The construction or adaptation of the vessel*
 15 *in a manner that facilitates smuggling, including—*

16 “(A) *the configuration of the vessel to ride*
 17 *low in the water or present a low hull profile to*
 18 *avoid being detected visually or by radar;*

19 “(B) *the presence of any compartment or*
 20 *equipment that is built or fitted out for smug-*
 21 *gling, not including items such as a safe or lock-*
 22 *box reasonably used for the storage of personal*
 23 *valuables;*

24 “(C) *the presence of an auxiliary tank not*
 25 *installed in accordance with applicable law or*

1 *installed in such a manner as to enhance the ves-*
2 *sel's smuggling capability;*

3 “(D) *the presence of engines that are exces-*
4 *sively overpowered in relation to the design and*
5 *size of the vessel;*

6 “(E) *the presence of materials used to re-*
7 *duce or alter the heat or radar signature of the*
8 *vessel and avoid detection;*

9 “(F) *the presence of a camouflaging paint*
10 *scheme, or of materials used to camouflage the*
11 *vessel, to avoid detection; or*

12 “(G) *the display of false vessel registration*
13 *numbers, false indicia of vessel nationality, false*
14 *vessel name, or false vessel homeport.*

15 “(2) *The presence or absence of equipment, per-*
16 *sonnel, or cargo inconsistent with the type or declared*
17 *purpose of the vessel.*

18 “(3) *The presence of excessive fuel, lube oil, food,*
19 *water, or spare parts, inconsistent with legitimate*
20 *vessel operation, inconsistent with the construction or*
21 *equipment of the vessel, or inconsistent with the char-*
22 *acter of the vessel's stated purpose.*

23 “(4) *The operation of the vessel without lights*
24 *during times lights are required to be displayed under*
25 *applicable law or regulation and in a manner of*

1 *navigation consistent with smuggling tactics used to*
 2 *avoid detection by law enforcement authorities.*

3 “(5) *The failure of the vessel to stop or respond*
 4 *or heave to when hailed by government authority, es-*
 5 *pecially where the vessel conducts evasive maneu-*
 6 *vering when hailed.*

7 “(6) *The declaration to government authority of*
 8 *false information about the vessel, crew, or voyage or*
 9 *the failure to identify the vessel by name or country*
 10 *of registration when requested to do so by government*
 11 *authority.*

12 “(c) *FORFEITURE.—*

13 “(1) *CRIMINAL FORFEITURE.—The court in im-*
 14 *posing sentence for any violation of subsection (a), or*
 15 *any attempt or conspiracy to commit such violation,*
 16 *shall order the defendant to forfeit all property, real*
 17 *or personal, involved in the offence and any property*
 18 *traceable thereto. Forfeitures under this paragraph*
 19 *shall be governed by the procedures established in sec-*
 20 *tion 413 of the Controlled Substances Act (21 U.S.C.*
 21 *853).*

22 “(2) *CIVIL FORFEITURE.—Any property, real or*
 23 *personal, involved in a violation of subsection (a), or*
 24 *the attempt or a conspiracy to commit such violation,*
 25 *and any property, real or personal, traceable to such*

1 *violation or conspiracy, may be seized and forfeited*
 2 *to the United States. Forfeitures under this para-*
 3 *graph shall be governed by the procedures governing*
 4 *civil forfeitures in money laundering cases pursuant*
 5 *to section 981(a)(1)(A) of title 18, United States*
 6 *Code.*

7 “(d) *EXTENSION BEYOND TERRITORIAL JURISDIC-*
 8 *TION.—Subsection (a) applies even though the act is com-*
 9 *mitted outside the territorial jurisdiction of the United*
 10 *States.”.*

11 (b) *CLERICAL AMENDMENT.—The analysis for chapter*
 12 *705 of title 46, United States Code, is amended by adding*
 13 *at the end the following:*

 “70509. *Destruction of evidence during maritime counter-drug operations.*
 “70510. *Maritime bulk cash smuggling.”.*

14 **SEC. 303. CARRIAGE OF LIQUID DANGEROUS CARGO.**

15 *Section 3702(c) of title 46, United States Code, is*
 16 *amended to read as follows:*

17 “(c)(1) *Except as provided in paragraph (2), this*
 18 *chapter does not apply to a fishing or fish tender vessel of*
 19 *not more than 500 gross tons as measured under section*
 20 *14502 of this title, or an alternate tonnage measured under*
 21 *section 14302 of this title as prescribed by the Secretary*
 22 *under section 14104 of this title when engaged only in the*
 23 *fishing industry.*

1 “(2) A vessel described in paragraph (1) is subject to
2 regulation by the Secretary under this chapter if the vessel
3 is carrying flammable or combustible liquid cargoes in
4 bulk.”.

5 **SEC. 304. MARITIME TRANSPORTATION OF HAZARDOUS MA-**
6 **TERIAL.**

7 (a) *IN GENERAL.*—Chapter 51 of title 49, United
8 States Code, is amended by adding at the end the following:
9 “§5129. **Maritime transportation of hazardous mate-**
10 **rial**

1 **“§ 13111. Recreational vessel operator education**

2 “(a) *AUTHORITY TO DEVELOP MODEL CUR-*
 3 *RICULUM.*—*The Secretary may develop and propose a*
 4 *model for a national recreational vessel training cur-*
 5 *riculum and education standards for operators of rec-*
 6 *reational vessels equipped with propulsion machinery of*
 7 *any kind.*

8 “(b) *PURPOSE.*—*The purpose of the model curriculum*
 9 *developed under subsection (a) is to promote uniformity of*
 10 *boating safety awareness and education and improve reci-*
 11 *procity of recreational vessel operator certificates and li-*
 12 *censes among the States.”.*

13 (b) *CLERICAL AMENDMENT.*—*The analysis for such*
 14 *chapter is amended by adding at the end the following new*
 15 *item:*

“13111. Recreational vessel operator education.”.

16 **SEC. 306. NONDISCLOSURE OF CERTAIN INFORMATION.**

17 (a) *INAPPLICABILITY OF DISCLOSURE REQUIRE-*
 18 *MENT.*—

19 (1) *IN GENERAL.*—*The requirement to make in-*
 20 *formation available under section 552 of title 5,*
 21 *United States Code, shall not apply to—*

22 (A) *a question from any examination for a*
 23 *merchant seamen license, certificate, or document*
 24 *that the Secretary of the department in which*

1 *the Coast Guard is operating is authorized to*
 2 *issue pursuant to title 46, United States Code;*

3 *(B) the answer to such question, including*
 4 *any correct or incorrect answer that may be pre-*
 5 *sented with such question; and*

6 *(C) any quality or characteristic of such*
 7 *question, including—*

8 *(i) the manner in which such question*
 9 *has been, is, or may be selected for an exam-*
 10 *ination;*

11 *(ii) the frequency of such selection; and*

12 *(iii) the frequency that an examinee*
 13 *correctly or incorrectly answered such ques-*
 14 *tion.*

15 *(2) STATUTORY CONSTRUCTION.—This section*
 16 *constitutes a specific exemption within the meaning*
 17 *of section 552(b)(3) of title 5, United States Code.*

18 *(b) AUTHORITY TO RELEASE CERTAIN EXAM QUES-*
 19 *TIONS.—Notwithstanding subsection (a), the Secretary of*
 20 *the department in which the Coast Guard is operating is*
 21 *authorized, for the purpose of exam preparation by the gen-*
 22 *eral public, to release an exam question and answer that*
 23 *the Secretary has retired, is not presently on or part of an*
 24 *exam, or that the Secretary determines is appropriate for*
 25 *release.*

1 (c) *EXAMINATIONS FOR MERCHANT SEAMAN LI-*
 2 *CENSES, CERTIFICATES, AND DOCUMENTS.*—

3 (1) *IN GENERAL.*—Chapter 71 of title 46, United
 4 *States Code, is amended by adding at the end the fol-*
 5 *lowing:*

6 **“§ 7116. Examinations for merchant seaman licenses,**
 7 **certificates, and documents**

8 “(a) *REQUIREMENT FOR SAMPLE EXAMS.*—The Sec-
 9 *retary shall develop a sample merchant mariner exam and*
 10 *outline of merchant mariner exam topics on an annual*
 11 *basis.*

12 “(b) *PUBLIC AVAILABILITY.*—Each sample exam and
 13 *outline of topics developed under subsection (a) shall be*
 14 *readily available to the public.”.*

15 (2) *CLERICAL AMENDMENT.*—The analysis for
 16 *such chapter is amended by adding at the end the fol-*
 17 *lowing new item:*

 “7116. *Examinations for merchant seaman licenses, certificates, and documents.*”.

18 (d) *DISCLOSURE TO CONGRESS.*—Nothing in this sec-
 19 *tion may be construed to authorize the withholding of infor-*
 20 *mation from an appropriate inspector general or the Com-*
 21 *mittee on Commerce, Science, and Transportation of the*
 22 *Senate and the Committee on Transportation and Infra-*
 23 *structure of the House of Representatives.*

1 **SEC. 307. HIGHER VOLUME PORT AREA REGULATORY DEFINITION CHANGE.**
 2

3 (a) *IN GENERAL.*—Subsection (a) of section 710 of the
 4 *Coast Guard Authorization Act of 2010 (Public Law 111–*
 5 *281; 124 Stat. 2986)* is amended to read as follows:

6 “(a) *HIGHER VOLUME PORTS.*—

7 “(1) *IN GENERAL.*—Notwithstanding any other
 8 provision of law, the requirements of subparts D, F,
 9 and G of part 155 of title 33, Code of Federal Regula-
 10 tions, that apply to the higher volume port area for
 11 the Strait of Juan de Fuca at Port Angeles, Wash-
 12 ington (including any water area within 50 nautical
 13 miles seaward), to and including Puget Sound, shall
 14 be deemed to apply, in the same manner, and to the
 15 same extent, to the Strait of Juan de Fuca at Cape
 16 Flattery, Washington (including any water area
 17 within 50 nautical miles seaward), to and including
 18 Puget Sound.

19 “(2) *EFFECTIVE DATE.*—This subsection shall
 20 take effect on the date of the enactment of the Coast
 21 Guard Authorization Act of 2015.”.

22 (b) *CONFORMING AMENDMENT.*—Subsection (b) of such
 23 section is amended by striking “the modification of the
 24 higher volume port area definition required by subsection
 25 (a).” and inserting “higher volume port requirements made
 26 applicable under subsection (a).”.

1 **SEC. 308. RECOGNITION OF PORT SECURITY ASSESSMENTS**
 2 **CONDUCTED BY OTHER ENTITIES.**

3 *Section 70108 of title 46, United States Code, is*
 4 *amended by adding at the end the following:*

5 “(f) *RECOGNITION OF ASSESSMENT CONDUCTED BY*
 6 *OTHER ENTITIES.—*

7 “(1) *CERTIFICATION AND TREATMENT OF AS-*
 8 *SESSMENTS.—For the purposes of this section and*
 9 *section 70109, the Secretary may treat an assessment*
 10 *that a foreign government (including, for the purposes*
 11 *of this subsection, an entity of or operating under the*
 12 *auspices of the European Union) or international or-*
 13 *ganization has conducted as an assessment that the*
 14 *Secretary has conducted for the purposes of subsection*
 15 *(a), provided that the Secretary certifies that the for-*
 16 *foreign government or international organization has—*

17 “(A) *conducted the assessment in accord-*
 18 *ance with subsection (b); and*

19 “(B) *provided the Secretary with sufficient*
 20 *information pertaining to its assessment (includ-*
 21 *ing, but not limited to, information on the out-*
 22 *come of the assessment).*

23 “(2) *AUTHORIZATION TO ENTER INTO AN AGREE-*
 24 *MENT.—For the purposes of this section and section*
 25 *70109, the Secretary, in consultation with the Sec-*
 26 *retary of State, may enter into an agreement with a*

1 *foreign government (including, for the purposes of this*
 2 *subsection, an entity of or operating under the aus-*
 3 *pices of the European Union) or international orga-*
 4 *nization, under which parties to the agreement—*

5 *“(A) conduct an assessment, required under*
 6 *subsection (a);*

7 *“(B) share information pertaining to such*
 8 *assessment (including, but not limited to, infor-*
 9 *mation on the outcome of the assessment); or*

10 *“(C) both.*

11 *“(3) LIMITATIONS.—Nothing in this subsection*
 12 *shall be construed to—*

13 *“(A) require the Secretary to recognize an*
 14 *assessment that a foreign government or an*
 15 *international organization has conducted; or*

16 *“(B) limit the discretion or ability of the*
 17 *Secretary to conduct an assessment under this*
 18 *section.”.*

19 **SEC. 309. MODEL YEARS FOR RECREATIONAL VESSELS.**

20 *(a) IN GENERAL.—Section 4302 of title 46, United*
 21 *States Code is amended by adding at the end the following:*

22 *“(e)(1) If in prescribing regulations under this section*
 23 *the Secretary establishes a model year for recreational ves-*
 24 *sels and associated equipment, such model year shall, except*
 25 *as provided in paragraph (2)—*

1 “(A) begin on June 1 of a year and end on July
2 31 of the following year; and

3 “(B) be designated by the year in which it ends.

4 “(2) Upon the request of a recreational vessel manufac-
5 turer to which this chapter applies, the Secretary may alter
6 a model year for a model of recreational vessel of the manu-
7 facturer and associated equipment, by no more than 6
8 months from the model year described in paragraph (1).”.

9 (b) *APPLICATION.*—The amendment made by sub-
10 section (a) shall only apply with respect to recreational ves-
11 sels and associated equipment constructed or manufactured,
12 respectively, on or after June 1, 2015.

13 (c) *GUIDANCE.*—Not later than 90 days after the date
14 of the enactment of this Act, the Secretary of the department
15 in which the Coast Guard is operating shall publish guid-
16 ance to implement subsection (e)(2) of section 4302 of title
17 46, United States Code, as added by subsection (a).

18 **SEC. 310. RECREATIONAL VESSEL ENGINE WEIGHTS.**

19 Not later than 180 days after the date of the enactment
20 of this Act, the Secretary of the department in which the
21 Coast Guard is operating shall issue regulations amending
22 table 4 to subpart H of part 183 of title 33, Code of Federal
23 Regulations (related to *Weights (Pounds) of Outboard*
24 *Motor and Related Equipment for Various Boat Horse-*
25 *power Ratings*) as appropriate to reflect “Standard 30–

1 *Outboard Engine and Related Equipment Weights*” pub-
 2 *lished by the American Boat and Yacht Council, as in effect*
 3 *on the date of the enactment of this Act.*

4 **SEC. 311. VESSEL REPLACEMENT.**

5 (a) *LOANS AND GUARANTEES.*—Chapter 537 of title
 6 46, *United States Code*, is amended—

7 (1) *in section 53701—*

8 (A) *by redesignating paragraphs (8)*
 9 *through (14) as paragraphs (9) through (15), re-*
 10 *spectively; and*

11 (B) *by inserting after paragraph (7) the fol-*
 12 *lowing:*

13 “(8) *HISTORICAL USES.*—The term ‘*historical*
 14 *uses*’ includes—

15 “(A) *refurbishing, repairing, rebuilding, or*
 16 *replacing equipment on a fishing vessel, without*
 17 *materially increasing harvesting capacity;*

18 “(B) *purchasing a used fishing vessel;*

19 “(C) *purchasing, constructing, expanding,*
 20 *or reconditioning a fishery facility;*

21 “(D) *refinancing existing debt;*

22 “(E) *reducing fishing capacity; and*

23 “(F) *making upgrades to a fishing vessel,*
 24 *including upgrades in technology, gear, or equip-*
 25 *ment, that improve—*

- 1 “(i) collection and reporting of fishery-
 2 dependent data;
 3 “(ii) bycatch reduction or avoidance;
 4 “(iii) gear selectivity;
 5 “(iv) adverse impacts caused by fishing
 6 gear; or
 7 “(v) safety.”; and

8 (2) in section 53702(b), by adding at the end the
 9 following:

10 “(3) *MINIMUM OBLIGATIONS AVAILABLE FOR*
 11 *HISTORICAL USES.*—Of the direct loan obligations
 12 issued by the Secretary under this chapter, the Sec-
 13 retary shall make a minimum of \$59,000,000 avail-
 14 able each fiscal year for historical uses.

