

S 1214

Maritime Transportation Security Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Jul 20, 2001

Current Status: Became Public Law No: 107-295.

Latest Action: Became Public Law No: 107-295. (Nov 25, 2002)

Law: 107-295 (Enacted Nov 25, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/1214>

Sponsor

Name: Sen. Hollings, Ernest F. [D-SC]

Party: Democratic • **State:** SC • **Chamber:** Senate

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Graham, Bob [D-FL]	D · FL		Jul 20, 2001
Sen. Breaux, John B. [D-LA]	D · LA		Sep 19, 2001
Sen. Kerry, John F. [D-MA]	D · MA		Sep 19, 2001
Sen. Miller, Zell [D-GA]	D · GA		Sep 19, 2001
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Sep 19, 2001
Sen. Durbin, Richard J. [D-IL]	D · IL		Sep 21, 2001
Sen. Nelson, Bill [D-FL]	D · FL		Oct 2, 2001
Sen. Wyden, Ron [D-OR]	D · OR		Oct 4, 2001
Sen. Landrieu, Mary L. [D-LA]	D · LA		Nov 8, 2001
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Nov 13, 2001
Sen. Cleland, Max [D-GA]	D · GA		Dec 7, 2001
Sen. Schumer, Charles E. [D-NY]	D · NY		Dec 7, 2001
Sen. Dorgan, Byron L. [D-ND]	D · ND		Dec 13, 2001
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Dec 20, 2001

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Hearings By (full committee)	Feb 19, 2002

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
107 HR 3013	Related bill	Nov 14, 2002: Sponsor introductory remarks on measure. (CR H8810)
107 HRES 605	Procedurally related	Nov 14, 2002: Motion to reconsider laid on the table Agreed to without objection.
107 HR 3983	Procedurally related	Jun 4, 2002: Laid on the table. See S. 1214 for further action.
107 HR 2481	Related bill	Mar 29, 2002: Placed on the Union Calendar, Calendar No. 221.
107 HR 3437	Related bill	Jan 28, 2002: Referred to Maritime Administration for report.
107 HR 3507	Related bill	Dec 20, 2001: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 301.
107 HR 1098	Related bill	Jul 27, 2001: Placed on Senate Legislative Calendar under General Orders. Calendar No. 107.
107 HR 1099	Related bill	Mar 22, 2001: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.

Maritime Transportation Security Act of 2002 - **Title I: Maritime Transportation Security** - (Sec. 102) Directs the Secretary of Transportation to: (1) identify vessel types and U.S. port facilities that pose a high risk of being involved in a transportation security incident (an incident that involves a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area); and (2) assess vulnerability of U.S. port facilities and vessels that may be involved in a transportation security incident. Permits the acceptance of alternative vulnerability assessments.

Requires the Secretary of Transportation to prepare a National Maritime Transportation Security Plan for deterring and responding to a transportation security incident. Requires such plan to provide for efficient, coordinated, and effective action to deter and minimize damage from such an incident, including: (1) assignment of duties and responsibilities among Federal departments and agencies and coordination with State and local governmental agencies; (2) identification of security resources; (3) procedures and techniques to be employed in deterring such an incident; (4) a system of surveillance and notice to ensure earliest possible notice and identification of an incident; (5) designation of areas requiring an Area Maritime Transportation Security Plan and its Federal Maritime Security Coordinator (a Coast Guard official); and (6) a plan for ensuring that the flow of cargo through U.S. ports is reestablished quickly after a transportation security incident.

Requires the Federal Maritime Security Coordinator to submit to the Secretary of Transportation an Area Maritime Transportation Security Plan. Requires that such Plan: (1) when implemented in conjunction with the National Maritime Transportation Security Plan, be adequate to deter a transportation security incident to the maximum extent practicable; (2) describe the area and infrastructure covered by such Plan; (3) describe how such Plan is integrated with other Area Maritime Transportation Security Plans; and (4) include consultation and coordination with the Department of Defense (DOD).

Requires owners or operators of vessels or facilities to prepare and submit to the Secretary of Transportation a vessel or facility security plan for deterring a transportation security incident to the maximum extent practicable. Requires such plans to be consistent with the National Maritime Transportation Security Plan and Area Plans and be reviewed, approved, and updated. Permits a vessel or facility to operate temporarily without such a plan if the owner or operator certifies that deterrence has been ensured by other means. Requires the implementation of interim security measures. Makes such information nondisclosable.

