

HR 3619

Coast Guard Authorization Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Transportation and Public Works

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Sponsor

Name: Rep. Oberstar, James L. [D-MN-8]

Party: Democratic • State: MN • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Sep 22, 2009

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Discharged From	Oct 16, 2009
Transportation and Infrastructure Committee	House	Discharged from	Sep 24, 2009

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
111 HR 3376	Related bill	Dec 22, 2010: Placed on the Union Calendar, Calendar No. 414.
111 HRES 1665	Procedurally related	Sep 28, 2010: Motion to reconsider laid on the table Agreed to without objection.
111 HR 3360	Related bill	Jul 27, 2010: Became Public Law No: 111-207.
111 HR 5346	Related bill	May 27, 2010: Referred to the Subcommittee on Border, Maritime, and Global Counterterrorism.
111 HR 1665	Related bill	May 5, 2010: Provisions of measure incorporated in to Title V of H.R. 3619.
111 HR 2650	Related bill	Dec 3, 2009: Placed on the Union Calendar, Calendar No. 203.
111 HR 2652	Related bill	Dec 3, 2009: Placed on the Union Calendar, Calendar No. 202.
111 S 1194	Related bill	Nov 20, 2009: Star Print ordered on the bill as reported.
111 HR 752	Procedurally related	Oct 23, 2009: For Further Action See H.R.3619.
111 HR 1747	Related bill	Oct 23, 2009: Provisions of measure incorporated in to Title IV of H.R. 3619.
111 HR 2651	Related bill	Oct 23, 2009: Provisions of measure incorporated in to Title VI of H.R. 3619.
111 HRES 853	Procedurally related	Oct 22, 2009: Motion to reconsider laid on the table Agreed to without objection.
111 S 588	Related bill	Sep 8, 2009: Placed on Senate Legislative Calendar under General Orders. Calendar No. 156.
111 S 1124	Related bill	May 21, 2009: Read twice and referred to the Committee on Commerce, Science, and Transportation.
111 S 1024	Related bill	May 12, 2009: Read twice and referred to the Committee on Commerce, Science, and Transportation.
111 HR 1485	Related bill	Mar 13, 2009: Referred to the Subcommittee on Coast Guard and Maritime Transportation.

Coast Guard Authorization Act of 2010- **Title I: Authorization** - (Sec. 101) Authorizes FY2011 appropriations for the Coast Guard, including for: (1) operation and maintenance; (2) acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft; (3) research, development, test, and evaluation of technologies, materials, and human factors relating to the Coast Guard's mission in search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness; (4) retired pay, payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents; (5) alteration or removal of bridges over U.S. navigable waters constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program; (6) environmental compliance and restoration at Coast Guard facilities; and (7) the Coast Guard Reserve program.

(Sec. 102) Authorizes Coast Guard active duty personnel end-of-year strength for FY2011.

Authorizes Coast Guard average military training student loads for FY2011 for: (1) recruit and special training; (2) flight training; (3) professional training in military and civilian institutions; and (4) officer acquisition.

Title II: Coast Guard - (Sec. 201) Authorizes the Secretary of the department in which the Coast Guard is operating (the Secretary) to appoint civilian employees of the department in which the Coast Guard is operating as appellate military judges, available for assignment to the Coast Guard Court of Criminal Appeals.

(Sec. 202) Authorizes Coast Guard industrial activities to accept orders and enter into agreements with establishments, agencies, and departments of the Department of Defense (DOD) and the Department of Homeland Security (DHS).

(Sec. 203) Requires reimbursement for reasonable medical travel expenses of a covered beneficiary (other than active duty members or certain reserve members), including with regard to the Army, Navy, Air Force, Marine Corps, Coast Guard, the commissioned corps of the National Oceanic and Atmospheric Administration (NOAA), and the commissioned corps of the Public Health Service, who resides on an island that is located in the 48 contiguous states and the District of Columbia and that lacks public access roads to the mainland and is referred to a specialty care provider on the mainland, regardless of the distance of travel involved.

(Sec. 204) States that the total number of Coast Guard commissioned officers on the active duty promotion list, excluding warrant officers, shall not exceed 7,200, except that the Commandant may temporarily increase the number following the commissioning of a Coast Guard Academy class.

Sets forth officer grade distribution provisions.

(Sec. 205) Amends the Armed Forces Retirement Home Act of 1991 to include the Coast Guard in the Armed Forces retirement home system.

(Sec. 206) Authorizes the Commandant of the Coast Guard to make grants to, or enter into cooperative agreements or contracts with, international maritime organizations for acquiring information about merchant vessel inspections, security, safety and environmental protection, classification, and port state or flag state law enforcement or oversight.

(Sec. 207) Requires a duty assignment for an active duty member of the Coast Guard in support of a declaration of a major disaster or emergency by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance

Act or in response to a spill of national significance to be treated as a duty assignment in support of a contingency operation for the purpose of permitting such member to retain up to 120 days of accumulated leave that otherwise would be forfeited at the end of a fiscal year.

(Sec. 208) Allows Coast Guard members, in their official duties, to carry a firearm and, while at a facility: (1) to make an arrest without a warrant for any offense against the United States committed in their presence; and (2) as otherwise provided by law, to seize property.

(Sec. 209) Repeals a provision requiring that the initial appointment of the Director of the Boating Safety Office be in the grade of captain.

(Sec. 210) Establishes the Merchant Mariner Medical Advisory Committee to advise the Secretary regarding: (1) medical certification determinations for issuance of licenses, certificates of registry, and merchant mariners' documents; (2) medical standards and guidelines for the physical qualifications of operators of commercial vessels; (3) medical examiner education; and (4) medical research.

(Sec. 211) Authorizes the appointment of temporary commissioned officers in: (1) the Regular Coast Guard from among holders of merchant seamen licenses (current law authorizes this to be from among licensed officers of the U.S. merchant marine); and (2) the Coast Guard Reserve from among Coast Guard Reserve commissioned warrant officers.

(Sec. 212) Modifies selection board requirements.

(Sec. 213) Allows firing at or into a vessel that fails to stop on being ordered to do so if the firing vessel or aircraft is on government noncommercial service and is under Coast Guard tactical control and at least one Coast Guard member is assigned and conducting a Coast Guard mission on the vessel or aircraft. (Current law indemnifies Coast Guard personnel from any penalties or actions for damages for that firing.)

Requires that vessels and aircraft designated by the Secretary be distinguished by an identifying insignia. (Current law requires that Coast Guard vessels and aircraft be so distinguished.)

(Sec. 214) Requires the Coast Guard Commandant to appoint in each Coast Guard district a District Ombudsman to serve as a liaison between the Coast Guard and ports, terminal operators, shipowners, and labor representatives, including examining complaints by a petitioner operating in a port or by Coast Guard personnel.

(Sec. 215) Raises from 62 to 64 the mandatory retirement age for flag officers serving in a grade of rear admiral (lower half) or above. Allows deferral of the mandatory retirement age of any regular commissioned officer serving in a flag officer grade position: (1) by the Secretary until age 66; and (2) by the President until age 68. (Current law allows deferral for flag officers until age 62.)

(Sec. 216) Authorizes the Coast Guard to enforce provisions of shipping law relating to the coastwise trade. Requires a program to be established for officers and members enforcing such laws and a related report.

