

EN BLOC AMENDMENTS TO H.R. 2518
OFFERED BY MR. HUNTER OF CALIFORNIA

In section 211(a), in the quoted section 580, strike subsection (c) and insert the following:

1 “(c) SUBJECT TO APPROPRIATIONS.—Any contract
2 entered into under subsection (a) shall provide that any
3 obligation of the United States to make a payment under
4 the contract is subject to the availability of amounts spe-
5 cifically provided in advance for that purpose in subse-
6 quent appropriations Acts.

At the end of title II add the following:

7 **SEC. 2___ . AUTHORIZATION OF AMOUNTS FOR FAST RE-**
8 **SPONSE CUTTERS.**

9 (a) IN GENERAL.—Of the amounts authorized for
10 each fiscal year 2018 and 2019 under section 2702(2) of
11 title 14, United States Code, as amended by this Act,
12 \$165,000,000 is authorized for the acquisition of three
13 Fast Response Cutters in each such fiscal year.

14 (b) TREATMENT OF ACQUIRED CUTTERS.—Any cut-
15 ters acquired under subsection (a) shall be in addition to
16 the 58 cutters approved under the existing acquisition
17 baseline.

At the end of title II add the following:

1 **SEC. 2** ____ . **AUTHORIZATION OF AMOUNTS FOR ICE TRIALS**
2 **OF ICEBREAKER VESSELS.**

3 (a) **IN GENERAL.**—Of the amounts authorized for fis-
4 cal year 2018 under paragraphs (1) and (5) of section
5 2702 of title 14, United States Code, as amended by this
6 Act, up to \$3,000,000 is authorized for the Commandant
7 of the Coast Guard to carry out ice trials of icebreaker
8 vessels documented under section 12111 of title 46,
9 United States Code.

10 (b) **ASSESSMENTS.**—Ice trials referred to in sub-
11 section (a) shall—

12 (1) assess the ability of an icebreaker vessel to
13 carry out the missions of the Coast Guard enumer-
14 ated in section 2 of title 14, United States Code; or

15 (2) conduct operational tests to produce infor-
16 mation that could be used in the design and acquisi-
17 tion of icebreaker vessels by the Coast Guard to
18 carry out such missions.

At the end of title II add the following:

19 **SEC. 2** ____ . **SHORESIDE INFRASTRUCTURE.**

20 Of the amounts authorized under section 2702(2) of
21 title 14, United States Code, as amended by this Act, for
22 each of fiscal years 2018 and 2019 there is authorized

1 to be appropriated \$165,000,000 to the Secretary of the
2 department in which the Coast Guard is operating to fund
3 the acquisition, construction, rebuilding or improvement
4 of Coast Guard shoreside infrastructure and facilities nec-
5 essary to support Coast Guard operations and readiness.

At the end of section 302 add the following:

6 (b) PORT, HARBOR, AND COASTAL FACILITY SECUR-
7 RITY.—

8 (1) TRANSFER OF PROVISIONS.—So much of
9 section 7 of the Ports and Waterways Safety Act
10 (33 U.S.C. 1226) as precedes subsection (c) of that
11 section is redesignated as section 70102a of title 46,
12 United States Code, and transferred so as to appear
13 after section 70102 of that title.

14 (2) DEFINITIONS, ADMINISTRATION, AND EN-
15 FORCEMENT.—Section 70102a of title 46, United
16 States Code, as amended by paragraph (1) of this
17 subsection, is amended by adding at the end the fol-
18 lowing:

19 “(c) DEFINITIONS, ADMINISTRATION, AND EN-
20 FORCEMENT.—This section shall be treated as part of
21 chapter 700 for purposes of sections 70031, 70032,
22 70034, 70035, and 70036.”.

23 (3) CLERICAL AMENDMENT.—The analysis at
24 the beginning of chapter 701 of such title is amend-

1 ed by inserting after the item relating to section
2 70102 the following:

“70102a. Port, harbor, and coastal facility security.”.

3 (c) NONDISCLOSURE OF PORT SECURITY PLANS.—
4 Subsection (c) of section 7 of the Ports and Waterways
5 Safety Act (33 U.S.C. 1226), as so designated before the
6 application of subsection (b)(1) of this section—

7 (1) is redesignated as subsection (f) of section
8 70103 of title 46, United States Code, and trans-
9 ferred so as to appear after subsection (e) of such
10 section; and

11 (2) is amended by striking “this Act” and in-
12 serting “this chapter”.

