

115TH CONGRESS
2D SESSION

S. 3508

To reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2018

Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, Mr. INHOFE, and Mr. NELSON) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, 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 “Save Our Seas Act
5 of 2018”.

6 **TITLE I—MARINE DEBRIS**

7 **SEC. 101. NOAA MARINE DEBRIS PROGRAM.**

8 Section 3 of the Marine Debris Act (33 U.S.C. 1952)
9 is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (4), by striking “; and”
3 and inserting a semicolon;

4 (B) in paragraph (5)(C), by striking the
5 period at the end and inserting a semicolon;
6 and

7 (C) by adding at the end the following:

8 “(6) work to develop outreach and education
9 strategies with other Federal agencies to address
10 sources of marine debris;

11 “(7) except for discharges of marine debris
12 from vessels, in consultation with the Department of
13 State and other Federal agencies, promote inter-
14 national action, as appropriate, to reduce the inci-
15 dence of marine debris, including providing technical
16 assistance to expand waste management systems
17 internationally; and

18 “(8) in the case of an event determined to be
19 a severe marine debris event under subsection (c)—

20 “(A) assist in the cleanup and response re-
21 quired by the severe marine debris event; or

22 “(B) conduct such other activity as the
23 Administrator determines is appropriate in re-
24 sponse to the severe marine debris event.”;

1 (2) by redesignating subsection (c) as sub-
2 section (d);

3 (3) by inserting after subsection (b) the fol-
4 lowing:

5 “(c) SEVERE MARINE DEBRIS EVENTS.—At the dis-
6 cretion of the Administrator or at the request of the Gov-
7 ernor of an affected State, the Administrator shall deter-
8 mine whether there is a severe marine debris event.”; and

9 (4) in subsection (d)(2), as redesignated—

10 (A) in subparagraph (A), by striking “sub-
11 paragraph (B)” and inserting “subparagraphs
12 (B) and (C)”;

13 (B) by adding at the end the following:

14 “(C) SEVERE MARINE DEBRIS EVENTS.—
15 Notwithstanding subparagraph (A), the Federal
16 share of the cost of an activity carried out
17 under a determination made under subsection
18 (c) shall be—

19 “(i) 100 percent of the cost of the ac-
20 tivity, for an activity funded wholly by
21 funds made available by a person, includ-
22 ing the government of a foreign country, to
23 the Federal Government for the purpose of
24 responding to a severe marine debris event;
25 or

1 “(ii) 75 percent of the cost of the ac-
2 tivity, for any activity other than an activ-
3 ity funded as described in clause (i).”.

4 **SEC. 102. SENSE OF CONGRESS ON INTERNATIONAL EN-**
5 **GAGEMENT TO RESPOND TO MARINE DEBRIS.**

6 It is the sense of Congress that the President
7 should—

8 (1) support research and development on sys-
9 tems and materials that reduce—

10 (A) derelict fishing gear; and

11 (B) the amount of solid waste that is gen-
12 erated from land-based sources and the amount
13 of such waste that enters the marine environ-
14 ment;

15 (2) work with representatives of foreign coun-
16 tries that discharge the largest amounts of solid
17 waste from land-based sources into the marine envi-
18 ronment, to develop mechanisms to reduce such dis-
19 charges;

20 (3) carry out studies to determine—

21 (A) the primary means of discharges re-
22 ferred to in paragraph (2);

23 (B) the manner in which waste manage-
24 ment infrastructure can be most effective in
25 preventing such discharges; and

1 (C) the long-term impacts of marine debris
2 on the national economies of the countries with
3 which work is undertaken under paragraph (2)
4 and on the global economy, including the im-
5 pacts of reducing the discharge of such debris;
6 (4) work with representatives of the countries
7 with which work is undertaken in paragraph (2) to
8 conclude one or more new international agreements
9 that include provisions—

10 (A) to mitigate the discharge of land-based
11 solid waste into the marine environment; and

12 (B) to provide technical assistance and in-
13 vestment in waste management infrastructure
14 to reduce such discharges, if the President de-
15 termines such assistance or investment is ap-
16 propriate; and

17 (5) encourage the United States Trade Rep-
18 resentative to consider the impact of discharges of
19 land-based solid waste from the countries with which
20 work is conducted under paragraph (2) in relevant
21 future trade agreements.