15 “(4) *USE OF OBLIGATIONS IN LIMITED ACCESS*
 16 *FISHERIES.*—In addition to the other eligible pur-
 17 poses and uses of direct loan obligations provided for
 18 in this chapter, the Secretary is authorized to issue
 19 direct loan obligations for the purpose of—

20 “(A) financing the construction or recon-
 21 struction of a fishing vessel in a fishery managed
 22 under a limited access system; or

23 “(B) financing the purchase of harvesting
 24 rights in a fishery that is federally managed
 25 under a limited access system.”.

1 (b) *LIMITATION ON APPLICATION TO CERTAIN FISHING*
 2 *VESSELS OF PROHIBITION UNDER VESSEL CONSTRUCTION*
 3 *PROGRAM.*—Section 302(b)(2) of the *Fisheries Financing*
 4 *Act* (title III of Public Law 104–297; 46 U.S.C. 53706 note)
 5 *is amended—*

6 (1) *in the second sentence—*

7 (A) *by striking “or in” and inserting “,*
 8 *in”; and*

9 (B) *by inserting before the period the fol-*
 10 *lowing: “, in fisheries that are under the juris-*
 11 *isdiction of the North Pacific Fishery Management*
 12 *Council and managed under a fishery manage-*
 13 *ment plan issued under the Magnuson-Stevens*
 14 *Fishery Conservation and Management Act (16*
 15 *U.S.C. 1801 et seq.), or in the Pacific whiting*
 16 *fishery that is under the jurisdiction of the Pa-*
 17 *cific Fishery Management Council and managed*
 18 *under a fishery management plan issued under*
 19 *that Act”; and*

20 (2) *by adding at the end the following:*

21 *“Any fishing vessel operated in fisheries under*
 22 *the jurisdiction of the North Pacific Fishery Manage-*
 23 *ment Council and managed under a fishery manage-*
 24 *ment plan issued under the Magnuson-Stevens Fish-*
 25 *ery Conservation and Management Act (16 U.S.C.*

1 1801 et seq.), or in the Pacific whiting fishery under
 2 the jurisdiction of the Pacific Fishery Management
 3 Council and managed under a fishery management
 4 plan issued under that Act, and that is replaced by
 5 a vessel that is constructed or rebuilt with a loan or
 6 loan guarantee provided by the Federal Government
 7 may not be used to harvest fish in any fishery under
 8 the jurisdiction of any Regional Fishery Management
 9 Council, other than a fishery under the jurisdiction of
 10 the North Pacific Fishery Management Council or the
 11 Pacific Fishery Management Council.”.

12 **SEC. 312. FISHING VESSEL AND FISH TENDER VESSEL CER-**
 13 **TIFICATION.**

14 Section 4503(c) of title 46, United States Code, is
 15 amended—

16 (1) by designating the existing matter as para-
 17 graph (1); and

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

19 “(2) This section does not apply to a fishing or fish
 20 tender vessel to which section 4502(b) of this title applies,
 21 if—

22 “(A) the vessel is at least 50 feet overall in
 23 length, and not more than 190 feet overall in length;

24 “(B) the vessel is built after January 1, 2016;

1 “(C) the vessel is designed by a registered profes-
2 sional engineer, and the design incorporates stand-
3 ards equivalent to those prescribed by a classification
4 society designated under section 3316 of this title or
5 another qualified organization approved by the Sec-
6 retary;

7 “(D) construction of such vessel is overseen and
8 certified as being in accordance with its design by a
9 marine surveyor of an organization accepted by the
10 Secretary; and

11 “(E) the vessel—

12 “(i) completes a stability test performed by
13 a qualified individual;

14 “(ii) has written stability and loading in-
15 structions from a qualified individual that are
16 provided to the owner or operator; and

17 “(iii) has an assigned loading mark.

18 “(3) The person who owns a vessel meeting the require-
19 ments of paragraph (2) shall—

20 “(A) not modify or substantially change such
21 vessel unless such modification or change is reviewed
22 and approved by a registered professional engineer
23 prior to beginning any modification or change;

1 “(B) complete a condition survey at least bienni-
 2 ally to the satisfaction of a marine surveyor of an or-
 3 ganization accepted by the Secretary;

4 “(C) complete an out-of-water survey at least
 5 once every five years to the satisfaction of a certified
 6 marine surveyor of an organization accepted by the
 7 Secretary;

8 “(D) update the requirements specified in para-
 9 graph (2)(E) once every five years or at the time of
 10 a modification or substantial change to such vessel;
 11 and

12 “(E) for the life of the vessel, maintain records
 13 to demonstrate compliance with this subsection, and
 14 make such records readily available for inspection by
 15 an official authorized to enforce this chapter.”.

16 **SEC. 313. TITLE 46, UNITED STATES CODE, TECHNICAL COR-**
 17 **RECTIONS.**

18 *Title 46, United States Code, is amended—*

19 (1) *in section 103, by striking “(33 U.S.C.*
 20 *151).” and inserting “(33 U.S.C. 151(b)).”;*

21 (2) *in section 2118—*

22 (A) *in subsection (a), in the matter pre-*
 23 *ceding paragraph (1), by striking “title,” and*
 24 *inserting “subtitle,”; and*

1 (B) in subsection (b), by striking “title”
2 and inserting “subtitle”;

3 (3) in the analysis for chapter 35—

4 (A) by adding a period at the end of the
5 item relating to section 3507; and

6 (B) by adding a period at the end of the
7 item relating to section 3508;

8 (4) in section 3715(a)(2), by striking “and” at
9 the end;

10 (5) in section 4506, by striking “(a)”;

11 (6) in section 8103(b)(1)(A)(iii), by striking
12 “Academy.” and inserting “Academy; and”;

13 (7) in the analysis for chapter 701—

14 (A) by adding a period at the end of the
15 item relating to section 70107A;

16 (B) in the item relating to section 70112, by
17 striking “security advisory committee.” and in-
18 serting “Security Advisory Committee.”; and

19 (C) in the item relating to section 70122, by
20 striking “watch program.” and inserting “Watch
21 Program.”;

22 (8) in section 70105(c)—

23 (A) in paragraph (1)(B)(xv)—

24 (i) by striking “18, popularly” and in-
25 serting “18 (popularly”; and

- 1 (ii) by striking “Act” and inserting
 2 “Act)”; and
- 3 (B) in paragraph (2), by striking “(D)
 4 paragraph” and inserting “(D) of paragraph”;
 5 (9) in section 70107—
- 6 (A) in paragraph (b)(2), by striking
 7 “5121(j)(8)),” and inserting “5196(j)(8)),”; and
- 8 (B) in paragraph (m)(3)(C)(iii), by strik-
 9 ing “that is” and inserting “that the applicant”;
 10 (10) in section 70122, in the section header, by
 11 striking “watch program” and inserting “Watch Pro-
 12 gram”; and
- 13 (11) in the analysis for chapter 705, by adding
 14 a period at the end of the item relating to section
 15 70508.

16 ***TITLE IV—FEDERAL MARITIME*** 17 ***COMMISSION***

18 ***SEC. 401. AUTHORIZATION OF APPROPRIATIONS.***

19 (a) *IN GENERAL.*—Chapter 3 of title 46, United States
 20 Code, is amended by adding at the end the following:

21 ***“§ 308. Authorization of appropriations***

22 *“There is authorized to be appropriated to the Federal*
 23 *Maritime Commission \$24,700,000 for each of fiscal years*
 24 *2016 and 2017 for the activities of the Commission author-*
 25 *ized under this chapter and subtitle IV.”.*

1 (b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
 2 3 *of title 46, United States Code, is amended by adding*
 3 *at the end the following:*

 “308. *Authorization of appropriations.*”.

4 **SEC. 402. DUTIES OF THE CHAIRMAN.**

5 *Section 301(c)(3)(A) of title 46, United States Code,*
 6 *is amended—*

7 (1) *in clause (ii) by striking “units, but only*
 8 *after consultation with the other Commissioners;” and*
 9 *inserting “units (with such appointments subject to*
 10 *the approval of the Commission);”;*

11 (2) *in clause (iv) by striking “and” at the end;*

12 (3) *in clause (v) by striking the period at the*
 13 *end and inserting “; and”; and*

14 (4) *by adding at the end the following:*

15 “(vi) *prepare and submit to the Presi-*
 16 *dent and Congress requests for appropri-*
 17 *ations for the Commission (with such re-*
 18 *quests subject to the approval of the Com-*
 19 *mission).*”.

1 ***TITLE V—SPORTFISH RESTORA-***
 2 ***TION AND RECREATIONAL***
 3 ***BOATING SAFETY REAUTHOR-***
 4 ***IZATION***

5 ***SEC. 501. SHORT TITLE.***

6 *This title may be cited as the “Sport Fish Restoration*
 7 *and Recreational Boating Safety Act”.*

8 ***SEC. 502. AUTHORIZATION OF APPROPRIATIONS.***

9 *Section 3 of the Dingell-Johnson Sport Fish Restora-*
 10 *tion Act (16 U.S.C. 777b) is amended by striking “57 per-*
 11 *cent” and inserting “57.42 percent”.*

12 ***SEC. 503. DIVISION OF ANNUAL APPROPRIATIONS.***

13 *(a) IN GENERAL.—Section 4 of the Dingell-Johnson*
 14 *Sport Fish Restoration Act (16 U.S.C. 777c) is amended—*

15 *(1) in subsection (a)—*

16 *(A) in the matter preceding paragraph (1),*
 17 *by striking “2014 and for the period beginning*
 18 *on October 1, 2014, and ending on May 31,*
 19 *2015,” and inserting “2023,”;*

20 *(B) in paragraph (1), by striking “18.5*
 21 *percent” and inserting “18.54 percent”;*

22 *(C) in paragraph (2), by striking “18.5 per-*
 23 *cent” and inserting “18.04 percent”; and*

24 *(D) in paragraph (3), by adding at the end*
 25 *“Not more than 25 percent of such amount may*

1 *be used for capital improvement and infrastruc-*
 2 *ture projects to support facilities that meet State*
 3 *requirements for minimizing the introduction of*
 4 *pollutants into the waterways.”;*

5 *(2) by amending the heading in subsection (b) to*
 6 *read as follows: “SET-ASIDES.—”;*

7 *(3) in subsection (b)(1)—*

8 *(A) in subparagraph (A), by striking*
 9 *“2014, and for the period beginning on October*
 10 *1, 2014, and ending on May 31, 2015,” and in-*
 11 *serting “2023,”;*

12 *(B) in subparagraph (B), by striking*
 13 *clauses (i), (ii), and (iii), and inserting the fol-*
 14 *lowing:*

15 *“(i) for each of the fiscal years 2016*
 16 *through 2023, 1.8468 percent of total an-*
 17 *nual collections under this Act for such fis-*
 18 *cal year; and*

19 *“(ii) notwithstanding clause (i), an*
 20 *amount that is less than or equal to*
 21 *\$12,299,000.”; and*

22 *(C) by adding at the end the following:*

23 *“(C) SET-ASIDE FOR BOATING SAFETY.—*

24 *“(i) IN GENERAL.—From the annual*
 25 *appropriation made in accordance with sec-*

tion 3, for each fiscal year through 2023,
the Secretary shall transfer to the Secretary
of the department in which the Coast Guard
is operating—

“(I)(aa) 0.3435 percent of total
annual collections under this Act to
pay the costs of investigations, per-
sonnel, and activities related to admin-
istering those programs under section
4(a)(2) (16 U.S.C. 777c(a)(2)); and

“(bb) notwithstanding item (aa),
an amount that is less than or equal to
\$2,300,000; and

“(II) \$1,500,000 shall be made
available for the National Recreational
Boating Survey, that shall be available
until expended and may be awarded as
a contract or grant by the Secretary.

“(ii) *LIMITATION.*—The amounts speci-
fied in clause (i) for a fiscal year may not
be included in the amount of the annual ap-
propriation distributed under subsection (a)
of this section for the fiscal year.”;

(4) in subsection (b)(2)—

1 (A) in subparagraph (A), by striking
 2 “under paragraph (1) shall remain available for
 3 obligation for use under that paragraph” and
 4 inserting “under paragraph (1)(B) shall remain
 5 available for obligation for use under paragraph
 6 (1)(A)”; and

7 (B) in subparagraph (B)—

8 (i) by striking “under paragraph (1)”
 9 and inserting “under paragraph (1)(B)”;
 10 and

11 (ii) by striking “subsection (e)” and
 12 inserting “subsection (c)”;

13 (5) in subsection (c), by striking “57 percent”
 14 and inserting “57.42 percent”;

15 (6) in subsection (d), by striking “So much of
 16 any sum not allocated” and inserting “Except as oth-
 17 erwise provided in this section, so much of any sum
 18 not allocated”; and

19 (7) in subsection (e)—

20 (A) in paragraph (1), by striking “those
 21 subsections” and inserting “those paragraphs”;

22 (B) by amending paragraph (2) to read as
 23 follows:

24 “(2) MAXIMUM AMOUNT.—For fiscal year 2016,
 25 the Secretary of the Interior may use not more than

1 \$1,200,000 in accordance with paragraph (1). For
 2 each fiscal year thereafter, the maximum amount that
 3 the Secretary of the Interior may use in accordance
 4 with paragraph (1) shall be determined under para-
 5 graph (3).”; and

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

7 “(3) ANNUAL ADJUSTED MAXIMUM AMOUNT.—
 8 The maximum amount referred to in paragraph (2)
 9 for fiscal year 2016 and each fiscal year thereafter
 10 shall be the sum of—

11 “(A) the available maximum amount for the
 12 preceding fiscal year; and

13 “(B) the amount determined by multi-
 14 plying—

15 “(i) the available maximum amount
 16 for the preceding fiscal year; and

17 “(ii) the change, relative to the pre-
 18 ceding fiscal year, in the Consumer Price
 19 Index for All Urban Consumers published
 20 by the Department of Labor.”.

21 (b) CONFORMING AMENDMENT.—Section 9 of the Din-
 22 gell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h)
 23 is amended—

24 (1) in subsection (a), by striking “section 4(b)”
 25 and inserting “section 4(b)(1)(B)”; and

1 (2) in subsection (b)(1), by striking “section
2 4(b)” and inserting “section 4(b)(1)(B)”.

3 **SEC. 504. EXTENSION OF EXCEPTION TO LIMITATION ON**
4 **TRANSFERS TO FUND.**

5 Section 9504(d)(2) of the Internal Revenue Code of
6 1986 is amended by striking “August 1, 2015,” and insert-
7 ing “October 1, 2023,”.

8 **SEC. 505. RECREATIONAL BOATING SAFETY ALLOCATIONS.**

9 Section 13104 of title 46, United States Code, is
10 amended by striking subsection (c).

11 **SEC. 506. RECREATIONAL BOATING SAFETY.**

12 Section 13107 of title 46, United States Code, is
13 amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1), by striking “(1) Sub-
16 ject to paragraph (2) and subsection (c),” and
17 inserting “Subject to subsection (c),”; and

18 (B) by striking paragraph (2); and

19 (2) in subsection (c)(1), by striking “title,” and
20 all that follows through the end and inserting “title—

21 “(A) including the funding of the National
22 Boating Safety Advisory Council established
23 under section 13110 of this title and the author-
24 ized activities of the Council, including travel for
25 the council; and

1 “(B) of the funds referred to in paragraph
 2 (1), not less than \$2,500,000 shall be available to
 3 the Secretary only to ensure compliance with
 4 chapter 43 of this title.”.