(Sec. 217) Requires the Commandant to report annually on sexual assaults involving members of the Coast Guard.

(Sec. 218) Prohibits a Coast Guard vessel with its home port in a state of the United States or Guam from being overhauled, repaired, or maintained in a shipyard outside the United States or Guam, other than in the case of voyage repairs. (Current law makes no reference to Guam.)

(Sec. 219) Directs the Secretary to: (1) conclude the study of whether a single, domestic system is needed as a back-up navigation system to the Global Positioning System; and (2) notify Congress of such determination.

(Sec. 220) Authorizes the Commandant to use funds for certain assistance to foreign governments or maritime authorities, subject to approval by the Secretary of State.

(Sec. 221) Revises Coast Guard housing laws regarding the construction of military family housing and military unaccompanied housing. Repeals housing acquisition and construction provisions related to the authorization of direct loans and private sector loan guarantees, leasing contracts, and limited partnerships with eligible entities. Disallows the leasing of certain property or facilities to private persons. Requires any conveyance of real property to be by sale, for cash, and at fair market value. Repeals certain authority related to the assignment of armed forces' members to specified housing units. Eliminates demonstration projects and certain contracts with small business concerns qualified under the Small Business Act.

(Sec. 222) Authorizes the Commandant to: (1) use appropriated funds to provide child development services; and (2) collect and expend, for such services, fees based on family income.

(Sec. 223) Authorizes the Secretary of the Navy to: (1) detail Chaplain Corps personnel to the Coast Guard; and (2) provide support services (including transportation, food, lodging, child care, supplies, fees, and training materials) to chaplain-led programs to assist members of the Coast Guard on active duty and their dependents, and members of the reserve component in an active status and their dependents, in building and maintaining a strong family structure.

(Sec. 224) Authorizes the President to award a Coast Guard cross and silver star medals to persons serving in any capacity with the Coast Guard for extraordinary heroism or gallantry in action while engaged in action against a U.S. enemy, or in other specified actions.

Title III: Shipping and Navigation - (Sec. 301) Amends the Rivers and Harbors Appropriations Act of 1915 to: (1) increase the civil penalty for an owner of a vessel that violates regulations establishing anchorage grounds for safe navigation in U.S. waters; and (2) extend the Coast Guard's authority to establish anchorage grounds for vessels from 3 nautical miles to 12 nautical miles.

(Sec. 302) Subjects to a civil penalty any person who knowingly or intentionally possesses a controlled substance on a vessel subject to the jurisdiction of the United States.

(Sec. 303) Revises various provisions regarding the measurement of vessels, including changing the definition of "vessel engaged on a foreign voyage" and modifying international tonnage certificate provisions.

(Sec. 304) Directs the Secretary to submit to Congress: (1) a plan, including estimated costs, to ensure that the process for an application (by an individual who has, or has applied for, a transportation security card under specified provisions) for a merchant mariner document can be completed entirely by mail; and (2) a report on the redesign of the merchant mariner document.

(Sec. 305) Requires the Commandant, in conjunction with the Administrator of the Environmental Protection Agency (EPA), to report on new and existing technology for reducing air emissions from cargo or passenger ships in U.S. waters and ports and impediments to demonstrating that technology.

(Sec. 306) Allows foreign-flag vessels, notwithstanding specified provisions and if insufficient vessels documented under U.S. law are reasonably available and suitable, to be chartered for a limited time for the setting, relocation, or recovery of

anchors or other mooring equipment of a mobile offshore drilling unit over the Outer Continental Shelf for operations in support of exploration, or flow-testing and stimulation of wells, for offshore mineral or energy resources in the Beaufort Sea or the Chukchi Sea adjacent to Alaska.

(Sec. 307) Encourages the Secretary to work through the International Maritime Organization (IMO) to establish agreements to promote coordinated action among the United States, Russia, Canada, Iceland, Norway, and Denmark and other seafaring and Arctic nations to ensure, in the Arctic: (1) placement and maintenance of aids to navigation; (2) appropriate icebreaking escort, tug, and salvage capabilities; (3) oil spill prevention and response capability; (4) maritime domain awareness, including long-range vessel tracking; and (5) search and rescue.

Directs the Secretary to require a nongovernmental, independent third party to conduct a comparative cost-benefit analysis of: (1) rebuilding, renovating, or improving the existing fleet of Coast Guard polar icebreakers; (2) constructing new Coast Guard polar icebreakers; (3) constructing of and renovating such icebreakers by the National Science Foundation (NSF) for NSF operation; and (4) any combination of those activities. Directs the Secretary to require such a nongovernmental, independent third party to conduct an analysis of the impact on all Coast Guard activities (assuming Coast Guard funding will not increase more than the annual rate of inflation) of the acquisition of such icebreakers by the Coast Guard or the NSF. Requires a related report, with Commandant recommendations. Requires the Commandant to report to Congress on the High-Latitude Study (assessment of polar icebreaking mission requirements).

Title IV: Acquisition Reform - (Sec. 401) Establishes in the Coast Guard a Chief Acquisition Officer.

(Sec. 402) Establishes an acquisition directorate to provide guidance and oversight for the implementation and management of all Coast Guard acquisition processes, programs, and projects.

Prohibits assigning an individual as the program manager for: (1) a Level 1 acquisition unless the individual holds a Level III acquisition certification as a program manager; or (2) a Level 2 acquisition unless the individual holds a Level II acquisition certification as a program manager.

Requires the Commandant to: (1) issue guidance on the qualifications, resources, responsibilities, tenure, and accountability of acquisition program managers; (2) develop a strategy for enhancing the role of Coast Guard project or program managers in developing and carrying out acquisition programs; (3) establish a management information system capability to improve acquisition workforce management and reporting; and (4) establish acquisition management as a core competency for certain Coast Guard career paths.

Requires the Commandant to: (1) designate a sufficient number of positions to be in the Coast Guard's acquisition workforce to perform acquisition-related functions; and (2) report annually to Congress on the scope of acquisition activities to be performed in the next fiscal year.

Prohibits the Commandant from using a private sector entity as a lead systems integrator for acquisition contracts, delivery orders, or task orders issued after enactment of this Act. Excludes from such prohibition completion of the National Distress and Response System Modernization Program, certain projects related to the Integrated Deepwater program, and National Security Cutters 2 and 3.

Prohibits, subject to exceptions, an entity performing lead system integrator functions for a Coast Guard acquisition or a Tier 1 subcontractor for any acquisition from having a financial interest in a subcontractor below the Tier 1 subcontractor level.

Terminates the exception, subject to exceptions, after the earlier of: (1) September 30, 2011; or (2) when the Commandant certifies to Congress that the Coast Guard has available and can retain sufficient acquisition workforce personnel and expertise in the public or private sector to perform the functions and responsibilities of the lead systems integrator in an efficient and cost-effective manner.

Sets forth required contract terms and prohibited provisions for certain capability or asset acquisitions.

Requires integrated product teams, and all teams that oversee integrated product teams, to be chaired by officers, members, or employees of the Coast Guard.

Requires the Commandant to make arrangements, as appropriate, with the Secretary of Defense for support in contracting and management of Coast Guard acquisition programs. Directs the Comptroller General to transmit a report to Congress on management recommendations related to Level 1 and Level 2 acquisitions.