Requires the Secretary of Transportation to establish security incident response plans for vessels and facilities that may be involved in a transportation security incident and to make such plans available to the Director of the Federal Emergency Management Agency (FEMA) for inclusion in the Director's response plan for U.S. ports and waterways.

Requires transportation security cards for entry into a secured area of a vessel or facility. Requires the Secretary of Transportation to issue a biometric transportation security card to an individual unless he or she poses a terrorism security risk. Establishes criteria for denial, including relevant felony convictions and eligibility for denial of admission or removal from the United States under the Immigration and Nationality Act. Directs the Attorney General to perform background checks at the Secretary's request. Keeps such information private.

Directs the Secretary of Transportation to establish maritime safety and security teams to protect vessels, harbors, ports, facilities, and cargo in U.S. waters.

Establishes a grant program for port authorities, facility operators, and State and local agencies required to provide

security services to implement Area Maritime Transportation Security Plans and facility security plans. Requires the Secretary of Transportation to report annually to specified congressional committees on progress in achieving compliance with the correction of Coast Guard identified vulnerabilities in port security and compliance with Area Maritime Transportation Security Plans and facility security plans.

Authorizes appropriations for FY 2003 through 2008.

Authorizes grants for FY 2003 through 2008 for the support of research and development (R&D) of technologies that can be used to secure U.S. ports.

Directs the Secretary of Transportation to assess the effectiveness of antiterrorism measures maintained at specified foreign ports and make recommendations for improvements for foreign ports that do not maintain effective antiterrorism measures, including the establishment of a port security training program for such countries. Authorizes the Secretary of Transportation to prescribe conditions of entry for or to deny entry into the United States to vessels arriving from foreign ports with ineffective antiterrorism measures. Requires the Secretary of Transportation to notify the Secretary of State whenever a foreign port is found not to be maintaining effective antiterrorism measures.

Requires crew-members on vessels calling at U.S. ports to carry and present on demand any identification that the Secretary of Transportation decides is necessary.

Establishes a National Maritime Security Advisory Committee to: (1) advise, consult with, report to, and make recommendations to the Secretary of Transportation on national maritime security matters; and (2) make available to Congress recommendations that the Committee makes to the Secretary of Transportation.

Directs the Secretary of Transportation to implement a system to collect, integrate, and analyze information concerning vessels operating on or bound for U.S. waters, including information related to crew, passengers, cargo, and intermodal shipments.

Requires specified vessels operating in the navigable waters of the United States to be equipped with an automatic identification system. Sets forth a phase-in schedule for the automatic identification system.

Authorizes the Secretary of Transportation to develop and implement a long-range automated vessel tracking system for all vessels in U.S. waters that are equipped with the Global Maritime Distress and Safety System or equivalent satellite technology. Requires such system to be designed to provide the Secretary the capability of receiving information on vessel positions at interval positions appropriate to deter transportation security incidents.

Directs the Secretary of Transportation to establish a program to evaluate and certify secure systems of international intermodal transportation. Requires such program to include standards for screening cargo prior to loading in a foreign port for shipment to the United States either directly or via a foreign port and to enhance the physical security of shipping containers.

Sets forth civil penalties for violations of the requirements of this section.

(Sec. 103) Urges the Secretary of the department in which the Coast Guard is operating to negotiate an international agreement that provides for a uniform, comprehensive, international system of identification for seafarers that will enable the United States and another country to establish the identity of any seafarer aboard a vessel within the waters of the United States or such other country.

(Sec. 104) Amends Federal law to extend the jurisdiction of the United States to include all waters of the territorial sea of the United States as described in Presidential Proclamation 5928.

(Sec. 105) Permits the President to defer any end-strength limitation on the Coast Guard during a declared war or national emergency, as specified.

(Sec. 106) Amends the Deepwater Port Act of 1974 to cover the importation, transportation, and production of natural gas.

(Sec. 107) Amends the Ports and Waterways Safety Act to authorize the use of qualified armed Coast Guard personnel as sea marshals on vessels and public or commercial structures on or adjacent to U.S. waters to deter or respond to acts of terrorism or transportation security incidents. Requires the Secretary of the department in which the Coast Guard is operating to report to Congress on the potential use of other personnel to carry out such functions, including government personnel, documented U.S. Merchant Marine personnel, or students of maritime academies and industry schools.