5 **SEC. 507. NATIONAL BOATING SAFETY ADVISORY COUNCIL.**

6 Section 13110(e) of title 46, United States Code, is
 7 amended by striking “2020” and inserting “2023”.

8 **SEC. 508. PLAN EVALUATION.**

9 Section 303(b)(7) of the Coastal Wetlands Planning,
 10 Protection and Restoration Act (16 U.S.C. 3952(b)(7)) is
 11 amended by inserting “and improvements made to the qual-
 12 ity of fish and wildlife habitat conditions” after “enhancing
 13 coastal wetlands”.

14 **SEC. 509. REPORT TO CONGRESS.**

15 The Director of the United States Fish and Wildlife
 16 Service shall annually evaluate and report on the adminis-
 17 trative services of such Service for the trust fund to the
 18 States and the sportfishing community, including the fol-
 19 lowing categories of information:

20 (1) The percent of grant actions completed with-
 21 in 45 days of receipt, average number of days to proc-
 22 ess new grants, and average number of days to proc-
 23 ess grant amendments.

1 (2) *Which wildlife and sport fish restoration*
2 *policies are currently being updated, the start time*
3 *for each update, and the anticipated completion time.*

4 (3) *The number of Federal assistance workshops*
5 *held with States and such Service in efforts to com-*
6 *municate fiscal policies and procedures with the State*
7 *agencies.*

8 (4) *The response time to States based on initial*
9 *notification or assistance requests initiated by a*
10 *State.*

11 (5) *The number of States with unresolved rec-*
12 *onciliation of land records and number of corrective*
13 *action plans with open actions.*

14 (6) *The number of employees of such Service*
15 *with grants management training and outstanding*
16 *training requirements and the percent of State fish*
17 *and wildlife staff to have received training from*
18 *Wildlife and Sport Fish Restoration Fund Program*
19 *of such Service.*

20 (7) *The number of full-time equivalents contrib-*
21 *uting to grant processing and related grant manage-*
22 *ment in each region.*

23 (8) *The number of in-field state project reviews*
24 *and site visits by the Wildlife and Sport Fish Res-*
25 *toration Fund Program.*

1 (9) *The number of audits per year originating*
 2 *from such Service and response time to related ac-*
 3 *tions and correspondence.*

4 ***TITLE VI—CONVEYANCE OF***
 5 ***COAST GUARD PROPERTY***
 6 ***Subtitle A—Conveyance of Coast***
 7 ***Guard Property in Point Spen-***
 8 ***cer, Alaska***

9 ***SEC. 601. FINDINGS.***

10 *Congress finds as follows:*

11 (1) *Major shipping traffic is increasing through*
 12 *the Bering Strait, the Bering and Chukchi Seas, and*
 13 *the Arctic Ocean and will continue to increase wheth-*
 14 *er or not development of the outer Continental Shelf*
 15 *of the United States is undertaken in the future and*
 16 *will increase further if such outer Continental Shelf*
 17 *development is undertaken.*

18 (2) *There is a compelling national, State, Alaska*
 19 *Native, and private sector need for permanent infra-*
 20 *structure development and for a presence in the Arctic*
 21 *region of Alaska by appropriate agencies of the Fed-*
 22 *eral Government, particularly in proximity to the*
 23 *Bering Strait, to support and facilitate search and*
 24 *rescue, shipping safety, economic development, oil*
 25 *spill prevention and response, protection of Alaska*

1 *Native archaeological and cultural resources, port of*
 2 *refuge, Arctic research, and maritime law enforcement*
 3 *on the Bering Sea, the Chukchi Sea, and the Arctic*
 4 *Ocean.*

5 *(3) The United States owns a parcel of land,*
 6 *known as Point Spencer, located between the Bering*
 7 *Strait and Port Clarence and adjacent to some of the*
 8 *best potential deepwater port sites on the coast of*
 9 *Alaska in the Arctic.*

10 *(4) Prudent and effective use of Point Spencer*
 11 *may be best achieved through marshaling the energy,*
 12 *resources, and leadership of the public and private*
 13 *sectors.*

14 *(5) It is in the national interest to develop infra-*
 15 *structure at Point Spencer that would aid the Coast*
 16 *Guard in performing its statutory duties and func-*
 17 *tions in the Arctic on a more permanent basis and*
 18 *to allow for public and private sector development of*
 19 *facilities and other infrastructure to support purposes*
 20 *that are of benefit to the United States.*

21 **SEC. 602. DEFINITIONS.**

22 *In this subtitle:*

23 *(1) ARCTIC.—The term “Arctic” has the mean-*
 24 *ing given that term in section 112 of the Arctic Re-*
 25 *search and Policy Act of 1984 (15 U.S.C. 4111).*

1 (2) *BSNC*.—The term “*BSNC*” means the Ber-
2 ing Straits Native Corporation authorized under sec-
3 tion 7 of the Alaska Native Claims Settlement Act (43
4 U.S.C. 1606).

5 (3) *COUNCIL*.—The term “*Council*” means the
6 Port Coordination Advisory Council established under
7 section 604(a).

8 (4) *PLAN*.—The term “*Plan*” means the Port
9 Management Coordination Plan developed under sec-
10 tion 604(c).

11 (5) *POINT SPENCER*.—The term “*Point Spencer*”
12 means the land known as “*Point Spencer*” located be-
13 tween the Bering Strait and Port Clarence and with-
14 drawn by Public Land Order 2650 (published in the
15 Federal Register on April 12, 1962), and located in
16 Townships 2, 3, and 4 South, Range 40 West, Kateel
17 River Meridian, Alaska.

18 (6) *SECRETARY*.—Except as otherwise specifi-
19 cally provided, the term “*Secretary*” means the Sec-
20 retary of the department in which the Coast Guard
21 is operating.

22 (7) *STATE*.—The term “*State*” means the State
23 of Alaska.

1 (8) *TRACT.*—*The term “Tract” means Tract 1,*
 2 *Tract 2, Tract 3, Tract 4, Tract 5, or Tract 6, as ap-*
 3 *propriate.*

4 (9) *TRACTS 1, 2, 3, 4, 5, AND 6.*—*The terms*
 5 *“Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and*
 6 *Tract 6” each mean the land generally depicted as*
 7 *Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, or Tract*
 8 *6, respectively, and generally depicted as such Tract*
 9 *on the map entitled the “Point Spencer Land Reten-*
 10 *tion and Conveyance Map”, dated January 2015, and*
 11 *on file with the Department of Homeland Security*
 12 *and the Department of the Interior.*

13 **SEC. 603. AUTHORITY TO CONVEY LAND IN POINT SPENCER.**

14 (a) *AUTHORITY TO CONVEY TRACTS 1, 3, AND 4.*—
 15 *The Secretary of the Interior shall convey, subject to valid*
 16 *existing rights, all right, title, and interest of the United*
 17 *States in and to the surface and subsurface estates of Tract*
 18 *1, Tract 3, and Tract 4 in accordance with subsection (d)*
 19 *if the Secretary notifies the Secretary of the Interior that*
 20 *the Coast Guard no longer needs to retain jurisdiction over*
 21 *any portion of Tract 1, Tract 3, or Tract 4 and the require-*
 22 *ments of subsection (f) are met for each such Tract to be*
 23 *conveyed.*

24 (b) *AUTHORITY TO CONVEY TRACTS 2 AND 5.*—*The*
 25 *Secretary of the Interior shall convey, subject to valid exist-*

1 *ing rights, all right, title, and interest of the United States*
 2 *in and to the surface and subsurface estates of Tract 2 and*
 3 *Tract 5 in accordance with subsection (d) if the require-*
 4 *ments of subsection (f) are met for each such Tract to be*
 5 *conveyed.*

6 (c) *AUTHORITY TO TRANSFER TRACT 6.—The Sec-*
 7 *retary of the Interior shall convey, subject to valid existing*
 8 *rights, all right, title, and interest of the United States in*
 9 *and to the surface and subsurface estates of Tract 6 in ac-*
 10 *cordance with subsection (e) if the requirements of sub-*
 11 *section (f) are met.*

12 (d) *ORDER OF OFFER TO CONVEY TRACT 1, 2, 3, 4,*
 13 *OR 5.—*

14 (1) *DETERMINATION AND OFFER.—*

15 (A) *TRACT 1, 3, OR 4.—If the Secretary*
 16 *makes the determination under subsection (a)*
 17 *and the requirements of subsection (f) are met for*
 18 *Tract 1, 3, or 4, or a portion of such Tract, the*
 19 *Secretary of the Interior shall offer such Tract or*
 20 *portion of such Tract for conveyance to BSNC*
 21 *under the Alaska Native Claims Settlement Act*
 22 *(43 U.S.C. 1601 et seq.).*

23 (B) *TRACT 2 OR 5.—If the requirements of*
 24 *subsection (f) are met for Tract 2 or Tract 5, the*
 25 *Secretary of the Interior shall offer such Tract*

1 *for conveyance to BSNC under the Alaska Native*
 2 *Claims Settlement Act (43 U.S.C. 1601 et seq.).*

3 (2) *OFFER TO BSNC.—*

4 (A) *ACCEPTANCE BY BSNC.—If BSNC*
 5 *chooses to accept an offer of conveyance of a*
 6 *Tract under paragraph (1), the Secretary of the*
 7 *Interior shall consider such Tract as within*
 8 *BSNC’s entitlement under section 14(h)(8) of the*
 9 *Alaska Native Claims Settlement Act (43 U.S.C.*
 10 *1613(h)(8)) and shall convey such Tract to*
 11 *BSNC.*

12 (B) *DECLINE BY BSNC.—If BSNC declines*
 13 *to accept an offer of conveyance of a Tract under*
 14 *paragraph (1), the Secretary of the Interior shall*
 15 *offer such Tract for conveyance to the State*
 16 *under the Act of July 7, 1958 (commonly known*
 17 *as the “Alaska Statehood Act”) (48 U.S.C. note*
 18 *prec. 21; Public Law 85–508).*

19 (3) *OFFER TO STATE.—*

20 (A) *ACCEPTANCE BY STATE.—If the State*
 21 *chooses to accept an offer of conveyance of a*
 22 *Tract under paragraph (2)(B), the Secretary of*
 23 *the Interior shall consider such Tract as within*
 24 *the State’s entitlement under the Act of July 7,*
 25 *1958 (commonly known as the “Alaska State-*

1 *hood Act*”) (48 U.S.C. note prec. 21; Public Law
 2 85–508) and shall convey such Tract to the
 3 State.

4 (B) *DECLINE BY STATE.*—If the State de-
 5 clines to accept an offer of conveyance of a Tract
 6 offered under paragraph (2)(B), such Tract shall
 7 be disposed of pursuant to applicable public land
 8 laws.

9 (e) *ORDER OF OFFER TO CONVEY TRACT 6.*—

10 (1) *OFFER.*—If the requirements under sub-
 11 section (f) are met for Tract 6, the Secretary of the
 12 Interior shall offer such Tract for conveyance to the
 13 State.

14 (2) *OFFER TO STATE.*—

15 (A) *ACCEPTANCE BY STATE.*—If the State
 16 chooses to accept an offer of conveyance of Tract
 17 6 under paragraph (1), the Secretary of the Inte-
 18 rior shall consider Tract 6 as within the State’s
 19 entitlement under the Act of July 7, 1958 (com-
 20 monly known as the “Alaska Statehood Act”) (48
 21 U.S.C. note prec. 21; Public Law 85–508) and
 22 shall convey Tract 6 to the State.

23 (B) *DECLINE BY STATE.*—If the State de-
 24 clines to accept an offer of conveyance of Tract
 25 6 under paragraph (1), the Secretary of the Inte-

rior shall offer Tract 6 for conveyance to BSNC under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(3) OFFER TO BSNC.—

(A) ACCEPTANCE BY BSNC.—

(i) IN GENERAL.—Subject to clause (ii), if BSNC chooses to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall consider Tract 6 as within BSNC's entitlement under section 14(h)(8) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(8)) and shall convey Tract 6 to BSNC.

(ii) LEASE BY THE STATE.—The conveyance of Tract 6 to BSNC shall be subject to BSNC negotiating a lease of Tract 6 to the State at no cost to the State, if the State requests such a lease.

(B) DECLINE BY BSNC.—If BSNC declines to accept an offer of conveyance of Tract 6 under paragraph (2)(B), the Secretary of the Interior shall dispose of Tract 6 pursuant to the applicable public land laws.

(f) TERMS OF CONVEYANCE.—

1 (1) *ENVIRONMENTAL COMPLIANCE.*—

2 (A) *TRACT 1, 2, 3, 4, 5, OR 6.*—

3 (i) *IN GENERAL.*—*The Secretary of the*
 4 *Interior shall not convey Tract 1, Tract 2,*
 5 *Tract 3, Tract 4, Tract 5, or Tract 6 under*
 6 *this section until—*

7 (I) *the Secretary certifies that the*
 8 *applicable requirements under section*
 9 *120(h) of the Comprehensive Environ-*
 10 *mental Response, Compensation, and*
 11 *Liability Act of 1980 (42 U.S.C.*
 12 *9620(h)) and other applicable environ-*
 13 *mental laws have been satisfied for*
 14 *land in such Tract; or*

15 (II) *the Board of Directors of*
 16 *BSNC adopts and submits to the Sec-*
 17 *retary of the Interior a resolution stat-*
 18 *ing that BSNC is willing to accept*
 19 *Tract 1, Tract 2, Tract 3, Tract 4,*
 20 *Tract 5, or Tract 6, as appropriate,*
 21 *“as is” at the time of such conveyance,*
 22 *based on known contamination.*

23 (ii) *AS IS.*—*In this subparagraph, the*
 24 *term “as is” means the physical condition*
 25 *of Tract 1, Tract 2, Tract 3, Tract 4, Tract*

1 5, or Tract 6, as appropriate, at the time
 2 of the conveyance of such Tract, including
 3 with respect to any known contamination
 4 by hazardous materials or substances.

5 (B) LAND TO BE CONVEYED TO THE STATE
 6 OR BSNC.—

7 (i) ENVIRONMENTAL COMPLIANCE.—To
 8 the extent cleanup and remediation of haz-
 9 ardous substances on land in a Tract to be
 10 conveyed to the State or to BSNC are re-
 11 quired by existing law, all environmental
 12 compliance activities pursuant to section
 13 120(h) of the Comprehensive Environmental
 14 Response, Compensation, and Liability Act
 15 of 1980 (42 U.S.C. 9620(h)) and other ap-
 16 plicable environmental laws shall be satis-
 17 fied.