Prohibits entering into an undefinitized contractual action unless such action is directly approved by the Coast Guard's Head of Contracting Activity. Defines "undefinitized contractual action," subject to exception, as a new procurement action for which the contractual terms, specifications, or price are not agreed on before performance is begun under the action. Regulates such actions.

Requires the Commandant to issue guidance to ensure that pass-through charges on contracts, subcontracts, delivery orders, and task orders entered into with a private entity acting as a lead systems integrator are not excessive in relation to the cost of the work performed.

Requires the Comptroller General to report on the employment during the preceding year by Coast Guard contractors of individuals who were Coast Guard officials in the previous five-year period.

Requires the Commandant to: (1) take actions to support the establishment of mature and stable operational requirements for acquisitions; and (2) develop staffing predictions, define human capital performance initiatives, and identify preliminary training needs.

Prohibits the Commandant from establishing a Level 1 or Level 2 acquisition project or program until the Commandant: (1) clearly defines the project or program operational requirements; (2) establishes the feasibility of alternatives; (3) develops an acquisition project or program baseline; (4) produces a life-cycle cost estimate; and (5) assesses the alternatives. Requires compliance with applicable TEMPEST certification requirements.

Requires the Commandant to submit specified information to Congress (including performance parameters, interoperability attributes, baseline and acquisition unit costs, and an acquisition process schedule) before any Level 1 or Level 2 acquisition project may begin to obtain any capability or asset or proceed beyond the development phase that entails the supporting acquisition approval.

Prohibits the Coast Guard from acquiring an experimental or technically immature capability or asset or implementing a Level 1 or Level 2 acquisition project or program unless it has prepared an analysis of alternatives in the concept and technology development phase.

Requires the Chief Acquisition Officer, for any Level 1 or Level 2 program or project, to approve a test and evaluation master plan.

Requires the Commandant to ensure that developmental test and evaluation, operational test and evaluation, certain life-

cycle cost estimates, and the development and demonstration requirements are met to confirm that the projects or programs meet the requirements identified in the mission analysis and affordability assessment, specified operational requirements, and enumerated development and demonstration objectives.

Directs the Commandant to ensure that any Level 1 or Level 2 acquisition is certified by the technical authority of the Coast Guard after review by an independent third party with capabilities in the mission area, asset, or particular asset component.

Requires testing in accordance with TEMPEST and communications security (comsec) standards by an independent third party of all electronics on all aircraft, surface, and shore capabilities and assets that require TEMPEST certification.

Requires each cutter, other than a National Security Cutter, acquired by the Coast Guard and delivered after enactment of this Act to be classed by the American Bureau of Shipping (ABS) before final acceptance. Directs the Commandant to provide a report to Congress identifying any Coast Guard cutters that have been issued a certificate of classification by the ABS that have not been maintained in class and detailing the reasons why they have not been maintained in class.

Requires that an independent third party assess: (1) the design and construction of each National Security Cutter, other than National Security Cutters 1, 2, and 3; and (2) before final acceptance, the airworthiness of all Coast Guard aircraft and aircraft engines.

Requires the Commandant to: (1) ensure there is a stable and efficient production and support capability to develop an asset or capability for the Coast Guard; (2) conduct follow-on testing to confirm and monitor performance and correct deficiencies; and (3) conduct acceptance tests and trails prior to the delivery of each asset or system to ensure the delivered asset or system achieves full operational capability.

Requires the Commandant to report to Congress within 30 days after the Chief Acquisition Officer becomes aware, in a Level 1 or Level 2 acquisition program, of certain likely cost overruns or delays or an anticipated failure for any individual or class of capabilities or assets to satisfy any key performance threshold or parameter.

(Sec. 403) Requires a report before the Coast Guard awards any contract or issues any delivery order or task order to strengthen the hull of either of National Security Cutter 1 or 2 to resolve certain structural design and performance issues.

(Sec. 404) Authorizes the Commandant, subject to limitation, to designate any category of acquisition positions as shortage category positions and to use the authorities in specified existing provisions to recruit and appoint highly qualified persons directly to such positions.

Title V: Coast Guard Modernization - Coast Guard Modernization Act of 2010 - Subtitle A: Coast Guard Leadership -

(Sec. 511) Authorizes the President to designate up to four positions of vice admiral and makes other revisions affecting Coast Guard leadership.

Subtitle B: Workforce Expertise - (Sec. 521) Requires the Commandant to: (1) ensure that appropriate career paths are identified for Coast Guard personnel who wish to pursue careers in prevention or response positions; (2) report annually on the adequacy of the current marine safety workforce to meet the anticipated workload; and (3) establish a management information system for the prevention and response workforces.

Requires there to be a Chief of Prevention in each Coast Guard sector.

Authorizes the Commandant to establish and operate one or more centers of expertise for prevention and response

missions.

Requires the Commandant, by policy, to establish a program under which a Coast Guard officer, member, or employee may be assigned to a private entity to further Coast Guard interests regarding marine safety, including to train the person. Requires a related annual report.

(Sec. 522) Directs the Secretary to develop a long-term strategy for improving vessel safety and the safety of individuals on vessels, including annual issuance of a plan and schedule for achieving specified goals. Requires a related report to Congress.

(Sec. 523) Requires that the individual with the highest rank who meets certain experience qualifications serve as the Commandant's principal marine safety advisor.

(Sec. 524) Requires, except for the Commandant, that any individual adjudicating an appeal or waiver of a marine safety decision either have certain training, experience, and qualifications or be advised by a senior staff member who meets those requirements and concurs in the decision on appeal.

(Sec. 525) Requires a marine safety curriculum at the Coast Guard Academy and during other officer accession programs.

(Sec. 526) Requires the Commandant to report on the Coast Guard's efforts to recruit and retain civilian marine inspectors and investigators and the impact of such recruitment and retention efforts on Coast Guard organizational performance.

Title VI: Marine Safety - Maritime Safety Act of 2010 - (Sec. 602) Amends the American Fisheries Act to allow the owner of an eligible vessel, in order to improve vessel safety and operational efficiencies (including fuel efficiency), to rebuild or replace that vessel with a vessel documented with a fishery endorsement.

Authorizes the North Pacific Fishery Management Council to recommend for approval by the Secretary of Commerce conservation and management measures, including size limits and measures to control fishing capacity, to ensure that the effectiveness of fishery management plans of the Bering Sea and Aleutian Islands Management Area or the Gulf of Alaska is not diminished. Establishes special rules, including rules pertaining to vessel length, U.S. vessel ownership requirements, international agreements, certain catcher vessels, fishery endorsement limitations, and replacement vessels in the Gulf of Alaska. Repeals exemptions for specified vessels.

(Sec. 603) Directs the Commandant to report on the efficacy of the Coast Guard's cold weather survival training.

(Sec. 604) Revises safety requirements for uninspected commercial fishing industry vessels, including requiring that such vessels be equipped with equipment to minimize the risk of crew injury during vessel operations. Requires that the individual in charge of a vessel pass a training program that: (1) is based on professional knowledge and skill obtained through sea service and hands-on training; (2) requires an individual to demonstrate the ability to communicate in an emergency situation and understand information found in navigation publications; and (3) recognizes and gives credit for recent past experience in fishing vessel operation. Directs the Secretary to establish a publicly accessible database listing individuals who have successfully completed a training program.

