

EN BLOC AMENDMENT TO H.R. 4005
OFFERED BY MR. HUNTER OF CALIFORNIA

At the end of title II (page 28, after line 8) add the following:

1 **SEC. 219. FLAG OFFICERS.**

2 (a) IN GENERAL.—Title 14, United States Code, is
3 amended by inserting after section 295 the following:

4 “§ 296. **Flag officers**

5 “During any period in which the Coast Guard is not
6 operating as a service in the Navy, section 1216(d) of title
7 10 does not apply with respect to flag officers of the Coast
8 Guard.”.

9 (b) CLERICAL AMENDMENT.—The analysis for chap-
10 ter 11 of title 14, United States Code, is amended by in-
11 serting after the item relating to section 295 the following:

“296. Flag officers.”.

12 **SEC. 220. AVIATION CAPABILITY IN THE GREAT LAKES RE-**
13 **GION.**

14 The Secretary of the department in which the Coast
15 Guard is operating may—

16 (1) request and accept through a direct mili-
17 tary-to-military transfer under section 2571 of title
18 10, United States Code, such H-60 helicopters as

1 may be necessary to establish a year-round oper-
2 ational capability in the Coast Guard's Ninth Dis-
3 trict; and

4 (2) use funds provided under section 101 of
5 this Act to convert such helicopters to Coast Guard
6 MH-60T configuration.

7 **SEC. 221. E-LORAN.**

8 (a) **IN GENERAL.**—The Secretary of the department
9 in which the Coast Guard is operating may not carry out
10 activities related to the dismantling or disposal of infra-
11 structure that supported the former LORAN system until
12 the later of—

13 (1) the date that is 1 year after the date of en-
14 actment of this Act; or

15 (2) the date on which the Secretary provides to
16 the Committee on Transportation and Infrastructure
17 of the House of Representatives and the Committee
18 on Commerce, Science, and Transportation of the
19 Senate notice of a determination by the Secretary
20 that such infrastructure is not required to provide a
21 positioning, navigation, and timing system to provide
22 redundant capability in the event GPS signals are
23 disrupted.

24 (b) **EXCEPTION.**—Subsection (a) does not apply to
25 activities necessary for the safety of human life.

1 (c) AGREEMENTS.—The Secretary may enter into co-
2 operative agreements, contracts, and other agreements
3 with Federal entities and other public or private entities,
4 including academic entities, to develop a positioning, tim-
5 ing, and navigation system, including an enhanced
6 LORAN system, to provide redundant capability in the
7 event GPS signals are disrupted.

Page 20, strike lines 16 through 24 and insert the
following:

8 (1) IN GENERAL.—The Secretary of the depart-
9 ment in which the Coast Guard is operating may not
10 expend amounts appropriated for the Coast Guard
11 for any of fiscal years 2015 through 2024, for—

12 (A) design activities related to a capability
13 of a Polar-Class Icebreaker that is based on an
14 operational requirement of another Federal de-
15 partment or agency, except for amounts appro-
16 priated for design activities for a fiscal year be-
17 fore fiscal year 2016; or

18 (B) long-lead-time materials, production,
19 or post-delivery activities related to such a ca-
20 pability.

Page 21, line 5, insert “or another” after “that”.

Page 38, line 16, strike “REPORT” and insert “NOTIFICATION”.

Page 38, beginning at line 17, strike “report to Congress” and insert “notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate”.

At the end of title III (page 51, after line 11) add the following:

1 **SEC. 316. ENFORCEMENT.**

2 (a) IN GENERAL.—

3 (1) DETERMINATION OF COVERED PRO-
4 GRAMS.—Section 55305(d) of title 46, United States
5 Code, is amended—

6 (A) by amending paragraph (1) to read as
7 follows:

8 “(1) The Secretary of Transportation shall an-
9 nually review programs administered by other de-
10 partments and agencies and determine whether each
11 such program is subject to the requirements of this
12 section.”;

13 (B) by redesignating paragraph (2) as
14 paragraph (5), and by inserting after paragraph
15 (1) the following:

1 “(2) The Secretary shall have the sole responsi-
2 bility to make determinations described in paragraph
3 (1).

4 “(3) A determination made by the Secretary
5 under paragraph (1) regarding a program shall re-
6 main in effect until the Secretary determines that
7 such program is no longer subject to the require-
8 ments of this section.