18 (ii) MONITORING OF KNOWN CONTAMI-
 19 NATION.—Notwithstanding section 120(h) of
 20 the Comprehensive Environmental Re-
 21 sponse, Compensation, and Liability Act of
 22 1980 and other applicable environmental
 23 laws, any known contamination in a Tract
 24 to be conveyed that does not pose an imme-
 25 diate or long-term health or environmental

1 *risk may be routinely monitored and man-*
 2 *aged by the State or BSNC, as applicable,*
 3 *through institutional controls in accordance*
 4 *with the laws of the State.*

5 *(iii) LATER FOUND CONTAMINATION.—*

6 *If preexisting contamination from haz-*
 7 *ardous materials and substances are found*
 8 *to be present in a Tract after the date the*
 9 *Tract is conveyed to the State or BSNC, re-*
 10 *sponsibility for cleanup and remediation of*
 11 *such contamination shall continue to be*
 12 *governed by section 120(h)(3) of the Com-*
 13 *prehensive Environmental Response, Com-*
 14 *ensation, and Liability Act of 1980 (42*
 15 *U.S.C. 9620(h)(3)), applicable provisions of*
 16 *chapter 19 of title 14, United States Code,*
 17 *and applicable laws of the State.*

18 *(C) LAND TO BE RETAINED BY THE COAST*
 19 *GUARD.—With respect to land in Tract 1, Tract*
 20 *3, or Tract 4 to be retained by the Coast Guard,*
 21 *nothing in this section may be construed to limit*
 22 *the obligation of the Coast Guard to comply with*
 23 *applicable environmental law, including section*
 24 *120(h) of the Comprehensive Environmental Re-*

1 *sponse, Compensation, and Liability Act of 1980*
2 *(42 U.S.C. 9620(h)).*

3 *(2) AIRSTRIP USE.—*

4 *(A) USE BY COAST GUARD.—All convey-*
5 *ances under this section shall be subject to—*

6 *(i) an easement granting unlimited use*
7 *of all existing and future landing pads, air-*
8 *strips, runways, and taxiways that are lo-*
9 *cated on such Tract conveyed, at no cost to*
10 *the Coast Guard; and*

11 *(ii) the right to access such landing*
12 *pads, airstrips, runways, and taxiways, at*
13 *no cost to the Coast Guard.*

14 *(B) USE BY STATE.—*

15 *(i) IN GENERAL.—For any Tract con-*
16 *veyed to BSNC under this section, BSNC*
17 *shall provide to the State, if requested and*
18 *pursuant to negotiated terms with the State,*
19 *for no compensation—*

20 *(I) an easement over all existing*
21 *and future airstrips, runways, and*
22 *taxiways located on such Tract; and*

23 *(II) a right of access to and from*
24 *such airstrips, runways, and taxiways.*

(ii) *RIGHT OF ACCESS.*—If the State requests a right of access for a road from the airstrip to the southern tip of Point Spencer, the location of such right of access shall be determined by the State, in consultation with the Secretary and BSNC, so that such access is compatible with other existing or planned infrastructure development at Point Spencer.

(3) *RELATIONSHIP TO PUBLIC LAND ORDER*

2650.—

(A) *TRACTS NOT CONVEYED.*—Any Tract that is not conveyed under this section shall remain withdrawn pursuant to Public Land Order 2650 (published in the Federal Register on April 12, 1962).

(B) *TRACTS CONVEYED.*—For any Tract conveyed under this section, Public Land Order 2650 shall automatically terminate upon issuance of a conveyance document for such Tract.

(4) *ARCHEOLOGICAL AND CULTURAL RESOURCES.*—Conveyance of any Tract under this section shall not affect criminal jurisdiction and responsibilities regarding the potential theft or vandalism of

1 *archeological or cultural resources located in or on*
 2 *such tracts.*

3 (5) *PERSONAL PROPERTY.*—

4 (A) *CASH SALES AUTHORIZED.*—*The Sec-*
 5 *retary of Homeland Security is authorized to*
 6 *make cash sales of personal property that is lo-*
 7 *cated on Tract 4 to BSNC or to the State.*

8 (B) *VALUE.*—*The total value of the personal*
 9 *property referred to in subparagraph (A) shall be*
 10 *deemed to be \$5,580,000.*

11 (C) *PROCEEDS.*—*Pursuant to section 559 of*
 12 *the Department of Homeland Security Appro-*
 13 *priations Act, 2010 (Public Law 111–83; 123*
 14 *Stat. 2180), the proceeds from the sale of Coast*
 15 *Guard property referred to in subparagraph*
 16 *(A)—*

17 (i) *shall be deposited as offsetting col-*
 18 *lections into the Coast Guard Environ-*
 19 *mental Compliance and Restoration Ac-*
 20 *count;*

21 (ii) *shall be available without further*
 22 *appropriation for environmental compli-*
 23 *ance and restoration activities associated*
 24 *with any tract conveyed or to be conveyed*
 25 *under this Act; and*

1 (iii) shall remain available until ex-
2 pended.

3 (D) UNEXPENDED BALANCES.—If unex-
4 pended balances remain in the Coast Guard En-
5 vironmental Compliance and Restoration Ac-
6 count after the completion of the activities de-
7 scribed in subparagraph (C)(ii), such balances
8 may be expended for any other environmental
9 compliance and restoration activities of the
10 Coast Guard.

11 (g) MAPS AND LEGAL DESCRIPTIONS.—

12 (1) PREPARATION OF MAPS AND LEGAL DESCRIPT-
13 TION.—As soon as practicable after the date of the en-
14 actment of this Act, the Secretary of the Interior shall
15 prepare maps and legal descriptions of Tract 1, Tract
16 2, Tract 3, Tract 4, Tract 5, and Tract 6. In doing
17 so, the Secretary of the Interior may use metes and
18 bounds legal descriptions based upon the official sur-
19 vey plats of Point Spencer accepted on December 6,
20 1978.

21 (2) LEGAL EFFECT.—The maps and legal de-
22 scriptions shall have the same force and effect as if
23 the maps and legal descriptions were included in this
24 Act, except that the Secretary of the Interior may cor-

1 *rect any clerical and typographical errors in the*
 2 *maps and legal descriptions.*

3 (3) *AVAILABILITY.*—*Copies of the maps and legal*
 4 *descriptions shall be available for public inspection in*
 5 *the appropriate offices of—*

6 (A) *the Bureau of Land Management; and*

7 (B) *the United States Coast Guard.*

8 (4) *SURVEY.*—*Not later than 5 years after the*
 9 *date of the enactment of this Act, the Secretary of the*
 10 *Interior shall survey Tracts conveyed and patent the*
 11 *Tracts in accordance with the official plats of survey.*

12 (h) *PUBLIC ACCESS EASEMENTS.*—*No public access*
 13 *easements may be reserved to the United States under sec-*
 14 *tion 17(b) of the Alaska Native Claims Settlement Act (43*
 15 *U.S.C. 1616(b)) with respect to the land conveyed under*
 16 *this Act.*

17 **SEC. 604. PORT COORDINATION ADVISORY COUNCIL FOR**
 18 **POINT SPENCER.**

19 (a) *ESTABLISHMENT.*—*There is established the Port*
 20 *Coordination Advisory Council for the Port of Point Spen-*
 21 *cer.*

22 (b) *MEMBERSHIP.*—*The Council shall consist of a rep-*
 23 *resentative appointed by each of the following:*

24 (1) *The State.*

25 (2) *BSNC.*

1 (c) *DUTIES.*—*The duties of the Council are as follows:*

2 (1) *To develop a Port Management Coordination*
 3 *Plan to help coordinate infrastructure development*
 4 *and operations at the Port of Point Spencer, that in-*
 5 *cludes plans for—*

6 (A) *construction;*

7 (B) *funding eligibility;*

8 (C) *land use planning and development;*

9 *and*

10 (D) *public interest use and access, emer-*
 11 *gency preparedness, law enforcement, protection*
 12 *of Alaska Native archaeological and cultural re-*
 13 *sources, and other matters that are necessary for*
 14 *public and private entities to function in prox-*
 15 *imity together in a remote location.*

16 (2) *Update the Plan annually for the first 5*
 17 *years after the date of the enactment of this Act and*
 18 *biennially thereafter.*

19 (3) *Facilitate coordination among stakeholders*
 20 *at Point Spencer, including the Coast Guard, on the*
 21 *development and use of the land and coastline as such*
 22 *development relates to activities at the Port of Point*
 23 *Spencer.*

24 (4) *Assess the need, benefits, efficacy, and desir-*
 25 *ability of establishing in the future a port authority*

1 *at Point Spencer under State law and act upon that*
 2 *assessment, as appropriate, including taking steps for*
 3 *the potential formation of such a port authority.*

4 *(d) PLAN.—The Plan shall be developed and imple-*
 5 *mented by the Council in such a manner so as to facilitate*
 6 *and support, and not interfere with nor impede, the statu-*
 7 *tory missions, duties, and operations of the Coast Guard*
 8 *in the Arctic.*

9 *(e) COSTS.—Operations and management costs for*
 10 *airstrips, runways, and taxiways at Point Spencer shall*
 11 *be determined pursuant to provisions of the Plan, as nego-*
 12 *tiated by the Council.*

13 **SEC. 605. WAIVER.**

14 *Section 229 of the Howard Coble Coast Guard and*
 15 *Maritime Transportation Act of 2014 (Public Law 113–*
 16 *281; 128 Stat. 3040) shall not be construed to prohibit any*
 17 *transfer or conveyance of lands under to this Act or any*
 18 *actions that involve the dismantling or disposal of infra-*
 19 *structure that supported the former LORAN system that are*
 20 *associated with the transfer or conveyance of lands under*
 21 *this subtitle.*

***Subtitle B—Other Conveyance of
Coast Guard Property***

***SEC. 611. CONVEYANCE OF COAST GUARD PROPERTY IN
POINT REYES STATION, CALIFORNIA.***

(a) CONVEYANCE.—

*(1) IN GENERAL.—The Commandant of the
Coast Guard may convey to the County of Marin all
right, title, and interest of the United States in and
to the covered property—*

*(A) for fair market value, provided for in
paragraph (2);*

*(B) subject to the conditions required by
this section; and*

*(C) subject to any other term or condition
that the Commandant considers appropriate to
protect the interests of the United States.*

*(2) FAIR MARKET VALUE.—The fair market
value of the covered property shall be—*

*(A) determined by a real estate appraiser,
who has been selected by the County and is li-
censed to practice in California; and*

*(B) approved by the Commandant, who
shall base such approval on considerations of eq-
uity and fairness, including the use required
under this section of the covered property.*

1 (3) *PROCEEDS.*—*The Commandant shall deposit*
 2 *the proceeds from a conveyance under paragraph (1)*
 3 *in the Coast Guard Housing Fund established by sec-*
 4 *tion 687 of title 14, United States Code.*

5 (b) *CONDITION OF CONVEYANCE.*—*As a condition of*
 6 *any conveyance of covered property under this section, the*
 7 *Commandant shall require that all right, title, and interest*
 8 *in and to the covered property revert to the United States*
 9 *if the covered property or any part thereof ceases to be used*
 10 *for affordable housing, as defined by the County and the*
 11 *Commandant at conveyance, or to provide a public benefit*
 12 *approved by the County.*

13 (c) *RULES OF CONSTRUCTION.*—*Nothing in this sec-*
 14 *tion may be construed to affect or limit the application of*
 15 *or obligation to comply with any environmental law, in-*
 16 *cluding section 120(h) of the Comprehensive Environmental*
 17 *Response, Compensation, and liability Act of 1980 (42*
 18 *U.S.C. 9620(h)).*

19 (d) *DEFINITIONS.*—*In this section:*

20 (1) *COMMANDANT.*—*The term “Commandant”*
 21 *means the Commandant of the Coast Guard.*

22 (2) *COUNTY.*—*The term “County” means the*
 23 *County of Marin, California.*

24 (3) *COVERED PROPERTY.*—*The term “covered*
 25 *property” means the 32 acres of Federal land (includ-*

1 *ing all buildings, structures, utilities, and miscella-*
 2 *neous facilities on the land) that are located in Point*
 3 *Reyes Station in the County of Marin, California,*
 4 *and that are under the administrative control of the*
 5 *Coast Guard and identified by the Coast Guard as*
 6 *“CAMSPAC Housing”.*

7 *(e) EXPIRATION.—The authority to convey the covered*
 8 *property under this section shall expire on the date that*
 9 *is four years after the date of the enactment of this Act.*

10 **SEC. 612. CONVEYANCE OF COAST GUARD PROPERTY IN**
 11 **TOK, ALASKA.**

12 *(a) CONVEYANCE AUTHORIZED.—The Commandant of*
 13 *the Coast Guard may convey all right, title, and interest*
 14 *of the United States in and to the covered property, upon*
 15 *payment to the United States of the fair market value of*
 16 *the covered property.*

17 *(b) RIGHT OF FIRST REFUSAL.—The Tanana Chiefs’*
 18 *Conference shall have the right of first refusal with respect*
 19 *to purchase of the covered property under this section.*

20 *(c) SURVEY.—The exact acreage and legal description*
 21 *of the covered property shall be determined by a survey sat-*
 22 *isfactory to the Commandant.*

23 *(d) FAIR MARKET VALUE.—The fair market value of*
 24 *the covered property shall be—*

25 *(1) determined by appraisal; and*

1 (2) *subject to the approval of the Commandant.*

2 (e) *COSTS OF CONVEYANCE.—The responsibility for all*
 3 *reasonable and necessary costs, including real estate trans-*
 4 *action and environmental documentation costs, associated*
 5 *with a conveyance under this section shall be determined*
 6 *by the Commandant and the purchaser.*

7 (f) *ADDITIONAL TERMS AND CONDITIONS.—The Com-*
 8 *mandant may require such additional terms and conditions*
 9 *in connection with a conveyance under this section as the*
 10 *Commandant considers appropriate and reasonable to pro-*
 11 *tect the interests of the United States.*

12 (g) *DEPOSIT OF PROCEEDS.—Any proceeds received*
 13 *by the United States from a conveyance under this section*
 14 *shall be deposited in the Coast Guard Housing Fund estab-*
 15 *lished under section 687 of title 14, United States Code.*

16 (h) *COVERED PROPERTY DEFINED.—*

17 (1) *IN GENERAL.—In this section, the term “cov-*
 18 *ered property” means the approximately 3.25 acres of*
 19 *real property (including all improvements located on*
 20 *the property) that are—*

21 (A) *located in Tok, Alaska;*

22 (B) *under the administrative control of the*
 23 *Coast Guard; and*

24 (C) *described in paragraph (2).*

1 (2) *DESCRIPTION.*—*The property described in*
2 *this paragraph is the following:*

3 (A) *Lots 11, 12, and 13, block “G”, Second*
4 *Addition to Hartsell Subdivision, Section 20,*
5 *Township 18 North, Range 13 East, Copper*
6 *River Meridian, Alaska as appears by Plat No.*
7 *72–39 filed in the Office of the Recorder for the*
8 *Fairbanks Recording District of Alaska, bearing*
9 *seal dated 25 September 1972, all containing ap-*
10 *proximately 1.25 Acres and commonly known as*
11 *2-PLEX – Jackie Circle, Units A and B.*

12 (B) *Beginning at a point being the SE cor-*
13 *ner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 24, Town-*
14 *ship 18 North, Range 12 East, Copper River Me-*
15 *ridian, Alaska; thence running westerly along*
16 *the south line of said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 260*
17 *feet; thence northerly parallel to the east line of*
18 *said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 335 feet; thence easterly*
19 *parallel to the south line 260 feet; then south 335*
20 *feet along the east boundary of Section 24 to the*
21 *point of beginning; all containing approximately*
22 *2.0 acres and commonly known as 4-PLEX –*
23 *West “C” and Willow, Units A, B, C, and D.*

1 ***TITLE VII—MISCELLANEOUS***

2 ***SEC. 701. INTERAGENCY COORDINATING COMMITTEE ON***
 3 ***OIL POLLUTION RESEARCH.***

4 (a) *IN GENERAL.*—Section 7001(a) of the Oil Pollu-
 5 tion Act of 1990 (33 U.S.C. 2761(a)) is amended—

6 (1) *in paragraph (3)—*

7 (A) *by striking “Minerals Management*
 8 *Service” and inserting “Bureau of Safety and*
 9 *Environmental Enforcement, the Bureau of*
 10 *Ocean Energy Management,”; and*

11 (B) *by inserting “the United States Arctic*
 12 *Research Commission,” after “National Aero-*
 13 *nautics and Space Administration,”; and*

14 (2) *by adding at the end the following:*

15 “(5) *VICE CHAIRPERSON.*—A representative of
 16 the National Oceanic and Atmospheric Administra-
 17 tion, a representative of the Bureau of Safety and
 18 Environmental Enforcement, and a representative of
 19 the Environmental Protection Agency shall serve, on
 20 a rotating basis, as vice chairperson of the Com-
 21 mittee.”.