(Sec. 108) Amends the Tariff Act of 1930 to revise provisions requiring vessels that enter the United States with undocumented cargo to notify the Customs Service within 48 hours after such merchandise is delivered to a marine terminal to: (1) provide that merchandise that has been tendered to a marine terminal operator and subsequently reassigned for carriage on another vessel shall be considered properly documented if the cargo information provided reflects carriage on the previously assigned vessel and other specified requirements are met; and (2) require the 48-hour notification period with respect to merchandise composed of multiple containers to begin to run from the time the last container of the shipment is delivered to the marine terminal operator.

Authorizes the Secretary of the Treasury to provide for the electronic transmission of cargo information to the Customs Service.

(Sec. 109) Directs the Secretary of Transportation to develop standards and curriculum for the training and certification of maritime security professionals, including any Federal, State, local, and private law enforcement or maritime security personnel in the United States or in foreign ports used by vessels with U.S. citizens as passengers or crewmembers. Authorizes appropriations for FY 2003 through 2008.

(Sec. 110) Amends the International Maritime and Port Security Act to require a certain annual report to Congress on the threat of terrorism to U.S. ports and vessels to include an analysis of the effect of maritime transportation security activities under this Act on port security against acts of terrorism.

Directs the Commandant of the U.S. Coast Guard, in conjunction with the Secretary of the Navy, to submit to Congress a report, at the time they submit their FY 2005 budget, on the life cycle costs and benefits of creating a Center for Coastal and Maritime Security that would provide an integrated training complex to prevent and mitigate terrorist threats against U.S. coastal and maritime assets, including ports, harbors, ships, dams, reservoirs, and transport nodes.

Directs the Secretary of the department in which the Coast Guard is operating to report to specified congressional committees on the secure system of transportation program.

(Sec. 111) Directs the Secretary of the department in which the Coast Guard is operating to develop: (1) an antiterrorism cargo identification, tracking, and screening system for containerized cargo shipped to and from the United States either directly or via a foreign port; and (2) performance standards to enhance the physical security of shipping containers, including standards for seals and locks.

(Sec. 112) Directs the Secretary of the department in which the Coast Guard is operating to report to specified congressional committees on foreign-flag vessels that have entered U.S. ports in the previous year.

(Sec. 113) Directs the Secretary of Transportation to publish a revised version of the "Port Security: A National Planning Guide," incorporating the requirements made by this Act, and to make such revised document available on the Internet.

Title II: Maritime Policy Improvement - Maritime Policy Improvement Act of 2002 - (Sec. 202) Amends the Coast Guard Authorization Act of 1996 to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade to a specified vessel (Coastal Venture).

(Sec. 203) Authorizes the Secretary to make grants to the American Merchant Marine Veterans Memorial Committee, Inc., to construct an addition to the American Merchant Marine Memorial Wall of Honor located at the Los Angeles Maritime Museum in San Pedro, California. Authorizes appropriations for 2003.

(Sec. 204) States that the discharge from a vessel of any agricultural cargo residue material in the form of hold washings shall be governed exclusively by the provisions of the Act to Prevent Pollution from Ships that implement Annex V to the International Convention for the Prevention of Pollution from Ships.

(Sec. 205) Revises the method for recording and discharging certain maritime liens.

(Sec. 206) Directs the Secretary to prescribe a tonnage measurement as a small passenger vessel for a named vessel for purposes of applying the optional regulatory measurement.

(Sec. 207) Authorizes the Secretary to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade to 31 specified vessels.

Repeals a specified provision under the Jones Act to make permanent the authority of the Secretary of Transportation to waive U.S.-built requirements with respect to the issuance of a certificate of documentation or endorsement for employment in the coastwise trade for the limited carriage of passengers for hire on vessels built or rebuilt outside of the United States. Directs the Secretary of Transportation to revoke the certificate or endorsement issued under such waiver if, after notice and an opportunity for a hearing, it is determined that it was obtained by fraud.

(Sec. 208) Authorizes exempting three specified vessels from certain inspection requirements for passenger vessels so long as the vessels are owned by nonprofit organizations and operated as nonprofit memorials to merchant mariners.

(Sec. 209) Authorizes the Secretary of the department in which the Coast Guard is operating to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade to three specified vessels.

(Sec. 210) Authorizes the Secretary of the department in which the Coast Guard is operating to issue to a specified vessel, under specified circumstances, a certificate of documentation with appropriate endorsement for employment in the coastwise trade.

