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109TH CONGRESS
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S. 1280

[Report No. 109-114]

To authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 21, 2005

Ms. SNOWE (for herself, Ms. CANTWELL, Mr. STEVENS, Mr. INOUE, and Mr. LOTT) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science and Transportation

JULY 28, 2005

Reported by Mr. STEVENS, with amendments

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A BILL

To authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, 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 “Coast Guard Author-
5 ization Act of 2005”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—AUTHORIZATION

- Sec. 101. Authorization of appropriations.
- Sec. 102. Authorized levels of military strength and training.
- Sec. 103. Web-based risk management data system.

TITLE II—HOMELAND SECURITY, MARINE SAFETY, FISHERIES, AND ENVIRONMENTAL PROTECTION

- Sec. 201. Extension of Coast Guard vessel Anchorage and movement authority.
- Sec. 202. Enhanced civil penalties for violations of the Maritime Transportation Security Act.
- Sec. 203. Icebreakers.
- Sec. 204. Cooperative agreements.
- Sec. 205. Pilot program for dockside no fault/no cost safety and survivability examinations for uninspected commercial fishing vessels.
- Sec. 206. Reports from mortgagees of vessels.
- Sec. 207. International training and technical assistance.
- Sec. 208. Reference to Trust Territory of the Pacific Islands.
- Sec. 209. Bio-diesel feasibility study.
- Sec. 210. Certification of vessel nationality in drug smuggling cases.
- Sec. 211. Jones Act waivers.
- Sec. 212. Deepwater oversight.
- Sec. 213. Deepwater report.
- Sec. 214. LORAN-C.
- Sec. 215. Long-range vessel tracking system.
- Sec. 216. Marine vessel and cold water safety education.
- Sec. 217. Suction anchors.

TITLE III—UNITED STATES OCEAN COMMISSION IMPLEMENTATION

- Sec. 301. Place of refuge.
- Sec. 302. Implementation of international agreements.
- Sec. 303. Voluntary measures for reducing pollution from recreational boats.
- Sec. 304. Integration of vessel monitoring system data.
- Sec. 305. Foreign fishing incursions.

TITLE IV—COAST GUARD PERSONNEL, FINANCIAL, AND PROPERTY MANAGEMENT

- Sec. 401. Reserve officer distribution.
- Sec. 402. Coast Guard band director.
- Sec. 403. Reserve recall authority.
- Sec. 404. Expansion of equipment used by auxiliary to support Coast Guard missions.
- Sec. 405. Authority for one-step turnkey design-build contracting.
- Sec. 406. Officer promotions.
- Sec. 407. Redesignation of Coast Guard law specialists as judge advocates.
- Sec. 408. Boating safety director.

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TITLE V—TECHNICAL AND CONFORMING AMENDMENTS

Sec. 501. Government organization.
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 Sec. 505. Public printing and documents.
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 Sec. 508. Mortgage insurance.
 Sec. 509. Arctic research.
 Sec. 510. Conservation.
 Sec. 511. Conforming amendment.
 Sec. 512. Anchorage grounds.
 Sec. 513. Bridges.
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 Sec. 515. Oil pollution.
 Sec. 516. Medical care.
 Sec. 517. Conforming amendment to Social Security Act.
 Sec. 518. Shipping.
 Sec. 519. Nontank vessels.
 Sec. 520. Drug interdiction report.
 Sec. 521. Acts of terrorism report.

TITLE VI—EFFECTIVE DATES

Sec. 601. Effective dates.

1 **TITLE I—AUTHORIZATION**

2 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

3 (a) There are authorized to be appropriated for fiscal
 4 year 2006 to the Secretary of the department in which
 5 the Coast Guard is operating the following amounts:

6 (1) For the operation and maintenance of the
 7 Coast Guard \$5,594,900,000, of which \$24,500,000
 8 is authorized to be derived from the Oil Spill Liabil-
 9 ity Trust Fund to carry out the purposes of section
 10 1012(a)(5) of the Oil Pollution Act of 1990 (33
 11 U.S.C. 2712(a)(5)).

1 (2) For the acquisition, construction, renova-
2 tion, and improvement of aids to navigation, shore
3 and offshore facilities, vessels, and aircraft, includ-
4 ing equipment related thereto, \$1,424,852,000, to
5 remain available until expended, of which—

6 (A) \$20,000,000 shall be derived from the
7 Oil Spill Liability Trust Fund to carry out the
8 purposes of section 1012(a)(5) of the Oil Pollu-
9 tion Act of 1990 (33 U.S.C. 2712(a)(5)); and

10 (B) \$1,100,000,000 is authorized for ac-
11 quisition and construction of shore and offshore
12 facilities, vessels, and aircraft, including equip-
13 ment related thereto, and other activities that
14 constitute the Integrated Deepwater Systems.

15 (3) For the use of the Commandant of the
16 Coast Guard for research, development, test, and
17 evaluation of technologies, materials, and human
18 factors directly relating to improving the perform-
19 ance of the Coast Guard’s mission in search and res-
20 cue, aids to navigation, marine safety, marine envi-
21 ronmental protection, enforcement of laws and trea-
22 ties, ice operations, oceanographic research, and de-
23 fense readiness, \$24,000,000, to remain available
24 until expended, of which \$3,500,000 shall be derived
25 from the Oil Spill Liability Trust Fund to carry out

1 the purposes of section 1012(a)(5) of the Oil Pollu-
2 tion Act of 1990 (33 U.S.C. 2712(a)(5)).

3 (4) For retired pay (including the payment of
4 obligations otherwise chargeable to lapsed appropria-
5 tions for this purpose), payments under the Retired
6 Serviceman's Family Protection and Survivor Ben-
7 efit Plans, and payments for medical care of retired
8 personnel and their dependents under chapter 55 of
9 title 10, United States Code, \$1,014,080,000, to re-
10 main available until expended.

11 (5) For alteration or removal of bridges over
12 navigable waters of the United States constituting
13 obstructions to navigation, and for personnel and
14 administrative costs associated with the Bridge Al-
15 teration Program, \$17,400,000, of which
16 \$2,500,000, to remain available until expended, may
17 be utilized for construction of a new Chelsea Street
18 Bridge over the Chelsea River in Boston, Massachu-
19 setts.

20 (6) For environmental compliance and restora-
21 tion \$12,000,000, to remain available until expended
22 for environmental compliance and restoration func-
23 tions under chapter 19 of title 14, United States
24 Code.

1 (7) For operation and maintenance of the Coast
2 Guard reserve program, \$119,000,000.

