

sure that this institution moves in a serious but deliberate and cautious path and does not spend its time tomorrow prosecuting a woman but listening to the facts and information that she gives.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER (Mr. KYL). The Senator from New Hampshire.

Ms. HASSAN. Mr. President, over the past weeks, we have been reminded yet again why it is so hard for survivors of sexual assault to come forward. For far too long, women who bravely share their stories of sexual assault have been attacked, diminished, and marginalized, and I am sad to say that includes by some of my fellow Senators.

In some respects, we have seen remarkable progress since the “me too.” movement began roughly 1 year ago. More women have felt empowered and supported to speak out, and our society has begun to grapple with the horrific and widespread prevalence of sexual harassment and assault, especially in the workplace.

But, sadly, these past weeks have been a reminder that in many ways we are still stuck in 1991; 1991, of course, was when Anita Hill courageously testified before the Senate, sharing allegations of sexual harassment by then-nominee to the Supreme Court Clarence Thomas. Women and men across the country watched in horror as Dr. Hill was attacked and disrespected by the men of the Senate Judiciary Committee.

Yet, here we are, 27 years later, and Senate Republican leadership has made clear that they will do everything they can to ram Judge Kavanaugh’s nomination through. They have come up with a process that is even worse, even more disrespectful and disheartening to survivors than the one we saw in 1991.

In 1991, the FBI investigated allegations of sexual assault against Mr. Thomas. The hearings stretched on for multiple days, and some corroborating witnesses were allowed to testify.

In 2018, Republican leadership has indicated that none of those things will be allowed to happen—none of them. They have simply scheduled a check-the-box hearing, rejecting calls to ask the FBI to reopen its background investigation, refusing to allow other witnesses or evidence to be heard, and limiting the questioning from Senators.

Lawyers for Dr. Ford announced that they have submitted sworn affidavits to the Senate Judiciary Committee from four individuals whom she shared these allegations with well before President Trump nominated Judge Kavanaugh to the Supreme Court. Yet, incredibly, not a single one of these corroborating witnesses will be called to testify before the committee, nor will the witness that Dr. Ford alleges was in the room while she was assaulted, and the FBI will not be asked

to speak with these or any other witnesses either.

This process isn’t a serious attempt to get to the truth. It is a complete sham, and some of my colleagues are hardly even trying to hide the fact that this is not a serious investigation, as they pledge that these credible allegations will not stop Judge Kavanaugh’s nomination.

Some of my colleagues have complained about how unfair it is to Judge Kavanaugh that these women have dared to come forward, and they have shown little sympathy for the attacks these women are facing or interest in the corroboration they are willing to offer. They have ignored the real questions about Judge Kavanaugh’s credibility and truthfulness and his blatant disrespect for women.

Make no mistake. In 2018, survivors are still not being taken seriously, and that is despite the extraordinary prevalence of sexual assault, which is hard to even quantify, given that an estimated two out of three sexual assaults go unreported.

It is simply unacceptable that survivors are still not being listened to and taken seriously.

To President Trump and Republican leadership, I say: We will not stand for these attempts to silence women and shove them back into the dark. These allegations of sexual assault are extremely serious, and they are credible. The way that these survivors have been attacked is disgusting.

Yet even before we were aware of these allegations, it was clear that Judge Kavanaugh should not serve on the U.S. Supreme Court. I watched Judge Kavanaugh’s responses to my colleagues during his initial nomination hearings. I examined his judicial writings and past public statements. I reviewed the limited number of documents that Republicans shared about Judge Kavanaugh’s time working in the White House. What the totality of this record makes abundantly clear is that on issue after issue, Judge Kavanaugh has promoted a judicial philosophy that diminishes the rights of individuals, particularly women and people of color, puts corporations before people, and promotes a partisan rightwing ideology at odds with the will of the American people.

But in addition to a record and an outlook that is disqualifying, there is Judge Kavanaugh’s lack of credibility. Even in his initial hearings, Judge Kavanaugh raised serious questions about his credibility amid a lack of truthfulness on a range of issues stretching back to his time with the Starr investigation and his work in the Bush administration—questions about his credibility that have only been reinforced by his response to the multiple allegations of sexual assault he is now facing, as evidenced by those who knew him coming forward to dispute his statements.