22 (b) *TECHNICAL AMENDMENTS.*—Section 7001 of the
 23 Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

24 (1) *in subsection (b)(2), in the matter preceding*
 25 *subparagraph (A), by striking “Department of Trans-*

1 *portation” and inserting “department in which the*
 2 *Coast Guard is operating”; and*

3 *(2) in subsection (c)(8)(A), by striking “(1989)”*
 4 *and inserting “(2010)”.*

5 **SEC. 702. ACCIDENT AND INCIDENT NOTIFICATION.**

6 *Section 9 of the Pipeline Safety, Regulatory Certainty,*
 7 *and Job Creation Act of 2011 (49 U.S.C. 60117 note; Public*
 8 *Law 112–90) is amended by striking subsection (c), and*
 9 *that subsection shall be deemed not to have been enacted.*

10 **SEC. 703. TECHNICAL CORRECTIONS RELATING TO**
 11 **BRIDGES.**

12 *(a) ACT OF MARCH 3, 1899.—The Act of March 3,*
 13 *1899 (commonly known as the “Rivers and Harbors Appro-*
 14 *priation Act of 1899”), is amended—*

15 *(1) in section 9 (33 U.S.C. 401), by striking*
 16 *“Secretary of Transportation” each place it appears*
 17 *and inserting “Secretary of the department in which*
 18 *the Coast Guard is operating”;*

19 *(2) in section 12 (33 U.S.C. 406)—*

20 *(A) by striking the section designation and*
 21 *all that follows through the first sentence and in-*
 22 *serting the following:*

1 **“SEC. 12. PENALTY FOR WRONGFUL CONSTRUCTION; RE-**
 2 **MOVAL OF STRUCTURES.**

3 “(a) *PENALTY FOR WRONGFUL CONSTRUCTION.*—Each
 4 individual or entity that violates an applicable provision
 5 of section 9, 10, or 11, or any rule or regulation promul-
 6 gated by the Secretary of the department in which the Coast
 7 Guard is operating pursuant to section 9 or the Secretary
 8 of the Army pursuant to section 11, shall be—

9 “(1) *guilty of a misdemeanor; and*

10 “(2) *on conviction, punished by, at the discretion*
 11 *of the applicable court—*

12 “(A) *a fine of not less than \$500 nor more*
 13 *than \$2,500;*

14 “(B) *imprisonment (in the case of an indi-*
 15 *vidual) for not more than 1 year; or*

16 “(C) *both the punishments described in sub-*
 17 *paragraphs (A) and (B).”; and*

18 *(B) in the second sentence—*

19 *(i) by striking “And further, the re-*
 20 *moval” and inserting the following:*

21 “(b) *REMOVAL OF STRUCTURES.*—*The removal”; and*

22 *(ii) by striking “the provisions of” and*
 23 *all that follows through “exercising” and in-*
 24 *serting “a provision described in subsection*
 25 *(a) may be enforced by the injunction of*
 26 *any district court exercising”; and*

1 (3) in subsections (a) and (c) of section 18 (33
2 U.S.C. 502), by striking “Secretary of Transpor-
3 tation” each place it appears and inserting “Sec-
4 retary of the department in which the Coast Guard
5 is operating”.

6 (b) ACT OF MARCH 23, 1906.—The Act of March 23,
7 1906 (commonly known as the “Bridge Act of 1906”), is
8 amended—

9 (1) in the first section (33 U.S.C. 491), by strik-
10 ing “Secretary of Transportation” and inserting
11 “Secretary of the department in which the Coast
12 Guard is operating”;

13 (2) in section 4 (33 U.S.C. 494), by striking
14 “Secretary of Homeland Security” each place it ap-
15 pears and inserting “Secretary of the department in
16 which the Coast Guard is operating”; and

17 (3) in section 5 (33 U.S.C. 495), by striking
18 “Secretary of Transportation” each place it appears
19 and inserting “Secretary of the department in which
20 the Coast Guard is operating”.

21 (c) ACT OF AUGUST 18, 1894.—Section 5 of the Act
22 of August 18, 1894 (33 U.S.C. 499), is amended by striking
23 “Secretary of Transportation” each place it appears and
24 inserting “Secretary of the department in which the Coast
25 Guard is operating”.

1 (d) *ACT OF JUNE 21, 1940.—The Act of June 21, 1940*
 2 *(commonly known as the “Truman-Hobbs Act”), is amend-*
 3 *ed—*

4 (1) *in section 1 (33 U.S.C. 511), by striking*
 5 *“Secretary of Transportation” and inserting “Sec-*
 6 *retary of the department in which the Coast Guard*
 7 *is operating”;*

8 (2) *in section 3 (33 U.S.C. 513)—*

9 (A) *in the section heading, by striking*
 10 *“**HEARINGS**” and inserting “**MEETINGS**”;*

11 (B) *in the first sentence—*

12 (i) *by striking “hearing” and inserting*
 13 *“meeting”; and*

14 (ii) *by striking “evidence” and insert-*
 15 *ing “supporting data”; and*

16 (C) *in the second sentence, by striking*
 17 *“hearing” and inserting “a meeting”;*

18 (3) *in section 4 (33 U.S.C. 514), by striking*
 19 *“Secretary of Transportation” and inserting “Sec-*
 20 *retary of the department in which the Coast Guard*
 21 *is operating”;*

22 (4) *in section 7 (33 U.S.C. 517), by striking*
 23 *“Secretary of Transportation” each place it appears*
 24 *and inserting “Secretary of the department in which*
 25 *the Coast Guard is operating”; and*

1 (5) in section 13 (33 U.S.C. 523), in the proviso,
 2 by striking “Secretary of Transportation” and insert-
 3 ing “Secretary of the department in which the Coast
 4 Guard is operating”.

5 (e) ACT OF JULY 16, 1952.—Section 3 of the Act of
 6 July 16, 1952 (33 U.S.C. 524), is amended by striking
 7 “hearings” and inserting “meetings”.

8 (f) GENERAL BRIDGE ACT OF 1946.—The General
 9 Bridge Act 1946 is amended—

10 (1) in section 502(b) (33 U.S.C. 525(b)), by
 11 striking “Secretary of Transportation” and inserting
 12 “Secretary of the department in which the Coast
 13 Guard is operating”; and

14 (2) in section 510 (33 U.S.C. 533), by striking
 15 “Secretary of Transportation” each place it appears
 16 and inserting “Secretary of the department in which
 17 the Coast Guard is operating”.

18 (g) INTERNATIONAL BRIDGE ACT OF 1972.—The Inter-
 19 national Bridge Act of 1972 is amended—

20 (1) in section 5 (33 U.S.C. 535c), by striking
 21 “Secretary of Transportation” and inserting “Sec-
 22 retary of the department in which the Coast Guard
 23 is operating”;

24 (2) in section 8 (33 U.S.C. 535e)—

1 (A) by striking “Secretary of Transpor-
 2 tation” each place it appears and inserting “the
 3 department in which the Coast Guard is oper-
 4 ating”;

5 (B) in subsection (a), by striking “Sec-
 6 retary of Transportation’s” in the heading; and

7 (C) in subsection (b), in the second sentence,
 8 by striking “, and the provisions of section 6 of
 9 this Act shall not apply”; and
 10 (3) by striking section 11 (33 U.S.C. 535h).

11 **SEC. 704. INTERNATIONAL PORT AND FACILITY INSPEC-**
 12 **TION COORDINATION.**

13 Section 825(a) of the Coast Guard Authorization Act
 14 of 2010 (6 U.S.C. 945 note; Public Law 111–281) is amend-
 15 ed in the matter preceding paragraph (1)—

16 (1) by striking “the department in which the
 17 Coast Guard is operating” and inserting “Homeland
 18 Security”; and

19 (2) by striking “they are integrated and con-
 20 ducted by the Coast Guard” and inserting “the assess-
 21 ments are coordinated between the Coast Guard and
 22 Customs and Border Protection”.

23 **SEC. 705. REPORTS.**

24 (a) *DISTANT WATER TUNA FLEET*.—Section 421(d) of
 25 the Coast Guard and Maritime Transportation Act of 2006

1 *(Public Law 109–241; 46 U.S.C. 8103 note) is amended by*
 2 *striking “On March 1, 2007, and annually thereafter” and*
 3 *inserting “Not later than July 1 of each year,”.*

4 *(b) ANNUAL UPDATES ON LIMITS TO LIABILITY.—Sec-*
 5 *tion 603(c)(3) of the Coast Guard and Maritime Transpor-*
 6 *tation Act of 2006 (33 U.S.C. 2704 note) is amended by*
 7 *striking “on an annual basis.” and inserting “not later*
 8 *than January 30 of the year following each year in which*
 9 *an oil discharge from a vessel or nonvessel source that re-*
 10 *sults or is likely to result in removal costs and damages*
 11 *(as those terms are defined in section 1001 of the Oil Pollu-*
 12 *tion Act of 1990 (33 U.S.C. 2701)) that exceed liability lim-*
 13 *its established under section 1004 of the Oil Pollution Act*
 14 *of 1990 (33 U.S.C. 2704).”.*

15 **SEC. 706. SAFE VESSEL OPERATION IN THE GREAT LAKES.**

16 *The Howard Coble Coast Guard and Maritime Trans-*
 17 *portation Act of 2014 (Public Law 113–281) is amended—*

18 *(1) in section 610, by—*

19 *(A) striking the section enumerator and*
 20 *heading and inserting the following:*

21 **“SEC. 610. SAFE VESSEL OPERATION IN THE GREAT**
 22 **LAKES.”;**

23 *(B) striking “existing boundaries and any*
 24 *future expanded boundaries of the Thunder Bay*
 25 *National Marine Sanctuary and Underwater*

1 *Preserve” and inserting “boundaries of any Na-*
 2 *tional Marine Sanctuary that preserves ship-*
 3 *wrecks or maritime heritage in the Great Lakes”;*
 4 *and*

5 *(C) by inserting before the period at the end*
 6 *the following: “, unless the designation docu-*
 7 *ments for such Sanctuary do not allow taking up*
 8 *or discharging ballast water in such Sanctuary”;*
 9 *and*

10 *(2) in the table of contents in section 2, by strik-*
 11 *ing the item relating to section 610 and inserting the*
 12 *following:*

“Sec. 610. Safe vessel operation in the Great Lakes.”.

13 **SEC. 707. COASTWISE ENDORSEMENT.**

14 *Notwithstanding section 12132 of title 46, United*
 15 *States Code, the Secretary of the department in which the*
 16 *Coast Guard is operating may issue a certificate of docu-*
 17 *mentation with a coastwise endorsement for the F/V*
 18 *RONDYS (O.N. 291085).*

19 **SEC. 708. INTERNATIONAL ICE PATROL.**

20 *(a) REQUIREMENT FOR REPORT.—Not later than 180*
 21 *days after the date of the enactment of this Act, the Com-*
 22 *mandant of the Coast Guard shall submit to the Committee*
 23 *on Commerce, Science, and Transportation of the Senate*
 24 *and the Committee on Transportation and Infrastructure*
 25 *of the House of Representatives a report that describes the*

1 *current operations to perform the International Ice Patrol*
 2 *mission and on alternatives for carrying out that mission,*
 3 *including satellite surveillance technology.*

4 *(b) ALTERNATIVES.—The report required by subsection*
 5 *(a) shall include whether an alternative—*

6 *(1) provides timely data on ice conditions with*
 7 *the highest possible resolution and accuracy;*

8 *(2) is able to operate in all weather conditions*
 9 *or any time of day; and*

10 *(3) is more cost effective than the cost of current*
 11 *operations.*

12 **SEC. 709. PRIBILOF ISLANDS.**

13 *(a) TRANSFER AND DISPOSITION OF PROPERTY.—*

14 *(1) TRANSFER.—To further accomplish the set-*
 15 *tlement of land claims under the Alaska Native*
 16 *Claims Settlement Act (43 U.S.C. 1602 et seq.), the*
 17 *Secretary of Commerce shall, subject to paragraph*
 18 *(2), and notwithstanding section 105(a) of the*
 19 *Pribilof Islands Transition Act (16 U.S.C. 1161 note;*
 20 *Public Law 106–562), convey all right, title, and in-*
 21 *terest in the following property to the native village*
 22 *corporation for St. Paul Island:*

23 *(A) Lots 4, 5, and 6A, Block 18, Tract A,*
 24 *U.S. Survey 4943, noted on Bureau of Land*
 25 *Management supplemental master title plat for*

1 *sec. 25, T. 35 S., R. 132 W., Seward Meridian,*
2 *and on Sheet 3 of 3, of U. S. Survey 4943, files*
3 *on January 20, 2004.*

4 *(B) On the termination of the license de-*
5 *scribed in paragraph (2)(C), tract 43, located in*
6 *sec. 18, T. 35 S., R. 131 W., Seward Meridian*
7 *and shown on township survey filed, May 14,*
8 *1986.*

9 *(2) FEDERAL USE.—*

10 *(A) IN GENERAL.—The Secretary of the de-*
11 *partment in which the Coast Guard is operating*
12 *may operate, maintain, keep, locate, inspect, re-*
13 *pair, and replace any Federal aid to navigation*
14 *located on the property described in paragraph*
15 *(1) as long as the aid is needed for navigational*
16 *purposes.*

17 *(B) ADMINISTRATION.—In carrying out*
18 *paragraph (1), the Secretary may enter the*
19 *property, at any time for as long as the aid is*
20 *needed for navigational purposes, without notice*
21 *to the extent that it is not practicable to provide*
22 *advance notice.*

23 *(C) LICENSE.—The Secretary of the Depart-*
24 *ment in which the Coast Guard is operating*
25 *may maintain a license in effect on the date of*

1 *enactment of this Act with respect to the real*
 2 *property and improvements under paragraph (1)*
 3 *until the termination of the license.*

4 *(D) REPORTS.—Not later than 2 years after*
 5 *the date of enactment of this Act and not less*
 6 *than once every 2 years thereafter, the Secretary*
 7 *of the department in which the Coast Guard is*
 8 *operating shall submit to the Committee on Nat-*
 9 *ural Resources of the House of Representatives*
 10 *and the Committee on Commerce, Science, and*
 11 *Transportation of the Senate a report on—*

12 *(i) efforts taken to remediate contami-*
 13 *nated soils on tract 43 described in para-*
 14 *graph (1)(B);*

15 *(ii) a schedule for the completion of*
 16 *contaminated soil remediation on tract 43;*
 17 *and*

18 *(iii) any use of tract 43 to carry out*
 19 *Coast Guard navigation activities.*

20 *(3) AGREEMENT ON TRANSFER OF OTHER PROP-*
 21 *ERTY ON ST. PAUL ISLAND.—*

22 *(A) IN GENERAL.—In addition to the prop-*
 23 *erty transferred under paragraph (1), not later*
 24 *than 60 days after the date of enactment of this*
 25 *Act, the Secretary of Commerce and the pre-*

1 *siding officer of the Alaska Native Village Cor-*
 2 *poration for St. Paul Island shall enter into an*
 3 *agreement to exchange of property on Tracts 50*
 4 *and 38 on St. Paul Island and to finalize the re-*
 5 *cording of deeds, to reflect the boundaries and*
 6 *ownership of Tracts 50 and 38 as depicted on a*
 7 *survey of the National Oceanic and Atmospheric*
 8 *Administration, to be filed with the office of the*
 9 *recorder for the Department of Natural Resources*
 10 *for the State of Alaska.*

11 *(B) EASEMENTS.—The survey described in*
 12 *subparagraph (A) shall include respective ease-*
 13 *ments granted to the Secretary and the Village*
 14 *Corporation for the purpose of utilities, drain-*
 15 *age, road access, and salt lagoon conservation.*

16 *(b) TRANSFER OF PROPERTY NOT OTHERWISE SPECI-*
 17 *FIED FOR TRANSFER.—Section 105 of the Pribilof Islands*
 18 *Transition Act (16 U.S.C. 1161 note; Public Law 106–562)*
 19 *is amended—*

20 *(1) by redesignating subsection (e) as subsection*
 21 *(g); and*

22 *(2) by inserting after subsection (d) the fol-*
 23 *lowing:*

24 *“(e) NOTIFICATIONS.—*

1 “(1) *IN GENERAL.*—Not later than 30 days after
2 the Secretary of Commerce makes a determination
3 under subsection (f) that land on St. Paul Island,
4 Alaska, not specified for transfer in the document en-
5 titled ‘Transfer of Property on the Pribilof Islands:
6 Descriptions, Terms and Conditions’ or section 709(a)
7 of the Coast Guard Authorization Act of 2015, are in
8 excess of the needs of the Secretary and the Federal
9 Government, the Secretary shall notify the Alaska Na-
10 tive Village Corporation for St. Paul Island of the de-
11 termination.

