

107TH CONGRESS
1ST SESSION

H. R. 2481

To improve maritime safety and the quality of life for Coast Guard personnel,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2001

Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. LOBIONDO, and Ms. BROWN of Florida) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To improve maritime safety and the quality of life for Coast
Guard personnel, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Omnibus Maritime Im-
5 provements Act of 2001”.

6 **SEC. 2. EXTENSION OF COAST GUARD HOUSING AUTHORI-**
7 **TIES.**

8 (a) HOUSING CONTRACTORS.—Section 681 of title
9 14, United States Code, is amended by inserting “, includ-
10 ing a small business concern qualified under section 8(a)

1 of the Small Business Act (15 U.S.C. 637(a)),” after “pri-
2 vate persons”.

3 (b) BUDGET AUTHORITY LIMITATION.—Section
4 687(f) of title 14, United States Code, is amended by
5 striking “\$20,000,000” and inserting “\$40,000,000”.

6 (c) DEMONSTRATION PROJECT.—Section 687 of title
7 14, United States Code, is amended by adding at the end
8 the following new subsection:

9 “(g) DEMONSTRATION PROJECT AUTHORIZED.—To
10 promote efficiencies through the use of alternative proce-
11 dures for expediting new housing projects, the Secretary—

12 “(1) may develop and implement a Demonstra-
13 tion Project for acquisition or construction of mili-
14 tary family housing and military unaccompanied
15 housing at the Coast Guard installation at Kodiak,
16 Alaska;

17 “(2) in implementing the Demonstration
18 Project shall utilize, to the maximum extent possible,
19 the contracting authority of the Small Business Ad-
20 ministration’s section 8(a) program;

21 “(3) shall, to the maximum extent possible, ac-
22 quire or construct such housing through contracts
23 with small business concerns qualified under section
24 8(a) of the Small Business Act (15 U.S.C. 637(a))

1 that have their principal place of business in the
2 State of Alaska; and

3 “(4) shall report to Congress by September 1 of
4 each year on the progress of activities under the
5 Demonstration Project.”.

6 (d) EXTENSION.—Section 689 of title 14, United
7 States Code, is amended by striking “2001’ and inserting
8 “2006”.

9 **SEC. 3. VESSELS FOR CABLE LAYING.**

10 (a) REQUIREMENT.—Only eligible vessels may be
11 used after the date of enactment of this Act in the course
12 of—

13 (1) laying a submarine cable between 2 land-
14 ings in the United States;

15 (2) making a shore landing of a submarine
16 cable in the United States;

17 (3) laying or burying a submarine cable on or
18 under the lands beneath the navigable waters of the
19 United States; or

20 (4) servicing or maintaining a submarine
21 cable—

22 (A) between 2 landings in the United
23 States, or

24 (B) on or under the lands beneath the nav-
25 igation waters of the United States,

1 if that cable is owned by, operated by, or operated
2 for the United States Government.

3 (b) DEFINITION.—For purposes of this section—

4 (1) the term “eligible vessel” means—

5 (A) a United States-flag vessel, if before
6 July 1, 2001, it was a United States-flag vessel
7 used in the course of any of the services speci-
8 fied in paragraphs (1) through (4) of subsection
9 (a); or

10 (B) a vessel documented under section
11 12105 of title 46, United States Code; and

12 (2) the term “navigable waters of the United
13 States” includes all waters of the territorial sea of
14 the United States as described in Presidential Proc-
15 lamation No. 5928 of December 27, 1988.

16 **SEC. 4. VESSEL ESCORT OPERATIONS AND TOWING ASSIST-**
17 **ANCE.**

18 (a) IN GENERAL.—Except in the case of a vessel in
19 distress, only a vessel of the United States (as that term
20 is defined in section 2101 of title 46, United States Code)
21 may perform the following vessel escort operations and
22 vessel towing assistance within the navigable waters of the
23 United States:

24 (1) Operation or assistance that commences or
25 terminates at a port or place in the United States.

1 (2) Operation or assistance required by United
2 States law or regulation.

3 (3) Operation provided in whole or in part for
4 the purpose of escorting or assisting a vessel within
5 or through navigation facilities owned, maintained,
6 or operated by the United States Government or the
7 approaches to such facilities, other than facilities op-
8 erated by the St. Lawrence Seaway Development
9 Corporation on the St. Lawrence River portion of
10 the Seaway.

11 (b) DEFINITIONS.—Unless otherwise defined by a
12 provision of law or regulation requiring that towing assist-
13 ance or escort be rendered to vessels transiting United
14 States waters or navigation facilities, for purposes of this
15 section—

16 (1) the term “towing assistance” means oper-
17 ation by an assisting vessel in direct contact with an
18 assisted vessel (including hull-to-hull, by towline, in-
19 cluding if only pretethered, or made fast to that ves-
20 sel by one or more lines) for purposes of exerting
21 force on the assisted vessel to control, or to assist
22 in controlling, the movement of the assisted vessel;
23 and

1 (2) the term “escort operations” means accom-
2 panying a vessel for the purpose of providing towing
3 or towing assistance to the vessel.

4 (c) PENALTY.—A person violating this section is lia-
5 ble to the United States Government for a civil penalty
6 of not more than \$10,000 for each day during which the
7 violation occurs.

8 **SEC. 5. SEARCH AND RESCUE CENTER STANDARDS.**

9 (a) IN GENERAL.—Title 14, United States Code, is
10 amended by adding at the end of chapter 17 the following
11 new section:

12 **“§ 676. Search and rescue center standards**

13 “(a) The Secretary shall establish, implement, and
14 maintain the minimum standards necessary for the safe
15 operation of all Coast Guard search and rescue center fa-
16 cilities, including with respect to the following:

17 “(1) The lighting, acoustics, and temperature in
18 the facilities.