The eyes of the country and the world are upon us, and I fear what they

will see in the coming days. It is not too late for the Senate to pause this sham process and make clear that this body listens to survivors and takes their experiences and their pain seriously. However, if the Senate continues on its present course, it will be an abject failure by this body that will not soon be forgotten.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Rhode Island.

SAVE OUR SEAS ACT OF 2018

Mr. WHITEHOUSE. Mr. President, I have the happy occasion to actually pass a law. It is one that I have been working on for some time. So I have taken the opportunity to come to the floor to actually move it through myself. Yet, before I do that, there are a considerable number of thank yous that are in order.

The first and foremost thank you is to Senator DAN SULLIVAN of Alaska, who chaired the subcommittee hearing that first moved this issue before the Senate in a bipartisan fashion within the Environment and Public Works Committee. It was a really important thing for Senator SULLIVAN to have done. In part, it solved the problem between the Environment and Public Works Committee and the Commerce, Science, and Transportation Committee over jurisdiction in this area. We are very fortunate that Senator SULLIVAN served both as the chairman of the relevant Environment and Public Works Committee and also of the Fisheries Subcommittee of the Commerce Committee so that he was in a position to negotiate with himself over jurisdiction and, obviously, come to a happy conclusion.

I thank Senator INHOFE, who was an early sponsor of this legislation. He attended the hearing. I will confess that when Senator INHOFE came to our hearing on the Environment and Public Works Committee on an environmental matter, I was not convinced that it was a positive turn of events for the bill, but Senator INHOFE could not have been more gracious and took a very strong interest in this piece of legislation. He was an original cosponsor, so I thank him as well.

I thank Senator MURKOWSKI. In her being from Alaska, she joined Senator SULLIVAN. Alaska has a terrific problem with the issue that we are addressing. The issue at hand is marine plastic debris—the plastic waste with which we are filling the ocean. In Rhode Island, we do beach cleanups whereby people go up and down the beach and pick up the plastic trash that has washed ashore. We do those with trash bags. In Alaska, they do those with front-end loaders, dumpsters, and barges, because Alaska faces the Pacific, and there is far more plastic waste and trash in the Pacific. The worst sources for plastic waste and trash are Asian countries, which have

terrible upland waste disposal infrastructure. It ends up in the creek, and it ends up in the river, and it ends up in the sea. So Alaska has had a terrific role.

Senator MURKOWSKI's role was as my coordinate on the Oceans Caucus. She helped to make sure that the Oceans Caucus—a group of 38 Senators—supported this. It was a very bipartisan group, so that provided some added oomph to all of this, if that is not too informal a word to use on the Senate floor.

I also thank my original Democratic cosponsor, Senator BOOKER.

A lot of people have had a hand in this, and there were a great number of sponsors. I appreciate all of them for their support in all of this.

We have had an interesting time because the bill actually passed the Senate before, but when colleagues saw something moving, they wanted to put things on it. So a few pieces have been added from the House side that relate to maritime safety and a Coast Guard Center of Excellence, which we welcome onto the bill and appreciate now that we have the chance to finally pass it.

I also thank Adena Leibman, of my staff, who has just been very persistent and thorough about making this happen and has worked very well with staff members from the offices involved in having helped to coordinate all of my activities with the Oceans Caucus. She has done a really exemplary staff job. As the Presiding Officer knows, the common description of Senators around here is that we are walking constitutional impediments to the smooth and orderly operation of staff. While Senators may disagree with that from time to time, Adena Leibman certainly does a smooth and orderly operation of staff, and I appreciate her.

Senator SULLIVAN could not be here. We had hoped to be able to do this together, but I do express to him my very, very strong appreciation for what a really wonderful partner he has been in all of this. Not only are we excited to pass the Save Our Seas Act, but we are already working on SOS 2.0. Just today, in the Environment and Public Works Committee, we held another hearing on marine plastics—this one at the full committee level, led by Senator BARRASSO. So I owe Senator BARRASSO a thank you.