22 **SEC. 103. SENSE OF CONGRESS SUPPORTING GREAT LAKES**
23 **LAND-BASED MARINE DEBRIS ACTION PLAN.**

24 It is the sense of Congress that the Great Lakes
25 Land-Based Marine Debris Action Plan (NOAA Technical

1 Memorandum NOS–OR&R–49) is vital to the ongoing ef-
 2 forts to clean up the Great Lakes Region and getting rid
 3 of harmful debris, such as microplastics, abandoned ves-
 4 sels, and other forms of pollution that are threatening the
 5 survival of native marine animals and damaging the Great
 6 Lakes’ recreation and tourism economy.

7 **SEC. 104. MEMBERSHIP OF THE INTERAGENCY MARINE DE-**
 8 **BRIS COORDINATING COMMITTEE.**

9 Section 5(b) of the Marine Debris Act (33 U.S.C.
 10 1954(b)) is amended—

11 (1) in paragraph (4), by striking “; and” and
 12 inserting a semicolon;

13 (2) by redesignating paragraph (5) as para-
 14 graph (7); and

15 (3) by inserting after paragraph (4) the fol-
 16 lowing:

17 “(5) the Department of State;

18 “(6) the Department of the Interior; and”.

19 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 9 of the Marine Debris Act (33 U.S.C. 1958)
 21 is amended to read as follows:

22 **“SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

23 “(a) IN GENERAL.—There is authorized to be appro-
 24 priated to the Administrator \$10,000,000 for each of fis-
 25 cal years 2018 through 2022 for carrying out sections 3,

1 5, and 6, of which not more than 5 percent is authorized
 2 for each fiscal year for administrative costs.

3 “(b) AMOUNTS AUTHORIZED FOR COAST GUARD.—
 4 Of the amounts authorized for each fiscal year under sec-
 5 tion 2702(1) of title 14, United States Code, up to
 6 \$2,000,000 is authorized for the Secretary of the depart-
 7 ment in which the Coast Guard is operating for use by
 8 the Commandant of the Coast Guard to carry out section
 9 4 of this Act, of which not more than 5 percent is author-
 10 ized for each fiscal year for administrative costs.”.

11 **TITLE II—MARITIME SAFETY**

12 **SEC. 201. SHORT TITLE.**

13 This title may be cited as the “Hamm Alert Maritime
 14 Safety Act of 2018”.

15 **SEC. 202. FINDINGS.**

16 Congress finds the following:

17 (1) On September 29, 2015, the SS El Faro
 18 cargo vessel left Jacksonville, Florida bound for San
 19 Juan, Puerto Rico, carrying 391 shipping con-
 20 tainers, 294 trailers and cars, and a crew of 33 peo-
 21 ple, including 28 Americans.

22 (2) On the morning of October 1, the El Faro
 23 sent its final communication reporting that the en-
 24 gines were disabled and the ship was listing, leaving
 25 the ship directly in the path of Hurricane Joaquin

1 and resulting in the sinking of the vessel and the
2 loss of all 33 lives.

3 (3) The National Transportation Safety Board
4 and the Coast Guard made recommendations to ad-
5 dress safety issues, such as improving weather infor-
6 mation and training, improving planning and re-
7 sponse to severe weather, reviewing the Coast
8 Guard's program delegating vessel inspections to
9 third-party organizations to assess the effectiveness
10 of the program, and improving alerts and equipment
11 on the vessels, among other recommendations.

12 (4) Safety issues are not limited to the El Faro.
13 For 2017, over 21,000 deficiencies were issued to
14 United States commercial vessels and more than
15 2,500 U.S. vessels were issued "no-sail" require-
16 ments.

17 (5) The maritime industry, particularly the men
18 and women of the United States merchant marine,
19 play a vital and important role to the national secu-
20 rity and economy of our country, and a strong safety
21 regime is necessary to ensure the vitality of the in-
22 dustry and the protection of current and future
23 mariners, and to honor lost mariners.

24 **SEC. 203. DEFINITIONS.**

25 In this title:

1 (1) COMMANDANT.—The term “Commandant”
2 means the Commandant of the Coast Guard.

3 (2) RECOGNIZED ORGANIZATION.—The term
4 “recognized organization” has the meaning given
5 that term in section 2.45–1 of title 46, Code of Fed-
6 eral Regulations, as in effect on the date of the en-
7 actment of this Act.