3 (b) There are authorized to be appropriated for fiscal
4 year 2007 to the Secretary of the department in which
5 the Coast Guard is operating the following amounts:

6 (1) For the operation and maintenance of the
7 Coast Guard \$6,042,492,000, of which \$24,500,000
8 is authorized to be derived from the Oil Spill Liabil-
9 ity Trust Fund to carry out the purposes of section
10 1012(a)(5) of the Oil Pollution Act of 1990 (33
11 U.S.C. 2712(a)(5)).

12 (2) For the acquisition, construction, renova-
13 tion, and improvement of aids to navigation, shore
14 and offshore facilities, vessels, and aircraft, includ-
15 ing equipment related thereto, \$1,538,840,160, to
16 remain available until expended, of which—

17 (A) \$20,000,000 shall be derived from the
18 Oil Spill Liability Trust Fund to carry out the
19 purposes of section 1012(a)(5) of the Oil Pollu-
20 tion Act of 1990 (33 U.S.C. 2712(a)(5)); and

21 (B) \$1,188,000,000 is authorized for ac-
22 quisition and construction of shore and offshore
23 facilities, vessels, and aircraft, including equip-
24 ment related thereto, and other activities that
25 constitute the Integrated Deepwater Systems.

1 (3) For the use of the Commandant of the
2 Coast Guard for research, development, test, and
3 evaluation of technologies, materials, and human
4 factors directly relating to improving the perform-
5 ance of the Coast Guard's mission in search and res-
6 cue, aids to navigation, marine safety, marine envi-
7 ronmental protection, enforcement of laws and trea-
8 ties, ice operations, oceanographic research, and de-
9 fense readiness, \$25,920,000, to remain available
10 until expended, of which \$3,500,000 shall be derived
11 from the Oil Spill Liability Trust Fund to carry out
12 the purposes of section 1012(a)(5) of the Oil Pollu-
13 tion Act of 1990 (33 U.S.C. 2712(a)(5)).

14 (4) For retired pay (including the payment of
15 obligations otherwise chargeable to lapsed appropria-
16 tions for this purpose), payments under the Retired
17 Serviceman's Family Protection and Survivor Ben-
18 efit Plans, and payments for medical care of retired
19 personnel and their dependents under chapter 55 of
20 title 10, United States Code, \$1,095,206,400, to re-
21 main available until expended.

22 (5) For alteration or removal of bridges over
23 navigable waters of the United States constituting
24 obstructions to navigation, and for personnel and
25 administrative costs associated with the Bridge Al-

1 (4) For officer acquisition, 1,200 student years.

2 **SEC. 103. WEB-BASED RISK MANAGEMENT DATA SYSTEM.**

3 There are authorized to be appropriated for fiscal
4 year 2006 to the Secretary of the department in which
5 the Coast Guard is operating \$1,000,000 to continue de-
6 ployment of a web-based risk management system to help
7 reduce accidents and fatalities.

8 **TITLE II—HOMELAND SECURITY,**
9 **MARINE SAFETY, FISHERIES,**
10 **AND ENVIRONMENTAL PRO-**
11 **TECTION**

12 **SEC. 201. EXTENSION OF COAST GUARD VESSEL ANCHOR-**
13 **AGE AND MOVEMENT AUTHORITY.**

14 Section 91 of title 14, United States Code, is amend-
15 ed by adding at the end the following:

16 “(d) As used in this section, the term ‘navigable wa-
17 ters of the United States’ includes all waters of the terri-
18 torial sea of the United States as described in Presidential
19 Proclamation No. 5928 of December 27, 1988.”.

20 **SEC. 202. ENHANCED CIVIL PENALTIES FOR VIOLATIONS**
21 **OF THE MARITIME TRANSPORTATION SECU-**
22 **RITY ACT.**

23 The second section enumerated 70119 of title 46,
24 United States Code, is amended—

1 (1) by inserting “(a) IN GENERAL.—” before
2 “Any”; and

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

4 “(b) CONTINUING VIOLATIONS.—Each day of a con-
5 tinuing violation shall constitute a separate violation, with
6 a total fine per violation not to exceed—

7 “(1) for violations occurring during fiscal year
8 2006, \$50,000;

9 “(2) for violations occurring during fiscal year
10 2007, \$75,000; and

11 “(3) for violations occurring after fiscal year
12 2007, \$100,000.

13 “(c) DETERMINATION OF AMOUNT.—In determining
14 the amount of the penalty, the Secretary shall take into
15 account the nature, circumstances, extent, and gravity of
16 the violation committed and, with respect to the violator,
17 the degree of culpability, history of prior offenses, ability
18 to pay, and such other matters as justice may require.

19 “(d) COMPROMISE, MODIFICATION, AND REMIT-
20 TAL.—The Secretary may compromise, modify, or remit,
21 with or without conditions, any civil penalty imposed
22 under this section.”.

1 **SEC. 203. ICEBREAKERS.**

2 (a) IN GENERAL.—The Secretary of the department
3 in which the Coast Guard is operating shall take all nec-
4 essary measures—

5 (1) to ensure that the Coast Guard maintains,
6 at a minimum, its current vessel capacity for car-
7 rying out ice-breaking in the Arctic and Antarctic
8 regions, including the necessary funding for oper-
9 ation and maintenance of such vessels; and

10 (2) for the long-term recapitalization of these
11 assets.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated for fiscal year 2006 to
14 the Secretary of the department in which the Coast Guard
15 is operating \$100,000,000 to carry out this section.

16 **SEC. 204. COOPERATIVE AGREEMENTS.**

17 Not later than 180 days after the date of enactment
18 of this Act, the Secretary of the department in which the
19 Coast Guard is operating shall provide a report to the Sen-
20 ate Committee on Commerce, Science, and Transportation
21 and the House of Representatives Committee on Trans-
22 portation and Infrastructure on opportunities for and the
23 feasibility of co-locating Coast Guard assets and personnel
24 at facilities of other Armed Services branches throughout
25 the United States. The report shall—

26 (1) identify the locations of possible sites;

1 (2) identify opportunities for cooperative agree-
 2 ments that may be established between the Coast
 3 Guard and such facilities with respect to maritime
 4 security and other Coast Guard missions; and

5 (3) analyze anticipated costs and benefits asso-
 6 ciated with each site and such agreements.