(Sec. 211) Permits, for a limited period of time, the ten sailboats participating in the New World Challenge Race to transport guests, who have not contributed consideration for their passage, from and around the ports of San Francisco and San Diego, California, before and during stops of that race.

(Sec. 212) Permits a specified vessel (Asphalt Commander) to be transferred to or placed under a foreign registry or sold to a person that is not a U.S. citizen and transferred to or placed under a foreign registry.

(Sec. 213) Authorizes specified foreign-built vessels to engage in the coastwise trade of the United States to transport platform jackets from ports in the Gulf of Mexico to sites on the Outer Continental Shelf for completion of certain offshore projects, with a specified exception.

(Sec. 214) Authorizes the Secretary of Transportation to issue a certificate of documentation for employment in the coastwise trade of the United States for a foreign-built self-propelled tank vessel.

(Sec. 215) Establishes within the Department of Transportation (DOT) an Under Secretary of Transportation for Policy appointed by the President, by and with the advice and consent of the Senate. Requires the Under Secretary to provide leadership in the development of policy for DOT.

Title III: Coast Guard Personnel and Marine Safety - Coast Guard Personnel and Maritime Safety Act of 2002 -

Subtitle A: Personnel Management - (Sec. 311) Limits the Director of the Coast Guard Band to the rank of captain (currently, commander).

(Sec. 312) Authorizes compensatory absence from duty for Coast Guard military personnel serving at isolated duty stations (currently, at isolated aids to navigation) in certain circumstances.

(Sec. 313) Allows a promotion selection board to recommend officers of particular merit for placement at the top of the list of selectees and requires, if approved by the President, placement of those officers (in seniority order) at the top of the list. Requires a survey and report to determine if such placements will improve Coast Guard officer retention.

Subtitle B: Marine Safety - (Sec. 321) Amends the Vessel Bridge-to-Bridge Radiotelephone Act to revise requirements regarding the waters on which vessels, dredges, and floating plants must carry a radiotelephone.

(Sec. 322) Terminates the annual submission of the Oil Spill Liability Trust Fund report to Congress.

Prohibits the application of the Federal Reports Elimination and Sunset Act of 1995 with respect to specified reports concerning Coast Guard operations and expenditures, summary of marine casualties, user fee activities and amounts, public port conditions, activities of the Federal Maritime Commission, and activities of the Interagency Coordinating Committee on Oil Pollution Research.

(Sec. 323) Allows the Coast Guard to borrow a limited amount from the Oil Spill Liability Trust Fund when the limit of \$100 million in unappropriated funds is inadequate to deal with a discharge or threatened discharge. Mandates repayment to the Fund when, and to the extent that, removal costs are recovered from responsible parties.

(Sec. 324) Amends Federal law relating to vessels and seamen to: (1) authorize, in certain circumstances, issuance of interim merchant mariner's documents valid for a period not over 120 days; and (2) exempt, with regard to those employed as entertainment personnel with no duties, including emergency duties, related to navigation or safety of the vessel, crew, cargo, or passengers, a passenger vessel that is not engaged in a foreign voyage from a requirement that a vessel employee have a merchant mariner's document.

(Sec. 325) Increases fine limits for negligent vessel operation or interfering with safe vessel operation.

Subtitle C: Renewal of Advisory Groups - (Sec. 331) Renames the Commercial Fishing Industry Vessel Advisory Committee as the Commercial Fishing Industry Vessel Safety Advisory Committee. Extends the Committee through FY 2005.

(Sec. 332) Extends through FY 2005 the termination dates of the Houston-Galveston Navigation Safety Advisory Committee, the Lower Mississippi River Waterway Advisory Committee, the Navigation Safety Advisory Council, the National Boating Safety Advisory Council, and the Towing Safety Advisory Committee.

Subtitle D: Miscellaneous - (Sec. 341) Authorizes the Secretary of the department in which the Coast Guard is operating to accept, by direct transfer without cost, for use by the Coast Guard primarily for expanded drug interdiction activities required to meet national supply reduction goals, up to seven PC-170 patrol craft from the Department of Defense if it offers to transfer such craft.

(Sec. 342) Revises the general definition of State revenue for purposes of the allocation of funds to States from the Boat Safety Account to include any amounts expended for the State's recreational boating safety program by a State agency, a public corporation established under State law, or any other State instrumentality, as determined by the Secretary of the department in which the Coast Guard is operating.