8 (3) SECRETARY.—The term “Secretary” means
9 the Secretary of the department in which the Coast
10 Guard is operating.

11 **SEC. 204. DOMESTIC VESSEL COMPLIANCE.**

12 (a) IN GENERAL.—Not later than 60 days after the
13 date on which the President submits to the Congress a
14 budget each year pursuant to section 1105 of title 31,
15 United States Code, the Commandant shall publish on a
16 publicly accessible Website information documenting do-
17 mestic vessel compliance with the requirements of subtitle
18 II of title 46, United States Code.

19 (b) CONTENT.—The information required under sub-
20 section (a) shall—

21 (1) include flag-State detention rates for each
22 type of inspected vessel; and

23 (2) identify any recognized organization that in-
24 spected or surveyed a vessel that was later subject
25 to a Coast Guard-issued control action attributable

1 to a major nonconformity that the recognized orga-
2 nization failed to identify in such inspection or sur-
3 vey.

4 **SEC. 205. SAFETY MANAGEMENT SYSTEM.**

5 (a) IN GENERAL.—The Comptroller General of the
6 United States shall conduct an audit regarding the imple-
7 mentation and effectiveness of the Coast Guard’s over-
8 sight and enforcement of safety management plans re-
9 quired under chapter 32 of title 46, United States Code.

10 (b) SCOPE.—The audit conducted under subsection
11 (a) shall include an evaluation of—

12 (1) the effectiveness and implementation of
13 safety management plans, including such plans for—

14 (A) a range of vessel types and sizes; and

15 (B) vessels that operate in a cross-section
16 of regional operating areas; and

17 (2) the effectiveness and implementation of
18 safety management plans in addressing the impact
19 of heavy weather.

20 (c) REPORT.—Not later than 18 months after the
21 date of enactment of this Act, the Comptroller General
22 shall submit to the Committee on Commerce, Science, and
23 Transportation of the Senate and the Committee on
24 Transportation and Infrastructure of the House of Rep-
25 resentatives a report detailing the results of the audit and

1 providing recommendations related to such results, includ-
2 ing ways to streamline and focus such plans on ship safe-
3 ty.

4 (d) MARINE SAFETY ALERT.—Not later than 60
5 days after the date the report is submitted under sub-
6 section (c), the Commandant shall publish a Marine Safe-
7 ty Alert providing notification of the completion of the re-
8 port and including a link to the report on a publicly acces-
9 sible website.

10 (e) ADDITIONAL ACTIONS.—

11 (1) IN GENERAL.—Upon completion of the re-
12 port under subsection (c), the Commandant shall
13 consider additional guidance or a rulemaking to ad-
14 dress any deficiencies identified, and any additional
15 actions recommended, in the report.

16 (2) REPORT.—Not later than 1 year after the
17 date the report is submitted under subsection (c),
18 the Commandant shall submit to the Committee on
19 Commerce, Science, and Transportation of the Sen-
20 ate and the Committee on Transportation and Infra-
21 structure of the House of Representatives a report
22 on the actions the Commandant has taken to ad-
23 dress any deficiencies identified, and any additional
24 actions recommended, in the report submitted under
25 subsection (c).

1 **SEC. 206. EQUIPMENT REQUIREMENTS.**

2 (a) REGULATIONS.—

3 (1) IN GENERAL.—Section 3306 of title 46,
4 United States Code, is amended by adding at the
5 end the following:

6 “(l)(1) The Secretary shall require that a freight ves-
7 sel inspected under this chapter be outfitted with distress
8 signaling and location technology for the higher of—

9 “(A) the minimum complement of officers and
10 crew specified on the certificate of inspection for
11 such vessel; or

12 “(B) the number of persons onboard the vessel;
13 and

14 “(2) the requirement described in paragraph (1) shall
15 not apply to vessels operating within the baseline from
16 which the territorial sea of the United States is measured.

17 “(m)(1) The Secretary shall promulgate regulations
18 requiring companies to maintain records of all incremental
19 weight changes made to freight vessels inspected under
20 this chapter, and to track weight changes over time to fa-
21 cilitate rapid determination of the aggregate total.

22 “(2) Records maintained under paragraph (1) shall
23 be stored, in paper or electronic form, onboard such ves-
24 sels for not less than 3 years and shoreside for the life
25 of the vessel.”.