I find it interesting that at today's hearing, the two leading Republicans on the committee who were there, at the top—DAN and I are more junior—were Senator BARRASSO and Senator INHOFE, both of whom were present, both of whom were productive and helpful, and both who suffer this terrible disability of living in landlocked States. They don't actually have a coast. Yet they have been helpful in moving this forward. We also had a terrific coalition of business and other interests.

You have seen the reaction around the world to know how this problem

has suddenly emerged onto the national and international stages, and I think we are really in a terrific position, after we pass this bill, to move on, I hope, with equal bipartisanship and alacrity, and pass our Save Our Seas 2.0.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3508, introduced earlier today by Senator SULLIVAN and me.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3508) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3508) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3508

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Save Our Seas Act of 2018".

TITLE I—MARINE DEBRIS

SEC. 101. NOAA MARINE DEBRIS PROGRAM.

Section 3 of the Marine Debris Act (33 U.S.C. 1952) is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “; and” and inserting a semicolon;

(B) in paragraph (5)(C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(6) work to develop outreach and education strategies with other Federal agencies to address sources of marine debris;

“(7) except for discharges of marine debris from vessels, in consultation with the Department of State and other Federal agencies, promote international action, as appropriate, to reduce the incidence of marine debris, including providing technical assistance to expand waste management systems internationally; and

“(8) in the case of an event determined to be a severe marine debris event under subsection (c)—

“(A) assist in the cleanup and response required by the severe marine debris event; or

“(B) conduct such other activity as the Administrator determines is appropriate in response to the severe marine debris event.”;

(2) by redesignating subsection (c) as subsection (d);

(3) by inserting after subsection (b) the following:

“(C) SEVERE MARINE DEBRIS EVENTS.—At the discretion of the Administrator or at the request of the Governor of an affected State, the Administrator shall determine whether there is a severe marine debris event.”; and

(4) in subsection (d)(2), as redesignated—

(A) in subparagraph (A), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”;

(B) by adding at the end the following:

“(C) SEVERE MARINE DEBRIS EVENTS.—Notwithstanding subparagraph (A), the Federal share of the cost of an activity carried out under a determination made under subsection (c) shall be—

“(i) 100 percent of the cost of the activity, for an activity funded wholly by funds made available by a person, including the government of a foreign country, to the Federal Government for the purpose of responding to a severe marine debris event; or

“(ii) 75 percent of the cost of the activity, for any activity other than an activity funded as described in clause (i).”.

SEC. 102. SENSE OF CONGRESS ON INTERNATIONAL ENGAGEMENT TO RESPOND TO MARINE DEBRIS.

It is the sense of Congress that the President should—

(1) support research and development on systems and materials that reduce—

(A) derelict fishing gear; and

(B) the amount of solid waste that is generated from land-based sources and the amount of such waste that enters the marine environment;

(2) work with representatives of foreign countries that discharge the largest amounts of solid waste from land-based sources into the marine environment, to develop mechanisms to reduce such discharges;

(3) carry out studies to determine—

(A) the primary means of discharges referred to in paragraph (2);

(B) the manner in which waste management infrastructure can be most effective in preventing such discharges; and

(C) the long-term impacts of marine debris on the national economies of the countries with which work is undertaken under paragraph (2) and on the global economy, including the impacts of reducing the discharge of such debris;

(4) work with representatives of the countries with which work is undertaken in paragraph (2) to conclude one or more new international agreements that include provisions—

(A) to mitigate the discharge of land-based solid waste into the marine environment; and

(B) to provide technical assistance and investment in waste management infrastructure to reduce such discharges, if the President determines such assistance or investment is appropriate; and

(5) encourage the United States Trade Representative to consider the impact of discharges of land-based solid waste from the countries with which work is conducted under paragraph (2) in relevant future trade agreements.

SEC. 103. SENSE OF CONGRESS SUPPORTING GREAT LAKES LAND-BASED MARINE DEBRIS ACTION PLAN.

It is the sense of Congress that the Great Lakes Land-Based Marine Debris Action Plan (NOAA Technical Memorandum NOS-OR&R-49) is vital to the ongoing efforts to clean up the Great Lakes Region and getting rid of harmful debris, such as microplastics, abandoned vessels, and other forms of pollution that are threatening the survival of native marine animals and damaging the Great Lakes' recreation and tourism economy.