Revises Federal funding for boating safety.

(Sec. 343) Authorizes the Coast Guard to operate and maintain a Caribbean Support Tender (or similar vessel) to provide technical assistance, including law enforcement training, for foreign coast guards, navies, and other maritime services.

Authorizes the Commandant to provide medical and dental care to foreign military Caribbean Support Tender personnel and their dependents accompanying them in the United States: (1) on an outpatient basis without cost; and (2) on an inpatient basis if the United States is reimbursed.

(Sec. 344) Amends Federal law to extend the expiration date on the prohibition against new maritime user fees.

(Sec. 345) Requires the Coast Guard to: (1) continue to offer assistance to organizations dedicated to Great Lakes lighthouse stewardship; and (2) promptly release information regarding the timing of designations of Coast Guard lighthouses on the Great Lakes as surplus property.

(Sec. 346) Directs the Secretary of the department in which the Coast Guard is operating to report to specified congressional committees on the modernization of the National Distress and Response System.

(Sec. 347) Authorizes conveyance, without consideration, to the Gulf of Maine Aquarium Development Corporation the Naval Reserve Pier property (exclusive of floating docks) in Portland, Maine, subject to specified requirements.

(Sec. 348) Directs the Secretary of the department in which the Coast Guard is operating to report to Congress on Coast Guard expenditures by mission area before and after the terrorist attacks of September 11, 2001. Requires the Commandant of the Coast Guard to report to specified congressional committees identifying mission targets for each Coast Guard mission for FY 2003 through 2005 and the specific steps necessary to achieve those targets.

(Sec. 349) Authorizes the conveyance of all right, title, and interest of the United States in and to each of the following properties: (1) Coast Guard Slip Point Light Station, located in Clallam County, Washington, to Clallam County, Washington; and (2) the parcel of land on which is situated the Point Pinos Light, located in Monterey County, California, to the city of Pacific Grove, California. Sets forth terms and conditions.

Title IV: Omnibus Maritime Improvements - Omnibus Maritime and Coast Guard Improvements Act of 2002 - (Sec. 402) Amends Federal law concerning Coast Guard housing authorities to double the amount of the total value in budget

authority permitted for all contracts and investments undertaken using such authorities.

Extends Coast Guard housing authorities from October 1, 2001, to October 1, 2007.

(Sec. 403) Directs the Secretary of Transportation to develop, maintain, and periodically update an inventory of documented vessels 200 feet or more in length that have the capability to lay, maintain, or repair a submarine cable, without regard to whether a particular vessel is classified as a cable ship or cable vessel.

(Sec. 404) Permits only specified vessels, except in the case of a vessel in distress, to perform the following vessel escort operations and vessel towing assistance within the navigable waters of the United States: (1) operations that commence or terminate at a port or place in the United States; (2) operations required by United States law or regulation; and (3) operations provided in whole or in part within or through navigation facilities owned, maintained, or operated by the U.S. Government or the approaches to such facilities, other than facilities operated by the St. Lawrence Seaway Development Corporation on the St. Lawrence River portion of the Seaway.

(Sec. 405) Requires the establishment, implementation, and maintenance of the minimum standards necessary for the safe operation of all Coast Guard search and rescue center facilities.

(Sec. 406) Permits the Secretary of the department in which the Coast Guard is operating to allow a person providing commercial VHF communications services to place commercial VHF communications equipment on Coast Guard owned or controlled property (including towers) subject to any terms agreed to by the parties.

(Sec. 407) Authorizes appropriations to the Secretary of the department in which the Coast Guard is operating for the lower Columbia River for fire, oil, and toxic spill response communications, training, equipment, and program administration activities conducted by nonprofit organizations that act in cooperation with the Coast Guard.

(Sec. 409) Prohibits a vessel which has been forfeited to the U.S. Government for a breach of U.S. laws from obtaining a certificate of documentation with a fisheries endorsement.

(Sec. 410) Requires the Commandant of the Coast Guard to ensure that all Coast Guard personnel are equipped with adequate safety equipment, including hypothermia protective clothing where appropriate, while performing search and rescue missions.

(Sec. 411) Revises provisions concerning the promotion of Coast Guard Reserve Officers.

(Sec. 412) Authorizes the Coast Guard to continue commanders and lieutenant commanders scheduled to retire due to failure of selection for promotion.