Requires the Secretary to establish: (1) a competitive Fishing Safety Training Grants Program; and (2) a competitive Fishing Safety Research Grant Program. Authorizes appropriations.

Changes the name of the Commercial Fishing Industry Vessel Safety Advisory Committee to the Commercial Fishing Safety Advisory Committee. Extends the Committee's termination date from September 30, 2010, to September 30, 2020.

Applies existing load line provisions to fishing vessels that are built after July 1, 2012. Directs a fishing vessel built by July 1, 2012, that undergoes a substantial change to the dimension of or type of the vessel completed after the later of July 1, 2012, or the date the Secretary establishes standards for an alternate loadline compliance program, to comply with such an alternative loadline compliance program that is developed with the commercial fishing industry and prescribed by the Secretary.

Requires fishing, fish tender, and fish processing vessels, when they meet certain length and other criteria, to meet all survey and classification requirements prescribed by the ABS or another similarly qualified organization approved by the Secretary. (Current law requires only fish processing vessels to meet those requirements.)

Sets forth provisions for such vessels: (1) built before July 1, 2012, that undergo a substantial change to the dimension of or type of vessel completed after the later of July 1, 2012, or the date the Secretary establishes standards for an alternate safety compliance program, to comply with such program developed with the commercial fishing industry and prescribed by the Secretary; and (2) owned by a person owning more than 30 vessels to be excluded from alternate safety compliance requirements until January 1, 2030, if that owner enters into a compliance agreement with the Secretary that provides for a fixed schedule for all of the vessels owned by that person to meet such requirements by that date and the vessel owner is meeting that schedule.

Directs the Secretary, by 2017, to prescribe an alternative safety compliance program.

(Sec. 605) Authorizes the Secretary to issue regulations requiring a vessel owner or managing operator of a commercial vessel, or the employer of a seaman on that vessel, to maintain records of each individual engaged on the vessel subject to inspection on matters of engagement, discharge, and service, and to make these records available to the individual and the Coast Guard on request. Imposes a civil monetary penalty for violations.

(Sec. 606) Ends the exemption of certain vessels from towing vessel manning requirements. (Current law applies the exemption to vessels that are under 200 gross tons, that are engaged in the offshore mineral and oil industry, and that have offshore mineral and oil industry sites or equipment as their ultimate destination or place of departure.)

(Sec. 607) Requires U.S. vessels (except those on a voyage from the United States to Canada) that are subject to inspection to have an official logbook with specified entries.

(Sec. 608) Allows any individual who is authorized to enforce federal shipping law to: (1) remove a vessel's certificate if the vessel is operating in a condition that does not comply with the provisions of the certificate; (2) order the individual in charge of a vessel without a certificate on board to return the vessel to a mooring; and (3) direct an individual in charge of a vessel operated in an unsafe condition to take steps necessary for the safety of individuals on board.

Requires the Secretary to establish vessel equipment standards that are: (1) based on performance using the best available technology economically achievable; and (2) operationally practical. Authorizes the Secretary to certify lifesaving equipment that is not required to be carried on vessels to ensure that such equipment is suitable for its intended purpose.

(Sec. 609) Prohibits the Secretary from approving a survival craft as a safety device unless it ensures that no part of an

individual is immersed in water.

(Sec. 610) Applies certain vessel management requirements to a passenger vessel or small passenger vessel that transports more passengers than a number prescribed by the Secretary based on the number of individuals on the vessel that could be killed or injured in a marine casualty.

(Sec. 611) Adds to the list of acts related to marine safety for which a seaman may not be discharged or discriminated against, including that the seaman testified in a maritime safety law enforcement proceeding or cooperated with a safety investigation. Replaces provisions permitting civil actions by a seaman alleging discharge or discrimination with provisions allowing the seaman to use the Department of Labor complaint process used by commercial drivers, railroad workers, and aviation workers.

(Sec. 612) Requires certain new U.S. vessels with a construction contract date after enactment of this title, or delivered after January 1, 2011, to comply with specified oil fuel tank protection standards.

(Sec. 613) Removes the requirement that the applicant oath for a license or certificate of registry be taken before a designated official.

(Sec. 614) Allows eight-month advance renewals of merchant mariners' documents, merchant seamen's licenses, and merchant seaman certificates of registry.

(Sec. 615) Authorizes the Secretary to extend the duration of expiring licenses, certificates of registry, and merchant mariner documents for up to one year to enable the Coast Guard to eliminate an applications backlog or in response to a national emergency or natural disaster.

(Sec. 616) Directs the Commandant to report regarding the feasibility of: (1) expanding to all Coast Guard processing centers the streamlined evaluation process program that was affiliated with the Coast Guard's Houston Regional Examination Center; (2) simplifying the application process for a license as an officer, staff officer, or operator and for a merchant mariner's document; (3) providing notice to an applicant of the status of the pending application; and (4) ensuring that all information collected regarding applications for new or renewed licenses, merchant mariner documents, and certificates of registry is retained in a secure electronic format.

(Sec. 617) Removes tonnage limits from the definition of "offshore supply vessel."

Revises offshore supply vessels provisions regarding: (1) scale of employment and able seamen; (2) minimum number of licensed individuals; (3) watches; and (4) oil fuel tank protection.

(Sec. 618) Amends the definition of "associated equipment" to include certain radio equipment associated with emergency locator beacons for recreational vessels operating beyond three nautical miles from the baselines from which the territorial sea of the United States is measured or beyond three nautical miles from the coastline of the Great Lake.

(Sec. 619) Directs the Secretary to promulgate regulations to require the installation, maintenance, and use of life preservers and other lifesaving devices for individuals on board uninspected vessels.

(Sec. 620) Directs the Secretary of Homeland Security, acting through the Commandant, to study, and report on, the use, safety, and performance of blended fuels in marine applications. Authorizes appropriations.

(Sec. 621) Extends through FY2020 the termination date of the Great Lakes Pilotage Advisory Committee, the National

Boating Safety Advisory Council, the Houston-Galveston Navigation Safety Advisory Committee, the Lower Mississippi River Waterway Safety Advisory Committee, the Towing Safety Advisory Committee, and the Navigation Safety Advisory Council.

Revises other requirements for the National Boating Safety Advisory Council, the Lower Mississippi River Waterway Safety Advisory Committee, the Towing Safety Advisory Committee, the Navigation Safety Advisory Council, and the Delaware River and Bay Oil Spill Advisory Committee.

(Sec. 622) Authorizes the Secretary to delegate to the ABS or another classification society the authority to: (1) review and approve plans required for issuing a certificate of inspection, a certificate of compliance, or any other certification and related documents issued by the Coast Guard under the Outer Continental Shelf Lands Act; and (2) conduct inspections and examinations. Imposes certain requirements on a delegation to a foreign classification society. Revises requirements classification societies must meet.

Title VII: Oil Pollution Prevention - (Sec. 701) Requires a report to Congress on the status of all Coast Guard rulemakings required or being developed (but not issued) under specified provisions of the Federal Water Pollution Control Act (commonly known as the Clean Water Act). Requires that such rules be issued within 18 months following the enactment of this Act.

(Sec. 702) Requires regulations to reduce the risks of oil spills in operations involving the transfer of oil from, or to, a tank vessel. Allows enforcement of certain state laws or regulations that are at least as stringent as such regulations.