SEC. 104. MEMBERSHIP OF THE INTERAGENCY MARINE DEBRIS COORDINATING COMMITTEE.

Section 5(b) of the Marine Debris Act (33 U.S.C. 1954(b)) is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) by redesignating paragraph (5) as paragraph (7); and

(3) by inserting after paragraph (4) the following:

“(5) the Department of State;

“(6) the Department of the Interior; and”.

SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 9 of the Marine Debris Act (33 U.S.C. 1958) is amended to read as follows:

“SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

“(a) **IN GENERAL.**—There is authorized to be appropriated to the Administrator \$10,000,000 for each of fiscal years 2018 through 2022 for carrying out sections 3, 5, and 6, of which not more than 5 percent is authorized for each fiscal year for administrative costs.

“(b) **AMOUNTS AUTHORIZED FOR COAST GUARD.**—Of the amounts authorized for each fiscal year under section 2702(1) of title 14, United States Code, up to \$2,000,000 is authorized for the Secretary of the department in which the Coast Guard is operating for use by the Commandant of the Coast Guard to carry out section 4 of this Act, of which not more than 5 percent is authorized for each fiscal year for administrative costs.”.

TITLE II—MARITIME SAFETY**SEC. 201. SHORT TITLE.**

This title may be cited as the “Hamm Alert Maritime Safety Act of 2018”.

SEC. 202. FINDINGS.

Congress finds the following:

(1) On September 29, 2015, the SS El Faro cargo vessel left Jacksonville, Florida bound for San Juan, Puerto Rico, carrying 391 shipping containers, 294 trailers and cars, and a crew of 33 people, including 28 Americans.

(2) On the morning of October 1, the El Faro sent its final communication reporting that the engines were disabled and the ship was listing, leaving the ship directly in the path of Hurricane Joaquin and resulting in the sinking of the vessel and the loss of all 33 lives.

(3) The National Transportation Safety Board and the Coast Guard made recommendations to address safety issues, such as improving weather information and training, improving planning and response to severe weather, reviewing the Coast Guard's program delegating vessel inspections to third-party organizations to assess the effectiveness of the program, and improving alerts and equipment on the vessels, among other recommendations.

(4) Safety issues are not limited to the El Faro. For 2017, over 21,000 deficiencies were issued to United States commercial vessels and more than 2,500 U.S. vessels were issued “no-sail” requirements.

(5) The maritime industry, particularly the men and women of the United States merchant marine, play a vital and important role to the national security and economy of our country, and a strong safety regime is necessary to ensure the vitality of the industry and the protection of current and future mariners, and to honor lost mariners.

SEC. 203. DEFINITIONS.

In this title:

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

(2) **RECOGNIZED ORGANIZATION.**—The term “recognized organization” has the meaning given that term in section 2.45–1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

SEC. 204. DOMESTIC VESSEL COMPLIANCE.

(a) **IN GENERAL.**—Not later than 60 days after the date on which the President submits to the Congress a budget each year pursuant to section 1105 of title 31, United States Code, the Commandant shall publish on a publicly accessible Website information documenting domestic vessel compliance with the requirements of subtitle II of title 46, United States Code.

(b) **CONTENT.**—The information required under subsection (a) shall—

(1) include flag-State detention rates for each type of inspected vessel; and

(2) identify any recognized organization that inspected or surveyed a vessel that was later subject to a Coast Guard-issued control action attributable to a major nonconformity that the recognized organization failed to identify in such inspection or survey.

SEC. 205. SAFETY MANAGEMENT SYSTEM.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct an audit regarding the implementation and effectiveness of the Coast Guard's oversight and enforcement of safety management plans required under chapter 32 of title 46, United States Code.

(b) **SCOPE.**—The audit conducted under subsection (a) shall include an evaluation of—

(1) the effectiveness and implementation of safety management plans, including such plans for—

(A) a range of vessel types and sizes; and

(B) vessels that operate in a cross-section of regional operating areas; and

(2) the effectiveness and implementation of safety management plans in addressing the impact of heavy weather.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report detailing the results of the audit and providing recommendations related to such results, including ways to streamline and focus such plans on ship safety.