9 “(4) Each department or agency administering
10 a program determined by the Secretary under para-
11 graph (1) to be subject to the requirements of this
12 section shall administer such program in accordance
13 with this section and any rules or guidance issued by
14 the Secretary. The issuance of such rules or guid-
15 ance is not a prerequisite to the issuance of final de-
16 terminations under paragraph (1).”;

17 (C) in paragraph (5)(A), as so redesign-
18 nated, by striking “section;” and inserting “sec-
19 tion, to determine compliance with the require-
20 ments of this section;”; and

21 (D) by adding at the end the following:

22 “(6) On the date on which the President sub-
23 mits to Congress a budget pursuant to section 1105
24 of title 31, the Secretary shall submit to the Com-
25 mittee on Transportation and Infrastructure of the

1 House of Representatives and the Committee on
2 Commerce, Science, and Transportation of the Sen-
3 ate a report that—

4 “(A) lists the programs determined under
5 paragraph (1) to be subject to the requirements
6 of this section; and

7 “(B) describes the results of the most re-
8 cent annual review required by paragraph
9 (5)(A), including identification of the depart-
10 ments and agencies that transported cargo in
11 violation of this section and any action the Sec-
12 retary took under paragraph (5) with respect to
13 each violation.”.

14 (2) DEADLINE FOR FIRST REVIEW.—The Sec-
15 retary of Transportation shall complete the first re-
16 view and make the determinations required under
17 the amendment made by paragraph (1)(A) by not
18 later than December 31, 2015.

19 (b) RULEMAKING.—

20 (1) AUTHORITY.—Section 55305(d) of title 46,
21 United States Code, is further amended by adding
22 at the end the following:

23 “(7) The Secretary may prescribe rules, includ-
24 ing interim rules, necessary to carry out paragraph
25 (5). An interim rule prescribed under this paragraph

1 shall remain in effect until superseded by a final
2 rule.”.

3 (2) CONFORMING AMENDMENT.—Section
4 3511(c) of the Duncan Hunter National Defense
5 Authorization Act for Fiscal Year 2009 (46 U.S.C.
6 55305 note) is repealed.

7 **SEC. 317. SEVERE MARINE DEBRIS EVENTS.**

8 (a) NOAA MARINE DEBRIS PROGRAM.—Section 3 of
9 the Marine Debris Act (33 U.S.C. 1952) is amended—

10 (1) in subsection (c)—

11 (A) in the subsection heading by striking
12 “AND CONTRACTS” and inserting “CONTRACTS,
13 AND OTHER AGREEMENTS”;

14 (B) by striking paragraph (1) and insert-
15 ing the following:

16 “(1) IN GENERAL.—To carry out the purposes
17 set forth in section 2, the Administrator, acting
18 through the Program, may—

19 “(A) enter into cooperative agreements,
20 contracts, and other agreements with Federal
21 agencies, States, local governments, regional
22 agencies, interstate agencies, and other entities,
23 including agreements to use the personnel, serv-
24 ices, equipment, or facilities of such entities on
25 a reimbursable or non-reimbursable basis; and

1 “(B) make grants to—

2 “(i) State, local, and tribal govern-
3 ments; and

4 “(ii) institutions of higher education,
5 nonprofit organizations, and commercial
6 organizations with the expertise or respon-
7 sibility to identify, determine sources of,
8 assess, prevent, reduce, and remove marine
9 debris.”; and

10 (C) by striking paragraphs (4), (5), and
11 (6) and inserting the following:

12 “(4) GRANTS.—

13 “(A) ELIGIBILITY.—To be eligible for a
14 grant under paragraph (1)(B), an entity speci-
15 fied in that paragraph shall submit to the Ad-
16 ministrator a marine debris project proposal.

17 “(B) REVIEW AND APPROVAL.—The Ad-
18 ministrator shall—

19 “(i) review each marine debris project
20 proposal submitted under subparagraph
21 (A) to determine if the proposal meets
22 grant criteria established by the Adminis-
23 trator and supports the purposes set forth
24 in section 2;

1 “(ii) after considering any written
2 comments and recommendations with re-
3 spect to the review conducted under clause
4 (i), approve or disapprove a grant for the
5 proposal; and

6 “(iii) provide notification of that ap-
7 proval or disapproval to the entity that
8 submitted the proposal.

9 “(C) REPORTING.—Each entity receiving a
10 grant under paragraph (1)(B) shall provide re-
11 ports to the Administrator as required by the
12 Administrator. Each report provided shall in-
13 clude all information determined necessary by
14 the Administrator for evaluating the progress
15 and success of the project for which the grant
16 was provided and describe the impact of the
17 grant on the identification, determination of
18 sources, assessment, prevention, reduction, or
19 removal of marine debris.