26 (2) DEADLINES.—The Secretary shall—

1 (A) begin implementing the requirement
 2 under section 3306(l) of title 46, United States
 3 Code, as amended by this subsection, by not
 4 later than 1 year after the date of the enact-
 5 ment of this Act; and

6 (B) promulgate the regulations required
 7 under section 3306(m) of title 46, United
 8 States Code, as amended by this subsection, by
 9 not later than 1 year after the date of the en-
 10 actment of this Act.

11 (b) ENGAGEMENT.—Not later than 1 year after the
 12 date of the enactment of this Act, the Commandant shall
 13 seek to enter into negotiations through the International
 14 Maritime Organization to amend regulation 25 of chapter
 15 II–1 of the International Convention for the Safety of Life
 16 at Sea to require a high-water alarm sensor in each cargo
 17 hold of a freight vessel (as that term is defined in section
 18 2101 of title 46, United States Code), that connects with
 19 audible and visual alarms on the navigation bridge of the
 20 vessel.

21 **SEC. 207. VOYAGE DATA RECORDER; ACCESS.**

22 (a) IN GENERAL.—Chapter 63 of title 46, United
 23 States Code, is amended by adding at the end the fol-
 24 lowing:

1 **“§ 6309. Voyage data recorder access**

2 “Notwithstanding any other provision of law, the
3 Coast Guard shall have full, concurrent, and timely access
4 to and ability to use voyage data recorder data and audio
5 held by any Federal agency in all marine casualty inves-
6 tigations, regardless of which agency is the investigative
7 lead.”.

8 (b) CLERICAL AMENDMENT.—The analysis for such
9 chapter is amended by adding at the end the following:
“6309. Voyage data recorder access.”.

10 **SEC. 208. VOYAGE DATA RECORDER; REQUIREMENTS.**

11 (a) FLOAT-FREE AND BEACON REQUIREMENTS.—

12 (1) IN GENERAL.—Not later than 1 year after
13 the date of the enactment of this Act, the Com-
14 mandant shall seek to enter into negotiations
15 through the International Maritime Organization to
16 amend regulation 20 of chapter V of the Inter-
17 national Convention for the Safety of Life at Sea to
18 require that all voyage data recorders are installed
19 in a float-free arrangement and contain an inte-
20 grated emergency position indicating radio beacon.

21 (2) PROGRESS UPDATE.—Not later than 3
22 years after the date of the enactment of this Act, the
23 Commandant shall submit to the Committee on
24 Commerce, Science, and Transportation of the Sen-
25 ate and the Committee on Transportation and Infra-

1 structure of the House of Representatives an update
2 on the progress of the engagement required under
3 paragraph (1).

4 (b) COST-BENEFIT ANALYSIS.—Not later than 2
5 years after the date of the enactment of this Act, the Com-
6 mandant shall submit to the Committee on Commerce,
7 Science, and Transportation of the Senate and the Com-
8 mittee on Transportation and Infrastructure of the House
9 of Representatives a cost-benefit analysis of requiring that
10 voyage data recorders installed on commercial vessels doc-
11 umented under chapter 121 of title 46, United States
12 Code, capture communications on the internal telephone
13 systems of such vessels, including requiring the capture
14 of both sides of all communications with the bridge on-
15 board such vessels.

16 **SEC. 209. SURVIVAL AND LOCATING EQUIPMENT.**

17 Not later than 2 years after the date of the enact-
18 ment of this Act, the Commandant shall, subject to the
19 availability of appropriations, identify and procure equip-
20 ment that will provide search-and-rescue units the ability
21 to attach a radio or Automated Identification System
22 strobe or beacon to an object that is not immediately re-
23 trievable.

1 **SEC. 210. TRAINING OF COAST GUARD PERSONNEL.**

2 (a) PROSPECTIVE SECTOR COMMANDER TRAIN-
3 ING.—Not later than 1 year after the date of the enact-
4 ment of this Act, the Commandant shall implement an Of-
5 ficer in Charge, Marine Inspections segment to the sector
6 commander indoctrination course for prospective sector
7 commanders without a Coast Guard prevention ashore of-
8 ficer specialty code.