(d) **MARINE SAFETY ALERT.**—Not later than 60 days after the date the report is submitted under subsection (c), the Commandant shall publish a Marine Safety Alert providing notification of the completion of the report and including a link to the report on a publicly accessible website.

(e) **ADDITIONAL ACTIONS.**—

(1) **IN GENERAL.**—Upon completion of the report under subsection (c), the Commandant shall consider additional guidance or a rule-making to address any deficiencies identified, and any additional actions recommended, in the report.

(2) **REPORT.**—Not later than 1 year after the date the report is submitted under subsection (c), the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the actions the Commandant has taken to address any deficiencies identified, and any additional actions recommended, in the report submitted under subsection (c).

SEC. 206. EQUIPMENT REQUIREMENTS.

(a) **REGULATIONS.**—

(1) **IN GENERAL.**—Section 3306 of title 46, United States Code, is amended by adding at the end the following:

“(1)(1) The Secretary shall require that a freight vessel inspected under this chapter be outfitted with distress signaling and location technology for the higher of—

“(A) the minimum complement of officers and crew specified on the certificate of inspection for such vessel; or

“(B) the number of persons onboard the vessel; and

“(2) the requirement described in paragraph (1) shall not apply to vessels operating within the baseline from which the territorial sea of the United States is measured.

“(m)(1) The Secretary shall promulgate regulations requiring companies to maintain records of all incremental weight changes

made to freight vessels inspected under this chapter, and to track weight changes over time to facilitate rapid determination of the aggregate total.

“(2) Records maintained under paragraph (1) shall be stored, in paper or electronic form, onboard such vessels for not less than 3 years and shoreside for the life of the vessel.”.

(2) **DEADLINES.**—The Secretary shall—

(A) begin implementing the requirement under section 3306(1) of title 46, United States Code, as amended by this subsection, by not later than 1 year after the date of the enactment of this Act; and

(B) promulgate the regulations required under section 3306(m) of title 46, United States Code, as amended by this subsection, by not later than 1 year after the date of the enactment of this Act.

(b) **ENGAGEMENT.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend regulation 25 of chapter II-1 of the International Convention for the Safety of Life at Sea to require a high-water alarm sensor in each cargo hold of a freight vessel (as that term is defined in section 2101 of title 46, United States Code), that connects with audible and visual alarms on the navigation bridge of the vessel.

SEC. 207. VOYAGE DATA RECORDER; ACCESS.

(a) **IN GENERAL.**—Chapter 63 of title 46, United States Code, is amended by adding at the end the following:

“§ 6309. Voyage data recorder access

“Notwithstanding any other provision of law, the Coast Guard shall have full, concurrent, and timely access to and ability to use voyage data recorder data and audio held by any Federal agency in all marine casualty investigations, regardless of which agency is the investigative lead.”.

(b) **CLERICAL AMENDMENT.**—The analysis for such chapter is amended by adding at the end the following:

“6309. Voyage data recorder access.”.

SEC. 208. VOYAGE DATA RECORDER; REQUIREMENTS.

(a) **FLOAT-FREE AND BEACON REQUIREMENTS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend regulation 20 of chapter V of the International Convention for the Safety of Life at Sea to require that all voyage data recorders are installed in a float-free arrangement and contain an integrated emergency position indicating radio beacon.

(2) **PROGRESS UPDATE.**—Not later than 3 years after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update on the progress of the engagement required under paragraph (1).

(b) **COST-BENEFIT ANALYSIS.**—Not later than 2 years after the date of the enactment of this Act, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a cost-benefit analysis of requiring that voyage data recorders installed on commercial vessels documented under chapter 121 of title 46, United States Code, capture communications on the internal telephone systems of such vessels, including requiring the capture of both sides of all communications with the bridge onboard such vessels.

SEC. 209. SURVIVAL AND LOCATING EQUIPMENT.

Not later than 2 years after the date of the enactment of this Act, the Commandant shall, subject to the availability of appropriations, identify and procure equipment that will provide search-and-rescue units the ability to attach a radio or Automated Identification System strobe or beacon to an object that is not immediately retrievable.

SEC. 210. TRAINING OF COAST GUARD PERSONNEL.