20 “(D) TRAINING.—The Administrator may
21 require a recipient of a grant under this sub-
22 section to provide training to persons engaged
23 in marine debris response efforts funded by
24 such grant with respect to the potential impacts
25 of marine debris, including nonindigenous spe-

1 cies related to the debris, on the economy of the
2 United States, the marine environment, and
3 navigation safety.”; and

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

5 “(d) SEVERE MARINE DEBRIS EVENTS.—

6 “(1) GRANT PREFERENCE.—In evaluating pro-
7 posals for grants under subsection (c), the Adminis-
8 trator may give preference in approving grants to
9 proposals that address a severe marine debris event.

10 “(2) REQUEST FOR A DECLARATION.—

11 “(A) IN GENERAL.—For purposes of para-
12 graph (1), the Governor of a State may request
13 that the Administrator declare a severe marine
14 debris event in such State or a region that in-
15 cludes such State.

16 “(B) RESPONSE TO REQUESTS.—Not later
17 than 30 days after the Administrator receives a
18 request under subparagraph (A), the Adminis-
19 trator shall either—

20 “(i) declare a severe marine debris
21 event with respect to the request; or

22 “(ii) submit a response to the Gov-
23 ernor who submitted the request, explain-
24 ing why the Administrator has not de-

1 clared a severe marine debris event with
2 respect to the request.”.

3 (b) DEFINITIONS.—Section 7 of the Marine Debris
4 Act (33 U.S.C. 1956) is amended—

5 (1) by redesignating paragraphs (5), (6), and
6 (7) as paragraphs (6), (7), and (8), respectively; and

7 (2) by inserting after paragraph (4) the fol-
8 lowing:

9 “(5) NONINDIGENOUS SPECIES.—The term
10 ‘nonindigenous species’ has the meaning given that
11 term in section 1003 of the Nonindigenous Aquatic
12 Nuisance Prevention and Control Act of 1990 (16
13 U.S.C. 4702).”.

14 (c) SEVERE MARINE DEBRIS EVENT DETERMINA-
15 TION.—

16 (1) AUTHORITY TO PROVIDE FUNDS.—

17 (A) IN GENERAL.—The Administrator of
18 the National Oceanic and Atmospheric Admin-
19 istration may provide funds to an eligible entity
20 impacted by the covered severe marine debris
21 event to assist such entity with the costs of any
22 activity carried out to address the effects of
23 such event.

24 (B) FUNDING.—The Administrator may
25 provide funds under subparagraph (A) using

1 any funds provided by the Government of
2 Japan for activities to address the effects of the
3 covered severe marine debris event.

4 (C) DEFINITIONS.—In this subsection, the
5 following definitions apply:

6 (i) COVERED SEVERE MARINE DEBRIS
7 EVENT.—The term “covered severe marine
8 debris event” means the events, including
9 marine debris, resulting from the March
10 2011 Tohoku earthquake and subsequent
11 tsunami.

12 (ii) ELIGIBLE ENTITY.—The term “el-
13 igible entity” means any State (as defined
14 in section 7 of the Marine Debris Act (33
15 U.S.C. 1956)), local, or tribal government.

16 (2) REPEAL.—The Coast Guard and Maritime
17 Transportation Act of 2012 (Public Law 112–213)
18 is amended—

19 (A) in the table of contents in section 1(b)
20 by striking the item relating to section 609; and

21 (B) by striking section 609.

22 **SEC. 318. MINIMUM TONNAGE FOR CERTAIN EXPORTS.**

23 Section 55305 of title 46, United States Code, is
24 amended by adding at the end the following:

1 “(f) MINIMUM TONNAGE FOR CERTAIN EXPORTS.—
2 With respect to commodities transported under the activi-
3 ties specified in section 55314(b), the percentage specified
4 in subsection (b) of this section shall be treated as 75 per-
5 cent.”.

