

Public Law 114–120
114th Congress

An Act

To authorize appropriations for the Coast Guard for fiscal years 2016 and 2017,
and for other purposes.

Feb. 8, 2016

[H.R. 4188]

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

Coast Guard
Authorization
Act of 2015.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Coast Guard Authorization Act
of 2015”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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

TITLE I—AUTHORIZATIONS

- Sec. 101. Authorizations.
- Sec. 102. Conforming amendments.

TITLE II—COAST GUARD

- Sec. 201. Vice Commandant.
- Sec. 202. Vice admirals.
- Sec. 203. Coast Guard remission of indebtedness.
- Sec. 204. Acquisition reform.
- Sec. 205. Auxiliary jurisdiction.
- Sec. 206. Coast Guard communities.
- Sec. 207. Polar icebreakers.
- Sec. 208. Air facility closures.
- Sec. 209. Technical corrections to title 14, United States Code.
- Sec. 210. Discontinuance of an aid to navigation.
- Sec. 211. Mission performance measures.
- Sec. 212. Communications.
- Sec. 213. Coast Guard graduate maritime operations education.
- Sec. 214. Professional development.
- Sec. 215. Senior enlisted member continuation boards.
- Sec. 216. Coast Guard member pay.
- Sec. 217. Transfer of funds necessary to provide medical care.
- Sec. 218. Participation of the Coast Guard Academy in Federal, State, or other edu-
cational research grants.
- Sec. 219. National Coast Guard Museum.
- Sec. 220. Investigations.
- Sec. 221. Clarification of eligibility of members of the Coast Guard for combat-re-
lated special compensation.
- Sec. 222. Leave policies for the Coast Guard.

TITLE III—SHIPPING AND NAVIGATION

- Sec. 301. Survival craft.
- Sec. 302. Vessel replacement.
- Sec. 303. Model years for recreational vessels.
- Sec. 304. Merchant mariner credential expiration harmonization.
- Sec. 305. Safety zones for permitted marine events.
- Sec. 306. Technical corrections.

- Sec. 307. Recommendations for improvements of marine casualty reporting.
- Sec. 308. Recreational vessel engine weights.
- Sec. 309. Merchant mariner medical certification reform.
- Sec. 310. Atlantic Coast port access route study.
- Sec. 311. Certificates of documentation for recreational vessels.
- Sec. 312. Program guidelines.
- Sec. 313. Repeals.
- Sec. 314. Maritime drug law enforcement.
- Sec. 315. Examinations for merchant mariner credentials.
- Sec. 316. Higher volume port area regulatory definition change.
- Sec. 317. Recognition of port security assessments conducted by other entities.
- Sec. 318. Fishing vessel and fish tender vessel certification.
- Sec. 319. Interagency Coordinating Committee on Oil Pollution Research.
- Sec. 320. International port and facility inspection coordination.

TITLE IV—FEDERAL MARITIME COMMISSION

- Sec. 401. Authorization of appropriations.
- Sec. 402. Duties of the Chairman.
- Sec. 403. Prohibition on awards.

TITLE V—CONVEYANCES

Subtitle A—Miscellaneous Conveyances

- Sec. 501. Conveyance of Coast Guard property in Point Reyes Station, California.
- Sec. 502. Conveyance of Coast Guard property in Tok, Alaska.

Subtitle B—Pribilof Islands

- Sec. 521. Short title.
- Sec. 522. Transfer and disposition of property.
- Sec. 523. Notice of certification.
- Sec. 524. Redundant capability.

Subtitle C—Conveyance of Coast Guard Property at Point Spencer, Alaska

- Sec. 531. Findings.
- Sec. 532. Definitions.
- Sec. 533. Authority to convey land in Point Spencer.
- Sec. 534. Environmental compliance, liability, and monitoring.
- Sec. 535. Easements and access.
- Sec. 536. Relationship to Public Land Order 2650.
- Sec. 537. Archeological and cultural resources.
- Sec. 538. Maps and legal descriptions.
- Sec. 539. Chargeability for land conveyed.
- Sec. 540. Redundant capability.
- Sec. 541. Port Coordination Council for Point Spencer.

TITLE VI—MISCELLANEOUS

- Sec. 601. Modification of reports.
- Sec. 602. Safe vessel operation in the Great Lakes.
- Sec. 603. Use of vessel sale proceeds.
- Sec. 604. National Academy of Sciences cost assessment.
- Sec. 605. Coastwise endorsements.
- Sec. 606. International Ice Patrol.
- Sec. 607. Assessment of oil spill response and cleanup activities in the Great Lakes.
- Sec. 608. Report on status of technology detecting passengers who have fallen overboard.
- Sec. 609. Venue.
- Sec. 610. Disposition of infrastructure related to e-loran.
- Sec. 611. Parking.
- Sec. 612. Inapplicability of load line requirements to certain United States vessels traveling in the Gulf of Mexico.