(Sec. 703) Directs the Secretary to report on: (1) oil spills involving human error; (2) near-miss oil spill incidents; (3) gaps in required data, including gaps in the ability to define and identify fatigue; and (4) recommendations by the Secretary and representatives of industry and labor and experts in the fields of marine casualties and human factors to address identified errors and any gaps in the data. Directs the Secretary to take action to reduce the risk of oil spills caused by human error.

(Sec. 704) Directs the Secretary and the Under Secretary of Commerce for Oceans and Atmosphere to revise the area to be avoided off the coast of the state of Washington so that restrictions apply to all vessels required to prepare a response plan under specified provisions of the Federal Water Pollution Control Act (other than fishing or research vessels while engaged in fishing or research in the area to be avoided).

(Sec. 705) Directs the Under Secretary of Commerce for Oceans and Atmosphere to establish an oil spill prevention and education program for small vessels.

Authorizes grants to carry out: (1) regional assessments of small oil spills; (2) voluntary, incentive-based clean marina programs; (3) cooperative oil spill prevention education programs; and (4) support for programs to address derelict vessels and the threat of such vessels sinking and discharging oil and other hazardous substances. Authorizes FY2010-FY2014 appropriations.

(Sec. 706) Directs the Secretary to: (1) complete the development of a tribal consultation policy in order to improve the Coast Guard's consultation and coordination with tribal governments regarding oil spill prevention, preparedness, response and natural resource damage assessment; and (2) provide assistance to participating tribal governments. Authorizes FY2010-FY2014 appropriations.

(Sec. 707) Directs the Secretary to report to Congress on the availability, feasibility, and potential cost of technology to

detect the loss of oil carried as cargo or as fuel on tank and non-tank vessels greater than 400 gross tons.

(Sec. 708) Amends the Oil Pollution Act of 1990 to make not more than \$15 million of the Oil Spill Liability Trust Fund available each fiscal year to the Under Secretary of Commerce for Oceans and Atmosphere for expenses and activities related to NOAA's response and damage assessment capabilities.

Modifies requirements regarding Fund audits by the Comptroller General and requires a report to Congress and to the Secretary or Administrator of each federal agency that administers and manages amounts from the Fund.

Requires an annual report to Congress (and to the public on the National Pollution Funds Center Internet website) containing a list of each Fund disbursement of \$250,000 or more.

(Sec. 709) Directs the Secretary to ensure that the Coast Guard pursues stronger IMO enforcement of oil discharge agreements.

(Sec. 710) Requires the Commandant to modify the definition of the term "higher volume port area" in a specified Coast Guard regulation by replacing "Port Angeles, WA" with "Cape Flattery, WA."

Requires the Coast Guard to complete its review of any changes to vessel response plans under the Federal Water Pollution Control Act resulting from such modification within five years.

(Sec. 711) Encourages strongly the Commandant to enter into negotiations with the government of Canada to update the comparability analysis which serves as the basis for the Cooperative Vessel Traffic Service agreement between the United States and Canada for the management of maritime traffic in Puget Sound, the Strait of Georgia, Haro Strait, Rosario Strait, and the Strait of Juan de Fuca.

Requires that such updated analysis consider: (1) requirements for laden tank vessels to be escorted by tug boats; (2) vessel emergency response towing capability at the entrance to the Strait of Juan de Fuca; and (3) spill response capability throughout the shared water.

Amends the the Oil Pollution Act of 1990 to require that double hulled tankers over 5,000 gross tons transporting bulk oil in Prince William Sound, Alaska, be escorted by at least two towing vessels.

Requires the Commandant, through the appropriate Area Committee under specified provisions of the Federal Water Pollution Control Act, to prepare a vessel traffic risk assessment for Cook Inlet, Alaska, within one year after enactment of this Act.

(Sec. 712) Amends the Oil Pollution Act of 1990 to require any tank vessel over 100 gross tons using any place subject to U.S. jurisdiction to establish and maintain evidence of financial responsibility sufficient to meet the maximum amount of liability to which the responsible party could be subjected under specified provisions.

(Sec. 713) Includes the owner of oil being transported in a tank vessel with a single hull after December 31, 2010, subject to exception, in the definition of "responsible party."

Title VIII: Port Security - (Sec. 801) Establishes the America's Waterway Watch Program to promote voluntary reporting of activities relating to terrorism against a vessel, facility, port, or waterway. Authorizes appropriations.

(Sec. 802) Requires the Secretary of Homeland Security to report to Congress and to the Comptroller General after completion of the pilot program (required by existing law) to test the business processes, technology, and operational

impacts required to deploy transportation security card readers at secure areas of the marine transportation system. Requires an assessment of that report by the Comptroller General.

(Sec. 803) Revises enumerated characteristics of interagency operational centers for port security at high-priority ports to: (1) include information and sensor management systems and, where practicable, the physical co-location of the Coast Guard with, as the Secretary determines appropriate, previously participating representatives of specified federal agencies (including the U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, Transportation Security Administration [TSA], Department of Justice [DOJ], and DOD), state and local enforcement or port security personnel, the American Maritime Security Committee, and other public and private sector stakeholders adversely affected by a transportation security incident or transportation disruption; and (2) exclude the utilization of certain pilot project and virtual operational centers.

(Sec. 804) Amends provisions related to maritime safety and security teams to require the Secretary to establish deployable specialized forces, including at least two enhanced teams capable of combating terrorism, engaging in interdiction, law enforcement, and advanced maritime security operations addressing armed security threats (including noncompliant actors at sea), and participating in maritime-related homeland security and counterterrorism exercises. Revises the mission of such forces to include operations to protect against weapons of mass destruction.

(Sec. 805) Requires the Secretary of Homeland Security, subject to available appropriations, to begin to increase the number of detection canine teams certified by the Coast Guard for maritime-related security by at least 10 canine teams annually through fiscal year 2012 and to encourage owners and operators of port facilities, passenger cruise liners, oceangoing cargo vessels, and other vessels to strengthen security through the use of highly trained detection canine teams.

(Sec. 806) Allows the Secretary to find that a foreign port does not maintain effective antiterrorism measures without an inspection of such port. Requires the Secretary, unless the Secretary finds that a foreign port maintains such measures, to notify: (1) foreign authorities and recommend antiterrorism measures; and (2) passengers. (Current law requires such notices if the Secretary makes such a finding.) Authorizes conditions and denials of entry into the United States for certain vessels unless the Secretary makes such a finding.

Authorizes the Secretary to lend, lease, donate, or otherwise provide equipment, and provide technical training and support, to the owner or operator of a foreign port or facility to assist in: (1) bringing the port or facility into compliance with applicable International Ship and Port Facility Code standards; and (2) correcting deficiencies identified in specified periodic port assessments and reassessments.

Modifies requirements regarding port security antiterrorism efforts in ports and facilities in foreign countries and U.S. territories.

(Sec. 807) Directs the Secretary to conduct, in the maritime environment, a program for the mobile biometric identification (fingerprint and digital photography images and facial and iris scan technology and other technology considered applicable by DHS) of suspected individuals, including terrorists, to enhance border security and for other purposes.

Requires a report regarding the cost of expanding the Coast Guard's biometric identification capabilities for use by the Coast Guard's Deployable Operations Group, cutters, stations, and other deployable maritime teams and any other appropriate DHS maritime vessels and units.