(a) **PROSPECTIVE SECTOR COMMANDER TRAINING.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall implement an Officer in Charge, Marine Inspections segment to the sector commander indoctrination course for prospective sector commanders without a Coast Guard prevention ashore officer specialty code.

(b) **STEAMSHIP INSPECTIONS.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall implement steam plant inspection training for Coast Guard marine inspectors and, subject to availability, recognized organizations to which authority is delegated under section 3316 of title 46, United States Code.

(c) **ADVANCED JOURNEYMAN INSPECTOR TRAINING.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Commandant shall establish advanced training to provide instruction on the oversight of recognized organizations to which authority is delegated under section 3316 of title 46, United States Code, auditing responsibilities, and the inspection of unique vessel types.

(2) **RECIPIENTS.**—The Commandant shall—

(A) require that such training be completed by senior Coast Guard marine inspectors; and

(B) subject to availability of training capacity, make such training available to recognized organization surveyors authorized by the Coast Guard to conduct inspections.

(d) **COAST GUARD INSPECTIONS STAFF; BRIEFING.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing detailing—

(1) the estimated time and funding necessary to triple the current size of the Coast Guard's traveling inspector staff; and

(2) other options available to the Coast Guard to enhance and maintain marine safety knowledge, including discussion of increased reliance on—

(A) civilian marine inspectors;

(B) experienced licensed mariners;

(C) retired members of the Coast Guard;

(D) arranging for Coast Guard inspectors to ride onboard commercial oceangoing vessels documented under chapter 121 of title 46, United States Code, to gain experience and insight; and

(E) extending tour-lengths for Coast Guard marine safety officers assigned to inspection billets.

(e) **AUDITS; COAST GUARD ATTENDANCE AND PERFORMANCE.**—Not later than 180 days after the date of the enactment of this Act, the Commandant shall—

(1) update Coast Guard policy to utilize risk analysis to target the attendance of Coast Guard personnel during external safety management certificate and document of compliance audits; and

(2) perform a quality assurance audit of recognized organization representation and performance regarding United States-flagged vessels.

SEC. 211. MAJOR MARINE CASUALTY PROPERTY DAMAGE THRESHOLD.

Section 6101(i)(3) of title 46, United States Code, is amended by striking “\$500,000” and inserting “\$2,000,000”.

SEC. 212. REVIEWS, BRIEFINGS, REPORTS, AND TECHNICAL CORRECTIONS.

(a) **MAJOR CONVERSION DETERMINATIONS.**—

(1) **REVIEW OF POLICIES AND PROCEDURES.**—The Commandant shall conduct a review of policies and procedures for making and documenting major conversion determinations, including an examination of the deference given to precedent.

(2) **BRIEFING.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the findings of the review required by paragraph (1).

(b) **VENTILATORS, OPENINGS AND STABILITY STANDARDS.**—

(1) **REVIEW.**—Not later than 1 year after the date of the enactment of this Act, the Commandant shall complete a review of the effectiveness of United States regulations, international conventions, recognized organizations' class rules, and Coast Guard technical policy regarding—

(A) ventilators and other hull openings;

(B) fire dampers and other closures protecting openings normally open during operations;

(C) intact and damage stability standards under subchapter S of chapter I of title 46, Code of Federal Regulations; and

(D) lifesaving equipment for mariners, including survival suits and life jackets.

(2) **BRIEFING.**—Not later than 18 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the effectiveness of the regulations, international conventions, recognized organizations' class rules, and Coast Guard technical policy reviewed under paragraph (1).

(c) **SELF-LOCATING DATUM MARKER BUOYS.**—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the reliability of self-locating datum marker buoys and other similar technology used during Coast Guard search-and-rescue operations. The briefing shall include a description of reasonable steps the Commandant could take to increase the reliability of such buoys, including the potential to leverage technology used by the Navy, and how protocols could be developed to conduct testing of such buoys before using them for operations.