TITLE I—AUTHORIZATIONS

SEC. 101. AUTHORIZATIONS.

(a) IN GENERAL.—Title 14, United States Code, is amended by adding at the end the following:

under the auspices of the European Union) or international organization has conducted as an assessment that the Secretary has conducted for the purposes of subsection (a), provided that the Secretary certifies that the foreign government or international organization has—

“(A) conducted the assessment in accordance with subsection (b); and

“(B) provided the Secretary with sufficient information pertaining to its assessment (including, but not limited to, information on the outcome of the assessment).

“(2) AUTHORIZATION TO ENTER INTO AN AGREEMENT.—For the purposes of this section and section 70109, the Secretary, in consultation with the Secretary of State, may enter into an agreement with a foreign government (including, for the purposes of this subsection, an entity of or operating under the auspices of the European Union) or international organization, under which parties to the agreement—

Consultation.

“(A) conduct an assessment, required under subsection (a);

“(B) share information pertaining to such assessment (including, but not limited to, information on the outcome of the assessment); or

“(C) both.

“(3) LIMITATIONS.—Nothing in this subsection shall be construed to—

“(A) require the Secretary to recognize an assessment that a foreign government or an international organization has conducted; or

“(B) limit the discretion or ability of the Secretary to conduct an assessment under this section.

“(4) NOTIFICATION TO CONGRESS.—Not later than 30 days before entering into an agreement or arrangement with a foreign government under paragraph (2), the Secretary shall notify the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the proposed terms of such agreement or arrangement.”.

Deadline.

SEC. 318. FISHING VESSEL AND FISH TENDER VESSEL CERTIFICATION.

(a) ALTERNATIVE SAFETY COMPLIANCE PROGRAMS.—Section 4503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “this section” and inserting “this subsection”;

(2) in subsection (b), by striking “This section” and inserting “Except as provided in subsection (d), subsection (a)”;

(3) in subsection (c)—

(A) by striking “This section” and inserting “(1) Except as provided in paragraph (2), subsection (a)”;

(B) by adding at the end the following:

“(2) Subsection (a) does not apply to a fishing vessel or fish tender vessel to which section 4502(b) of this title applies, if the vessel—

“(A) is at least 50 feet overall in length, and not more than 79 feet overall in length as listed on the vessel’s certificate of documentation or certificate of number; and

“(B)(i) is built after the date of the enactment of the Coast Guard Authorization Act of 2015; and

“(ii) complies with—

“(I) the requirements described in subsection (e); or

“(II) the alternative requirements established by the Secretary under subsection (f).”; and

(4) by redesignating subsection (e) as subsection (g), and inserting after subsection (d) the following:

“(e) The requirements referred to in subsection (c)(2)(B)(ii)(I) are the following:

“(1) The vessel is designed by an individual licensed by a State as a naval architect or marine engineer, and the design incorporates standards equivalent to those prescribed by a classification society to which the Secretary has delegated authority under section 3316 or another qualified organization approved by the Secretary for purposes of this paragraph.

“(2) Construction of the vessel is overseen and certified as being in accordance with its design by a marine surveyor of an organization accepted by the Secretary.

“(3) The vessel—

“(A) completes a stability test performed by a qualified individual;

“(B) has written stability and loading instructions from a qualified individual that are provided to the owner or operator; and

“(C) has an assigned loading mark.

“(4) The vessel is not substantially altered without the review and approval of an individual licensed by a State as a naval architect or marine engineer before the beginning of such substantial alteration.

“(5) The vessel undergoes a condition survey at least twice in 5 years, not to exceed 3 years between surveys, to the satisfaction of a marine surveyor of an organization accepted by the Secretary.

“(6) The vessel undergoes an out-of-water survey at least once every 5 years to the satisfaction of a certified marine surveyor of an organization accepted by the Secretary.

“(7) Once every 5 years and at the time of a substantial alteration to such vessel, compliance of the vessel with the requirements of paragraph (3) is reviewed and updated as necessary.

“(8) For the life of the vessel, the owner of the vessel maintains records to demonstrate compliance with this subsection and makes such records readily available for inspection by an official authorized to enforce this chapter.

Deadline.
Reports.
Analysis.