9 (b) STEAMSHIP INSPECTIONS.—Not later than 1 year
10 after the date of the enactment of this Act, the Com-
11 mandant shall implement steam plant inspection training
12 for Coast Guard marine inspectors and, subject to avail-
13 ability, recognized organizations to which authority is dele-
14 gated under section 3316 of title 46, United States Code.

15 (c) ADVANCED JOURNEYMAN INSPECTOR TRAIN-
16 ING.—

17 (1) IN GENERAL.—Not later than 2 years after
18 the date of the enactment of this Act, the Com-
19 mandant shall establish advanced training to provide
20 instruction on the oversight of recognized organiza-
21 tions to which authority is delegated under section
22 3316 of title 46, United States Code, auditing re-
23 sponsibilities, and the inspection of unique vessel
24 types.

25 (2) RECIPIENTS.—The Commandant shall—

1 (A) require that such training be com-
 2 pleted by senior Coast Guard marine inspectors;
 3 and

4 (B) subject to availability of training ca-
 5 pacity, make such training available to recog-
 6 nized organization surveyors authorized by the
 7 Coast Guard to conduct inspections.

8 (d) COAST GUARD INSPECTIONS STAFF; BRIEF-
 9 ING.—Not later than 1 year after the date of the enact-
 10 ment of this Act, the Commandant shall provide to the
 11 Committee on Commerce, Science, and Transportation of
 12 the Senate and the Committee on Transportation and In-
 13 frastructure of the House of Representatives a briefing de-
 14 tailing—

15 (1) the estimated time and funding necessary to
 16 triple the current size of the Coast Guard’s traveling
 17 inspector staff; and

18 (2) other options available to the Coast Guard
 19 to enhance and maintain marine safety knowledge,
 20 including discussion of increased reliance on—

21 (A) civilian marine inspectors;

22 (B) experienced licensed mariners;

23 (C) retired members of the Coast Guard;

24 (D) arranging for Coast Guard inspectors
 25 to ride onboard commercial oceangoing vessels

1 documented under chapter 121 of title 46,
 2 United States Code, to gain experience and in-
 3 sight; and

4 (E) extending tour-lengths for Coast
 5 Guard marine safety officers assigned to inspec-
 6 tion billets.

7 (e) AUDITS; COAST GUARD ATTENDANCE AND PER-
 8 FORMANCE.—Not later than 180 days after the date of
 9 the enactment of this Act, the Commandant shall—

10 (1) update Coast Guard policy to utilize risk
 11 analysis to target the attendance of Coast Guard
 12 personnel during external safety management certifi-
 13 cate and document of compliance audits; and

14 (2) perform a quality assurance audit of recog-
 15 nized organization representation and performance
 16 regarding United States-flagged vessels.

17 **SEC. 211. MAJOR MARINE CASUALTY PROPERTY DAMAGE**
 18 **THRESHOLD.**

19 Section 6101(i)(3) of title 46, United States Code,
 20 is amended by striking “\$500,000” and inserting
 21 “\$2,000,000”.

22 **SEC. 212. REVIEWS, BRIEFINGS, REPORTS, AND TECHNICAL**
 23 **CORRECTIONS.**

24 (a) MAJOR CONVERSION DETERMINATIONS.—

1 (1) REVIEW OF POLICIES AND PROCEDURES.—

2 The Commandant shall conduct a review of policies
3 and procedures for making and documenting major
4 conversion determinations, including an examination
5 of the deference given to precedent.

6 (2) BRIEFING.—Not later than 1 year after the
7 date of the enactment of this Act, the Commandant
8 shall provide to the Committee on Commerce,
9 Science, and Transportation of the Senate and the
10 Committee on Transportation and Infrastructure of
11 the House of Representatives a briefing on the find-
12 ings of the review required by paragraph (1).

13 (b) VENTILATORS, OPENINGS AND STABILITY
14 STANDARDS.—

15 (1) REVIEW.—Not later than 1 year after the
16 date of the enactment of this Act, the Commandant
17 shall complete a review of the effectiveness of United
18 States regulations, international conventions, recog-
19 nized organizations' class rules, and Coast Guard
20 technical policy regarding—

21 (A) ventilators and other hull openings;

22 (B) fire dampers and other closures pro-
23 tecting openings normally open during oper-
24 ations;

1 (C) intact and damage stability standards
2 under subchapter S of chapter I of title 46,
3 Code of Federal Regulations; and

4 (D) lifesaving equipment for mariners, in-
5 cluding survival suits and life jackets.