7 **SEC. 205. PILOT PROGRAM FOR DOCKSIDE NO FAULT/NO**
 8 **COST SAFETY AND SURVIVABILITY EXAMINA-**
 9 **TIONS FOR UNINSPECTED COMMERCIAL**
 10 **FISHING VESSELS.**

11 (a) PILOT PROGRAM.—The Secretary shall conduct
 12 a pilot program to determine the effectiveness of manda-
 13 tory dockside crew survivability examinations of
 14 uninspected United States commercial fishing vessels in
 15 reducing the number of fatalities and amount of property
 16 losses in the United States commercial fishing industry.

17 (b) DEFINITIONS.—In this section:

18 (1) DOCKSIDE CREW SURVIVABILITY EXAMINA-
 19 TION.—The term “dockside crew survivability exam-
 20 ination” means an examination by a Coast Guard
 21 representative of an uninspected fishing vessel and
 22 its crew at the dock or pier that includes—

23 (A) identification and examination of safe-
 24 ty and survival equipment required by law for
 25 that vessel;

1 (B) identification and examination of the
2 vessel stability standards applicable by law to
3 that vessel; and

4 (C) identification and observation of—

5 (i) proper crew training on the ves-
6 sel’s safety and survival equipment; and

7 (ii) the crew’s familiarity with vessel
8 stability and emergency procedures de-
9 signed to save life at sea and avoid loss or
10 damage to the vessel.

11 (2) COAST GUARD REPRESENTATIVE.—The
12 term “Coast Guard representative” means a Coast
13 Guard member, civilian employee, Coast Guard
14 Auxiliarist, or person employed by an organization
15 accepted or approved by the Coast Guard to examine
16 commercial fishing industry vessels.

17 (3) UNINSPECTED FISHING VESSEL.—The term
18 “uninspected fishing vessel” means a vessel, not in-
19 cluding fish processing vessels or fish tender vessels
20 (as defined in section 2101 of title 46, United States
21 Code), that commercially engages in the catching,
22 taking, or harvesting of fish or an activity that can
23 reasonably be expected to result in the catching, tak-
24 ing, or harvesting of fish.

1 (c) SCOPE OF PILOT PROGRAM.—The pilot program
2 shall be conducted—

3 (1) in at least 5, but no more than 10, major
4 United States fishing ports where Coast Guard sta-
5 tistics reveal a high number of fatalities on
6 uninspected fishing vessels within the 4 fiscal year
7 period beginning with fiscal year 2000, but shall not
8 be conducted in Coast Guard districts where a fish-
9 ing vessel safety program already exists;

10 (2) for a period of 5 calendar years following
11 the date of the enactment of this Act;

12 (3) in consultation with those organizations and
13 persons identified by the Secretary as directly af-
14 fected by the pilot program;

15 (4) as a non-fee service to those persons identi-
16 fied in paragraph (3) above;

17 (5) without a civil penalty for any discrepancies
18 identified during the dockside crew survivability ex-
19 amination; and

20 (6) to gather data identified by the Secretary as
21 necessary to conclude whether dockside crew surviv-
22 ability examinations reduce fatalities and property
23 losses in the fishing industry.

24 (d) REPORT.—Not later than 180 days after end of
25 the third year of the pilot program, the Secretary shall

1 submit a report to the Senate Committee on Commerce,
2 Science, and Transportation and the House of Represent-
3 atives Committee on Transportation and Infrastructure on
4 the results of the pilot program. The report shall in-
5 clude—

6 (1) an assessment of the costs and benefits of
7 the pilot program including costs to the industry and
8 lives and property saved as a result of the pilot pro-
9 gram;

10 (2) an assessment of the costs and benefits to
11 the United States Government of the pilot program
12 including operational savings such as personnel,
13 maintenance, etc., from reduced search and rescue
14 or other operations; and

15 (3) any other findings and conclusions of the
16 Secretary with respect to the pilot program.

17 **SEC. 206. REPORTS FROM MORTGAGEES OF VESSELS.**

18 Section 12120 of title 46, United States Code, is
19 amended by striking “owners, masters, and charterers”
20 and inserting “owners, masters, charterers, and mortga-
21 gees”.

22 **SEC. 207. INTERNATIONAL TRAINING AND TECHNICAL AS-**
23 **SISTANCE.**

24 (a) IN GENERAL.—Section 149 of title 14, United
25 States Code, is amended—

1 (1) by striking the section heading and insert-
2 ing the following:

3 **“§ 149. Assistance to foreign governments and mari-
4 time authorities”;**

5 (2) by inserting “(a) DETAIL OF MEMBERS TO
6 ASSIST FOREIGN GOVERNMENTS.—” before “The
7 President”; and

8 (3) by adding at the end the following:

9 “(b) TECHNICAL ASSISTANCE TO FOREIGN MARI-
10 TIME AUTHORITIES.—The Commandant, in coordination
11 with the Secretary of State, may, in conjunction with reg-
12 ular Coast Guard operations, provide technical assistance,
13 including law enforcement and maritime safety and secu-
14 rity training, to foreign navies, coast guards, and other
15 maritime authorities.”.

16 (b) CLERICAL AMENDMENT.—The chapter analysis
17 for chapter 7 of title 14, United States Code, is amended
18 by striking the item relating to section 149 and inserting
19 the following:

“149. Assistance to Foreign Governments and Maritime Authorities.”.

20 **SEC. 208. REFERENCE TO TRUST TERRITORY OF THE PA-
21 CIFIC ISLANDS.**

22 Section 2102(a) of title 46, United States Code, is
23 amended—

24 (1) by striking “37, 43, 51, and 123” and in-
25 serting “43, 51, 61, and 123”;

1 (2) by striking paragraph (2); and
2 (3) by redesignating paragraph (3) as para-
3 graph (2).

4 **SEC. 209. BIO-DIESEL FEASIBILITY STUDY.**

5 (a) **STUDY.**—The Secretary of the department in
6 which the Coast Guard is operating shall conduct a study
7 that examines the technical feasibility, costs, and potential
8 cost savings of using bio-diesel fuel in new and existing
9 Coast Guard vehicles and vessels, and which focuses on
10 the use of bio-diesel fuel in ports which have a high-den-
11 sity of vessel traffic, including ports for which vessel traf-
12 fic systems have been established.

13 (b) **REPORT.**—Not later than 1 year after the date
14 of enactment of this Act, the Secretary of the department
15 in which the Coast Guard is operating shall transmit a
16 report containing the findings, conclusions, and rec-
17 ommendations (if any) from the study to the Senate Com-
18 mittee on Commerce, Science, and Transportation and the
19 House of Representatives Committee on Transportation
20 and Infrastructure.