6 **SEC. 319. MERCHANT MARINE PERSONNEL ADVISORY COM-**
7 **MITTEE.**

8 (a) ESTABLISHMENT OF ADVISORY COMMITTEE.—

9 (1) ESTABLISHMENT.—Chapter 81 of title 46,
10 United States Code, is amended by adding at its end
11 the following:

12 **“§ 8108. Merchant Marine Personnel Advisory Com-**
13 **mittee**

14 “(a) ESTABLISHMENT.—The Secretary shall estab-
15 lish a Merchant Marine Personnel Advisory Committee (in
16 this section referred to as ‘the Committee’). The Com-
17 mittee—

18 “(1) shall act solely in an advisory capacity to
19 the Secretary through the Commandant of the Coast
20 Guard on matters relating to personnel in the
21 United States merchant marine, including training,
22 qualifications, certification, documentation, and fit-
23 ness standards, and other matters as assigned by
24 the Commandant;

1 “(2) shall review and comment on proposed
2 Coast Guard regulations and policies relating to per-
3 sonnel in the United States merchant marine, in-
4 cluding training, qualifications, certification, docu-
5 mentation, and fitness standards;

6 “(3) may be given special assignments by the
7 Secretary and may conduct studies, inquiries, work-
8 shops, and fact finding in consultation with individ-
9 uals and groups in the private sector and with State
10 or local governments;

11 “(4) shall advise, consult with, and make rec-
12 ommendations reflecting its independent judgment
13 to the Secretary;

14 “(5) shall meet not less than twice each year;
15 and

16 “(6) may make available to the Congress rec-
17 ommendations that the Committee makes to the Sec-
18 retary.

19 “(b) MEMBERSHIP.—

20 “(1) IN GENERAL.—The Committee shall con-
21 sist of not more than 19 members who are appointed
22 by and serve terms of a duration determined by the
23 Secretary. Before filling a position on the Com-
24 mittee, the Secretary shall publish a notice in the

1 Federal Register soliciting nominations for member-
2 ship on the Committee.

3 “(2) REQUIRED MEMBERS.—The Secretary
4 shall appoint as members of the Committee—

5 “(A) 9 United States citizens with active
6 licenses or certificates issued under chapter 71
7 or merchant mariner documents issued under
8 chapter 73, including—

9 “(i) 3 deck officers who represent the
10 viewpoint of merchant marine deck offi-
11 cers, of whom—

12 “(I) 2 shall be licensed for oceans
13 any gross tons;

14 “(II) 1 shall be licensed for in-
15 land river route with a limited or un-
16 limited tonnage;

17 “(III) 2 shall have a master’s li-
18 cense or a master of towing vessels li-
19 cense;

20 “(IV) 1 shall have significant
21 tanker experience; and

22 “(V) to the extent practicable—

23 “(aa) 1 shall represent the
24 viewpoint of labor; and

1 “(bb) another shall rep-
2 resent a management perspective;

3 “(ii) 3 engineering officers who rep-
4 resent the viewpoint of merchant marine
5 engineering officers, of whom—

6 “(I) 2 shall be licensed as chief
7 engineer any horsepower;

8 “(II) 1 shall be licensed as either
9 a limited chief engineer or a des-
10 ignated duty engineer; and

11 “(III) to the extent practicable—

12 “(aa) 1 shall represent a
13 labor viewpoint; and

14 “(bb) another shall rep-
15 resent a management perspective;

16 “(iii) 2 unlicensed seamen, of whom—

17 “(I) 1 shall represent the view-
18 point of able-bodied seamen; and

19 “(II) another shall represent the
20 viewpoint of qualified members of the
21 engine department; and

22 “(iv) 1 pilot who represents the view-
23 point of merchant marine pilots;

24 “(B) 6 marine educators, including—

1 “(i) 3 marine educators who represent
2 the viewpoint of maritime academies, in-
3 cluding—

4 “(I) 2 who represent the view-
5 point of State maritime academies
6 and are jointly recommended by such
7 State maritime academies; and

8 “(II) 1 who represents either the
9 viewpoint of the State maritime acad-
10 emies or the United States Merchant
11 Marine Academy; and

12 “(ii) 3 marine educators who rep-
13 resent the viewpoint of other maritime
14 training institutions, 1 of whom shall rep-
15 resent the viewpoint of the small vessel in-
16 dustry;

17 “(C) 2 individuals who represent the view-
18 point of shipping companies employed in ship
19 operation management; and

20 “(D) 2 members who are appointed from
21 the general public.

22 “(c) CHAIRMAN AND VICE CHAIRMAN.—The Com-
23 mittee shall elect one of its members as the Chairman and
24 one of its members as the Vice Chairman. The Vice Chair-
25 man shall act as Chairman in the absence or incapacity

1 of the Chairman, or in the event of a vacancy in the office
2 of the Chairman.