6 (2) BRIEFING.—Not later than 18 months after
7 the date of the enactment of this Act, the Com-
8 mandant shall provide to the Committee on Com-
9 merce, Science, and Transportation of the Senate
10 and the Committee on Transportation and Infra-
11 structure of the House of Representatives a briefing
12 on the effectiveness of the regulations, international
13 conventions, recognized organizations' class rules,
14 and Coast Guard technical policy reviewed under
15 paragraph (1).

16 (c) SELF-LOCATING DATUM MARKER BUOYS.—Not
17 later than 6 months after the date of the enactment of
18 this Act, the Commandant shall provide to the Committee
19 on Commerce, Science, and Transportation of the Senate
20 and the Committee on Transportation and Infrastructure
21 of the House of Representatives a briefing on the reli-
22 ability of self-locating datum marker buoys and other simi-
23 lar technology used during Coast Guard search-and-rescue
24 operations. The briefing shall include a description of rea-
25 sonable steps the Commandant could take to increase the

1 reliability of such buoys, including the potential to lever-
 2 age technology used by the Navy, and how protocols could
 3 be developed to conduct testing of such buoys before using
 4 them for operations.

5 (d) CORRECTION.—

6 (1) IN GENERAL.—Notwithstanding any other
 7 provision of law, the Secretary of Transportation,
 8 for purposes of section 502(f)(4) of the Railroad Re-
 9 vitalization and Regulatory Reform Act of 1976 (45
 10 U.S.C. 822(f)(4)) (as in effect on the day before the
 11 amendments made by section 11607 of Public Law
 12 114–94 (129 Stat. 1698) took effect)—

13 (A) not later than 30 days after the date
 14 of enactment of this Act, and in consultation
 15 with the Director of the Office of Management
 16 and Budget, shall define the term “cohorts of
 17 loans”;

18 (B) before the deadline described in para-
 19 graph (2), shall return to the original source,
 20 on a pro rata basis, the credit risk premiums
 21 paid for the loans in the cohort of loans, with
 22 interest accrued thereon, that were not used to
 23 mitigate losses; and

24 (C) shall not treat the repayment of a loan
 25 after the date of enactment of Public Law 114–

1 94 as precluding, limiting, or negatively affect-
2 ing the satisfaction of the obligation of its co-
3 hort prior to the enactment of Public Law 114-
4 94.

5 (2) DEADLINE DESCRIBED.—The deadline de-
6 scribed in this paragraph is—

7 (A) if all obligations attached to a cohort
8 of loans have been satisfied, not later than 60
9 days after the date of enactment of this Act;
10 and

11 (B) if all obligations attached to a cohort
12 of loans have not been satisfied, not later than
13 60 days after the date on which all obligations
14 attached to the cohort of loans are satisfied.

15 (e) OVERSIGHT PROGRAM; EFFECTIVENESS.—

16 (1) IN GENERAL.—Not later than 2 years after
17 the date of the enactment of this Act, the Com-
18 mandant shall commission an assessment of the ef-
19 fectiveness of the Coast Guard’s oversight of recog-
20 nized organizations and its impact on compliance by
21 and safety of vessels inspected by such organiza-
22 tions.

23 (2) EXPERIENCE.—The assessment commis-
24 sioned under paragraph (1) shall be conducted by a

1 research organization with significant experience in
2 maritime operations and marine safety.

3 (3) SUBMISSION TO CONGRESS.—Not later than
4 180 days after the date that the assessment required
5 under paragraph (1) is completed, the Commandant
6 shall submit to the Committee on Commerce,
7 Science, and Transportation of the Senate and the
8 Committee on Transportation and Infrastructure of
9 the House of Representatives the results of such as-
10 sessment.

11 **SEC. 213. FLAG-STATE GUIDANCE AND SUPPLEMENTS.**

12 (a) FREIGHT VESSELS; DAMAGE CONTROL INFORMA-
13 TION.—Within 1 year after the date of the enactment of
14 this Act, the Secretary shall issue flag-State guidance for
15 all freight vessels documented under chapter 121 of title
16 46, United States Code, built before January 1, 1992, re-
17 garding the inclusion of comprehensive damage control in-
18 formation in safety management plans required under
19 chapter 32 of title 46, United States Code.