12 “(2) *ELECTION TO RECEIVE.*—Not later than 60
13 days after the date receipt of the notification of the
14 Secretary under paragraph (1), the Village Corpora-
15 tion for St. Paul Island shall notify the Secretary in
16 writing whether the Village Corporation elects to re-
17 ceive all right, title and interest in the land or a por-
18 tion of the land.

19 “(3) *TRANSFER.*—If the Village Corporation pro-
20 vides notice under paragraph (2) that the Village Cor-
21 poration elects to receive all right, title and interest
22 in the land or a portion of the land, the Secretary
23 shall transfer all right, title, and interest in the land
24 or portion to the Village Corporation at no cost.

1 “(4) *OTHER DISPOSITION.*—*If the Village Cor-*
 2 *poration does not provide notice under paragraph (2)*
 3 *that the Village Corporation elects to receive all right,*
 4 *title and interest in the land or a portion of the land,*
 5 *the Secretary may dispose of the land in accordance*
 6 *with other applicable law.*

7 “(f) *DETERMINATION.*—

8 “(1) *IN GENERAL.*—*Not later than 2 years after*
 9 *the date of enactment of this subsection and not less*
 10 *than once every 5 years thereafter, the Secretary of*
 11 *Commerce shall determine whether property located*
 12 *on St. Paul Island and not transferred to the Natives*
 13 *of the Pribilof Islands is in excess of the smallest*
 14 *practicable tract enclosing land—*

15 “(A) *needed by the Secretary for the pur-*
 16 *poses of carrying out the Fur Seal Act of 1966*
 17 *(16 U.S.C. 1151 et seq.);*

18 “(B) *in the case of land withdrawn by the*
 19 *Secretary on behalf of other Federal agencies,*
 20 *needed for carrying out the missions of those*
 21 *agencies for which land was withdrawn; or*

22 “(C) *actually used by the Federal Govern-*
 23 *ment in connection with the administration of*
 24 *any Federal installation on St. Paul Island.*

1 “(2) *REPORT OF DETERMINATION.*—When a de-
 2 termination is made under paragraph (1), the Sec-
 3 retary shall report the determination to—

4 “(A) *the Committee on Natural Resources of*
 5 *the House of Representatives;*

6 “(B) *the Committee on Commerce, Science*
 7 *and Transportation of the Senate; and*

8 “(C) *the Alaska Native Village Corporation*
 9 *for St. Paul Island.”.*

10 (c) *NOTICE OF CERTIFICATION.*—Section 105 of the
 11 *Pribilof Islands Transition Act (16 U.S.C. 1161 note; Pub-*
 12 *lic Law 106–562) is amended—*

13 (1) *in subsection (a)(1), by striking “The Sec-*
 14 *retary” and inserting “Notwithstanding paragraph*
 15 *(2) and effective beginning on the date the Secretary*
 16 *publishes the notice of certification required by sub-*
 17 *section (b)(5), the Secretary”;*

18 (2) *in subsection (b)—*

19 (A) *in paragraph (1)(A), by striking “sec-*
 20 *tion 205 of the Fur Seal Act of 1966 (16 U.S.C.*
 21 *1165)” and inserting “section 205(a) of the Fur*
 22 *Seal Act of 1966 (16 U.S.C. 1165(a))”; and*

23 (B) *by adding at the end the following:*

24 “(5) *NOTICE OF CERTIFICATION.*—*The Secretary*
 25 *shall promptly publish and submit to the Committee*

on Natural Resources of the House of Representatives
and the Committee on Commerce, Science, and Trans-
portation of the Senate notice that the certification
described in paragraph (2) has been made.”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1),
by striking “makes the certification described in
subsection (b)(2)” and inserting “publishes the
notice of certification required by subsection
(b)(5)”; and

(B) in paragraph (1), by striking “Section
205” and inserting “Subsections (a), (b), (c),
and (d) of section 205”.

SEC. 710. NO CHARGE FOR PARKING FACILITIES.

Section 611(a)(1) of the Howard Coble Coast Guard
and Maritime Transportation Act of 2014 (Public Law
113–281; 128 Stat. 3064) is amended by striking the period
at the end and inserting “at no cost to the Coast Guard,
its members, or employees.”.

**SEC. 711. ASSESSMENT OF OIL SPILL RESPONSE AND
CLEANUP ACTIVITIES IN THE GREAT LAKES.**

(a) **ASSESSMENT.**—The Commandant of the Coast
Guard, in consultation with the Administrator of the Na-
tional Oceanic and Atmospheric Administration and the
head of any other agency the Commandant determines ap-

1 *appropriate, shall conduct an assessment of the effectiveness*
 2 *of oil spill response activities specific to the Great Lakes.*
 3 *Such assessment shall include—*

4 *(1) an evaluation of new research into oil spill*
 5 *impacts in fresh water under a wide range of condi-*
 6 *tions; and*

7 *(2) an evaluation of oil spill prevention and*
 8 *clean up contingency plans, in order to improve un-*
 9 *derstanding of oil spill impacts in the Great Lakes*
 10 *and foster innovative improvements to safety tech-*
 11 *nologies and environmental protection systems.*

12 *(b) REPORT TO CONGRESS.—Not later than 2 years*
 13 *after the date of enactment of this Act, the Commandant*
 14 *of the Coast Guard shall submit to Congress a report on*
 15 *the results of the assessment required by subsection (a).*

16 **SEC. 712. REPORT ON STATUS OF TECHNOLOGY DETECTING**
 17 **PASSENGERS WHO HAVE FALLEN OVER-**
 18 **BOARD.**

19 *Not later than 18 months after the date of the enact-*
 20 *ment of this Act, the Commandant of the Coast Guard shall*
 21 *submit a report to Committee on Commerce, Science, and*
 22 *Transportation of the Senate and the Committee on Trans-*
 23 *portation and Infrastructure of the House of Representa-*
 24 *tives that—*

1 (1) describes the status of technology for imme-
2 diately detecting passengers who have fallen over-
3 board;

4 (2) includes a recommendation to cruise lines on
5 the feasibility of implementing technology that imme-
6 diately detects passengers who have fallen overboard,
7 factoring in cost and the risk of false positives;

8 (3) includes data collected from cruise lines on
9 the status of the integration of the technology de-
10 scribed in paragraph (2) on cruise ships, including—

11 (A) the number of cruise ships that have the
12 technology to capture images of passengers who
13 have fallen overboard;

14 (B) the number of cruise lines that have
15 tested technology that can detect passengers who
16 have fallen overboard; and

17 (C) the number of cruise ships that have in-
18 tegrated technology that can detect passengers
19 who have fallen overboard; and

20 (4) includes information on any other available
21 technologies that cruise ships could integrate to assist
22 in facilitating the search and rescue of a passenger
23 who has fallen overboard.

1 ***TITLE VIII—VESSEL INCIDENTAL***
2 ***DISCHARGE ACT***

3 ***SEC. 801. SHORT TITLE.***

4 *This title may be cited as the “Vessel Incidental Dis-*
5 *charge Act”.*

6 ***SEC. 802. FINDINGS; PURPOSE.***

7 *(a) FINDINGS.—Congress makes the following findings:*

8 *(1) Beginning with enactment of the Act to Pre-*
9 *vent Pollution from Ships in 1980 (22 U.S.C. 1901*
10 *et seq.), the United States Coast Guard has been the*
11 *principal Federal authority charged with admin-*
12 *istering, enforcing, and prescribing regulations relat-*
13 *ing to the discharge of pollutants from vessels engaged*
14 *in maritime commerce and transportation.*

15 *(2) The Coast Guard estimates there are ap-*
16 *proximately 21,560,000 State-registered recreational*
17 *vessels, 75,000 commercial fishing vessels, and 33,000*
18 *freight and tank barges operating in United States*
19 *waters.*

20 *(3) From 1973 to 2005, certain discharges inci-*
21 *dental to the normal operation of a vessel were ex-*
22 *empted by regulation from otherwise applicable per-*
23 *mitting requirements.*

24 *(4) Over the 32 years during which this regu-*
25 *latory exemption was in effect, Congress enacted stat-*

1 *utes on a number of occasions dealing with the regu-*
2 *lation of discharges incidental to the normal oper-*
3 *ation of a vessel, including—*

4 *(A) the Act to Prevent Pollution from Ships*
5 *(33 U.S.C. 1901 et seq.) in 1980;*

6 *(B) the Nonindigenous Aquatic Nuisance*
7 *Prevention and Control Act of 1990 (16 U.S.C.*
8 *4701 et seq.);*

9 *(C) the National Invasive Species Act of*
10 *1996 (110 Stat. 4073);*

11 *(D) section 415 of the Coast Guard Author-*
12 *ization Act of 1998 (112 Stat. 3434) and section*
13 *623 of the Coast Guard and Maritime Transpor-*
14 *tation Act of 2004 (33 U.S.C. 1901 note), which*
15 *established interim and permanent requirements,*
16 *respectively, for the regulation of vessel dis-*
17 *charges of certain bulk cargo residue;*

18 *(E) title XIV of division B of Appendix D*
19 *of the Consolidated Appropriations Act, 2001*
20 *(114 Stat. 2763), which prohibited or limited*
21 *certain vessel discharges in certain areas of Alas-*
22 *ka;*

23 *(F) section 204 of the Maritime Transpor-*
24 *tation Security Act of 2002 (33 U.S.C. 1902a),*
25 *which established requirements for the regulation*

1 *of vessel discharges of agricultural cargo residue*
 2 *material in the form of hold washings; and*

3 *(G) title X of the Coast Guard Authoriza-*
 4 *tion Act of 2010 (33 U.S.C. 3801 et seq.), which*
 5 *provided for the implementation of the Inter-*
 6 *national Convention on the Control of Harmful*
 7 *Anti-Fouling Systems on Ships, 2001.*

8 **(b) PURPOSE.**—*The purpose of this title is to provide*
 9 *for the establishment of nationally uniform and environ-*
 10 *mentally sound standards and requirements for the man-*
 11 *agement of discharges incidental to the normal operation*
 12 *of a vessel.*

13 **SEC. 803. DEFINITIONS.**

14 *In this title:*

15 **(1) ADMINISTRATOR.**—*The term “Adminis-*
 16 *trator” means the Administrator of the Environ-*
 17 *mental Protection Agency.*

18 **(2) AQUATIC NUISANCE SPECIES.**—*The term*
 19 *“aquatic nuisance species” means a nonindigenous*
 20 *species (including a pathogen) that threatens the di-*
 21 *versity or abundance of native species or the ecologi-*
 22 *cal stability of navigable waters or commercial, agri-*
 23 *cultural, aquacultural, or recreational activities de-*
 24 *pendent on such waters.*

25 **(3) BALLAST WATER.**—

1 (A) *IN GENERAL.*—The term “ballast
2 water” means any water, including any sedi-
3 ment suspended in such water, taken aboard a
4 vessel—

5 (i) to control trim, list, draught, sta-
6 bility, or stresses of the vessel; or

7 (ii) during the cleaning, maintenance,
8 or other operation of a ballast water treat-
9 ment technology of the vessel.

10 (B) *EXCLUSIONS.*—The term “ballast
11 water” does not include any pollutant that is
12 added to water described in subparagraph (A)
13 that is not directly related to the operation of a
14 properly functioning ballast water treatment
15 technology under this title.

16 (4) *BALLAST WATER PERFORMANCE STAND-*
17 *ARD.*—The term “ballast water performance stand-
18 ard” means the numerical ballast water discharge
19 standard set forth in section 151.2030 of title 33,
20 Code of Federal Regulations or section 151.1511 of
21 title 33, Code of Federal Regulations, as applicable,
22 or a revised numerical ballast water performance
23 standard established under subsection (a)(1)(B), (b),
24 or (c) of section 805 of this title.

1 (5) *BALLAST WATER TREATMENT TECHNOLOGY*
 2 OR *TREATMENT TECHNOLOGY*.—The term “ballast
 3 water treatment technology” or “treatment tech-
 4 nology” means any mechanical, physical, chemical, or
 5 biological process used, alone or in combination, to
 6 remove, render harmless, or avoid the uptake or dis-
 7 charge of aquatic nuisance species within ballast
 8 water.

9 (6) *BIOCIDE*.—The term “biocide” means a sub-
 10 stance or organism, including a virus or fungus, that
 11 is introduced into or produced by a ballast water
 12 treatment technology to reduce or eliminate aquatic
 13 nuisance species as part of the process used to comply
 14 with a ballast water performance standard under this
 15 title.

16 (7) *DISCHARGE INCIDENTAL TO THE NORMAL*
 17 *OPERATION OF A VESSEL*.—

18 (A) *IN GENERAL*.—The term “discharge in-
 19 cidental to the normal operation of a vessel”
 20 means—

21 (i) a discharge into navigable waters
 22 from a vessel of—

23 (I)(aa) ballast water, graywater,
 24 bilge water, cooling water, oil water
 25 separator effluent, anti-fouling hull

1 *coating leachate, boiler or economizer*
2 *blowdown, byproducts from cathodic*
3 *protection, controllable pitch propeller*
4 *and thruster hydraulic fluid, distilla-*
5 *tion and reverse osmosis brine, elevator*
6 *pit effluent, firemain system effluent,*
7 *freshwater layup effluent, gas turbine*
8 *wash water, motor gasoline and com-*
9 *pensating effluent, refrigeration and*
10 *air condensate effluent, seawater*
11 *pumping biofouling prevention sub-*
12 *stances, boat engine wet exhaust, sonar*
13 *dome effluent, exhaust gas scrubber*
14 *washwater, or stern tube packing gland*
15 *effluent; or*

16 *(bb) any other pollutant associ-*
17 *ated with the operation of a marine*
18 *propulsion system, shipboard maneu-*
19 *vering system, habitability system, or*
20 *installed major equipment, or from a*
21 *protective, preservative, or absorptive*
22 *application to the hull of a vessel;*

23 *(II) weather deck runoff, deck*
24 *wash, aqueous film forming foam efflu-*
25 *ent, chain locker effluent, non-oily ma-*

1 *chinery wastewater, underwater ship*
 2 *husbandry effluent, welldeck effluent, or*
 3 *fish hold and fish hold cleaning efflu-*
 4 *ent; or*

5 *(III) any effluent from a properly*
 6 *functioning marine engine; or*

7 *(ii) a discharge of a pollutant into*
 8 *navigable waters in connection with the*
 9 *testing, maintenance, or repair of a system,*
 10 *equipment, or engine described in subclause*
 11 *(I)(bb) or (III) of clause (i) whenever the*
 12 *vessel is waterborne.*

13 *(B) EXCLUSIONS.—The term “discharge in-*
 14 *cidental to the normal operation of a vessel” does*
 15 *not include—*

16 *(i) a discharge into navigable waters*
 17 *from a vessel of—*

18 *(I) rubbish, trash, garbage, incin-*
 19 *erator ash, or other such material dis-*
 20 *charged overboard;*

21 *(II) oil or a hazardous substance*
 22 *as those terms are defined in section*
 23 *311 of the Federal Water Pollution*
 24 *Control Act (33 U.S.C. 1321);*

1 (III) sewage as defined in section
 2 312(a)(6) of the Federal Water Pollu-
 3 tion Control Act (33 U.S.C.
 4 1322(a)(6)); or

5 (IV) graywater referred to in sec-
 6 tion 312(a)(6) of the Federal Water
 7 Pollution Control Act (33 U.S.C.
 8 1322(a)(6));

9 (ii) an emission of an air pollutant re-
 10 sulting from the operation onboard a vessel
 11 of a vessel propulsion system, motor driven
 12 equipment, or incinerator; or

13 (iii) a discharge into navigable waters
 14 from a vessel when the vessel is operating in
 15 a capacity other than as a means of trans-
 16 portation on water.