(Sec. 413) Authorizes financial assistance to an eligible enlisted member of the Coast Guard Reserve, not on active duty, for expenses of the member while pursuing on a full-time basis at an approved institution of higher education a program of education that leads to: (1) a baccalaureate degree in not more than five academic years; or (2) a post-baccalaureate degree.

(Sec. 414) Permits the Coast Guard to offer to captains who would otherwise be forced to retire after 30 years of duty the opportunity to continue on active duty.

(Sec. 415) Allows the Coast Guard to pay death gratuities to personal representatives of Coast Guard Auxiliaries who die in the line of duty, to the same extent that death gratuities are paid on behalf of Federal employees.

(Sec. 416) Revises the Coast Guard's severance pay provisions to align Coast Guard severance pay and revocation of commission authority with Department of Defense authority.

(Sec. 417) Permits the Commandant of the Coast Guard to lease to non-Federal entities, including private individuals, lighthouse property under the administrative control of the Coast Guard for terms not to exceed 30 years.

(Sec. 418) Amends the Maritime Drug Law Enforcement Act to permit the Coast Guard's drug interdiction jurisdiction to extend to 24 nautical miles from U.S. shores (the outer limit of the U.S. contiguous zone). Specifies the circumstances under which the Government can seize a vessel which participates in illicit drug smuggling.

(Sec. 419) Amends the definition of small passenger vessel to include wing-in-ground craft that carry at least one passenger for hire.

(Sec. 420) Removes the requirement for filing an original commercial instrument (for example, a ship mortgage) within ten days of the electronic filing of the instrument.

(Sec. 421) Eliminates the requirement for a thumbprint to be placed on a merchant mariner's document.

(Sec. 422) Authorizes the Secretary of the department in which the Coast Guard is operating to delegate, subject to the Secretary's supervision and control and under terms set out by regulation, to private entities determined and certified to be qualified, the authority to issue a temporary certificate of documentation for a recreational vessel.

(Sec. 423) Authorizes the Coast Guard to conduct marine casualty investigations involving foreign vessels in areas outside U.S. territorial waters consistent with the practices and procedures of international law.

(Sec. 424) Directs the Secretary of the department in which the Coast Guard is operating to convey to BaySail, Inc. (a nonprofit corporation), without monetary consideration, all right, title, and interest of the United States in and to property adjacent to Coast Guard Station Saginaw River, located in Hampton Township, Michigan.

(Sec. 425) Amends the Coast Guard Authorization Act of 1996 with respect to a conveyance by the Secretary of the department in which the Coast Guard is operating of specified Federal property to the Traverse City Area Public School District. Replaces the school district as recipient with any public or private nonprofit entity for an educational or recreational purpose.

(Sec. 426) Directs the Secretary of the department in which the Coast Guard is operating to report annually to specified congressional committees on the capabilities and readiness of the Coast Guard to fulfill its national defense responsibilities.

(Sec. 427) Extends the authorization for the Oil Spill Recovery Institute through FY 2012.

(Sec. 428) Amends Federal shipping law to revise discrimination against seamen requirements to prohibit a person from discharging or discriminating against a seaman because the seaman has refused to perform duties ordered by the seaman's employer because the seaman has a reasonable apprehension or expectation that performing such duties would result in serious injury to the seaman, other seamen, or the public.

(Sec. 429) Prohibits the Commandant of the Coast Guard from planning, implementing, or finalizing any regulation or take any other action which would result in the decommissioning of any WYTL-class harbor tugs unless and until the Commandant certifies in writing to specified congressional committees that sufficient replacement capability has been

procured by the Coast Guard to remediate any degradation in current icebreaking services that would be caused by such decommissioning.

(Sec. 430) Authorizes the Commandant of the Coast Guard to provide support, with or without reimbursement, to an entity engaged in fishing vessel safety training.

(Sec. 431) States that Coast Guard Vessel Traffic Service pilots shall not be liable for damages related to their official assistance unless such assistance constitutes gross negligence or willful misconduct.

(Sec. 432) Authorizes the Coast Guard to transfer certain funds to the City of Chicago, Illinois, to pay the Federal share of the cost of a project to demolish the Old Coast Guard Station.

(Sec. 433) Extends the time for recreational vessel and associated equipment recalls.

(Sec. 434) Authorizes the Secretary of Transportation to transfer certain funds to the City of Escanaba, Michigan, for the repair of the North wall of the municipal dock.