Page 48, after line 18, insert the following:

In section 410, add at the end of the quoted mate-
rial add the following:

13 “(f) AUTHORITY.—

14 “(1) REQUIREMENT.—The Secretary shall as-
15 sess and collect a fee for the issuance or renewal of
16 a recreational endorsement, that is equivalent to the
17 fee established for the issuance or renewal, respec-
18 tively, of a fishery endorsement pursuant to section
19 2110.

1 “(2) TREATMENT.—Fees collected under this
2 subsection—

3 “(A) shall be credited to the account from
4 which the costs of such issuance or renewal
5 were paid; and

6 “(B) may remain available until expended.

Page 58, line 14, insert “with respect to such agencies” after “by the Secretary”.

Page 58, strike lines 15 through 17 and insert the following:

7 “(d) REQUEST FOR PROPOSALS.—

8 “(1) IN GENERAL.—Under authority granted by
9 section 93(a)(25) of title 14, United States Code,
10 and not later than three months after the date of
11 enactment of this section, the Secretary shall publish
12 a request for proposals by non-Federal persons for
13 the development, building, and operation of the sys-
14 tem described in subsection (c).

15 “(2) ELEMENTS.—Proposals submitted under
16 this subsection shall include, at a minimum—

17 “(A) an eLORAN system architecture; and

18 “(B) a timetable for the delivery of—

19 “(i) a nationwide backup timing sig-
20 nal not later than two years after the last

1 date on which proposals are accepted
2 under the request published under para-
3 graph (1); and

4 “(ii) a nationwide position and navi-
5 gation signal not later than three years
6 after such date.

7 “(e) SELECTION.—Using competitive procedures
8 similar to those authorized under section 2667 of title 10,
9 the Secretary may select a proposal from proposals re-
10 ceived in response to the request for proposals under sub-
11 section (d).

12 “(f) AGREEMENT.—

13 “(1) IN GENERAL.—The Secretary may enter
14 into a cooperative agreement (as that term is used
15 in section 6305 of title 31) with an entity upon such
16 terms as the Secretary determines will carry out the
17 purpose of the system under subsection (b).

18 “(2) CONTENT.—An agreement under this sub-
19 section shall—

20 “(A) require the Secretary to provide the
21 entity—

22 “(i) access to existing infrastructure
23 and facilities described in subsection (e)(9)
24 and provided as Government-furnished
25 property (as that term is defined in section

1 45.101 of the Federal Acquisition Regula-
2 tion, as in effect on the date of the enact-
3 ment of the Coast Guard Authorization
4 Act of 2017), for a minimum of 20 years;

5 “(ii) full use of the necessary electro-
6 magnetic spectrum wavelength associated
7 with the LORAN-C system for use by the
8 system required under subsection (a) and
9 provided as such Government-furnished
10 property; and

11 “(iii) approval for the reconstruction
12 of towers that are part of the infrastruc-
13 ture described in subsection (c)(9);

14 “(B) specify that all necessary capital ex-
15 penditures be made by the entity;

16 “(C) set performance standards for the
17 signals transmitted by the system;

18 “(D) require the Secretary to monitor and
19 ensure the signals transmitted by the system
20 conform to the performance standards of the
21 agreement and are safe for use;

22 “(E) set the terms under which the Sec-
23 retary has access to such signals;

24 “(F) subject to any national security re-
25 quirements established by the Secretary of De-

1 fense and so long as activities described in
2 clauses (i) and (ii) of subsection (B) do not
3 interfere with the primary purpose of providing
4 positioning, navigation, and timing services,
5 allow the entity to—

6 “(i) market, promote, and sell
7 eLORAN positioning, navigation, and tim-
8 ing services to commercial and non-
9 commercial third parties; and

10 “(ii) generate revenue from such sale
11 to non-Federal third parties of communica-
12 tions and other related services that result
13 from the use of Government facilities and
14 spectrum provided under this paragraph;

15 “(G) require the entity pay to the United
16 States a portion of revenue received by the enti-
17 ty under subparagraph (F’);

18 “(H) require the entity to assume all fi-
19 nancial risk for the completion and operational
20 capability of the eLORAN system and may re-
21 quire a performance bond from the entity to
22 guarantee that risk;

23 “(I) require the entity to assist inter-
24 national organizations and foreign governments

1 on issues related to eLORAN and similar sys-
2 tems; and

3 “(J) include such other terms and condi-
4 tions as the Secretary determines to be nec-
5 essary to carry out the purposes of this section.