17 (8) GEOGRAPHICALLY LIMITED AREA.—The term
 18 “geographically limited area” means an area—

19 (A) with a physical limitation, including
 20 limitation by physical size and limitation by
 21 authorized route such as the Great Lakes and St.
 22 Lawrence River, that prevents a vessel from op-
 23 erating outside the area, as determined by the
 24 Secretary; or

1 (B) that is ecologically homogeneous, as de-
 2 termined by the Secretary, in consultation with
 3 the heads of other Federal departments or agen-
 4 cies as the Secretary considers appropriate.

5 (9) *MANUFACTURER.*—The term “manufacturer”
 6 means a person engaged in the manufacture, assem-
 7 blage, or importation of ballast water treatment tech-
 8 nology.

9 (10) *SECRETARY.*—The term “Secretary” means
 10 the Secretary of the department in which the Coast
 11 Guard is operating.

12 (11) *VESSEL.*—The term “vessel” means every
 13 description of watercraft or other artificial contriv-
 14 ance used, or practically or otherwise capable of being
 15 used, as a means of transportation on water.

16 **SEC. 804. REGULATION AND ENFORCEMENT.**

17 (a) *IN GENERAL.*—The Secretary, in consultation with
 18 the Administrator, shall establish and implement enforce-
 19 able uniform national standards and requirements for the
 20 regulation of discharges incidental to the normal operation
 21 of a vessel. The standards and requirements shall—

22 (1) be based upon the best available technology
 23 economically achievable; and

1 (2) *supersede any permitting requirement or*
 2 *prohibition on discharges incidental to the normal op-*
 3 *eration of a vessel under any other provision of law.*

4 (b) *ADMINISTRATION AND ENFORCEMENT.—The Sec-*
 5 *retary shall administer and enforce the uniform national*
 6 *standards and requirements under this title. Each State*
 7 *may enforce the uniform national standards and require-*
 8 *ments under this title.*

9 **SEC. 805. UNIFORM NATIONAL STANDARDS AND REQUIRE-**
 10 **MENTS FOR THE REGULATION OF DIS-**
 11 **CHARGES INCIDENTAL TO THE NORMAL OP-**
 12 **ERATION OF A VESSEL.**

13 (a) *REQUIREMENTS.—*

14 (1) *BALLAST WATER MANAGEMENT REQUIRE-*
 15 *MENTS.—*

16 (A) *IN GENERAL.—Notwithstanding any*
 17 *other provision of law, the requirements set forth*
 18 *in the final rule, Standards for Living Orga-*
 19 *nisms in Ships' Ballast Water Discharged in*
 20 *U.S. Waters (77 Fed. Reg. 17254 (March 23,*
 21 *2012), as corrected at 77 Fed. Reg. 33969 (June*
 22 *8, 2012)), shall be the management requirements*
 23 *for a ballast water discharge incidental to the*
 24 *normal operation of a vessel until the Secretary*
 25 *revises the ballast water performance standard*

under subsection (b) or adopts a more stringent State standard under subparagraph (B) of this paragraph.

(B) *ADOPTION OF MORE STRINGENT STATE STANDARD.*—If the Secretary makes a determination in favor of a State petition under section 810, the Secretary shall adopt the more stringent ballast water performance standard specified in the statute or regulation that is the subject of that State petition in lieu of the ballast water performance standard in the final rule described under subparagraph (A).

(2) *INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.*—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) *REVISED BALLAST WATER PERFORMANCE STANDARD; 8-YEAR REVIEW.*—

(1) *IN GENERAL.*—Subject to the feasibility review under paragraph (2), not later than January 1, 2022, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast

1 *water performance standard under subsection (a)(1)*
2 *so that a ballast water discharge incidental to the*
3 *normal operation of a vessel will contain—*

4 *(A) less than 1 organism that is living or*
5 *has not been rendered harmless per 10 cubic me-*
6 *ters that is 50 or more micrometers in minimum*
7 *dimension;*

8 *(B) less than 1 organism that is living or*
9 *has not been rendered harmless per 10 milliliters*
10 *that is less than 50 micrometers in minimum di-*
11 *mension and more than 10 micrometers in min-*
12 *imum dimension;*

13 *(C) concentrations of indicator microbes*
14 *that are less than—*

15 *(i) 1 colony-forming unit of toxicogenic*
16 *Vibrio cholera (serotypes O1 and O139) per*
17 *100 milliliters or less than 1 colony-forming*
18 *unit of that microbe per gram of wet weight*
19 *of zoological samples;*

20 *(ii) 126 colony-forming units of Esch-*
21 *erichia coli per 100 milliliters; and*

22 *(iii) 33 colony-forming units of intes-*
23 *tinal enterococci per 100 milliliters; and*

24 *(D) concentrations of such additional indi-*
25 *cator microbes and of viruses as may be specified*

1 *in regulations issued by the Secretary in con-*
 2 *sultation with the Administrator and such other*
 3 *Federal agencies as the Secretary and the Ad-*
 4 *ministrator consider appropriate.*

5 *(2) FEASIBILITY REVIEW.—*

6 *(A) IN GENERAL.—Not less than 2 years be-*
 7 *fore January 1, 2022, the Secretary, in consulta-*
 8 *tion with the Administrator, shall complete a re-*
 9 *view to determine the feasibility of achieving the*
 10 *revised ballast water performance standard*
 11 *under paragraph (1).*

12 *(B) CRITERIA FOR REVIEW OF BALLAST*
 13 *WATER PERFORMANCE STANDARD.—In con-*
 14 *ducting a review under subparagraph (A), the*
 15 *Secretary shall consider whether revising the bal-*
 16 *last water performance standard will result in a*
 17 *scientifically demonstrable and substantial re-*
 18 *duction in the risk of introduction or establish-*
 19 *ment of aquatic nuisance species, taking into ac-*
 20 *count—*

21 *(i) improvements in the scientific un-*
 22 *derstanding of biological and ecological*
 23 *processes that lead to the introduction or es-*
 24 *tablishment of aquatic nuisance species;*

1 (ii) improvements in ballast water
2 treatment technology, including—

3 (I) the capability of such treat-
4 ment technology to achieve a revised
5 ballast water performance standard;

6 (II) the effectiveness and reli-
7 ability of such treatment technology in
8 the shipboard environment;

9 (III) the compatibility of such
10 treatment technology with the design
11 and operation of a vessel by class, type,
12 and size;

13 (IV) the commercial availability
14 of such treatment technology; and

15 (V) the safety of such treatment
16 technology;

17 (iii) improvements in the capabilities
18 to detect, quantify, and assess the viability
19 of aquatic nuisance species at the concentra-
20 tions under consideration;

21 (iv) the impact of ballast water treat-
22 ment technology on water quality; and

23 (v) the costs, cost-effectiveness, and im-
24 pacts of—

1 (I) a revised ballast water per-
2 formance standard, including the po-
3 tential impacts on shipping, trade, and
4 other uses of the aquatic environment;
5 and

6 (II) maintaining the existing bal-
7 last water performance standard, in-
8 cluding the potential impacts on
9 water-related infrastructure, recre-
10 ation, propagation of native fish, shell-
11 fish, and wildlife, and other uses of
12 navigable waters.

13 (C) LOWER REVISED PERFORMANCE STAND-
14 ARD.—

15 (i) IN GENERAL.—If the Secretary, in
16 consultation with the Administrator, deter-
17 mines on the basis of the feasibility review
18 and after an opportunity for a public hear-
19 ing that no ballast water treatment tech-
20 nology can be certified under section 806 to
21 comply with the revised ballast water per-
22 formance standard under paragraph (1),
23 the Secretary shall require the use of the
24 treatment technology that achieves the per-

1 *formance levels of the best treatment tech-*
 2 *nology available.*

3 *(ii) IMPLEMENTATION DEADLINE.—If*
 4 *the Secretary, in consultation with the Ad-*
 5 *ministrator, determines that the treatment*
 6 *technology under clause (i) cannot be imple-*
 7 *mented before the implementation deadline*
 8 *under paragraph (3) with respect to a class*
 9 *of vessels, the Secretary shall extend the im-*
 10 *plementation deadline for that class of ves-*
 11 *sels for not more than 36 months.*

12 *(iii) COMPLIANCE.—If the implementa-*
 13 *tion deadline under paragraph (3) is ex-*
 14 *tended, the Secretary shall recommend ac-*
 15 *tion to ensure compliance with the extended*
 16 *implementation deadline under clause (ii).*

17 *(D) HIGHER REVISED PERFORMANCE*
 18 *STANDARD.—*

19 *(i) IN GENERAL.—If the Secretary, in*
 20 *consultation with the Administrator, deter-*
 21 *mines that ballast water treatment tech-*
 22 *nology exists that exceeds the revised ballast*
 23 *water performance standard under para-*
 24 *graph (1) with respect to a class of vessels,*
 25 *the Secretary shall revise the ballast water*

1 *performance standard for that class of ves-*
2 *sels to incorporate the higher performance*
3 *standard.*

4 *(ii) IMPLEMENTATION DEADLINE.—If*
5 *the Secretary, in consultation with the Ad-*
6 *ministrator, determines that the treatment*
7 *technology under clause (i) can be imple-*
8 *mented before the implementation deadline*
9 *under paragraph (3) with respect to a class*
10 *of vessels, the Secretary shall accelerate the*
11 *implementation deadline for that class of*
12 *vessels. If the implementation deadline*
13 *under paragraph (3) is accelerated, the Sec-*
14 *retary shall provide not less than 24 months*
15 *notice before the accelerated deadline takes*
16 *effect.*

17 *(3) IMPLEMENTATION DEADLINE.—The revised*
18 *ballast water performance standard under paragraph*
19 *(1) shall apply to a vessel beginning on the date of*
20 *the first drydocking of the vessel on or after January*
21 *1, 2022, but not later than December 31, 2024.*

22 *(4) REVISED PERFORMANCE STANDARD COMPLI-*
23 *ANCE DEADLINES.—*

24 *(A) IN GENERAL.—The Secretary may es-*
25 *tablish a compliance deadline for compliance by*

1 a vessel (or a class, type, or size of vessel) with
2 a revised ballast water performance standard
3 under this subsection.

4 (B) *PROCESS FOR GRANTING EXTEN-*
5 *SIONS.*—In issuing regulations under this sub-
6 section, the Secretary shall establish a process for
7 an owner or operator to submit a petition to the
8 Secretary for an extension of a compliance dead-
9 line with respect to the vessel of the owner or op-
10 erator.

11 (C) *PERIOD OF EXTENSIONS.*—An extension
12 issued under subparagraph (B) may—

13 (i) apply for a period of not to exceed
14 18 months from the date of the applicable
15 deadline under subparagraph (A); and

16 (ii) be renewable for an additional pe-
17 riod of not to exceed 18 months.

18 (D) *FACTORS.*—In issuing a compliance
19 deadline or reviewing a petition under this
20 paragraph, the Secretary shall consider, with re-
21 spect to the ability of an owner or operator to
22 meet a compliance deadline, the following fac-
23 tors:

1 (i) *Whether the treatment technology to*
 2 *be installed is available in sufficient quan-*
 3 *ties to meet the compliance deadline.*

4 (ii) *Whether there is sufficient ship-*
 5 *yard or other installation facility capacity.*

6 (iii) *Whether there is sufficient avail-*
 7 *ability of engineering and design resources.*

8 (iv) *Vessel characteristics, such as en-*
 9 *gine room size, layout, or a lack of installed*
 10 *pipng.*

11 (v) *Electric power generating capacity*
 12 *aboard the vessel.*

13 (vi) *Safety of the vessel and crew.*

14 (E) *CONSIDERATION OF PETITIONS.—*

15 (i) *DETERMINATIONS.—The Secretary*
 16 *shall approve or deny a petition for an ex-*
 17 *tension of a compliance deadline submitted*
 18 *by an owner or operator under this para-*
 19 *graph.*

20 (ii) *DEADLINE.—If the Secretary does*
 21 *not approve or deny a petition referred to*
 22 *in clause (i) on or before the last day of the*
 23 *90-day period beginning on the date of sub-*
 24 *mission of the petition, the petition shall be*
 25 *deemed approved.*

1 (c) *FUTURE REVISIONS OF VESSEL INCIDENTAL DIS-*
 2 *CHARGE STANDARDS; DECENNIAL REVIEWS.*—

3 (1) *REVISED BALLAST WATER PERFORMANCE*
 4 *STANDARDS.*—*The Secretary, in consultation with the*
 5 *Administrator, shall complete a review, 10 years after*
 6 *the issuance of a final rule under subsection (b) and*
 7 *every 10 years thereafter, to determine whether fur-*
 8 *ther revision of the ballast water performance stand-*
 9 *ard would result in a scientifically demonstrable and*
 10 *substantial reduction in the risk of the introduction*
 11 *or establishment of aquatic nuisance species.*

12 (2) *REVISED STANDARDS FOR DISCHARGES*
 13 *OTHER THAN BALLAST WATER.*—*The Secretary, in*
 14 *consultation with the Administrator, may include in*
 15 *a decennial review under this subsection best manage-*
 16 *ment practices for discharges covered by subsection*
 17 *(a)(2). The Secretary shall initiate a rulemaking to*
 18 *revise 1 or more best management practices for such*
 19 *discharges after a decennial review if the Secretary,*
 20 *in consultation with the Administrator, determines*
 21 *that revising 1 or more of such practices would sub-*
 22 *stantially reduce the impacts on navigable waters of*
 23 *discharges incidental to the normal operation of a*
 24 *vessel other than ballast water.*

1 (3) *CONSIDERATIONS.*—*In conducting a review*
 2 *under paragraph (1), the Secretary, the Adminis-*
 3 *trator, and the heads of other appropriate Federal*
 4 *agencies as determined by the Secretary, shall con-*
 5 *sider the criteria under section 805(b)(2)(B).*

6 (4) *REVISION AFTER DECENNIAL REVIEW.*—*The*
 7 *Secretary shall initiate a rulemaking to revise the*
 8 *current ballast water performance standard after a*
 9 *decennial review if the Secretary, in consultation*
 10 *with the Administrator, determines that revising the*
 11 *current ballast water performance standard would re-*
 12 *sult in a scientifically demonstrable and substantial*
 13 *reduction in the risk of the introduction or establish-*
 14 *ment of aquatic nuisance species.*

15 (d) *GREAT LAKES REQUIREMENTS.*—*In addition to*
 16 *the other standards and requirements imposed by this sec-*
 17 *tion, in the case of a vessel that enters the Great Lakes*
 18 *through the St. Lawrence River after operating outside the*
 19 *exclusive economic zone of the United States the Secretary,*
 20 *in consultation with the Administrator, shall establish a re-*
 21 *quirement that the vessel conduct saltwater flushing of all*
 22 *ballast water tanks onboard prior to entry.*