(d) **CORRECTION.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of Transportation, for purposes of section 502(f)(4) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)(4)) (as in effect on the day before the amendments made by section 11607 of Public Law 114-94 (129 Stat. 1698) took effect)—

(A) not later than 30 days after the date of enactment of this Act, and in consultation with the Director of the Office of Management and Budget, shall define the term “cohorts of loans”; and

(B) before the deadline described in paragraph (2), shall return to the original source, on a pro rata basis, the credit risk premiums paid for the loans in the cohort of loans, with interest accrued thereon, that were not used to mitigate losses; and

(C) shall not treat the repayment of a loan after the date of enactment of Public Law 114-94 as precluding, limiting, or negatively affecting the satisfaction of the obligation of its cohort prior to the enactment of Public Law 114-94.

(2) **DEADLINE DESCRIBED.**—The deadline described in this paragraph is—

(A) if all obligations attached to a cohort of loans have been satisfied, not later than 60 days after the date of enactment of this Act; and

(B) if all obligations attached to a cohort of loans have not been satisfied, not later than 60 days after the date on which all obligations attached to the cohort of loans are satisfied.

(e) **OVERSIGHT PROGRAM; EFFECTIVENESS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Commandant shall commission an assessment of the effectiveness of the Coast Guard's oversight of recognized organizations and its impact on compliance by and safety of vessels inspected by such organizations.

(2) **EXPERIENCE.**—The assessment commissioned under paragraph (1) shall be conducted by a research organization with significant experience in maritime operations and marine safety.

(3) **SUBMISSION TO CONGRESS.**—Not later than 180 days after the date that the assessment required under paragraph (1) is completed, the Commandant shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the results of such assessment.

SEC. 213. FLAG-STATE GUIDANCE AND SUPPLEMENTS.

(a) **FREIGHT VESSELS; DAMAGE CONTROL INFORMATION.**—Within 1 year after the date of the enactment of this Act, the Secretary shall issue flag-State guidance for all freight vessels documented under chapter 121 of title 46, United States Code, built before January 1, 1992, regarding the inclusion of comprehensive damage control information in safety management plans required under chapter 32 of title 46, United States Code.

(b) **RECOGNIZED ORGANIZATIONS; UNITED STATES SUPPLEMENT.**—The Commandant shall—

(1) work with recognized organizations to create a single United States Supplement to rules of such organizations for classification of vessels; and

(2) by not later than 1 year after the date of the enactment of this Act, provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on whether it is necessary to revise part 8 of title 46, Code of Federal Regulations, to authorize only one United States Supplement to such rules.

SEC. 214. MARINE SAFETY STRATEGY.

Section 2116 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “each year of an annual” and inserting “of a triennial”; and

(2) in subsection (b)—

(A) in the subsection heading, by striking “ANNUAL” and inserting “TRIENNIAL”; and

(B) by striking “annual” each place it appears and inserting “triennial”; and

(3) in subsection (c)—

(A) by striking “fiscal year 2011 and each fiscal year” and inserting “fiscal year 2020 and triennially”; and

(B) by striking “annual plan” and inserting “triennial plan”; and

(4) in subsection (d)(2), by striking “annually” and inserting “triennially”.

SEC. 215. RECOGNIZED ORGANIZATIONS; OVERSIGHT.

(a) IN GENERAL.—Section 3316 of title 46, United States Code, is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following:

“(g)(1) There shall be within the Coast Guard an office that conducts comprehensive and targeted oversight of all recognized organizations that act on behalf of the Coast Guard.

“(2) The staff of the office shall include subject matter experts, including inspectors, investigators, and auditors, who possess the capability and authority to audit all aspects of such recognized organizations.

“(3) In this subsection the term ‘recognized organization’ has the meaning given that term in section 2.45-1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Hamm Alert Maritime Safety Act of 2018.”

(b) DEADLINE FOR ESTABLISHMENT.—The Commandant of the Coast Guard shall establish the office required by the amendment made by subsection (a) by not later than 2 years after the date of the enactment of this Act.

SEC. 216. TIMELY WEATHER FORECASTS AND HAZARD ADVISORIES FOR MERCHANT MARINERS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend the International Convention for the Safety of Life at Sea to require that vessels subject to the requirements of such Convention receive—

(1) timely synoptic and graphical chart weather forecasts; and

(2) where available, timely hazard advisories for merchant mariners, including broadcasts of tropical cyclone forecasts and advisories, intermediate public advisories, and tropical cyclone updates to mariners via appropriate technologies.