(Sec. 435) Directs the Secretary of Transportation to amend the certificate of documentation of the vessel GLOBAL EXPLORER (U.S. official number 556069) to state that the vessel was built in the year 2002 in Gulfport, Mississippi.

(Sec. 436) Requires certain fish tender vessels, with a specified exception, that transport cargo (not including fishery related products) in the Aleutian trade to be assigned load lines so that they indicate the minimum safe freeboard to which the vessel may be loaded.

(Sec. 437) Authorizes the Administrator of General Services to transfer to the Secretary of the Interior administrative jurisdiction over, and management of, the public land of Lakeshore, Michigan. Authorizes appropriations.

(Sec. 438) Authorizes appropriations for FY 2003 to DOT, in addition to funds authorized for the Coast Guard for operation of the LORAN-C system, for capital expenses related to LORAN-C navigation infrastructure. Authorizes the Secretary of Transportation to transfer from the Federal Aviation Administration (FAA) and other DOT agencies funds appropriated as authorized under this section in order to reimburse the Coast Guard for related expenses.

(Sec. 439) Directs the Secretary of the Treasury to pay a certain amount of funds to the State of Hawaii as damages arising out of the June 19, 1997, collision by the U.S. Coast Guard Cutter RUSH with the ferry pier at Barber's Point Harbor, Hawaii.

(Sec. 440) Directs the Secretary of the department in which the Coast Guard is operating, jointly with the Secretary of Commerce and the Secretary of the Interior, to report to specified congressional committees on the immunity from criminal and civil penalties provided under existing law of a private responder (other than a responsible party) in the case of the incidental take of federally listed fish or wildlife that results from, but is not the purpose of, carrying out an otherwise lawful activity conducted by such responder during an oil spill removal, where the responder was acting in a manner consistent with the National Contingency Plan or as otherwise directed by the Federal On-Scene Coordinator for the spill, and on circumstances under which such penalties have been or could be imposed on a private responder.

(Sec. 441) Requires, before proceeding on a voyage, the owner, charterer, or managing operator, or representative thereof, including the master or individual in charge of a fishing vessel, fish processing vessel, or fish tender vessel to make a fishing agreement in writing (with certain terms of wage compensation or other agreed terms) with each seaman employed on board if the vessel meets specified requirements.

(Sec. 442) Requires the Secretary of Transportation to publish all major marine casualty reports in an electronic form, and provide information electronically regarding how other marine casualty reports can be obtained.

(Sec. 443) Declares that Congress finds that the safety and security of U.S. ports and waterways are matters of major national importance.

(Sec. 444) Authorizes the Secretary of the department in which the Coast Guard is operating to suspend the payment of the retired pay of a member or former member of the Coast Guard during periods in which such member willfully remains outside the United States to avoid criminal prosecution or civil liability.

(Sec. 445) Amends the Rivers and Harbors Appropriation Act of 1884 to prohibit the imposition of any taxes, tolls, operating charges, or fees on any vessel or other water craft that operates in U.S. navigable waters, or on its passengers or crew, by any non-Federal interest, with specified exceptions.

Title V: Authorization of Appropriations - Coast Guard Authorization Act for Fiscal Year 2003 - (Sec. 502) Authorizes appropriations for the Coast Guard for FY 2003.

(Sec. 503) Authorizes end-of-year strength and military training student loads for the Coast Guard.

