

H.R. 3619, AS AMENDED,
THE “COAST GUARD AUTHORIZATION ACT OF 2010”
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SUMMARY

H.R. 3619, as amended, the “Coast Guard Authorization Act of 2010”, is the annual authorization act for the Coast Guard. Specifically, the legislation authorizes annual appropriations for the service and authorizes the end-of-year strength for military personnel, and incorporates other provisions addressing marine safety, port security, Coast Guard management structure, and acquisition reform.

Specifically, the bill:

- **Establishes necessary funding levels.** Establishes authorization levels to provide funding to allow the Coast Guard to meet its critical missions of marine safety and maritime security. H.R. 3619 authorizes \$10.2 billion in fiscal year 2011 for the Coast Guard and increases the authorized end-strength for military personnel by 1,500 members to 47,000 total personnel.

Dollars (in millions)	FY 2011
Operation and Expenses	\$6,970.7
Acquisition, Construction and Improvements	1,640.0
Retired Pay	1,400.7
Reserve Training	135.7
Research, Development, Test and Evaluation	28.0
Alteration of Bridges	16.0
Environmental Compliance and Restoration	13.3
Total	\$10,204.4

- **Makes administrative changes to the Coast Guard.** Authorizes reimbursement of expenses incurred for travel for medical reasons to Coast Guard personnel who live in remote locations. Establishes numbers of commissioned Coast Guard officers. Authorizes Coast Guard veterans to access the Armed Forces Retirement Home system. Authorizes active duty Coast Guard personnel who are assigned in support of a major disaster or spill of national significance to retain leave. Authorizes the Coast Guard to retain and promote officers that have specialized skills to meet the needs of the Coast Guard. Establishes compulsory retirement for commissioned Coast Guard officers.

- **Makes changes to laws applying to shipping and navigation.** Creates a civil penalty for possession of controlled substances on vessels. Requires a plan to deliver merchant mariners' documents by mail. Requires the Commandant of the Coast Guard and the Administrator of the Environmental Protection Agency to study new technologies for reducing emissions from cruise and cargo vessels. Includes measures to help ensure safe and secure shipping in the Arctic.

- **Responds directly to the issues related to the Coast Guard's acquisition programs.** Requires the Commandant of the Coast Guard to select a Chief Acquisition Officer who meets prescribed training and experience standards. Establishes training and experience standards for acquisition personnel. Establishes an Acquisition Directorate within the Coast Guard with a defined mission and a workforce dedicated to performing acquisition functions.

- **Modernizes the Coast Guard.** Reorganizes the Coast Guard's senior leadership. Establishes career tracks for members of the Coast Guard to develop expertise in a specific Coast Guard mission. Modernizes management of the service's marine safety program. Requires minimum qualifications for marine safety personnel. Requires the Coast Guard to develop a long-term strategy for improving vessel safety. Requires the Commandant to report to Congress on efforts to recruit and retain civilian marine inspectors and investigators. Authorizes creation of centers of expertise for marine safety.

- **Enhances marine safety.** Establishes safety equipment and construction standards for uninspected commercial fishing vessels operating beyond three nautical miles of the coast of the United States. Requires fishing vessels of certain sizes and those that undergo substantial changes to comply with loadline regulations; compliance with the program will be certified by a classification society. Requires certain vessels to maintain official logbooks and log the service hours of seamen, their injuries, and their illnesses. Authorizes the Coast Guard to terminate the operation of vessels for "unsafe operation". Prohibits approval of survival craft as a safety device unless the craft ensures that no part of an individual is immersed in water. Requires "safety management systems" on certain passenger vessels that establish safety and environmental protection policies and procedures for reporting accidents and responding to emergency situations. Permits seamen who suffer discrimination because they report safety violations to use the same Department of Labor complaint process that is currently available to workers in the other transportation modes.

- **Reduces the risk of oil spills.** Requires the Coast Guard to issue regulations to reduce the risk of oil spills during transfers of oil between vessels. Requires a study, using voluntarily submitted data, into the causes of human errors leading to oil spills. The study would engage representatives from industry, labor, and experts in human factors and result in action to reduce the risk of oil spills caused by human error. Extends liability for oil spills to the owners of cargo shipped on single-hulled vessels. Amends the Oil Pollution Act of 1990

to extend to tank vessels of 100 gross tons or more the requirement to show financial responsibility for oil spills.

- **Enhances port and cargo security.** Establishes the America's Waterway Watch Program to promote voluntary reporting of activities that may indicate a threat or an act of terrorism. Requires the Secretary of Homeland Security to establish, as needed, specialized deployable response teams to protect vessels, port facilities, and cargo. Increases the Coast Guard's capacity with respect to canine teams. Authorizes the Coast Guard to assist foreign port facility operators to meet international port security standards. Contains several provisions related to the use of biometrics to enhance border security and the transportation workers' security card. Provides that seamen and pilots may not be directly charged for expenses related to access to shore leave, and representatives of seamen's' welfare and labor organizations. Prohibits approval of port facility security plans for new facilities unless the Secretary determines that sufficient security resources are available. Requires the Secretary to coordinate with owners and operators of port facilities to allow workers who have applied for a transportation workers' security card and are awaiting issuance to be escorted into secure or restricted areas of a port facility.

- **Miscellaneous Provisions.** Waives (subject to specific conditions) the requirements for coastwise endorsements for three vessels (subject to specific conditions). Changes the penalties payable by operators of certain cruise ships for nonpayment of wages in class action suits. Authorizes conveyances of certain Coast Guard property to certain local governments. Extends the current law deadline for compliance with U.S.-citizen manning requirements for operators of vessels in the U.S. distant water tuna fishing fleet to December 31, 2012. Authorizes State licensing systems for operators of uninspected passenger vessels operating on Lake Texoma in Texas and Oklahoma. Limits the liability for monetary damages of individuals who use or authorize the use of force to defend a vessel against piracy. Strengthens (under certain conditions) criminal penalties for failing to heave to, obstructing Coast Guard boardings, and providing false information to the Coast Guard.

- **Aligns U.S. law with the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.** Prohibits the sale, distribution, or manufacture of organotin or antifouling systems containing organotin. Organotin is a chemical used to inhibit the growth of marine organisms on the hulls of vessels and certain marine structures. Prohibits vessels, regardless of when the anti-fouling system was applied, from using an anti-fouling system containing organotin. Establishes penalties for violations. Establishes the Secretary of the department in which the Coast Guard is operating and the Administrator of the Environmental Protection Agency as administrators and enforcers of this new law.