6 “(3) REVENUE SHARING REQUIREMENT.—

7 “(A) IN GENERAL.—The requirement
8 under paragraph (2)(G) shall require the entity
9 to pay to the United States an equitable share
10 of the revenue generated by the entity under
11 paragraph (2)(F), in the fiscal year following
12 the fiscal year in which such revenue is gen-
13 erated.

14 “(B) AMOUNT.—The amount of such pay-
15 ments shall take into account—

16 “(i) the capital investment by the en-
17 tity to build the system and annual costs
18 incurred by the entity to operate and
19 maintain the system; and

20 “(ii) the capital and operating ex-
21 penses incurred by the entity to upgrade
22 the eLORAN system and related systems
23 over the effective period of the agreement.

24 “(4) EFFECTIVE DATE OF RISK REQUIRE-
25 MENT.—The requirement in paragraph (2)(H) shall

1 be contingent upon, and take effect upon, the Sec-
2 retary determining that the requirements under
3 paragraph (2)(A) have been fulfilled.

4 “(g) CERCLA NOT AFFECTED.—This section shall
5 not be construed to limit the application of or otherwise
6 affect section 120(h) of the Comprehensive Environmental
7 Response, Compensation, and Liability Act of 1980 (42
8 U.S.C. 9620(h)) for Federal Government facilities de-
9 scribed in subsection (c)(9).

10 “(h) BIENNIAL REPORT TO CONGRESS.—Not later
11 than one year after the date on which an agreement with
12 an entity is entered into under subsection (f), and bienni-
13 ally thereafter, the Secretary shall provide to the Com-
14 mittee on Transportation and Infrastructure of the House
15 of Representatives and the Committee on Commerce,
16 Science, and Transportation of the Senate—

17 “(1) a report on the performance and progress
18 of the entity in fulfilling its obligations under the
19 agreement to build, operate and maintain the system
20 established under subsection (a); and

21 “(2) an accounting of finances, expenses, and
22 revenue associated with such performance, including
23 payments made to the Secretary under section
24 (f)(3).

25 “(i) DEFINITIONS.—In this section:

1 “(1) The term ‘entity’ means a non-Federal en-
2 tity whose proposal is selected under subsection (e).

3 “(2) The term ‘Secretary’ means the Secretary
4 of Transportation, acting through the Commandant
5 of the Coast Guard.”.

Beginning at page 58, strike line 22 and all that fol-
lows through page 59, line 6 and insert the following:

6 (d) IMPLEMENTATION PLAN.—Not later than 180
7 days after the date of the enactment of this Act, the Sec-
8 retary, as that term is defined in the amendments made
9 by this section, shall provide to the Committee on Trans-
10 portation and Infrastructure of the House of Representa-
11 tives and the Committee on Commerce, Science, and
12 Transportation of the Senate, a plan to ensure that the
13 system required under such amendments is fully oper-
14 ational by not later than 3 years after such date of enact-
15 ment.

At the end of title V add the following:

16 **SEC. 5 ____ . OIL SPILL DISBURSEMENTS AUDITING AND RE-**
17 **PORT.**

18 Section 1012 of the Oil Pollution Act of 1990 (33
19 U.S.C. 2712) is amended—

20 (1) by repealing subsection (g);

1 (2) in subsection (l)(1), by striking “Within one
2 year after the date of enactment of the Coast Guard
3 Authorization Act of 2010, and annually thereafter,”
4 and inserting “Each year, on the date on which the
5 President submits to Congress a budget under sec-
6 tion 1105 of title 31, United States Code,”; and

7 (3) by amending subsection (l)(2) to read as
8 follows:

9 “(2) CONTENTS.—The report shall include—

10 “(A) a list of each incident that—

11 “(i) occurred in the preceding fiscal
12 year; and

13 “(ii) resulted in disbursements from
14 the Fund, for removal costs and damages,
15 totaling \$500,000 or more;

16 “(B) a list of each incident that—

17 “(i) occurred in the fiscal year pre-
18 ceding the preceding fiscal year; and

19 “(ii) resulted in disbursements from
20 the Fund, for removal costs and damages,
21 totaling \$500,000 or more; and

22 “(C) an accounting of any amounts reim-
23 bursed to the Fund in the preceding fiscal year
24 that were recovered from a responsible party
25 for an incident that resulted in disbursements

1 from the Fund, for removal costs and damages,
2 totaling \$500,000 or more.”.