21 **SEC. 210. CERTIFICATION OF VESSEL NATIONALITY IN**
22 **DRUG SMUGGLING CASES.**

23 Section 3(c)(2) of the Maritime Drug Law Enforce-
24 ment Act (46 U.S.C. App. 1903(c)(2)) is amended by
25 striking the last sentence and inserting “The response of

1 a foreign nation to a claim of registry under subparagraph
2 (A) or (C) may be made by radio, telephone, or similar
3 oral or electronic means, and is conclusively proved by cer-
4 tification of the Secretary of State or the Secretary's des-
5 ignee.”.

6 **SEC. 211. JONES ACT WAIVERS.**

7 Notwithstanding section 27 of the Merchant Marine
8 Act, 1920 (46 U.S.C. App. 883), a vessel that was not
9 built in the United States may transport fish or shellfish
10 within the coastal waters of the State of Maine if the ves-
11 sel—

12 (1) meets the other requirements of section 27
13 of the Merchant Marine Act, 1920 (46 U.S.C. App.
14 883) and section 2 of the Shipping Act, 1916 (46
15 U.S.C. App. 802) for engaging in the coastwise
16 trade;

17 (2) is ineligible for documentation under chap-
18 ter 121 of title 46, United States Code, because it
19 measures less than 5 net tons;

20 (3) has transported fish or shellfish within the
21 coastal waters of the State of Maine prior to Decem-
22 ber 31, 2004; and

23 (4) has not undergone a transfer of ownership
24 after December 31, 2004.

1 **SEC. 212. DEEPWATER OVERSIGHT.**

2 No later than 90 days after the date of enactment
3 of this Act, the Coast Guard, in consultation with Govern-
4 ment Accountability Office, shall provide a report to the
5 Senate Committee on Commerce, Science, and Transpor-
6 tation and the House of Representatives Committee on
7 Transportation and Infrastructure on—

8 (1) the status of the Coast Guard’s implemen-
9 tation of Government Accountability Office’s rec-
10 ommendations in its report, GAO–04–380, “Coast
11 Guard Deepwater Program Needs Increased Atten-
12 tion to Management and Contractor Oversight”; and

13 (2) the dates by which the Coast Guard plans
14 to fully implement such recommendations if any re-
15 main open as of the date the report is transmitted
16 to the Committees.

17 **SEC. 213. DEEPWATER REPORT.**

18 The Secretary of Homeland Security shall submit to
19 the Congress, in conjunction with the transmittal by the
20 President of the Budget of the United States for Fiscal
21 Year 2007, a revised Deepwater baseline that includes—

22 (1) a justification for the projected number and
23 capabilities of each asset (including the ability of
24 each asset to meet service performance goals);

25 (2) an accelerated acquisition timeline that re-
26 flects project completion in 10 years and 15 years

1 (included in this timeline shall be the amount of as-
2 sets procured during each year of the accelerated
3 program);

4 (3) the required funding for each accelerated
5 acquisition timeline that reflects project completion
6 in 10 years and 15 years;

7 (4) anticipated costs associated with legacy
8 asset sustainment for each accelerated acquisition
9 timeline that reflects project completion in 10 years
10 and 15 years;

11 (5) anticipated mission deficiencies, if any, as-
12 sociated with the continued degradation of legacy as-
13 sets in combination with the procurement of new as-
14 sets within each accelerated acquisition timeline that
15 reflects project completion in 10 years and 15 years;

16 (6) a comparison of the amount of required as-
17 sets in the current baseline to the amount of re-
18 quired assets according to the Coast Guard's Per-
19 formance Gap Analysis Study; and

20 (7) an evaluation of the overall feasibility of
21 achieving each accelerated acquisition timeline (in-
22 cluding contractor capacity, national shipbuilding ca-
23 pacity, asset integration into Coast Guard facilities,
24 required personnel, training infrastructure capacity
25 on technology associated with new assets).

1 **SEC. 214. LORAN-C.**

2 There are authorized to be appropriated to the De-
3 partment of Transportation, in addition to funds author-
4 ized for the Coast Guard for operation of the LORAN-
5 C system, for capital expenses related to LORAN-C navi-
6 gation infrastructure, \$25,000,000 for fiscal year 2006
7 and \$25,000,000 for fiscal year 2007. The Secretary of
8 Transportation may transfer from the Federal Aviation
9 Administration and other agencies of the Department
10 funds appropriated as authorized under this section in
11 order to reimburse the Coast Guard for related expenses.

12 **SEC. 215. LONG-RANGE VESSEL TRACKING SYSTEM.**

13 (a) PILOT PROJECT.—The Secretary of the depart-
14 ment in which the Coast Guard is operating, acting
15 through the Commandant of the Coast Guard, shall con-
16 duct a pilot program for long range tracking of up to
17 2,000 vessels using satellite systems with an existing non-
18 profit maritime organization that has a demonstrated ca-
19 pability of operating a variety of satellite communications
20 systems providing data to vessel tracking software and
21 hardware that provides long range vessel information to
22 the Coast Guard to aid maritime security and response
23 to maritime emergencies.

24 (b) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the Secretary of the
26 department in which the Coast Guard is operating

1 \$4,000,000 for each of fiscal years 2006, 2007, and 2008
 2 to carry out subsection (a).

3 **SEC. 216. MARINE VESSEL AND COLD WATER SAFETY EDU-**
 4 **CATION.**

5 The Coast Guard shall continue cooperative agree-
 6 ments and partnerships with organizations in effect on the
 7 date of enactment of this Act that provide marine vessel
 8 safety training and cold water immersion education and
 9 outreach programs for fishermen and children.

10 **SEC. 217. SUCTION ANCHORS.**

11 Section 12105 of title 46, United States Code, is
 12 amended by adding at the end the following:

13 “(c) No vessel without a registry or coastwise en-
 14 dorsement may engage in the movement of anchors or
 15 other mooring equipment from one point over or on the
 16 United States outer Continental Shelf to another such
 17 point in connection with exploring for, developing, or pro-
 18 ducing resources from the outer Continental Shelf.”.

19 **TITLE III—UNITED STATES**
 20 **OCEAN COMMISSION IMPLE-**
 21 **MENTATION**

22 **SEC. 301. PLACE OF REFUGE.**

23 (a) IN GENERAL.—Within 12 months after the date
 24 of enactment of this Act, the United States Coast Guard,
 25 working with hazardous spill response agencies, marine

1 salvage companies, State and local law enforcement and
2 marine agencies, and other Federal agencies including the
3 National Oceanic and Atmospheric Administration and
4 the Environmental Protection Agency, shall, in accordance
5 with the recommendations of the United States Commis-
6 sion on Ocean Policy in its final report, develop a com-
7 prehensive and effective process for determining whether
8 and under what circumstances damaged vessels may seek
9 a place of refuge in the United States suitable to the spe-
10 cific nature of distress each vessel is experiencing.