SEC. 217. ANONYMOUS SAFETY ALERT SYSTEM.

(a) PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Commandant shall establish an anonymous safety alert pilot program.

(b) REQUIREMENTS.—The pilot program established under subsection (a) shall provide an anonymous reporting mechanism to allow crew members to communicate urgent and dire safety concerns directly and in a timely manner with the Coast Guard.

SEC. 218. MARINE SAFETY IMPLEMENTATION STATUS.

(a) IN GENERAL.—Not later than December 19 of 2018, and of each of the 2 subsequent years thereafter, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Department of Homeland Security Inspector General shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the Coast Guard's implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

SEC. 219. DELEGATED AUTHORITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act,

the Commandant shall review the authorities that have been delegated to recognized organizations for the alternative compliance program as described in subpart D of part 8 of title 46, Code of Federal Regulations, and, if necessary, revise or establish policies and procedures to ensure those delegated authorities are being conducted in a manner to ensure safe maritime transportation.

(b) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the implementation of subsection (a).

TITLE III—CENTER OF EXPERTISE**SEC. 301. SHORT TITLE.**

This title may be cited as the “Coast Guard Blue Technology Center of Expertise Act”.

SEC. 302. COAST GUARD BLUE TECHNOLOGY CENTER OF EXPERTISE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act and subject to the availability of appropriations, the Commandant may establish under section 58 of title 14, United States Code, a Blue Technology center of expertise.

(b) MISSIONS.—In addition to the missions listed in section 58(b) of title 14, United States Code, the Center may—

(1) promote awareness within the Coast Guard of the range and diversity of Blue Technologies and their potential to enhance Coast Guard mission readiness, operational performance, and regulation of such technologies;

(2) function as an interactive conduit to enable the sharing and dissemination of Blue Technology information between the Coast Guard and representatives from the private sector, academia, nonprofit organizations, and other Federal agencies;

(3) increase awareness among Blue Technology manufacturers, entrepreneurs, and vendors of Coast Guard acquisition policies, procedures, and business practices;

(4) provide technical support, coordination, and assistance to Coast Guard districts and the Coast Guard Research and Development Center, as appropriate; and

(5) subject to the requirements of the Coast Guard Academy, coordinate with the Academy to develop appropriate curricula regarding Blue Technology to be offered in professional courses of study to give Coast Guard cadets and officer candidates a greater background and understanding of Blue Technologies.

(c) BLUE TECHNOLOGY EXPOSITION; BRIEFING.—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the costs and benefits of hosting a biennial Coast Guard Blue Technology exposition to further interactions between representatives from the private sector, academia, and nonprofit organizations, and the Coast Guard and examine emerging technologies and Coast Guard mission demands.

(d) DEFINITIONS.—In this section:

(1) CENTER.—The term “Center” means the Blue Technology center of expertise established under this section.

(2) COMMANDANT.—The term “Commandant” means the Commandant of the Coast Guard.

(3) BLUE TECHNOLOGY.—The term “Blue Technology” means any technology, system, or platform that—

(A) is designed for use or application above, on, or below the sea surface or that is

otherwise applicable to Coast Guard operational needs, including such a technology, system, or platform that provides continuous or persistent coverage; and

(B) supports or facilitates—

(i) maritime domain awareness, including—

(I) surveillance and monitoring;

(II) observation, measurement, and modeling; or

(III) information technology and communications;

(ii) search and rescue;

(iii) emergency response;

(iv) maritime law enforcement;

(v) marine inspections and investigations; or

(vi) protection and conservation of the marine environment.

Mr. WHITEHOUSE. I thank the Presiding Officer. Bravo to all who participated in making this possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WICKER). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR NO. 867

Mr. FLAKE. Mr. President, I ask unanimous consent that following leader remarks on Thursday, September 27, the Senate proceed to executive session for the consideration of the following nomination: Executive Calendar No. 867. I further ask that the time until 12:40 be equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination with no motions in order and without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION**MORNING BUSINESS**

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUSIC MODERNIZATION ACT

Mr. HATCH. Mr. President, I wish to enter a few remarks into the RECORD