At the end of title V add the following:

3 **SEC. 5 ____ . LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.**

4 (a) LAND EXCHANGE.—If the owner of Ayakulik Is-
5 land, Alaska, offers to exchange the Island for the Tract—

6 (1) within 30 days after receiving such offer,
7 the Secretary shall provide notice of the offer to the
8 Commandant;

9 (2) within 30 days after receiving the notice
10 under paragraph (1), the Commandant shall develop
11 and transmit to the Secretary proposed operational
12 restrictions on commercial activity conducted on the
13 Tract, including the right of the Commandant to—

14 (A) order the immediate termination, for a
15 period of up to 72 hours, of any activity occur-
16 ring on or from the Tract that violates or
17 threatens to violate one or more of such restric-
18 tions; or

19 (B) commence a civil action for appro-
20 priate relief, including a permanent or tem-
21 porary injunction enjoining the activity that vio-
22 lates or threatens to violate such restrictions;
23 and

1 (3) within 30 days after receiving the proposed
2 operational restrictions from the Commandant, the
3 Secretary shall transmit such restrictions to the
4 owner of Ayakulik Island; and

5 (4) within 30 days after transmitting the pro-
6 posed operational restrictions to the owner of
7 Ayakulik Island, and if the owner agrees to such re-
8 strictions, the Secretary shall convey all right, title
9 and interest of the United States in and to the
10 Tract to the owner, subject to an easement granted
11 to the Commandant to enforce such restrictions, in
12 exchange for all right, title and interest of such
13 owner in and to Ayakulik Island.

14 (b) BOUNDARY REVISIONS.—The Secretary may
15 make technical and conforming revisions to the boundaries
16 of the Tract before the date of the exchange.

17 (c) PUBLIC LAND ORDER.—Effective on the date of
18 an exchange under subsection (a), Public Land Order
19 5550 shall have no force or effect with respect to sub-
20 merged lands that are part of the Tract.

21 (d) FAILURE TO TIMELY RESPOND TO NOTICE.—If
22 the Commandant does not transmit proposed operational
23 restrictions to the Secretary within 30 days after receiving
24 the notice under subsection (a)(1), the Secretary shall, by
25 not later than 60 days after transmitting such notice, con-

1 vey all right, title, and interest of the United States in
2 and to the Tract to the owner of Ayakulik Island in ex-
3 change for all right, title, and interest of such owner in
4 and to Ayakulik Island.

5 (e) CERCLA NOT AFFECTED.—This section and an
6 exchange under this section shall not be construed to limit
7 the application of or otherwise affect section 120(h) of the
8 Comprehensive Environmental Response, Compensation,
9 and Liability Act of 1980 (42 U.S.C. 9620(h)).

10 (f) DEFINITIONS.—In this section:

11 (1) COMMANDANT.—The term “Commandant”
12 means the Secretary of the department in which the
13 Coast Guard is operating, acting through the Com-
14 mandant of the Coast Guard.

15 (2) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior.

17 (3) TRACT.—The term “Tract” means the land
18 (including submerged land) depicted as “PRO-
19 POSED PROPERTY EXCHANGE AREA” on the
20 survey titled “PROPOSED PROPERTY EX-
21 CHANGE PARCEL” and dated 3/22/17.

At the end of title V add the following:

22 **SEC. 5 ____ . VESSEL RESPONSE PLANS IN THE ARCTIC.**

23 (a) AMENDMENTS TO THE OIL POLLUTION ACT OF
24 1990.—

1 (1) IN GENERAL.—Title V of the Oil Pollution
2 Act of 1990 (33 U.S.C. 2731 et seq.) is amended by
3 adding at the end the following:

4 **“SEC. 5009. VESSEL RESPONSE PLANS IN THE ARCTIC.**

5 “The Secretary of the department in which the Coast
6 Guard is operating may not approve a vessel response plan
7 under section 311(j)(5) of the Federal Water Pollution
8 Control Act for a vessel operating in any area covered by
9 the Captain of the Port Zone, as established by the Sec-
10 retary, that includes the Arctic (as defined in section 112
11 of the Arctic Research and Policy Act of 1984 (15 U.S.C.
12 4111)), unless the Secretary verifies that—

13 “(1) all equipment required to be available for
14 response under the plan has been tested and proven
15 capable of operating in the environment in which it
16 is intended to be operated, as determined by the
17 Secretary; and

18 “(2) the oil spill removal organization identified
19 in the vessel response plan under section 311(j)(5)
20 of the Federal Water Pollution Control Act—

21 “(A) has records of training for equipment
22 operators; and

23 “(B) conducts a full equipment deployment
24 exercise in the area covered by the vessel re-
25 sponse plan at least once every 3 years, except

1 that the Secretary may waive a required full
2 equipment deployment exercise, upon request of
3 the organization, if the organization imple-
4 mented the vessel response plan (including the
5 deployment of equipment and operators) during
6 the preceding 3 years in response to a discharge
7 or substantial threat of a discharge of oil.”.