11 (b) REPORT.—The Commandant of the Coast Guard
12 shall transmit a report annually to the Senate Committee
13 on Commerce, Science, and Transportation and the House
14 of Representatives Committee on Transportation and In-
15 frastructure describing the process established and any
16 cases in which a vessel was provided with a place of refuge
17 in the preceding year.

18 (c) PLACE OF REFUGE DEFINED.—In this section,
19 the term “place of refuge” means a place where a ship
20 in need of assistance can take action to enable it to sta-
21 bilize its condition and reduce the hazards to navigation
22 and to protect human life and the environment.

1 **SEC. 302. IMPLEMENTATION OF INTERNATIONAL AGREE-**
2 **MENTS.**

3 The Secretary of the department in which the Coast
4 Guard is operating shall, in consultation with appropriate
5 Federal agencies, work with the responsible officials and
6 agencies of other Nations to accelerate efforts at the Inter-
7 national Maritime Organization to enhance flag State
8 oversight and enforcement of security, environmental, and
9 other agreements adopted within the International Mari-
10 time Organization, including implementation of—

11 (1) a code outlining flag State responsibilities
12 and obligations;

13 (2) an audit regime for evaluating flag State
14 performance;

15 (3) measures to ensure that responsible organi-
16 zations, acting on behalf of flag States, meet estab-
17 lished performance standards; and

18 (4) cooperative arrangements to improve en-
19 forcement on a bilateral, regional or international
20 basis.

21 **SEC. 303. VOLUNTARY MEASURES FOR REDUCING POLLU-**
22 **TION FROM RECREATIONAL BOATS.**

23 The Secretary of the department in which the Coast
24 Guard is operating shall, in consultation with appropriate
25 Federal, State, and local government agencies, undertake
26 outreach programs for educating the owners and operators

1 of boats using two-stroke engines about the pollution asso-
2 ciated with such engines, and shall support voluntary pro-
3 grams to reduce such pollution and that encourage the
4 early replacement of older two-stroke engines.

5 **SEC. 304. INTEGRATION OF VESSEL MONITORING SYSTEM**
6 **DATA.**

7 The Secretary of the department in which the Coast
8 Guard is operating shall integrate vessel monitoring sys-
9 tem data into its maritime operations databases for the
10 purpose of improving monitoring and enforcement of Fed-
11 eral fisheries laws, and shall work with the Undersecretary
12 of Commerce for Oceans and Atmosphere to ensure effec-
13 tive use of such data for monitoring and enforcement.

14 **SEC. 305. FOREIGN FISHING INCURSIONS.**

15 (a) IN GENERAL.—No later than 180 days after the
16 date of enactment of this Act, the Secretary of the depart-
17 ment in which the Coast Guard is operating shall provide
18 a report to the Senate Committee on Commerce, Science,
19 and Transportation and the House of Representatives
20 Committee on Transportation and Infrastructure on steps
21 that the Coast Guard will take to significantly improve
22 the Coast Guard’s detection and interdiction of illegal in-
23 cursions into the United States exclusive economic zone
24 by foreign fishing vessels.

1 (b) SPECIFIC ISSUES TO BE ADDRESSED.—The re-
2 port shall—

3 (1) focus on areas in the exclusive economic
4 zone where the Coast Guard has failed to detect or
5 interdict such incursions in the 4 fiscal year period
6 beginning with fiscal year 2000, including the West-
7 ern/Central Pacific; and

8 (2) include an evaluation of the potential use of
9 unmanned aircraft and offshore platforms for detect-
10 ing or interdicting such incursions.

11 (c) BIENNIAL UPDATES.—The Secretary shall pro-
12 vide biannual reports updating the Coast Guard’s progress
13 in detecting or interdicting such incursions to the Senate
14 Commerce, Science, and Transportation and the House of
15 Representatives Committee on Transportation and Infra-
16 structure.

17 **TITLE IV—COAST GUARD PER-**
18 **SONNEL, FINANCIAL, AND**
19 **PROPERTY MANAGEMENT**

20 **SEC. 401. RESERVE OFFICER DISTRIBUTION.**

21 Section 724 of title 14, United States Code, is
22 amended—

23 (1) by inserting “Reserve officers on an Active-
24 duty list shall not be counted as part of the author-

1 ized number of officers in the Reserve.” after
2 “5,000.” in subsection (a); and

3 (2) by striking so much of subsection (b) as
4 precedes paragraph (2) and inserting the following:

5 “(b)(1) The Secretary shall, at least once a year,
6 make a computation to determine the number of Reserve
7 officers in an active status authorized to be serving in each
8 grade. The number in each grade shall be computed by
9 applying the applicable percentage to the total number of
10 such officers serving in an active status on the date the
11 computation is made. The number of Reserve officers in
12 an active status below the grade of rear admiral (lower
13 half) shall be distributed by pay grade so as not to exceed
14 percentages of commissioned officers authorized by section
15 42(b) of this title. When the actual number of Reserve
16 officers in an active status in a particular pay grade is
17 less than the maximum percentage authorized, the dif-
18 ference may be applied to the number in the next lower
19 grade. A Reserve officer may not be reduced in rank or
20 grade solely because of a reduction in an authorized num-
21 ber as provided for in this subsection, or because an excess
22 results directly from the operation of law.”.

23 **SEC. 402. COAST GUARD BAND DIRECTOR.**

24 (a) BAND DIRECTOR APPOINTMENT AND GRADE.—
25 Section 336 of title 14, United States Code, is amended—

1 (1) by striking the first sentence of subsection
2 (b) and inserting “The Secretary may designate as
3 the director any individual determined by the Sec-
4 retary to possess the necessary qualifications.”;

5 (2) by striking “a member so designated” in
6 the second sentence of subsection (b) and inserting
7 “an individual so designated”;

8 (3) by striking “of a member” in subsection (c)
9 and inserting “of an individual”;

10 (4) by striking “of lieutenant (junior grade) or
11 lieutenant.” in subsection (c) and inserting “deter-
12 mined by the Secretary to be most appropriate to
13 the qualifications and experience of the appointed in-
14 dividual.”;

15 (5) by striking “A member” in subsection (d)
16 and inserting “An individual”; and

17 (6) by striking “When a member’s designation
18 is revoked,” in subsection (e) and inserting “When
19 an individual’s designation is revoked,”.