3 “(d) SUBCOMMITTEES.—The Committee may estab-
4 lish and disestablish subcommittees and working groups
5 for any purpose consistent with this section, subject to
6 conditions imposed by the Committee. Members of the
7 Committee and additional persons drawn from the general
8 public may be assigned to such subcommittees and work-
9 ing groups. Only Committee members may chair sub-
10 committee or working groups.

11 “(e) TERMINATION.—The Committee shall terminate
12 on September 30, 2020.”.

13 (2) CLERICAL AMENDMENT.—The analysis at
14 the beginning of such chapter is amended by adding
15 at the end the following:

“8108. Merchant Marine Personnel Advisory Committee.”.

16 (b) COMPETITIVENESS OF THE U.S. MERCHANT MA-
17 RINE.—

18 (1) REQUIREMENT.—Not later than 1 year
19 after the date of enactment of this Act, the Mer-
20 chant Marine Personnel Advisory Committee estab-
21 lished under the amendment made by subsection (a)
22 shall—

23 (A) review—

24 (i) the merchant mariner licensing,
25 certification, and documentation programs

1 and STCW Convention implementation
2 programs of the 3 flag-states; and

3 (ii) State maritime academy problems
4 regarding implementation of the STCW
5 Convention; and

6 (B) report to the Commandant of the
7 Coast Guard—

8 (i) a description of each specific provi-
9 sion for which United States merchant
10 mariner license, certification, and docu-
11 ment and STCW Convention implementa-
12 tion requirements are more stringent than
13 the requirements of such flag-state pro-
14 grams, and a recommendation of whether
15 such United States provision should be re-
16 tained, modified, or eliminated;

17 (ii) a description of which United
18 States merchant mariner license, certifi-
19 cation, and document evaluation require-
20 ments must be complied with separately
21 from similar STCW Convention evaluation
22 requirements, any statutory requirement
23 for such separate compliance, and steps
24 that can be taken by the Coast Guard or

1 by the Congress to minimize such redun-
2 dant requirements; and

3 (iii) a description of problems State
4 maritime academies are having in imple-
5 menting the STCW Convention and rec-
6 ommendations on how to address such
7 problems.

8 (3) REPORT TO CONGRESS.—Within 6 months
9 from the date the Commandant receives the report
10 under paragraph (1)(B), the Commandant shall for-
11 ward to the Congress a copy of the report with rec-
12 ommendations for actions to implement the report’s
13 recommendations.

14 (4) DEFINITIONS.—In this subsection:

15 (A) 3 FLAG STATES.—The term “3 flag
16 states” means the 3 countries that are parties
17 to the Annex to the International Maritime Or-
18 ganization Maritime Safety Committee Circular
19 MSC.1/Circ.1163/Rev.8 dated January 7, 2013,
20 and, of all such countries, have the greatest ves-
21 sel tonnage documented under the laws of each
22 respective country.

23 (B) STCW CONVENTION.—The term
24 “STCW Convention” means the amendments to
25 the International Convention on Standards of

1 Training, Certification and Watchkeeping for
2 Seafarers, 1978 that entered into force on Jan-
3 uary 1, 2012.

4 **SEC. 320. REPORT ON EFFECT OF LNG EXPORT CARRIAGE**
5 **REQUIREMENTS ON JOB CREATION IN THE**
6 **UNITED STATES MARITIME INDUSTRY.**

7 No later than 180 days after the date of the enact-
8 ment of this Act, the Comptroller General of the United
9 States shall submit to the Committee on Transportation
10 and Infrastructure of the House of Representatives and
11 the Committee on Commerce, Science, and Transportation
12 of the Senate a report on the number of jobs, including
13 vessel construction and vessel operating jobs, that would
14 be created in the United States maritime industry each
15 year in 2015 through 2025 if liquified natural gas ex-
16 ported from the United States were required to be car-
17 ried—

- 18 (1) before December 31, 2018, on vessels docu-
19 mented under the laws of the United States; and
20 (2) after such date, on vessels documented
21 under the laws of the United States and constructed
22 in the United States.

At the end of title VI (page 60, after line 12) add
the following:

1 **SEC. 609. FISHING SAFETY GRANT PROGRAMS.**

2 (a) FISHING SAFETY TRAINING GRANT PROGRAM.—

3 Section 4502(i)(4) of title 46, United States Code, is
4 amended by striking “2010 through 2014” and inserting
5 “2015 and 2016”.

6 (b) FISHING SAFETY RESEARCH GRANT PRO-
7 GRAM.—Section 4502(j)(4) of title 46, United States
8 Code, is amended by striking “2010 through 2014” and
9 inserting “2015 and 2016”.