19 “(2) The number of individuals on a shift in
20 the facility assigned search and rescue responsibil-
21 ities (including communications), which may be ad-
22 justed based on seasonal workload.

23 “(3) The length of time an individual may serve
24 on watch to minimize fatigue, based on the best sci-
25 entific information available.

1 “(4) The scheduling of individuals having
2 search and rescue responsibilities to minimize fa-
3 tigue of the individual when on duty in the facility.

4 “(5) The workload of each individual engaged
5 in search and rescue responsibilities in the facility.

6 “(6) Stress management for the individuals as-
7 signed search and rescue responsibilities in the fa-
8 cilities.

9 “(7) The design of equipment and facilities to
10 minimize fatigue and enhance search and rescue op-
11 erations.

12 “(8) Any other requirements that the Secretary
13 believes will increase the safe operation of the search
14 and rescue centers.

15 “(b) An individual on duty or watch in a Coast Guard
16 search and rescue center facility, including a communica-
17 tions center, may not work more than 12 hours in a 24-
18 hour period except in an emergency.”.

19 (b) APPLICATION.—Section 676 of title 14, United
20 States Code (as enacted by subsection (a) of this section)
21 shall apply beginning on July 1, 2002.

22 (c) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of chapter 17 of title 14, United States
24 Code, is amended by adding at the end the following:

“676. Search and rescue center standards.”.

1 **SEC. 6. VHF COMMUNICATIONS SERVICES.**

2 The Secretary of Transportation may authorize a
3 person providing commercial VHF communications serv-
4 ices to place commercial VHF communications equipment
5 on Coast Guard owned or controlled property (including
6 towers) subject to any terms agreed to by the parties. The
7 Secretary and that commercial VHF communications
8 service provider also may enter into an agreement pro-
9 viding for VHF communications services to the Coast
10 Guard (including digital selective calling and radio direc-
11 tion finding services) at a discounted price based on pro-
12 viding such access to property owned or controlled by the
13 Coast Guard.

14 **SEC. 7. LOWER COLUMBIA RIVER MARITIME FIRE AND**
15 **SAFETY ACTIVITIES.**

16 There is authorized to be appropriated to the Sec-
17 retary of Transportation not more than \$987,400 for
18 lower Columbia River marine, fire, oil, and toxic spill re-
19 sponse communications, training, equipment, and program
20 administration activities conducted by the Maritime Fire
21 and Safety Association.

22 **SEC. 8. CONFORMING REFERENCES TO THE FORMER MER-**
23 **CHANT MARINE AND FISHERIES COMMITTEE.**

24 (a) LAWS CODIFIED IN TITLE 14, UNITED STATES
25 CODE.—(1) Section 194(b)(2) of title 14, United States

1 Code, is amended by striking “Merchant Marine and Fish-
2 eries” and inserting “Transportation and Infrastructure”.

3 (2) Section 663 of title 14, United States Code, is
4 amended by striking “Merchant Marine and Fisheries”
5 and inserting “Transportation and Infrastructure”.

6 (3) Section 664 of title 14, United States Code, is
7 amended by striking “Merchant Marine and Fisheries”
8 and inserting “Transportation and Infrastructure”.

9 (b) LAWS CODIFIED IN TITLE 33, UNITED STATES
10 CODE.—(1) Section 3(d)(3) of the International Naviga-
11 tional Rules Act of 1977 (33 U.S.C. 1602(d)(3)) is
12 amended by striking “Merchant Marine and Fisheries”
13 and inserting “Transportation and Infrastructure”.

14 (2) Section 5004(2) of the Oil Pollution Act of 1990
15 (33 U.S.C. 2734(2)) is amended by striking “Merchant
16 Marine and Fisheries” and inserting Transportation and
17 Infrastructure”.

18 (c) LAWS CODIFIED IN TITLE 46, UNITED STATES
19 CODE.—(1) Section 6307 of title 46, United States Code,
20 is amended by striking “Merchant Marine and Fisheries”
21 and inserting “Transportation and Infrastructure”.

22 (2) Section 901g(b)(3) of the Merchant Marine Act,
23 1936 (46 App. U.S.C. 1241k(b)(3)) is amended by strik-
24 ing “Merchant Marine and Fisheries” and inserting
25 “Transportation and Infrastructure”.

1 (3) Section 913(b) of the International Maritime and
2 Port Security Act (46 App. U.S.C. 1809(b)) is amended
3 by striking “Merchant Marine and Fisheries” and insert-
4 ing “Transportation and Infrastructure”.

5 **SEC. 9. RESTRICTION ON VESSEL DOCUMENTATION.**

6 Section 12108(a) of title 46, United States Code, is
7 amended by—

8 (1) amending paragraph (2) to read as follows:

9 “(2) was built in the United States;”;

10 (2) striking “and” at the end of paragraph (3);

11 (3) inserting after paragraph (3) the following:

12 “(4) was not forfeited to the United States
13 Government for a breach of the laws of the United
14 States; and”; and

15 (4) redesignating paragraph (4) as paragraph

16 (5).

17 **SEC. 10. SURVIVAL SUIT REQUIREMENT.**

18 The Commandant of the Coast Guard shall ensure
19 that all Coast Guard personnel are equipped with ade-
20 quate safety equipment, including survival suits, while per-
21 forming search and rescue missions.

○