

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

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4719) to amend the Federal share of the fishing safety standards grants, as amended.

The Clerk read the title of the bill.  
The text of the bill is as follows:

H.R. 4719

*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 “Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act” or the “FISH SAFE Act”.

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

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

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

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

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

## SEC. 3. COST SHARE.

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

## SEC. 4. AUTHORIZATION OF APPROPRIATIONS AMENDMENTS.

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

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

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

## SEC. 5. AIDS TO NAVIGATION.

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

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

(2) by adding at the end the following:  
“(b) In the case of pierhead beacons, the Commandant may—

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

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

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

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

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

the construction, operation, or maintenance of lighthouses, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the construction, operation, or maintenance of lighthouses.

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

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

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

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

### “§ 550. Marking pierheads in certain lakes

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

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

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

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

“550. Marking pierheads in certain lakes.”

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

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

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

### “§ 2532. Retirement of employees

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

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

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

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

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

“(c) RETIREMENT FOR DISABILITY.—

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

“(2) RESTORATION TO ACTIVE DUTY.—Any individual retired under paragraph (1) may,

upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

“(d) ANNUAL COMPENSATION.—

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

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

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

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

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

“(2) persons of the Coast Guard.

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

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

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

“2532. Retirement of employees.”

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

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

### “§ 2533. Surviving spouses

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

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

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

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

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

### “§ 2534. Application for benefits”.

(2)(A) Section 3 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 773), is redesignated as section 2534(a) of title 14, United States

Code, transferred to appear after the heading of section 2534 of that title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in title 14, United States Code.

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

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

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

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

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

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

“2533. Surviving spouses.  
“2534. Application for benefits.”.

#### SEC. 8. REPEALS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) SAVINGS.—

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Mrs. FLETCHER) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

#### GENERAL LEAVE

Mrs. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4719, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mrs. FLETCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4719.

This bill reestablishes a more gracious 75 percent non-Federal match requirement for grants to support fishing safety training and research programs to improve the safety of U.S. commercial fishing fleets.

Commercial fishing is one of the United States' most dangerous occupations, with a fatality rate nearly 30 times higher than the national average. Workers in the industry can face a wide variety of hazards, depending on the vessel or fishery.

Research and training to address best practices for a specific fleet and/or region are critical to ensure U.S. fishermen are receiving the best possible information and training before they depart the pier. There have been some recent successes in reducing fatal workplace injuries within the commercial fishing industry, but targeted safety research and training remain necessary and essential to maintain that downward trend.

Over 23,000 commercial fishers work in the Gulf of Mexico. By providing fishers, NGOs, academia, and businesses with access to targeted Federal safety research and training grants, we are ensuring that commercial fishing remains not only a career choice for Texans but a less risky pursuit, as well.

This bipartisan bill was introduced by Representative GOLDEN and has attracted bipartisan cosponsors among other Transportation and Infrastructure Committee members, including Representatives YOUNG, PAPPAS, and PINGREE.

Mr. Speaker, I support H.R. 4719, and I urge my colleagues to join me in passing this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4719 restores the Federal cost-share for the Fishing Safety Training Grant Program and the Fishing Safety Research Grant Program to 75 percent.

In 2010, Congress imposed additional safety requirements on U.S. commercial fishing vessels and created these grant programs to assist the fishing industry and fishermen in meeting the additional costs of these requirements.

The grant programs were first funded in 2018. In 2018, Congress also transferred responsibility for the programs to the Department of Health and Human Services.

H.R. 4719 sets the Federal share of the grants to 75 percent and extends the authorization for the grants through fiscal year 2021. The Senate Commerce Committee reported a provision similar to H.R. 4719 in its Coast Guard Authorization Act.

The bill also repeals and updates sections of the law dealing with the former United States Lighthouse Service. The service became part of the United States Coast Guard in 1939.

I commend Congressman GOLDEN and the dean of the House, DON YOUNG, for introducing this bipartisan legislation. Of the 9 leading fishing ports in the United States by volume, the gentleman from Alaska (Mr. YOUNG) represents 5 of them. Of the top 10 fishing ports by value, he represents 6.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

Mrs. FLETCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine (Mr. GOLDEN), the sponsor of this legislation.

Mr. GOLDEN. Mr. Speaker, I rise today on behalf of our Nation's fishermen and -women in support of H.R. 4719, the Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act, the FISH SAFE Act. This bipartisan, bicameral legislation will help ensure that our Nation's fishermen have the resources and training they need to stay safe on the job.

I introduced this legislation because I have heard too many stories like Charlie Smith's. Charlie, an offshore lobsterman from Jonesport, Maine, was 25 miles offshore pulling up traps when the rope snapped in his pot hauler. As he tried to grab the line, the hauler ran his fingers through, cutting two of them off. After the initial shock of losing his fingers, he grabbed a bucket of saltwater to numb the pain. After calling the Coast Guard, it took 3 hours for Charlie to get medical attention.

This story is one of countless others I hear from the fishermen I represent in Maine who are doing one of the most dangerous jobs in the country.

According to the National Institute for Occupational Safety and Health, a commercial fisherman is 23 times more likely to die on the job than any other type of worker. From 2000 to 2016, an

estimated 204 fishermen have died, and that number has risen to at least 224 in the past 3 years.