Requires a study on the use by the Coast Guard and other departmental entities of the combination of biometric

technologies to rapidly identify individuals for security purposes.

(Sec. 808) Directs the Secretary of Homeland Security to establish procedures providing for an individual who is required to be fingerprinted for purposes of obtaining a transportation security card under specified provisions to be fingerprinted at any of not less than 20 facilities operated by or under contract with a DHS agency that fingerprints the public. Terminates the directive one year after establishment of the required facilities.

(Sec. 809) Requires issuance of a biometric transportation security card to an individual issued a license, certificate of registry, or merchant mariners document, and to an individual engaged on a towing vessel that pushes, pulls, or hauls alongside a tank vessel, if those individuals are allowed unescorted access to a secure area designated in a vessel security plan, unless an individual poses a security risk. (Current law requires issuance, but makes no reference to unescorted access to a secure area.)

(Sec. 810) Modifies the composition of Maritime Security Advisory Committees and extends the termination date to September 30, 2020. Requires each committee, by September 30, 2018, to submit to Congress its recommendation regarding whether the committee should be renewed and continued beyond the termination date.

(Sec. 811) Requires each facility security plan approved under specified provisions to provide a system for seamen assigned to a vessel at that facility, pilots, and representatives of seamen's welfare and labor organizations to board and depart the vessel through the facility in a timely manner at no cost to the individual.

(Sec. 812) Directs the Secretary to: (1) study and report on measures to improve the security of maritime transportation of especially hazardous cargo; and (2) develop a national strategy for the waterside security of vessels carrying, and waterfront facilities handling, such cargo.

Requires the Coast Guard, consistent with other provisions of law, to enforce any security zone established by the Coast Guard around a vessel containing such cargo.

Requires a related report.

(Sec 813) Directs the Secretary, consistent with other provisions of law, to make a recommendation, after considering state recommendations, to the Federal Energy Regulatory Commission (FERC) as to whether the waterway to a proposed waterside liquefied natural gas facility is recommended as suitable for associated marine traffic.

(Sec. 814) Authorizes the Secretary to use a secondary authentication system to verify the identification of individuals using transportation security cards when fingerprints are not able to be taken or read.

(Sec. 815) Directs the Secretary to prepare an assessment of the enrollment sites for transportation security cards, including regarding the feasibility of keeping those enrollment sites open after enactment of this Act and regarding customer service quality. Directs the Secretary to develop timelines and benchmarks for implementing the assessment's findings.

(Sec. 816) Directs the Secretary to assess and report on the feasibility of efforts to mitigate the threat of small boat attack in security zones of major ports, including the use of transponders, radio frequency identification devices, and high-frequency surface radar systems to track small boats.

(Sec. 817) Directs the Comptroller General to report to Congress on security background checks under state and federal transportation security programs and whether they should be limited and made uniform.

(Sec. 818) Revises requirements for the issuance of transportation security cards.

Allows applicants escorted access to restricted areas pending issuance or reissuance of a card.

Requires the Secretary to: (1) respond to an initial transportation security card application, or review an appeal or waiver request, within 30 days after its receipt; and (2) develop a process to permit an individual approved for a transportation security card to receive it at the individual's place of residence or at the enrollment center of the individual's choosing, if the Comptroller General finds in a report to Congress that such a process is feasible and secure.

(Sec. 819) Authorizes the Secretary to extend for up to one year the expiration of a transportation security card so as to align the expiration with the expiration of a license, certificate of registry, or merchant mariner document.

(Sec. 820) Authorizes the Secretary to issue port security regulations.

(Sec. 821) Directs the Secretary to: (1) establish port security training requirements for certification of facility security officers; (2) develop and certify (with state and local enforcement agencies and industry stakeholders) specified security training requirements for federal, state, and local seaport security officials; and (3) develop (with maritime institutions and industry stakeholders) geographically balanced training capacity for personnel seeking certification.

(Sec. 822) Requires the owner or operator of a facility that may be involved in a transportation security incident to: (1) make its vulnerability assessment available to the port authority with jurisdiction of the facility and appropriate state or local law enforcement agencies; and (2) integrate any security system for the facility with compatible systems operated or maintained by the appropriate state, law enforcement agencies, and the Coast Guard.

(Sec. 823) Requires the Secretary to develop a plan to permit the receipt and activation of transportation security cards at any specified vessel or facility that desires to implement such capability.

(Sec. 824) Directs the Secretary, subject to the availability of appropriations, to ensure that interoperable communications technology is deployed at specified interagency operational centers and that such technology and equipment has been tested in live operational environments before deployment.

(Sec. 825) Requires the Secretary, to the extent practicable, to concurrently conduct or integrate Coast Guard assessments required by specified provisions related to the SAFE Port Act and interagency operational centers for port security. Directs the Secretary to provide written notice to Congress whenever two or more assessments of the same port are conducted within a three-year period.

(Sec. 826) Amends Area Maritime Transportation Security Plan requirements to include area response and recovery protocols to prepare for, respond to, mitigate against, and recover from a transportation security incident.

(Sec. 827) Requires the development and utilization of a national standard and formula for prioritizing and addressing assessed security risks at U.S. ports and facilities on or adjacent to the waterways of the United States, such as the Maritime Security Risk Assessment Model tested by DHS. Directs the Secretary to use such standard to: (1) require each Area Maritime Security Committee to evaluate and prioritize mitigation of each port's risks; and (2) consider resource allocations and grant-making decisions. Makes the Coast Guard's Maritime Security Risk Assessment Model available, in an unclassified version, on a limited basis to regulated vessels and facilities to conduct true risk assessments of their own facilities and vessels using Coast Guard criteria.

(Sec. 828) Directs the Commandant to establish, by regulation, national standards for training and credentialing law

enforcement personnel to enforce a security zone or assist in such enforcement.

Defines "security zone" as a zone established by the Commandant pursuant to specified acts for a vessel carrying especially hazardous cargo when such vessel: (1) enters, or operates within, U.S. internal waters and territorial seas; or (2) transfers such cargo or residue in any port or place, under U.S. jurisdiction, within such seas and waters.

Requires the Commandant to develop training curriculum and allows agreements with public or private entities to test and deliver such training.

Establishes a related training grant.

Title IX: Miscellaneous Provisions - (Sec. 901) Authorizes the Secretary, notwithstanding specified provisions, to issue a certificate of documentation with a coastwise endorsement for two named and numbered vessels.

Authorizes the Secretary, notwithstanding specified provisions, to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for two named and numbered GALLANT LADY vessels. (Current law provides the Secretary of Transportation such authorization.)

Limits authorized nonrecreational activity for a specified GALLANT LADY vessel to the transportation of individuals on behalf of certain tax exempt organizations for which the owner of the vessel receives no compensation.

Allows the Secretary of Transportation to issue a waiver allowing a documented vessel with a registry endorsement or a foreign flag vessel to be used in operations that treat aquaculture fish for or protect aquaculture fish from disease, parasitic infestation, or other health threats if, after a notice is published in the Federal Register, a suitable U.S. vessel is not available that could perform those services. (Current law requires vessels to have a certificate of documentation with an endorsement before engaging in a trade.)

(Sec. 902) Caps the total delayed payment of wages (at ten times the unpaid wages that are subject to the claim) in a class action suit by seamen on a passenger vessel capable of carrying over 500 passengers on foreign, intercoastal, and coastwise voyages when payment of wages is not made by specified deadlines without sufficient cause. Regulates other aspects of seamen's wages regarding such vessels.