Actions Timeline

- **Nov 25, 2002:** Signed by President.
- **Nov 25, 2002:** Signed by President.
- **Nov 25, 2002:** Became Public Law No: 107-295.
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- **Nov 19, 2002:** Presented to President.
- **Nov 19, 2002:** Presented to President.
- **Nov 14, 2002:** Conference report considered in Senate by Unanimous Consent.
- **Nov 14, 2002:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 95 - 0. Record Vote Number: 243.
- **Nov 14, 2002:** Senate agreed to conference report by Yea-Nay Vote. 95 - 0. Record Vote Number: 243.
- **Nov 14, 2002:** Message on Senate action sent to the House.
- **Nov 14, 2002:** Rule H. Res. 605 passed House.
- **Nov 14, 2002:** Mr. LoBiondo brought up conference report H. Rept. 107-777 for consideration under the provisions of H. Res. 605. (consideration: CR H8809-8814)
- **Nov 14, 2002:** DEBATE - The House proceeded with one hour debate on the conference report.
- **Nov 14, 2002:** The previous question was ordered without objection.
- **Nov 14, 2002:** Conference report agreed to in House: On agreeing to the conference report Agreed to by voice vote.(consideration: CR S10974-10993)
- **Nov 14, 2002:** Motions to reconsider laid on the table Agreed to without objection.
- **Nov 14, 2002:** On agreeing to the conference report Agreed to by voice vote. (consideration: CR S10974-10993)
- **Nov 13, 2002:** Conference papers: official papers held at the desk in Senate.
- **Nov 13, 2002:** Conference report filed: Conference report H. Rept. 107-777 filed.(text of conference report: CR H8561-8590)
- **Nov 13, 2002:** Conference report H. Rept. 107-777 filed. (text of conference report: CR H8561-8590)
- **Nov 13, 2002:** Conference committee actions: Conferees agreed to file conference report.
- **Nov 13, 2002:** Conferees agreed to file conference report.
- **Nov 13, 2002:** Rules Committee Resolution H. Res. 605 Reported to House. Rule provides for consideration of the conference report to S. 1214.
- **Jun 19, 2002:** Message on Senate action sent to the House.
- **Jun 18, 2002:** Resolving differences -- Senate actions: Senate disagreed to House amendment by Unanimous Consent.
- **Jun 18, 2002:** Senate disagreed to House amendment by Unanimous Consent.
- **Jun 18, 2002:** Senate agreed to request for conference. Appointed conferees. Hollings; Inouye; Kerry; Breaux; Wyden; Cleland; Boxer; McCain; Stevens; Lott; Hutchison; Snowe; Smith OR; Graham; Grassley. (Graham; Grassley for matters in Section 108 of the House amendment and Sections 112 and 115 of the Senate bill).
- **Jun 5, 2002:** Message on House action received in Senate and at desk: House amendment to Senate bill and House requests a conference.
- **Jun 4, 2002:** Mr. LoBiondo asked unanimous consent to take from the Speaker's table and consider.
- **Jun 4, 2002:** Considered by unanimous consent. (consideration: CR H3120-3131; text as passed Senate: CR H3120-3131)
- **Jun 4, 2002:** The House struck all after the enacting clause and inserted in lieu thereof the provisions of a similar measure H.R. 3983. Agreed to without objection.
- **Jun 4, 2002:** Passed/agreed to in House: On passage Passed without objection.
- **Jun 4, 2002:** On passage Passed without objection.
- **Jun 4, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 4, 2002:** A similar measure H.R. 3983 was laid on the table without objection.
- **Jun 4, 2002:** Mr. LoBiondo asked unanimous consent that the House insist upon its amendment, and request a conference.
- **Jun 4, 2002:** On motion that the House insist upon its amendment, and request a conference Agreed to without objection.
- **Jun 4, 2002:** The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of the Senate bill and the House amendment, and modifications committed to conference: Young (AK),

Coble, LoBiondo, Oberstar, and Brown (FL).

- **Jun 4, 2002:** The Speaker appointed conferees - from the Committee on Ways and Means for consideration of secs. 112 and 115 of the Senate bill, and sec. 108 of the House amendment, and modifications committed to conference: Thomas, Crane, and Rangel.
- **Feb 19, 2002:** Committee on Commerce, Science, and Transportation. Hearings held. Hearings printed: S.Hrg. 107-785.
- **Jan 23, 2002:** Message on Senate action sent to the House.
- **Jan 23, 2002:** Received in the House.
- **Jan 23, 2002:** Held at the desk.
- **Dec 20, 2001:** Measure laid before Senate by unanimous consent. (consideration: CR S13871-13884)
- **Dec 20, 2001:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.
- **Dec 20, 2001:** Passed Senate with an amendment by Voice Vote.
- **Sep 14, 2001:** Committee on Commerce, Science, and Transportation. Reported by Senator Hollings without amendment. With written report No. 107-64.
- **Sep 14, 2001:** Committee on Commerce, Science, and Transportation. Reported by Senator Hollings without amendment. With written report No. 107-64.
- **Sep 14, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 161.
- **Aug 2, 2001:** Committee on Commerce, Science, and Transportation. Ordered to be reported without amendment favorably.
- **Jul 20, 2001:** Introduced in Senate
- **Jul 20, 2001:** Sponsor introductory remarks on measure. (CR S8015-8018)
- **Jul 20, 2001:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S8018-0822)