Despite these statistics, Congress decreased the Federal share of funding for fishing safety training and research grants in the last Coast Guard reauthorization bill. As a result, local organizations like the Maine Coast Fishermen's Association, the Maine Lobstermen's Association, and the Maine Lobstering Union have been left with higher costs to organize and run these lifesaving safety programs.

That is why the dean of the House, Congressman DON YOUNG, and I introduced the FISH SAFE Act, which restores the Federal share of fishing safety training back to 75 percent, fixing the decrease to 50 percent created in the most recent Coast Guard reauthorization. The bill would also reauthorize the program, as my colleagues have said, at \$3 million per year from fiscal year 2019 through 2021 and make several noncontroversial changes to provisions regarding authorities related to the former United States Lighthouse Service.

From Alaska to Maine, fishermen put their lives on the line every day to provide for their families and our communities. On the fishing piers of Stonington, Jonesport, and Deer Isle, I have met too many fishermen and lobstermen who have sustained serious injuries—lost fingers, deep scars, concussions—or have had close calls on the job.

That is why I am so grateful to organizations like the Maine Coast Fishermen's Association, the Maine Lobstermen's Association, and the Maine Lobstering Union for stepping up and providing fishing communities with the safety training to ensure that guys like Charlie can reduce the risk to life and limb when out at sea.

This bill is a step to make sure that our Nation's workers, including fishermen and -women, know that we have their backs.

I thank Congressman DON YOUNG for working with me on this bill. This, actually, is not the first bill that we have worked together on. I appreciate the opportunity to work with him always, as well as Chairman DEFazio, Ranking Member GRAVES, all the members of the committee, and, in particular, their staffs, as well, for moving this bill quickly through committee. We think it is particularly timely and important for coastal communities.

Mr. Speaker, I urge all of my colleagues to support this important bill.

Mr. BOST. Mr. Speaker, this, too, will likely be dealt with as common-sense legislation, making sure that the grants are delivered and that the proper amount of grants are delivered to make sure proper safety occurs not only in the fishing industry, but we should move forward to try to do that in all of our industries.

Mr. Speaker, I encourage the support of all of my colleagues, and I yield back the balance of my time.

Mrs. FLETCHER. Mr. Speaker, I, too, believe this is commonsense legislation, and I am pleased to see it brought to the floor today. I support H.R. 4719, and I urge my colleagues to join me in passing this important, bipartisan legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, H.R. 4719, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. FLETCHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### SMALL AIRPORT MOTHERS' ROOMS ACT OF 2019

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3362) to amend title 49, United States Code, to require small hub airports to construct areas for nursing mothers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3362

*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 "Small Airport Mothers' Rooms Act of 2019".

#### SEC. 2. MOTHERS' ROOMS.

Section 47107(w) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking "In fiscal year 2021" and all that follows through "the Secretary of Transportation" and inserting "The Secretary of Transportation";

(2) in paragraph (1)(B) by striking "one men's and one women's" and inserting "at least one men's and at least one women's";

(3) by striking paragraph (2)(A) and inserting the following:

"(A) AIRPORT SIZE.—The requirements in paragraph (1) shall only apply to applications submitted by the airport sponsor of—

"(i) a medium or large hub airport in fiscal year 2021 and each fiscal year thereafter; and

"(ii) a small hub airport in fiscal year 2023 and each fiscal year thereafter, but only if such airport has been categorized as a small or medium hub airport for the 3 consecutive fiscal years prior to the fiscal year in which the application is submitted.";

(4) in paragraph (2)(B) by striking "the date of enactment of this Act complies with the requirement in paragraph (1)" and inserting "October 5, 2018, complies with the requirement in paragraph (1)(A)"; and

(5) in paragraph (2)(C) by striking "paragraph (1)" and inserting "paragraph (1)(A)".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

Texas (Mrs. FLETCHER) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

#### GENERAL LEAVE

Mrs. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3362, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mrs. FLETCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the bill introduced by the gentlewoman from West Virginia (Mrs. MILLER).

Few things are more sacred than the ability of parents to care for their infant children. However, mothers often face challenges, and potentially public stigma, when attempting to breastfeed, nurse, or change their children while traveling. In fact, a study of 100 airports found that, while 62 percent reported being breastfeeding friendly, only 8 percent met the minimum requirements for a breastfeeding mother: an electrical outlet, a table, and a chair.

The absence of sufficient designated sanitary spaces during travel can cause unnecessary stress, wasted time, and even potential health issues for mothers who are not able to pump.

The FAA Reauthorization Act of 2018 included a requirement that medium and large hub airports maintain nursing rooms and baby changing tables for the convenience of nursing mothers and parents traveling with infants. While that was a step in the right direction, there are still a significant number of commercial service airports—72, to be exact—that the law did not cover.

This bill enhances that mandate by requiring small hub airports to also maintain nursing rooms and baby changing tables in their passenger terminal buildings. Requiring small hub airports to provide private, clean, accessible, and equipped areas for parents to nurse their children will help remove some of the barriers parents face while traveling and provide critical support to families when they need it.

Mr. Speaker, I support this bill, and I urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

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Mr. BOST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3362, the Small Airport Mothers' Rooms Act of 2019. This bill passed unanimously out of the Committee on Transportation and Infrastructure in June, and I am pleased it is finally being brought to the floor.

While a growing number of airports have designated mothers' rooms, many