23 **SEC. 806. TREATMENT TECHNOLOGY CERTIFICATION.**

24 (a) *CERTIFICATION REQUIRED.*—*Beginning 1 year*
 25 *after the date that the requirements for testing protocols are*

1 *issued under subsection (i), no manufacturer of a ballast*
 2 *water treatment technology shall sell, offer for sale, or intro-*
 3 *duce or deliver for introduction into interstate commerce,*
 4 *or import into the United States for sale or resale, a ballast*
 5 *water treatment technology for a vessel unless the treatment*
 6 *technology has been certified under this section.*

7 *(b) CERTIFICATION PROCESS.—*

8 *(1) EVALUATION.—Upon application of a manu-*
 9 *facturer, the Secretary shall evaluate a ballast water*
 10 *treatment technology with respect to—*

11 *(A) the effectiveness of the treatment tech-*
 12 *nology in achieving the current ballast water*
 13 *performance standard when installed on a vessel*
 14 *(or a class, type, or size of vessel);*

15 *(B) the compatibility with vessel design and*
 16 *operations;*

17 *(C) the effect of the treatment technology on*
 18 *vessel safety;*

19 *(D) the impact on the environment;*

20 *(E) the cost effectiveness; and*

21 *(F) any other criteria the Secretary con-*
 22 *siders appropriate.*

23 *(2) APPROVAL.—If after an evaluation under*
 24 *paragraph (1) the Secretary determines that the treat-*
 25 *ment technology meets the criteria, the Secretary may*

1 *certify the treatment technology for use on a vessel (or*
 2 *a class, type, or size of vessel).*

3 (3) *SUSPENSION AND REVOCATION.*—*The Sec-*
 4 *retary shall establish, by regulation, a process to sus-*
 5 *pend or revoke a certification issued under this sec-*
 6 *tion.*

7 (c) *CERTIFICATION CONDITIONS.*—

8 (1) *IMPOSITION OF CONDITIONS.*—*In certifying a*
 9 *ballast water treatment technology under this section,*
 10 *the Secretary, in consultation with the Administrator,*
 11 *may impose any condition on the subsequent installa-*
 12 *tion, use, or maintenance of the treatment technology*
 13 *onboard a vessel as is necessary for—*

14 (A) *the safety of the vessel, the crew of the*
 15 *vessel, and any passengers aboard the vessel;*

16 (B) *the protection of the environment; or*

17 (C) *the effective operation of the treatment*
 18 *technology.*

19 (2) *FAILURE TO COMPLY.*—*The failure of an*
 20 *owner or operator to comply with a condition im-*
 21 *posed under paragraph (1) shall be considered a vio-*
 22 *lation of this section.*

23 (d) *PERIOD FOR USE OF INSTALLED TREATMENT*
 24 *EQUIPMENT.*—*Notwithstanding anything to the contrary in*
 25 *this title or any other provision of law, the Secretary shall*

1 *allow a vessel on which a system is installed and operated*
 2 *to meet a ballast water performance standard under this*
 3 *title to continue to use that system, notwithstanding any*
 4 *revision of a ballast water performance standard occurring*
 5 *after the system is ordered or installed until the expiration*
 6 *of the service life of the system, as determined by the Sec-*
 7 *retary, so long as the system—*

8 *(1) is maintained in proper working condition;*
 9 *and*

10 *(2) is maintained and used in accordance with*
 11 *the manufacturer's specifications and any treatment*
 12 *technology certification conditions imposed by the*
 13 *Secretary under this section.*

14 *(e) CERTIFICATES OF TYPE APPROVAL FOR THE*
 15 *TREATMENT TECHNOLOGY.—*

16 *(1) ISSUANCE.—If the Secretary approves a bal-*
 17 *last water treatment technology for certification under*
 18 *subsection (b), the Secretary shall issue a certificate*
 19 *of type approval for the treatment technology to the*
 20 *manufacturer in such form and manner as the Sec-*
 21 *retary determines appropriate.*

22 *(2) CERTIFICATION CONDITIONS.—A certificate*
 23 *of type approval issued under paragraph (1) shall*
 24 *specify each condition imposed by the Secretary*
 25 *under subsection (c).*

1 (3) *OWNERS AND OPERATORS.*—*A manufacturer*
2 *that receives a certificate of type approval for the*
3 *treatment technology under this subsection shall pro-*
4 *vide a copy of the certificate to each owner and oper-*
5 *ator of a vessel on which the treatment technology is*
6 *installed.*

7 (f) *INSPECTIONS.*—*An owner or operator who receives*
8 *a copy of a certificate under subsection (e)(3) shall retain*
9 *a copy of the certificate onboard the vessel and make the*
10 *copy of the certificate available for inspection at all times*
11 *while the owner or operator is utilizing the treatment tech-*
12 *nology.*

13 (g) *BIOCIDES.*—*The Secretary may not approve a bal-*
14 *last water treatment technology under subsection (b) if—*

15 (1) *it uses a biocide or generates a biocide that*
16 *is a pesticide, as defined in section 2 of the Federal*
17 *Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.*
18 *136), unless the biocide is registered under that Act*
19 *or the Secretary, in consultation with Administrator,*
20 *has approved the use of the biocide in such treatment*
21 *technology; or*

22 (2) *it uses or generates a biocide the discharge of*
23 *which causes or contributes to a violation of a water*
24 *quality standard under section 303 of the Federal*
25 *Water Pollution Control Act (33 U.S.C. 1313).*

1 (h) *PROHIBITION.*—

2 (1) *IN GENERAL.*—*Except as provided in para-*
3 *graph (2), the use of a ballast water treatment tech-*
4 *nology by an owner or operator of a vessel shall not*
5 *satisfy the requirements of this title unless it has been*
6 *approved by the Secretary under subsection (b).*

7 (2) *EXCEPTIONS.*—

8 (A) *COAST GUARD SHIPBOARD TECHNOLOGY*
9 *EVALUATION PROGRAM.*—*An owner or operator*
10 *may use a ballast water treatment technology*
11 *that has not been certified by the Secretary to*
12 *comply with the requirements of this section if*
13 *the technology is being evaluated under the Coast*
14 *Guard Shipboard Technology Evaluation Pro-*
15 *gram.*

16 (B) *BALLAST WATER TREATMENT TECH-*
17 *NOLOGIES CERTIFIED BY FOREIGN ENTITIES.*—
18 *An owner or operator may use a ballast water*
19 *treatment technology that has not been certified*
20 *by the Secretary to comply with the requirements*
21 *of this section if the technology has been certified*
22 *by a foreign entity and the certification dem-*
23 *onstrates performance and safety of the treat-*
24 *ment technology equivalent to the requirements of*
25 *this section, as determined by the Secretary.*

1 (i) *TESTING PROTOCOLS.*—Not later than 180 days
 2 after the date of enactment of this Act, the Administrator,
 3 in consultation with the Secretary, shall issue requirements
 4 for land-based and shipboard testing protocols or criteria
 5 for—

6 (1) certifying the performance of each ballast
 7 water treatment technology under this section; and

8 (2) certifying laboratories to evaluate such treat-
 9 ment technologies.

10 **SEC. 807. EXEMPTIONS.**

11 (a) *IN GENERAL.*—No permit shall be required or pro-
 12 hibition enforced under any other provision of law for, nor
 13 shall any standards regarding a discharge incidental to the
 14 normal operation of a vessel under this title apply to—

15 (1) a discharge incidental to the normal oper-
 16 ation of a vessel if the vessel is less than 79 feet in
 17 length and engaged in commercial service (as defined
 18 in section 2101(5) of title 46, United States Code);

19 (2) a discharge incidental to the normal oper-
 20 ation of a vessel if the vessel is a fishing vessel, in-
 21 cluding a fish processing vessel and a fish tender ves-
 22 sel, (as defined in section 2101 of title 46, United
 23 States Code);

24 (3) a discharge incidental to the normal oper-
 25 ation of a vessel if the vessel is a recreational vessel

1 *(as defined in section 2101(25) of title 46, United*
2 *States Code);*

3 *(4) the placement, release, or discharge of equip-*
4 *ment, devices, or other material from a vessel for the*
5 *sole purpose of conducting research on the aquatic en-*
6 *vironment or its natural resources in accordance with*
7 *generally recognized scientific methods, principles, or*
8 *techniques;*

9 *(5) any discharge into navigable waters from a*
10 *vessel authorized by an on-scene coordinator in ac-*
11 *cordance with part 300 of title 40, Code of Federal*
12 *Regulations, or part 153 of title 33, Code of Federal*
13 *Regulations;*

14 *(6) any discharge into navigable waters from a*
15 *vessel that is necessary to secure the safety of the ves-*
16 *sel or human life, or to suppress a fire onboard the*
17 *vessel or at a shoreside facility; or*

18 *(7) a vessel of the armed forces of a foreign na-*
19 *tion when engaged in noncommercial service.*

20 *(b) BALLAST WATER DISCHARGES.—No permit shall*
21 *be required or prohibition enforced under any other provi-*
22 *sion of law for, nor shall any ballast water performance*
23 *standards under this title apply to—*

1 (1) a ballast water discharge incidental to the
2 normal operation of a vessel determined by the Sec-
3 retary to—

4 (A) operate exclusively within a geographi-
5 cally limited area;

6 (B) take up and discharge ballast water ex-
7 clusively within 1 Captain of the Port Zone es-
8 tablished by the Coast Guard unless the Sec-
9 retary determines such discharge poses a sub-
10 stantial risk of introduction or establishment of
11 an aquatic nuisance species;

12 (C) operate pursuant to a geographic re-
13 striction issued as a condition under section
14 3309 of title 46, United States Code, or an
15 equivalent restriction issued by the country of
16 registration of the vessel; or

17 (D) continuously take on and discharge bal-
18 last water in a flow-through system that does not
19 introduce aquatic nuisance species into navi-
20 gable waters;

21 (2) a ballast water discharge incidental to the
22 normal operation of a vessel consisting entirely of
23 water suitable for human consumption; or

1 (3) *a ballast water discharge incidental to the*
 2 *normal operation of a vessel in an alternative compli-*
 3 *ance program established pursuant to section 808.*

4 (c) *VESSELS WITH PERMANENT BALLAST WATER.—*
 5 *No permit shall be required or prohibition enforced under*
 6 *any other provision of law for, nor shall any ballast water*
 7 *performance standard under this title apply to, a vessel that*
 8 *carries all of its permanent ballast water in sealed tanks*
 9 *that are not subject to discharge.*

10 (d) *VESSELS OF THE ARMED FORCES.—Nothing in*
 11 *this title shall be construed to apply to a vessel as follows:*

12 (1) *A vessel owned or operated by the Depart-*
 13 *ment of Defense (other than a time-chartered or voy-*
 14 *age-chartered vessel).*

15 (2) *A vessel of the Coast Guard, as designated by*
 16 *the Secretary of the department in which the Coast*
 17 *Guard is operating.*

18 **SEC. 808. ALTERNATIVE COMPLIANCE PROGRAM.**

19 (a) *IN GENERAL.—The Secretary, in consultation with*
 20 *the Administrator, may promulgate regulations estab-*
 21 *lishing 1 or more compliance programs as an alternative*
 22 *to ballast water management regulations issued under sec-*
 23 *tion 805 for a vessel that—*

24 (1) *has a maximum ballast water capacity of*
 25 *less than 8 cubic meters;*

1 (2) *is less than 3 years from the end of the useful*
 2 *life of the vessel, as determined by the Secretary; or*
 3 (3) *discharges ballast water into a facility for*
 4 *the reception of ballast water that meets standards*
 5 *promulgated by the Administrator, in consultation*
 6 *with the Secretary.*

7 (b) *PROMULGATION OF FACILITY STANDARDS.—Not*
 8 *later than 1 year after the date of enactment of this Act,*
 9 *the Administrator, in consultation with the Secretary, shall*
 10 *promulgate standards for—*

11 (1) *the reception of ballast water from a vessel*
 12 *into a reception facility; and*

13 (2) *the disposal or treatment of the ballast water*
 14 *under paragraph (1).*

15 **SEC. 809. JUDICIAL REVIEW.**

16 (a) *IN GENERAL.—An interested person may file a pe-*
 17 *tition for review of a final regulation promulgated under*
 18 *this title in the United States Court of Appeals for the Dis-*
 19 *trict of Columbia Circuit.*

20 (b) *DEADLINE.—A petition shall be filed not later than*
 21 *120 days after the date that notice of the promulgation ap-*
 22 *pears in the Federal Register.*

23 (c) *EXCEPTION.—Notwithstanding subsection (b), a*
 24 *petition that is based solely on grounds that arise after the*
 25 *deadline to file a petition under subsection (b) has passed*

1 *may be filed not later than 120 days after the date that*
2 *the grounds first arise.*

3 **SEC. 810. EFFECT ON STATE AUTHORITY.**

4 (a) *IN GENERAL.*—No State or political subdivision
5 thereof may adopt or enforce any statute or regulation of
6 the State or political subdivision with respect to a discharge
7 incidental to the normal operation of a vessel after the date
8 of enactment of this Act.

9 (b) *SAVINGS CLAUSE.*—Notwithstanding subsection
10 (a), a State or political subdivision thereof may adopt or
11 enforce a statute or regulation of the State or political sub-
12 division with respect to ballast water discharges incidental
13 to the normal operation of a vessel that specifies a ballast
14 water performance standard that is more stringent than the
15 ballast water performance standard under section
16 805(a)(1)(A) if the Secretary, after consultation with the
17 Administrator and any other Federal department or agency
18 the Secretary considers appropriate, makes a determination
19 that—

20 (1) *compliance with any performance standard*
21 *specified in the statute or regulation can in fact be*
22 *achieved and detected;*

23 (2) *the technology and systems necessary to com-*
24 *ply with the statute or regulation are commercially*
25 *available; and*

1 (3) *the statute or regulation is consistent with*
 2 *obligations under relevant international treaties or*
 3 *agreements to which the United States is a party.*

4 (c) *PETITION PROCESS.*—

5 (1) *SUBMISSION.*—*The Governor of a State seek-*
 6 *ing to adopt or enforce a statute or regulation under*
 7 *subsection (b) shall submit a petition to the Secretary*
 8 *requesting the Secretary to review the statute or regu-*
 9 *lation.*

10 (2) *CONTENTS; TIMING.*—*A petition shall be ac-*
 11 *companied by the scientific and technical information*
 12 *on which the petition is based, and may be submitted*
 13 *within 1 year of the date of enactment of this Act and*
 14 *every 10 years thereafter.*

15 (3) *DETERMINATIONS.*—*The Secretary shall*
 16 *make a determination on a petition under this sub-*
 17 *section not later than 90 days after the date that the*
 18 *petition is received.*

19 **SEC. 811. APPLICATION WITH OTHER STATUTES.**

20 *Notwithstanding any other provision of law, this title*
 21 *shall be the exclusive statutory authority for regulation by*
 22 *the Federal Government of discharges incidental to the nor-*
 23 *mal operation of a vessel to which this title applies. Except*
 24 *as provided under section 805(a)(1)(A), any regulation in*
 25 *effect on the date immediately preceding the effective date*

1 *of this Act relating to any permitting requirement for or*
2 *prohibition on discharges incidental to the normal oper-*
3 *ation of a vessel to which this title applies shall be deemed*
4 *to be a regulation issued pursuant to the authority of this*
5 *title and shall remain in full force and effect unless or until*
6 *superseded by new regulations issued hereunder.*

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114TH CONGRESS
1ST Session

S. 1611

[Report No. 114-168]

A BILL

To authorize appropriations for the Coast Guard
for fiscal years 2016 and 2017, and for other
purposes.

NOVEMBER 30, 2015

Reported with an amendment