20 (b) RECOGNIZED ORGANIZATIONS; UNITED STATES
21 SUPPLEMENT.—The Commandant shall—

22 (1) work with recognized organizations to cre-
23 ate a single United States Supplement to rules of
24 such organizations for classification of vessels; and

1 (2) by not later than 1 year after the date of
 2 the enactment of this Act, provide to the Committee
 3 on Commerce, Science, and Transportation of the
 4 Senate and the Committee on Transportation and
 5 Infrastructure of the House of Representatives a
 6 briefing on whether it is necessary to revise part 8
 7 of title 46, Code of Federal Regulations, to authorize
 8 only one United States Supplement to such rules.

9 **SEC. 214. MARINE SAFETY STRATEGY.**

10 Section 2116 of title 46, United States Code, is
 11 amended—

12 (1) in subsection (a), by striking “each year of
 13 an annual” and inserting “of a triennial”;

14 (2) in subsection (b)—

15 (A) in the subsection heading, by striking
 16 “ANNUAL” and inserting “TRIENNIAL”; and

17 (B) by striking “annual” each place it ap-
 18 pears and inserting “triennial”;

19 (3) in subsection (c)—

20 (A) by striking “fiscal year 2011 and each
 21 fiscal year” and inserting “fiscal year 2020 and
 22 triennially”; and

23 (B) by striking “annual plan” and insert-
 24 ing “triennial plan”; and

1 (4) in subsection (d)(2), by striking “annually”
2 and inserting “triennially”.

3 **SEC. 215. RECOGNIZED ORGANIZATIONS; OVERSIGHT.**

4 (a) IN GENERAL.—Section 3316 of title 46, United
5 States Code, is amended by redesignating subsection (g)
6 as subsection (h), and by inserting after subsection (f) the
7 following:

8 “(g)(1) There shall be within the Coast Guard an of-
9 fice that conducts comprehensive and targeted oversight
10 of all recognized organizations that act on behalf of the
11 Coast Guard.

12 “(2) The staff of the office shall include subject mat-
13 ter experts, including inspectors, investigators, and audi-
14 tors, who possess the capability and authority to audit all
15 aspects of such recognized organizations.

16 “(3) In this subsection the term ‘recognized organiza-
17 tion’ has the meaning given that term in section 2.45–
18 1 of title 46, Code of Federal Regulations, as in effect
19 on the date of the enactment of the Hamm Alert Maritime
20 Safety Act of 2018.”.

21 (b) DEADLINE FOR ESTABLISHMENT.—The Com-
22 mandant of the Coast Guard shall establish the office re-
23 quired by the amendment made by subsection (a) by not
24 later than 2 years after the date of the enactment of this
25 Act.

1 **SEC. 216. TIMELY WEATHER FORECASTS AND HAZARD**
2 **ADVISORIES FOR MERCHANT MARINERS.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Commandant shall seek to enter into nego-
5 tiations through the International Maritime Organization
6 to amend the International Convention for the Safety of
7 Life at Sea to require that vessels subject to the require-
8 ments of such Convention receive—

9 (1) timely synoptic and graphical chart weather
10 forecasts; and

11 (2) where available, timely hazard advisories for
12 merchant mariners, including broadcasts of tropical
13 cyclone forecasts and advisories, intermediate public
14 advisories, and tropical cyclone updates to mariners
15 via appropriate technologies.

16 **SEC. 217. ANONYMOUS SAFETY ALERT SYSTEM.**

17 (a) **PILOT PROGRAM.**—Not later than 1 year after
18 the date of enactment of this Act, the Commandant shall
19 establish an anonymous safety alert pilot program.

20 (b) **REQUIREMENTS.**—The pilot program established
21 under subsection (a) shall provide an anonymous reporting
22 mechanism to allow crew members to communicate urgent
23 and dire safety concerns directly and in a timely manner
24 with the Coast Guard.

1 **SEC. 218. MARINE SAFETY IMPLEMENTATION STATUS.**

2 (a) IN GENERAL.—Not later than December 19 of
3 2018, and of each of the 2 subsequent years thereafter,
4 the Commandant shall provide to the Committee on Com-
5 merce, Science, and Transportation of the Senate and the
6 Committee on Transportation and Infrastructure of the
7 House of Representatives a briefing on the status of imple-
8 mentation of each action outlined in the Commandant’s
9 final action memo dated December 19, 2017, regarding
10 the sinking and loss of the vessel El Faro.