20 (b) CURRENT DIRECTOR.—The incumbent Coast
21 Guard Band Director on the date of enactment of this
22 Act may be immediately promoted to a commissioned
23 grade, not to exceed captain, determined by the Secretary
24 of the department in which the Coast Guard is operating

1 to be most appropriate to the qualifications and experience
2 of that individual.

3 **SEC. 403. RESERVE RECALL AUTHORITY.**

4 Section 712 of title 14, United States Code, is
5 amended—

6 (1) by striking “during” in subsection (a) and
7 inserting “during, or to aid in prevention of an im-
8 minent,”;

9 (2) by striking “or catastrophe,” in subsection
10 (a) and inserting “catastrophe, act of terrorism (as
11 defined in section 2(15) of the Homeland Security
12 Act of 2002 (6 U.S.C. 101(15))), or transportation
13 security incident as defined in section 70101 of title
14 46, United States Code,”;

15 (3) by striking “thirty days in any four month
16 period” in subsection (a) and inserting “60 days in
17 any 4-month period”;

18 (4) by striking “sixty days in any two-year pe-
19 riod” in subsection (a) and inserting “120 days in
20 any 2-year period”; and

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

22 “(e) For purposes of calculating the duration of ac-
23 tive duty allowed pursuant to subsection (a), each period
24 of active duty shall begin on the first day that a member
25 reports to active duty, including for purposes of training.”.

1 **SEC. 404. EXPANSION OF EQUIPMENT USED BY AUXILIARY**
 2 **TO SUPPORT COAST GUARD MISSIONS.**

3 (a) **MOTORIZED VEHICLE AS FACILITY.**—Section 826
 4 of title 14, United States Code, is amended—

5 (1) by inserting “(a)” before “Members”; and

6 (2) adding at the end the following:

7 “(b) The Coast Guard may utilize to carry out its
 8 functions and duties as authorized by the Secretary any
 9 motorized vehicle placed at its disposition by any member
 10 of the auxiliary, by any corporation, partnership, or asso-
 11 ciation, or by any State or political subdivision thereof to
 12 tow government property.”.

13 (b) **APPROPRIATIONS FOR FACILITIES.**—Section
 14 830(a) of title 14, United States Code, is amended by
 15 striking “or radio station” each place it appears and in-
 16 serting “radio station, or motorized vehicle utilized under
 17 section 826(b)”.

18 **SEC. 405. AUTHORITY FOR ONE-STEP TURNKEY DESIGN-**
 19 **BUILD CONTRACTING.**

20 (a) **IN GENERAL.**—Chapter 17 of title 14, United
 21 States Code, is amended by adding at the end the fol-
 22 lowing:

23 **“§ 677. Turn-key selection procedures**

24 “(a) **AUTHORITY TO USE.**—The Secretary may use
 25 one-step turn-key selection procedures for the purpose of
 26 entering into contracts for construction projects.

1 “(b) DEFINITIONS.—In this section—

2 “(1) ONE-STEP TURN-KEY SELECTION PROCE-
 3 DURES.—The term ‘one-step turn-key selection pro-
 4 cedures’ means procedures used for the selection of
 5 a contractor on the basis of price and other evalua-
 6 tion criteria to perform, in accordance with the pro-
 7 visions of a firm fixed-price contract, both the design
 8 and construction of a facility using performance
 9 specifications supplied by the Secretary.

10 “(2) CONSTRUCTION.—The term ‘construction’
 11 includes the construction, procurement, development,
 12 conversion, or extension, of any facility.

13 “(3) FACILITY.—The term ‘facility’ means a
 14 building, structure, or other improvement to real
 15 property.”.

16 (b) CLERICAL AMENDMENT.—The chapter analysis
 17 for chapter 17 of title 14, United States Code, is amended
 18 by inserting after the item relating to section 676 the fol-
 19 lowing:

“677. Turn-key selection procedures.”.

20 **SEC. 406. OFFICER PROMOTION.**

21 Section 257 of title 14, United States Code, is
 22 amended by adding at the end the following:

23 “(f) The Secretary of the Department in which the
 24 Coast Guard is operating may waive subsection (a) of this
 25 section to the extent necessary to allow officers described

1 therein to have at least 2 opportunities for consideration
2 for promotion to the next higher grade as officers below
3 the promotion zone.”.

4 **SEC. 407. REDESIGNATION OF COAST GUARD LAW SPECIAL-**
5 **ISTS AS JUDGE ADVOCATES.**

6 (a) Section 801 of title 10, United States Code, is
7 amended—

8 (1) by striking “The term ‘law specialist’” in
9 paragraph (11) and inserting “The term ‘judge ad-
10 vocate’, in the Coast Guard,”;

11 (2) by striking “advocate; or” in paragraph
12 (13) and inserting “advocate.”; and

13 (3) by striking subparagraph (C) of paragraph
14 (13).

15 (b) Section 727 of title 14, United States Code, is
16 amended by striking “law specialist” and inserting “judge
17 advocate”.

18 (c) Section 465(a)(2) of the Social Security Act (42
19 U.S.C. 665(a)(2)) is amended by striking “law specialist”
20 and inserting “judge advocate”.

21 **SEC. 408. BOATING SAFETY DIRECTOR.**

22 (a) IN GENERAL.—Subchapter A of chapter 11 of
23 title 14, United States Code, is amended by adding at the
24 end the following:

1 **“§ 337. Director, Office of Boating Safety**

2 “The initial appointment of the Director of the Boat-
3 ing Safety Office shall be in the grade of Captain.”.

4 (b) CLERICAL AMENDMENT.—The chapter analysis
5 for chapter 11 of title 14, United States Code, is amended
6 by inserting after the item relating to section 336 the fol-
7 lowing:

“337. Director, Office of Boating Safety.”.

8 **SEC. 409. HANGAR AT COAST GUARD AIR STATION BAR-**
9 **BERS POINT.**

10 No later than 180 days after the date of enactment
11 of this Act, the Secretary of the Department in which the
12 Coast Guard is operating shall provide the Senate Com-
13 mittee on Commerce, Science, and Transportation and the
14 House of Representatives Committee on Transportation
15 and Infrastructure with a proposal and cost analysis for
16 constructing an enclosed hangar at Air Station Barbers
17 Point. The proposal should ensure that the hangar has
18 the capacity to shelter current aircraft assets and those
19 projected to be located at the station over the next 20
20 years.