(Sec. 903) Removes the requirement that appointments of cadets to the Coast Guard Academy be made without regard to the sex, race, color, or religious beliefs of an applicant.

(Sec. 904) Permits a U.S. purse seine fishing vessel fishing exclusively for highly migratory species in the treaty area under a fishing license issued pursuant to the 1987 Treaty on Fisheries Between the Governments of Certain Pacific Islands States and the Government of the United States of America, or transiting to or from the treaty area exclusively for such purpose, to engage foreign citizens to meet the manning requirement (except for the master) through December 31, 2012, if it has an annual safety examination.

(Sec. 905) Directs the Commandant to report regarding the proposed construction or alteration of any bridge, drawbridge, or causeway over navigable waters with a channel depth of 25 feet or greater that may impede or obstruct future navigation to or from port facilities.

(Sec. 906) Prohibits the employer of a seaman from withholding state or local taxes, except by voluntary agreement, if the seaman performs regularly-assigned duties while engaged as a master, officer, or crewman on a vessel operating on navigable waters in two or more states. (Current law so prohibits when such an individual is engaged on a vessel

operating on navigable waters of more than one state).

(Sec. 907) Authorizes the Commandant to convey as federal surplus property real property commonly identified as Coast Guard Station Marquette and Lighthouse Point to the city of Marquette, Michigan. Requires responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, to be determined by the Commandant and the city.

(Sec. 908) Directs the Secretary to prepare a mission requirement analysis for the navigable portions of the Rio Grande River, Texas, international water boundary. Requires a related report.

(Sec. 909) Authorizes the Commandant, notwithstanding any other law, to convey, at fair market value, a parcel of about three acres of real property that is under the Coast Guard's administrative control in Cheboygan, Michigan. Requires responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, to be determined by the Commandant and the purchaser.

(Sec. 910) Directs the Secretary, on request of the governor of Texas or the governor of Oklahoma, to enter into an agreement whereby the state shall license operators of uninspected passenger vessels operating on Lake Texoma in Texas and Oklahoma in lieu of the Secretary issuing the license under specified provisions, but only if the state plan for licensing such operators meets certain requirements.

(Sec. 911) Directs the Secretary to submit a report to Congress on its comprehensive strategy to combat the illicit flow of narcotics, weapons, bulk cash, and other contraband through the use of submersible and semi-submersible vessels.

(Sec. 912) Shields an owner, operator, time charterer, master, mariner, or individual who uses, or authorizes the use of, force to defend a vessel of the United States against piracy from liability for monetary damages for any injury or death caused by such force to any person engaging in an act of piracy if such force was in accordance with standard rules for the use of force in self-defense of vessels prescribed by the Secretary.

Directs the Secretary to work through the IMO to establish agreements to promote coordinated action among flag- and port-states to deter, protect against, and rapidly respond to piracy against the vessels of, and in the waters under the jurisdiction of, those nations, and to ensure limitations on liability similar to those established by this section of this Act.

Requires the Secretary to develop standard rules for the use of force for self-defense of U.S. vessels.

(Sec. 913) Amends provisions relating to commercial instruments and maritime liens to substitute references to the DHS Secretary for certain current references to the Secretary of Transportation.

(Sec. 914) Requires the Coast Guard, whenever the transfer of ownership of a Coast Guard vessel or aircraft for use for educational, cultural, historical, charitable, recreational, or other public purposes is authorized by law or declared excess by the Commandant, to transfer the vessel or aircraft to the General Services Administration (GSA) for conveyance.

Sets forth conveyance conditions.

(Sec. 915) Directs the Commandant to: (1) determine the types and numbers of vessels utilizing a specified portion of the Atlantic Intracoastal Waterway in Dade County, Florida; (2) assess the adequacy of navigational aids in and along such portion of the Atlantic Intracoastal Waterway; and (3) submit a related report to Congress.

(Sec. 916) Directs the Commandant to determine the necessity and adequacy of existing federal aids to navigation at

Presque Isle Light Station, Presque Isle, Michigan and submit such determination to Congress.

Allows the Commandant to transfer to the Township of Presque Isle, Michigan, subject to conditions and with reservations, possession of the Fresnel Lens from the Light Station for the purpose of conserving and displaying such Fresnel Lens as an artifact in an exhibition facility.

(Sec. 917) Amends federal criminal law to specify the following maritime penalties (in addition to the fine/five-year incarceration under current law): (1) fine and/or incarceration for any term of years or life if the offense results in death or involves kidnapping or attempt to kidnap, the conduct required for aggravated sexual abuse or an attempt to commit such abuse, or an attempt to kill; and (2) fine and/or up to 15 years incarceration for offenses resulting in serious bodily injury or (if committed in the course of committing other specified offenses including alien smuggling, peonage, slavery, trafficking, or certain maritime, territorial jurisdiction, and domestic habitual offender assaults) transportation under inhumane conditions.

Defines "transportation under inhumane conditions" as the transportation of persons in an engine compartment, storage compartment, or other confined space, transportation at an excessive speed, transportation of a number of persons in excess of the rated capacity of the means of transportation, or intentionally grounding a vessel in which persons are being transported. Revises the definitions of "vessel subject to the jurisdiction of the United States" and "vessel of the United States" in federal criminal code provisions related to sanctions for failure to heave to, obstruction of boarding, and providing false information.

(Sec. 918) Directs the Commandant to submit to Congress the Coast Guard's five-year capital investment plan concurrent with the President's budget submission for each fiscal year.

(Sec. 919) Limits in FY2011 the total amount of appropriated funds obligated or expended by the Coast Guard during any fiscal year in connection with any study or report required by law to the total amount of appropriated funds obligated or expended by the Coast Guard for such purpose in FY2010. Directs the Commandant to establish for each fiscal year a rank order of priority for studies and reports that can be conducted or completed consistent with such limitation and post the list on the Coast Guard's public website.

(Sec. 920) States that the budgetary effects of this Act, for purposes of Statutory Pay-As-You-Go Act of 2010 compliance, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendments between the Houses.

(Sec. 921) Defines the term "aquarium" or "public aquarium" in provisions of the Maritime Transportation Security Act of 2002 regarding the conveyance by the Secretary of property known as the Naval Reserve Pier property in Portland, Maine, to the Gulf of Maine Aquarium Development Corporation.

Title X: Clean Hulls - Subtitle A: General Provisions - (Sec. 1011) Defines "antifouling system" as a coating, paint, surface treatment, surface, or device used on a vessel to control or prevent attachment of unwanted organisms.

(Sec. 1012) Defines "covered vessel" to mean any vessel (except U.S. or foreign warships, naval auxiliary, or other government noncommercial service vessels) that is: (1) documented under U.S. laws; (2) authorized to operate on the Outer Continental Shelf; or (3) otherwise operating in U.S. internal waters or territorial seas, or is in a U.S. port.

Subtitle B: Implementation of the Convention - (Sec. 1021) Requires covered vessels of at least 400 gross tons that engage in one or more international voyages, upon entry into force of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, to carry an International Antifouling System Certificate, issued by the Secretary. Exempts from this requirement fixed or floating platforms, floating storage units (FSUs), and floating production, storage, or offloading units (FPSOs).