11 (b) REPORT.—Not later than 2 years after the date
12 of enactment of this Act, the Department of Homeland
13 Security Inspector General shall report to the Committee
14 on Commerce, Science, and Transportation of the Senate
15 and the Committee on Transportation and Infrastructure
16 of the House of Representatives on the status of the Coast
17 Guard’s implementation of each action outlined in the
18 Commandant’s final action memo dated December 19,
19 2017, regarding the sinking and loss of the vessel El Faro.

20 **SEC. 219. DELEGATED AUTHORITIES.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of the enactment of this Act, the Commandant shall
23 review the authorities that have been delegated to recog-
24 nized organizations for the alternative compliance pro-
25 gram as described in subpart D of part 8 of title 46, Code
26 of Federal Regulations, and, if necessary, revise or estab-

lish policies and procedures to ensure those delegated authorities are being conducted in a manner to ensure safe maritime transportation.

(b) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the implementation of subsection (a).

TITLE III—CENTER OF EXPERTISE

SEC. 301. SHORT TITLE.

This title may be cited as the “Coast Guard Blue Technology Center of Expertise Act”.

SEC. 302. COAST GUARD BLUE TECHNOLOGY CENTER OF EXPERTISE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act and subject to the availability of appropriations, the Commandant may establish under section 58 of title 14, United States Code, a Blue Technology center of expertise.

(b) MISSIONS.—In addition to the missions listed in section 58(b) of title 14, United States Code, the Center may—

1 (1) promote awareness within the Coast Guard
2 of the range and diversity of Blue Technologies and
3 their potential to enhance Coast Guard mission
4 readiness, operational performance, and regulation
5 of such technologies;

6 (2) function as an interactive conduit to enable
7 the sharing and dissemination of Blue Technology
8 information between the Coast Guard and represent-
9 atives from the private sector, academia, nonprofit
10 organizations, and other Federal agencies;

11 (3) increase awareness among Blue Technology
12 manufacturers, entrepreneurs, and vendors of Coast
13 Guard acquisition policies, procedures, and business
14 practices;

15 (4) provide technical support, coordination, and
16 assistance to Coast Guard districts and the Coast
17 Guard Research and Development Center, as appro-
18 priate; and

19 (5) subject to the requirements of the Coast
20 Guard Academy, coordinate with the Academy to de-
21 velop appropriate curricula regarding Blue Tech-
22 nology to be offered in professional courses of study
23 to give Coast Guard cadets and officer candidates a
24 greater background and understanding of Blue
25 Technologies.

1 (c) BLUE TECHNOLOGY EXPOSITION; BRIEFING.—

2 Not later than 6 months after the date of the enactment
 3 of this Act, the Commandant shall provide to the Com-
 4 mittee on Transportation and Infrastructure of the House
 5 of Representatives and the Committee on Commerce,
 6 Science, and Transportation of the Senate a briefing on
 7 the costs and benefits of hosting a biennial Coast Guard
 8 Blue Technology exposition to further interactions be-
 9 tween representatives from the private sector, academia,
 10 and nonprofit organizations, and the Coast Guard and ex-
 11 amine emerging technologies and Coast Guard mission de-
 12 mands.

13 (d) DEFINITIONS.—In this section:

14 (1) CENTER.—The term “Center” means the
 15 Blue Technology center of expertise established
 16 under this section.

17 (2) COMMANDANT.—The term “Commandant”
 18 means the Commandant of the Coast Guard.

19 (3) BLUE TECHNOLOGY.—The term “Blue
 20 Technology” means any technology, system, or plat-
 21 form that—

22 (A) is designed for use or application
 23 above, on, or below the sea surface or that is
 24 otherwise applicable to Coast Guard operational
 25 needs, including such a technology, system, or

1 platform that provides continuous or persistent
2 coverage; and

3 (B) supports or facilitates—

4 (i) maritime domain awareness, in-
5 cluding—

6 (I) surveillance and monitoring;

7 (II) observation, measurement,
8 and modeling; or

9 (III) information technology and
10 communications;

11 (ii) search and rescue;

12 (iii) emergency response;

13 (iv) maritime law enforcement;

14 (v) marine inspections and investiga-
15 tions; or

16 (vi) protection and conservation of the
17 marine environment.

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