8 (2) CLERICAL AMENDMENT.—The table of con-
9 tents in section 2 of the Oil Pollution Act of 1990
10 is amended by inserting after the item relating to
11 section 5007 the following:

5008. North Pacific Marine Research Institute.

5009. Vessel response plans in the Arctic.

12 (b) REPORT.—Not later than 180 days after the date
13 of enactment of this Act, the Commandant of the Coast
14 Guard shall submit to the Committee on Commerce,
15 Science, and Transportation of the Senate and the Com-
16 mittee on Transportation and Infrastructure of the House
17 of Representatives a report on the oil spill prevention and
18 response capabilities available for the area covered by the
19 Captain of the Port Zone, as established by the Secretary,
20 that includes the Arctic (as defined in section 112 of the
21 Arctic Research and Policy Act of 1984 (15 U.S.C.
22 4111)). The report shall include—

23 (1) a description of equipment and assets avail-
24 able for response under the vessel response plans ap-

1 proved for vessels operating in the area covered by
2 such Captain of the Port Zone;

3 (2) a description of the locations of such equip-
4 ment and assets, including an estimate of the time
5 necessary to deploy such equipment and assets;

6 (3) a determination regarding how effectively
7 such equipment and assets are distributed through-
8 out such Captain of the Port Zone;

9 (4) a determination regarding whether the abil-
10 ity to deploy such equipment and assets is taken
11 into account when measuring the equipment and as-
12 sets available;

13 (5) a validation of the port assessment visit
14 process and a verification of the response resource
15 inventory; and

16 (6) a description of the resources needed by the
17 Coast Guard to conduct port assessments, exercises,
18 response plan review, and spill responses in such
19 Captain of the Port Zone.

At the end of title V add the following:

1 **SEC. 5** ____ . **ASSESSMENT OF PUBLIC COMMENTS ON ADDI-**
2 **TIONAL ANCHORAGES ON THE HUDSON**
3 **RIVER.**

4 (a) **IN GENERAL.**—Not later than 180 days after the
5 date of the enactment of this Act, the Commandant of
6 the Coast Guard shall—

7 (1) assess the public comments received by the
8 Coast Guard on proposals to establish additional an-
9 chorages on the Hudson River between Yonkers,
10 New York, and Kingston, New York; and

11 (2) submit to the Committee on Transportation
12 and Infrastructure of the House of Representatives
13 and the Committee on Commerce, Science, and
14 Transportation of the Senate a report on such as-
15 sessment, including—

16 (A) a detailed summary of concerns raised
17 in such comments about the economic, safety,
18 and environmental impacts of such additional
19 anchorages on the communities bordering the
20 Hudson River between Yonkers, New York, and
21 Kingston, New York, including impacts of such
22 anchorage grounds to sites listed on the Na-
23 tional Priorities List under the Comprehensive
24 Environmental Response, Compensation, and
25 Liability Act of 1980 (42 U.S.C. 9601 et seq.)
26 and areas designated as critical habitat of spe-

1 cies listed as endangered species under the En-
2 dangered Species Act of 1973 (16 U.S.C. 1531
3 et seq.); and

4 (B) the response of the Coast Guard to
5 such concerns.

6 (b) RESTRICTION.—The Commandant may not es-
7 tablish any of the anchorages described in subsection (a)
8 before the end of the 180-day period beginning on the date
9 of the submission of the report under subsection (a)(2).

At the end of title V add the following:

10 **SEC. ____ . PUBLIC SAFETY ANSWERING POINTS AND MARI-**
11 **TIME SEARCH AND RESCUE COORDINATION.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act—

14 (1) the Secretary of the department in which
15 the Coast Guard is operating acting through the
16 Commandant of the Coast Guard shall review Coast
17 Guard policies and procedures for public safety an-
18 swering points and search-and-rescue coordination
19 with State and local law enforcement entities in
20 order to—

21 (A) further minimize the possibility of
22 maritime 911 calls being improperly routed;
23 and

1 (B) assure the Coast Guard is able to ef-
2 fectively carry out the Coast Guard's maritime
3 search and rescue mission; and

4 (2) the Commandant shall formulate a national
5 maritime public safety answering points policy and
6 submit a report to the Congress on that subject.