21 **SEC. 410. PROMOTION OF COAST GUARD OFFICERS.**

22 (a) *IN GENERAL.*—Section 211(a) of title 14, United
23 States Code, is amended to read as follows:

24 “(a)(1) *The President may appoint permanent com-*
25 *missioned officers in the Regular Coast Guard in grades*

1 *appropriate to their qualification, experience, and length*
2 *of service, as the needs of the Coast Guard may require,*
3 *from among the following categories:*

4 “(A) *Graduates of the Coast Guard Academy.*

5 “(B) *Commissioned warrant officers, warrant of-*
6 *ficers, and enlisted members of the Regular Coast*
7 *Guard.*

8 “(C) *Members of the Coast Guard Reserve who*
9 *have served at least 2 years as such.*

10 “(D) *Licensed officers of the United States mer-*
11 *chant marine who have served 2 or more years aboard*
12 *a vessel of the United States in the capacity of a li-*
13 *censed officer.*

14 “(2) *Original appointments under this section in the*
15 *grades of lieutenant commander and above shall be made*
16 *by the President by and with the advice and consent of the*
17 *Senate.*

18 “(3) *Original appointments under this section in the*
19 *grades of ensign through lieutenant shall be made by the*
20 *President alone.”.*

21 (b) *WARTIME TEMPORARY SERVICE PROMOTION.—*
22 *Section 275(f) of title 14, United States Code, is amended*
23 *by striking the second and third sentences and inserting*
24 *“Original appointments under this section in the grades of*
25 *lieutenant commander and above shall be made by the*

1 *President by and with the advice and consent of the Senate.*
 2 *Original appointments under this section in the grades of*
 3 *ensign through lieutenant shall be made by the President*
 4 *alone.”.*

5 **TITLE V—TECHNICAL AND**
 6 **CONFORMING AMENDMENTS**

7 **SEC. 501. GOVERNMENT ORGANIZATION.**

8 Title 5, United States Code, is amended—

9 (1) by inserting “The Department of Homeland
 10 Security.” after “The Department of Veterans Af-
 11 fairs.” in section 101;

12 (2) by inserting “the Secretary of Homeland
 13 Security,” in section 2902(b) after “Secretary of the
 14 Interior,”; and

15 (3) in sections 5520a(k)(3), 5595(h)(5),
 16 6308(b), and 9001(10), by striking “of Transpor-
 17 tation” each place it appears and inserting “of
 18 Homeland Security”.

19 **SEC. 502. WAR AND NATIONAL DEFENSE.**

20 The Soldiers’ and Sailors’ Civil Relief Act of 1940
 21 (Public Law 76–861, 56 Stat. 1178, 50 U.S.C. App. 501
 22 et seq.) is amended—

23 (1) by striking “Secretary of Transportation”
 24 each place it appears in section 515 and inserting
 25 “Secretary of Homeland Security”; and

1 (2) by striking “Secretary of Transportation”
2 in section 530(d) and inserting “Secretary of Home-
3 land Security”.

4 **SEC. 503. FINANCIAL MANAGEMENT.**

5 Title 31, United States Code, is amended—

6 (1) by striking “of Transportation” in section
7 3321(e) and inserting “of Homeland Security.”;

8 (2) by striking “of Transportation” in section
9 3325(b) and inserting “of Homeland Security”;

10 (3) by striking “of Transportation” each place
11 it appears in section 3527(b)(1) and inserting “of
12 Homeland Security”; and

13 (4) by striking “of Transportation” in section
14 3711(f) and inserting “of Homeland Security”.

15 **SEC. 504. PUBLIC CONTRACTS.**

16 Section 11 of title 41, United States Code, is amend-
17 ed by striking “of Transportation” each place it appears
18 and inserting “of Homeland Security”.

19 **SEC. 505. PUBLIC PRINTING AND DOCUMENTS.**

20 Sections 1308 and 1309 of title 44, United States
21 Code, are amended by striking “of Transportation” each
22 place it appears and inserting “of Homeland Security”.

23 **SEC. 506. SHIPPING.**

24 Title 46, United States Code, is amended—

1 (1) by striking “a Coast Guard or” in section
2 2109;

3 (2) by striking the second sentence of section
4 6308(a) and inserting “Any employee of the Depart-
5 ment of Transportation, and any member of the
6 Coast Guard, investigating a marine casualty pursu-
7 ant to section 6301 of this title, shall not be subject
8 to deposition or other discovery, or otherwise testify
9 in such proceedings relevant to a marine casualty in-
10 vestigation, without the permission of the Secretary
11 of Transportation for Department of Transportation
12 employees or the Secretary of Homeland Security for
13 military members or civilian employees of the Coast
14 Guard.”; and

15 (3) by striking “of Transportation” in section
16 13106(c) and inserting “of Homeland Security”.

17 **SEC. 507. TRANSPORTATION; ORGANIZATION.**

18 Section 324 of title 49, United States Code, is
19 amended by striking subsection (b); and redesignating
20 subsections (c) and (d) as subsections (b) and (c), respec-
21 tively.

22 **SEC. 508. MORTGAGE INSURANCE.**

23 Section 222 of the National Housing Act of 1934 (12
24 U.S.C. 1715m) is amended by striking “of Transpor-

1 tation” each place it appears and inserting “of Homeland
2 Security”.

3 **SEC. 509. ARCTIC RESEARCH.**

4 Section 107(b)(2) of the Arctic Research and Policy
5 Act of 1984 (15 U.S.C. 4106(b)(2)) is amended—

6 (1) by striking “and” after the semicolon in
7 subparagraph (J);

8 (2) by redesignating subparagraph (K) as sub-
9 paragraph (L); and

10 (3) by inserting after subparagraph (J) the fol-
11 lowing new subparagraph:

12 “(K) the Department of Homeland Security;
13 and”.

14 **SEC. 510. CONSERVATION.**

15 (a) Section 1029(e)(2)(B) of the Bisti/De-Na-Zin
16 Wilderness Expansion and Fossil Protection Act of 1996
17 (16 U.S.C. 460kkk(e)) is amended by striking “of Trans-
18 portation” and inserting “of Homeland Security”.

19 (b) Section 312(a)(2)(C) of the Antarctic Marine Liv-
20 ing Resources Convention Act of 1984 (16 U.S.C.
21 2441(c)) is amended by striking “of Transportation” and
22 inserting “of Homeland Security”.

23 **SEC. 511. CONFORMING AMENDMENT.**

24 Section 3122 of the Internal Revenue Code of 1986
25 is amended by striking “Secretary of Transportation”

1 each place it appears and inserting “Secretary of the De-
2 partment in which the Coast Guard is operating”.

3 **SEC. 512. ANCHORAGE GROUNDS.**

4 Section 7 of the Rivers and Harbors Act of 1915 (33
5 U.S.C. 471) is amended by striking “of Transportation”
6 and inserting “of Homeland Security”.