“(f)(1) Not later than 10 years after the date of the enactment of the Coast Guard Authorization Act of 2015, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that provides an analysis of the adequacy of the requirements under subsection (e) in maintaining the safety of the fishing vessels and fish tender vessels which are described in subsection (c)(2) and which comply with the requirements of subsection (e).

Determination.

“(2) If the report required under this subsection includes a determination that the safety requirements under subsection (e) are not adequate or that additional safety measures are necessary,

that the Secretary may establish an alternative safety compliance program for fishing vessels or fish tender vessels (or both) which are described in subsection (c)(2) and which comply with the requirements of subsection (e).

“(3) The alternative safety compliance program established under this subsection shall include requirements for—

“(A) vessel construction;

“(B) a vessel stability test;

“(C) vessel stability and loading instructions;

“(D) an assigned vessel loading mark;

“(E) a vessel condition survey at least twice in 5 years, not to exceed 3 years between surveys;

“(F) an out-of-water vessel survey at least once every 5 years;

“(G) maintenance of records to demonstrate compliance with the program, and the availability of such records for inspection; and

“(H) such other aspects of vessel safety as the Secretary considers appropriate.”.

(b) GAO REPORT ON COMMERCIAL FISHING VESSEL SAFETY.—

(1) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on commercial fishing vessel safety. The report shall include—

(A) national and regional trends that can be identified with respect to rates of marine casualties, human injuries, and deaths aboard or involving fishing vessels greater than 79 feet in length that operate beyond the 3-nautical-mile demarcation line;

(B) a comparison of United States regulations for classification of fishing vessels to those established by other countries, including the vessel length at which such regulations apply;

(C) the additional costs imposed on vessel owners as a result of the requirement in section 4503(a) of title 46, United States Code, and how those costs vary in relation to vessel size and from region to region;

(D) savings that result from the application of the requirement in section 4503(a) of title 46, United States Code, including reductions in insurance rates or reduction in the number of fishing vessels or fish tender vessels lost to major safety casualties, nationally and regionally;

(E) a national and regional comparison of the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built and maintained to class through a classification society to the additional costs and safety benefits associated with fishing vessels or fish tender vessels that are built to standards equivalent to classification society construction standards and maintained to standards equivalent to classification society standards with verification by independent surveyors; and

(F) the impact on the cost of production and availability of qualified shipyards, nationally and regionally, resulting

from the application of the requirement in section 4503(a) of title 46, United States Code.

(2) CONSULTATION REQUIREMENT.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) consult with owners and operators of fishing vessels or fish tender vessels, classification societies, shipyards, the National Institute for Occupational Safety and Health, the National Transportation Safety Board, the Coast Guard, academics, naval architects, and marine safety non-governmental organizations; and

(B) obtain relevant data from the Coast Guard including data collected from enforcement actions, boardings, investigations of marine casualties, and serious marine incidents.

(3) TREATMENT OF DATA.—In preparing the report under paragraph (1), the Comptroller General shall—

(A) disaggregate data regionally for each of the regions managed by the regional fishery management councils established under section 302 of the Magnuson-Stevens Fisheries Conservation and Management Act (16 U.S.C. 1852), the Atlantic States Marine Fisheries Commission, the Pacific States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; and

(B) include qualitative data on the types of fishing vessels or fish tender vessels included in the report.

SEC. 319. INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.

(a) IN GENERAL.—Section 7001(a)(3) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(a)(3)) is amended—

(1) by striking “Minerals Management Service” and inserting “Bureau of Safety and Environmental Enforcement, the Bureau of Ocean Energy Management,”; and

(2) by inserting “the United States Arctic Research Commission,” after “National Aeronautics and Space Administration,”.

(b) TECHNICAL AMENDMENTS.—Section 7001 of the Oil Pollution Act of 1990 (33 U.S.C. 2761) is amended—

(1) in subsection (b)(2), in the matter preceding subparagraph (A), by striking “Department of Transportation” and inserting “department in which the Coast Guard is operating”; and

(2) in subsection (c)(8)(A), by striking “(1989)” and inserting “(2010)”.

SEC. 320. INTERNATIONAL PORT AND FACILITY INSPECTION COORDINATION.

Section 825(a) of the Coast Guard Authorization Act of 2010 (6 U.S.C. 945 note; Public Law 111–281) is amended in the matter preceding paragraph (1)—

(1) by striking “the department in which the Coast Guard is operating” and inserting “Homeland Security”; and

(2) by striking “they are integrated and conducted by the Coast Guard” and inserting “the assessments are coordinated between the Coast Guard and Customs and Border Protection”.