Authorizes such vessels of countries that are not a party to the Convention to comply with the title's requirement through other appropriate documentation considered acceptable by the Secretary.

(Sec. 1022) Requires covered vessels of at least 24 meters in length, but less than 400 gross tons, engaged on an international voyage (with the same exceptions as for vessels of at least 400 tons), to carry a signed declaration that the vessel's antifouling system complies with the Convention.

(Sec. 1024) Sets forth a process for considering additional controls on antifouling systems.

(Sec. 1025) Authorizes the Secretary, the EPA Administrator, and the NOAA Administrator to each undertake scientific and technical research and monitoring and promote the availability of information regarding: (1) scientific and technical activities undertaken in accordance with the Convention; (2) marine scientific and technological programs and their objectives; and (3) the effects observed from any monitoring and assessment programs relating to antifouling systems.

(Sec. 1026) Directs the EPA Administrator to provide to any party to the Convention that requests information on which decisions to regulate are based or other information used to evaluate the antifouling system.

Subtitle C: Prohibitions and Enforcement Authority - (Sec. 1031) Makes it unlawful for a person to: (1) violate a requirement of this title; (2) sell or distribute domestically or internationally organotin (biocide) or an antifouling sys

Actions Timeline

- **Oct 15, 2010:** Signed by President.
- **Oct 15, 2010:** Became Public Law No: 111-281.
- **Oct 4, 2010:** Presented to President.
- **Sep 30, 2010:** Mr. Oberstar asked unanimous consent that the House agree to the Senate amendments to the House amendments to the Senate amendment. (consideration: CR H7383-7384)
- **Sep 30, 2010:** Resolving differences -- House actions: On motion that the House agree to the Senate amendments to the House amendments to the Senate amendment Agreed to without objection.
- **Sep 30, 2010:** On motion that the House agree to the Senate amendments to the House amendments to the Senate amendment Agreed to without objection.
- **Sep 30, 2010:** Resolving differences -- House actions: On motion that the House agree to the Senate amendments to the House amendment to the Senate amendment Agreed to without objection.(text as House agreed to Senate amendments to House amendment to Senate amendment: CR H7383-7384)
- **Sep 30, 2010:** On motion that the House agree to the Senate amendments to the House amendment to the Senate amendment Agreed to without objection. (text as House agreed to Senate amendments to House amendment to Senate amendment: CR H7383-7384)
- **Sep 30, 2010:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 30, 2010:** Message on Senate action sent to the House.
- **Sep 30, 2010:** Cleared for White House.
- **Sep 29, 2010:** Message on House action received in Senate and at desk: House amendments to Senate amendment.
- **Sep 29, 2010:** Resolving differences -- Senate actions: Senate concurred in House amendment with amendments (SA 4684) by Unanimous Consent.(consideration: CR S7718-7719, S7730-7731)
- **Sep 29, 2010:** Senate concurred in House amendment with amendments (SA 4684) by Unanimous Consent. (consideration: CR S7718-7719, S7730-7731)
- **Sep 29, 2010:** Resolving differences -- Senate actions: Senate agreed to the House Amendment to the title by Unanimous Consent.
- **Sep 29, 2010:** Senate agreed to the House Amendment to the title by Unanimous Consent.
- **Sep 28, 2010:** Resolving differences -- House actions: House agreed to Senate amendment with amendments pursuant to H. Res. 1665.
- **Sep 28, 2010:** House agreed to Senate amendment with amendments pursuant to H. Res. 1665.
- **May 7, 2010:** Measure laid before Senate by unanimous consent. (consideration: CR S3431-3432)
- **May 7, 2010:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **May 7, 2010:** Passed Senate with an amendment by Unanimous Consent.
- **May 7, 2010:** Message on Senate action sent to the House.
- **Nov 2, 2009:** Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 195.
- **Oct 26, 2009:** Received in the Senate.
- **Oct 23, 2009:** Considered as unfinished business. (consideration: CR H11717-11724)
- **Oct 23, 2009:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Flake amendment number 7.
- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Flake amendment number 8.
- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Kirkpatrick (AZ) amendment.
- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Kratovil amendment.
- **Oct 23, 2009:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Kratovil amendment, the Chair put the question on adoption of the amendment and announced by voice vote that the ayes had prevailed. Mr. Kratovil demanded a recorded vote and the Chair postponed further proceedings on adoption of the amendment until later in the legislative day.
- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Nye amendment.

- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Oberstar amendment number 12.
- **Oct 23, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the LoBiondo amendment.
- **Oct 23, 2009:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3619.
- **Oct 23, 2009:** The previous question was ordered pursuant to the rule. (consideration: CR H11723)
- **Oct 23, 2009:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR 10/22/2009 H11640-11673)
- **Oct 23, 2009:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 385 - 11 (Roll no. 813).
- **Oct 23, 2009:** On passage Passed by the Yeas and Nays: 385 - 11 (Roll no. 813).
- **Oct 23, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 23, 2009:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 3619.
- **Oct 22, 2009:** Rule H. Res. 853 passed House.
- **Oct 22, 2009:** Considered under the provisions of rule H. Res. 853. (consideration: CR H11632-11685)
- **Oct 22, 2009:** Rule provides for consideration of H.R. 3619 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as adopted in the House and the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment.
- **Oct 22, 2009:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 853 and Rule XVIII.
- **Oct 22, 2009:** The Speaker designated the Honorable Kathleen A. Dahlkemper to act as Chairwoman of the Committee.
- **Oct 22, 2009:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3619.
- **Oct 22, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 20 minutes of debate on the Oberstar amendment.
- **Oct 22, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Mica amendment.
- **Oct 22, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Oberstar amendment No. 2.
- **Oct 22, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the LoBiondo amendment.
- **Oct 22, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the LoBiondo amendment No. 2.
- **Oct 22, 2009:** DEBATE - Pursuant to the provisions of H.Res. 853, the Committee of the Whole proceeded with 10 minutes of debate on the Himes amendment.
- **Oct 22, 2009:** Mr. Cummings moved that the Committee now rise.
- **Oct 22, 2009:** On motion that the Committee now rise Agreed to by voice vote.
- **Oct 22, 2009:** Committee of the Whole House on the state of the Union rises leaving H.R. 3619 as unfinished business.
- **Oct 21, 2009:** Rules Committee Resolution H. Res. 853 Reported to House. Rule provides for consideration of H.R. 3619 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. A specified amendment is in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as adopted in the House and the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment.
- **Oct 16, 2009:** Reported (Amended) by the Committee on Transportation. H. Rept. 111-303, Part I.
- **Oct 16, 2009:** Referred sequentially to the House Committee on Homeland Security for a period ending not later than Oct. 16, 2009.
- **Oct 16, 2009:** Committee on Homeland Security discharged.
- **Oct 16, 2009:** Placed on the Union Calendar, Calendar No. 170.

Sep 24, 2009: Committee Consideration and Mark-up Session Held.

- **Sep 24, 2009:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 24, 2009:** Subcommittee on Coast Guard and Maritime Transportation Discharged.
- **Sep 23, 2009:** Referred to the Subcommittee on Coast Guard and Maritime Transportation.
- **Sep 22, 2009:** Introduced in House
- **Sep 22, 2009:** Referred to the House Committee on Transportation and Infrastructure.