7 **SEC. 513. BRIDGES.**

8 Section 4 of the General Bridge Act of 1906 (33
9 U.S.C. 491) is amended by striking “of Transportation”
10 and inserting “of Homeland Security”.

11 **SEC. 514. LIGHTHOUSES.**

12 (a) Section 1 of Public Law 70–803 (33 U.S.C. 747b)
13 is amended by striking “of Transportation” and inserting
14 “of Homeland Security”.

15 (b) Section 2 of Public Law 65–174 (33 U.S.C. 748)
16 is amended by striking “of Transportation” and inserting
17 “of Homeland Security”.

18 (c) Sections 1 and 2 of Public Law 75–515 (33
19 U.S.C. 745a, 748a) are amended by striking “of Trans-
20 portation” each place it appears and inserting “of Home-
21 land Security”.

22 **SEC. 515. OIL POLLUTION.**

23 The Oil Pollution Act of 1990 (33 U.S.C. 2701 et.
24 seq.) is amended—

1 (1) by inserting “Homeland Security,” in sec-
2 tion 5001(c)(1)(B) (33 U.S.C. 2731(c)(1)(B)) after
3 “the Interior,”;

4 (2) by striking “of Transportation.” in section
5 5002(m)(4) (33 U.S.C. 2732(m)(4)) and inserting
6 “of Homeland Security.”;

7 (3) by striking section 7001(a)(3) (33 U.S.C.
8 2761(a)(3)) and inserting the following:

9 “(3) MEMBERSHIP.—

10 “(A) The Interagency Committee shall include
11 representatives from the Department of Commerce
12 (including the National Oceanic and Atmospheric
13 Administration and the National Institute of Stand-
14 ards and Technology), the Department of Energy,
15 the Department of the Interior (including the Min-
16 erals Management Service and the United States
17 Fish and Wildlife Service), the Department of
18 Transportation (including the Maritime Administra-
19 tion and the Pipeline and Hazardous Materials Safe-
20 ty Administration), the Department of Defense (in-
21 cluding the Army Corps of Engineers and the Navy),
22 the Department of Homeland Security (including the
23 United States Coast Guard and the United States
24 Fire Administration in the Federal Emergency Man-
25 agement Agency), the Environmental Protection

1 Agency, and the National Aeronautics and Space
2 Administration, as well as such other Federal agen-
3 cies the President may designate.

4 “(B) A representative of the Department of
5 Transportation shall serve as Chairman.”; and

6 (4) by striking “other” in section 7001(c)(6)
7 (33 U.S.C. 2761(c)(6)) before “such agencies”.

8 **SEC. 516. MEDICAL CARE.**

9 Section 1(g)(4)(B) of the Medical Care Recovery Act
10 of 1962 (42 U.S.C. 2651(g)(4)(B)) is amended by striking
11 “of Transportation,” and inserting “of Homeland Secu-
12 rity,”.

13 **SEC. 517. CONFORMING AMENDMENT TO SOCIAL SECURITY**
14 **ACT.**

15 Section 201(p)(3) of the Social Security Act (42
16 U.S.C. 405(p)(3)) is amended by striking “of Transpor-
17 tation” each place it appears and inserting “of Homeland
18 Security”.

19 **SEC. 518. SHIPPING.**

20 Section 27 of the Merchant Marine Act of 1920 (46
21 U.S.C. App. 883) is amended by striking “Satisfactory in-
22 spection shall be certified in writing by the Secretary of
23 Transportation” and inserting “Satisfactory inspection
24 shall be certified in writing by the Secretary of Homeland
25 Security.”.

1 **SEC. 519. NONTANK VESSELS.**

2 Section 311(a)(26) of the Federal Water Pollution
3 Control Act (33 U.S.C. 1321(A)(26)) is amended to read
4 as follows:

5 “(26) ‘nontank vessel’ means a self-propelled
6 vessel—

7 “(A) of at least 400 gross tons as meas-
8 ured under section 14302 of title 46, United
9 States Code, or, for vessels not measured under
10 that section, as measured under section 14502
11 of that title;

12 “(B) other than a tank vessel;

13 “(C) that carries oil of any kind as fuel for
14 main propulsion; and

15 “(D) that is a vessel of the United States
16 or that operates on the navigable waters of the
17 United States including all waters of the terri-
18 torial sea of the United States as described in
19 Presidential Proclamation No. 5928 of Decem-
20 ber 27, 1988.”.

21 **SEC. 520. DRUG INTERDICTION REPORT.**

22 (a) IN GENERAL.—Section 89 of title 14, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

25 “(d) QUARTERLY REPORTS ON DRUG INTERDIC-
26 TION.—Not later than 30 days after the end of each fiscal

1 year quarter, the Secretary of Homeland Security shall
2 submit to the House of Representatives Committee on
3 Transportation and Infrastructure and the Senate Com-
4 mittee on Commerce, Science, and Transportation a re-
5 port on all expenditures related to drug interdiction activi-
6 ties of the Coast Guard on an annual basis.”.

7 (b) CONFORMING AMENDMENT.—Section 103 of the
8 Coast Guard Authorization Act of 1996 (14 U.S.C. 89
9 note) is repealed.

10 **SEC. 521. ACTS OF TERRORISM REPORT.**

11 Section 905 of the Omnibus Diplomatic Security and
12 Antiterrorism Act of 1986 (46 U.S.C. App. 1802) is
13 amended—

14 (1) by striking “Not later than February 28,
15 1987, and annually thereafter, the Secretary of
16 Transportation shall report” and inserting “The
17 Secretary of Homeland Security shall report annu-
18 ally”; and

19 (2) by inserting “Beginning with the first re-
20 port submitted under this section after the date of
21 enactment of the Maritime Transportation Security
22 Act of 2002, the Secretary shall include a descrip-
23 tion of activities undertaken under title I of that Act
24 and an analysis of the effect of those activities on

1 port security against acts of terrorism.” after
2 “ports.”.

3 **TITLE VI—EFFECTIVE DATES**

4 **SEC. 601. EFFECTIVE DATES.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), this Act and the amendments made by this Act shall
7 take effect on the date of enactment.

8 (b) EXCEPTION.—Sections 501 through 518 of this
9 Act and the amendments made by those sections shall take
10 effect on March 1, 2003.

Calendar No. 185

109TH CONGRESS
1ST Session

S. 1280

[Report No. 109-114]

A BILL

To authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, and for other purposes

JULY 28, 2005

Reported with amendments